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UNIVERSITY of the CUMBERLANDS

POLICIES AND PROCEDURES
FOR ALL EMPLOYEES

(Revised April 16, 2015)

INTERPRETATIVE STANDARDS

Policies and Procedures for all Employees, and Policies and Procedures Addendum for Faculty, are statements of policies and procedures which shall serve as guidance for the management of the University. No statement in these documents, including but not limited to statements regarding employee benefits, should be understood to be in the nature of a contractual commitment by the University or a promise by the University to any person. The statements of policies and procedures may be amended, modified, eliminated, enlarged upon or deviated from by the authority of the Board of Trustees or the President to whom the board has made delegations of its authority. Thus, changes may be unilaterally made by the University at any time. All University employees, those with contracts and those who serve at-will, are expected to comply with the University's policies and procedures as they are declared from time to time. The University's interpretations of its policies shall not be affected by the interpretation of the policies of other institutions even though the policies may be similar or even identical.

GRIEVANCES, NON-DISCRIMINATION, DIVERSITY AND EQUITY, AND ACCOMMODATION OF DISABILITIES PLAN

Grievances

If any employee feels unfairly treated in any way other than because of prohibited discrimination, including the terms and conditions of employment, salary, rank, course load, course assignments, non-renewal of appointment on the faculty, denial of tenure, termination of employment, disciplinary actions short of termination, or in any other matter, the employee shall submit a written statement of grievance and any supporting evidence to the chair of the department or administrative head within 30 days of the occurrence. The department chair or administrative head will respond to the complaint within 30 days of receipt of the written grievance. If the employee remains dissatisfied after discussions, then the department chair or administrative head shall immediately submit the grievance and any materials developed, the employee’s supporting evidence, and any recommendations to the President. If for any reason an
employee prefers to initiate the grievance with the Vice President for Business Services, the employee may do so. The President shall review the grievance and make a final decision within 30 days of receipt of the grievance. If the grievance concerns the termination of employment of a tenured member of the faculty, the faculty member may appeal the decision of the President to the Chair of the Board of Trustees within 30 days of the decision. The appeal will be considered at the next meeting of the Board. If the grievance concerns an act or omission of the President, the employee shall submit the grievance statement and any evidence to the Chair of the Board of Trustees.

Nondiscrimination Statement
The University does not illegally discriminate in its programs and activities on the basis of race, color, national or ethnic origin, sex, disability, age, religion, genetic information, veteran or military status, or any other basis on which the University is prohibited from discrimination under local, state, or federal law. As a non-profit Christian institute of higher learning, the University exercises its rights under state and federal law to use religion as a factor in making employment decisions. The University has been granted exemption from certain regulations promulgated under Title IX of the Education Amendments of 1972 which conflict with the University’s religious tenets.

The University has grievance procedures to provide students, employees, or applicants an opportunity to file a complaint of illegal discrimination of any kind. In order to file a grievance, see the grievance procedures published below or contact the appropriate person:

The following person has been designated to handle inquiries or complaints regarding the disability nondiscrimination policy, including compliance with Section 504 of the Rehabilitation Act of 1973:

Dr. Michelle Dykes-Anderson
Student Success Coordinator
Boswell Campus Center, Student Services Office Suite
(606) 539-3561, michelle.anderson@ucumberlands.edu

The following person has been designated as the University’s Title IX Coordinator to handle inquiries or complaints regarding the sex nondiscrimination policy and compliance with Title IX of the Education Amendments of 1972:

Ms. Pearl Baker
Human Resources Director and Title IX Coordinator
Gatliff Administration Office 116
(606) 539-4211, pearl.baker@ucumberlands.edu
Dr. Emily Coleman  
Vice President for Student Services and Deputy Title IX Coordinator  
Boswell Campus Center, Student Services Office Suite  
(606) 539-4171, emily.cooley@ucumberlands.edu

The following person has been designated to handle inquiries or complaints regarding all other portions of the nondiscrimination policy:

Mr. Steve Morris  
Vice President for Business Services  
Gatliff Administration Office 001  
(606) 539-4597, steve.morris@ucumberlands.edu

Diversity and Equity Practices  
In addition to the policy of non-discrimination, the University has voluntarily established a program of actions designed to address disparities in hiring, payment, and provision of benefits to its employees based on their sex, race, or ethnicity.

The University recognizes the presence of a racially and sexually diverse faculty and staff as educationally desirable. To this end, the University is committed to ascertain the extent to which any discriminatory disparity exists between the percentage of women to men or racial and ethnic minorities to Caucasians in the employ of the University in various personnel categories and the percentage in the relevant labor markets.

The University, therefore, has and will continue to identify and work to eliminate any institutional employment practices which are not directly related to qualifications and/or job performance. These practices shall include the initial application and interview process, the contents of job descriptions, job qualifications, and procedures and programs which bear upon opportunities for advancement within the University. The University will generally pursue a program of open faculty and staff recruitment to avoid the possible discriminatory effects of a closed system.

This policy shall be made clear to all persons in the University community and to those who come into contact with the University. A statement of non-discrimination shall be included in relevant documents, such as the University of the Cumberlands Policies and Procedures Handbook, University of the Cumberlands Student Handbook, and University of the Cumberlands Catalog, and will be included in orientation for new faculty and staff.

As a faith-based institution, University of the Cumberlands reserves the right to discriminate on religious grounds in its employment practices in order to fulfill its mission. The University can best fulfill its vision and mission statements when the faculty and staff are composed of persons who agree with the religious principles of the University and whose lives reflect these principles.
The specific actions of the Diversity and Equity Program include:
1. Implementation and continued use of statistical analysis of the faculty and staff populations with specific attention to the sex, race, and ethnic characteristics of those groups.
2. Implementation and continued use of statistical analysis of the faculty and staff to examine the equity of salaries, pay schedules and benefits across the sex and ethnicity of that population.
3. Publication and dissemination of all employment opportunities in the appropriate venues.
4. Oversight of this program by the appropriate University officers.

Accommodation of Disabilities
In compliance with section 504 of the Rehabilitation Act and the Americans with Disabilities Act, University of the Cumberlands will provide reasonable accommodation of all documented disabilities. Please see Appendix D for the accommodation of disabilities policy for employees.

OFFICERS

The following are officers of the University. Complete position descriptions are available in the Human Resources Office.

President—The President of the University shall be a person of distinguished accomplishment and shall be the chief executive officer of the University. The President shall be elected by the Board of Trustees and shall have all the power and perform all the duties imposed by law upon the executive head of the University. With the counsel and subject to the ultimate authority of the Board, the President shall be fully responsible for and empowered to undertake the operation and administration of all of the academic and non-academic programs of the University. The President’s specific duties shall relate to securing and maintaining a competent teaching and administrative staff and to the development and supervision of the academic program and physical equipment of the University. The President shall have also primary responsibility as the chief development officer of the University for the development of those human and material resources and relationships essential to the support of higher learning, and for promoting understanding and communication of the institution’s purposes and needs both within the University community and without. The President may delegate the details of the office, and shall have all liberty and authority necessary for the effective performance of larger duties.
Vice President for Academic Affairs and Dean of the University - This officer is the senior academic officer of the University and reports directly to the President with oversight from the Academic Committee of the Board. The Vice President advises the President on matters of educational policy and represents the campus at the state, regional, and national levels on academic matters. This officer is responsible for the academic programs of the University which includes all undergraduate majors and minors and the graduate program, all of which are organized into departments with each department chair reporting directly to the Vice President. This officer is also responsible for the recruitment and development of members of the Faculty under the direction of the President. The registrar’s office, library services, and institutional research are also under the supervision of this Vice President.

Vice President for Student Services and Director of Leadership Studies - This officer coordinates programs and activities for student development and provides services for all students. The Vice President reports directly to the President with oversight by the Student Services Committee of the Board. This officer administers and has charge of the following programs and departments: Student Life, Campus Ministries, Intramural Athletics, Career Development, Health Services, Student Activities, Leadership and Community Service.

Vice President for Institutional Advancement and Assistant to the President for Administration - This officer reports directly to the President with oversight from the Student Services Committee and the Stewardship Committee of the Board. Under the direction of the President, the Vice President has principal responsibility to coordinate and give direction to the areas of Development, Alumni Relations, Multi Media and Athletic Services, Church Relations, International Programs, Admissions, Mountain Outreach, and, in coordination with other officers, the Cumberland Inn. As Assistant to the President for Administration, other matters may be assigned by the President including the oversight of gift processing.

Vice President for Finance - This Vice President reports directly to the President with oversight from the Finance, Budget and Investment Committee and the Audit Committee of the Board. This Vice President is the chief financial officer. This officer oversees the Assistant Director of Finance and Controller and the maintenance of the financial records and accounts of the University. Other responsibilities include overseeing accounting, bursar, loan department, investment management, banking, and financial reporting and jointly with the Vice President for Business Services, this officer oversees financial budgeting.

Vice President for Operations - This Vice President reports directly to the President with oversight from the Land Development Committee, the Building and Grounds Committee and the Finance, Budget and Investment Committee of the Board. This Vice President is the senior
operations officer. This officer has charge of all real and personal property of the University and oversees all capital projects, general construction, facilities management, infrastructure, plant operation, property management, real estate development, the tel-data communications plant, and telecommunications services. This officer further oversees the safety and security of the institution as well as the faculty, staff and students. In coordination with other officers, this officer oversees the Mountain Outreach building program.

Vice President for Business Services and Budget Officer- This Vice President reports directly to the President with oversight from the Finance, Budget and Investment Committee and the Audit Committee of the Board. This Vice President is the senior budget officer. This officer has responsibility for human resources, employee benefit administration, purchasing, fleet management, post office, risk management, supply center/duplication, and the campus health clinic. In coordination with other officers, this Vice President oversees the Cumberland Inn, student employment, and financial budgeting. This officer is responsible for all auxiliary services including the outsourced areas of bookstore and food service. This officer has principal responsibility for the drafting of the annual budget of the University and to authorize the expenditure of the funds of the University within the limits of the approved annual budget or other specific authorization of the Board.

Vice President for Student Financial Planning- This Vice President reports directly to the President with oversight from the Student Services Committee of the Board. This Vice President is the senior students financial planning officer. This officer plans and budgets all student financial aid programs. This Vice President works with parents and students to identify federal, state and private aid for which the student and/or parents might qualify. In addition, this Vice President will provide all aid reports required by both state and federal government.

Vice President for Athletics and Athletics Director- This Vice President reports directly to the President with oversight by the Student Services Committee of the Board. This officer is responsible for and has charge of all Athletic Sports Teams, Department of Athletic Training, and Department of Sports Information. Other responsibilities include representing the University at National Association of Intercollegiate Athletics (NAIA) and Mid South Conference (MSC) meetings, securing coaches for all sports teams, and athletic fundraising.

Vice President of Information Services- This Vice President reports directly to the President with oversight from Student Services Committee and the Academic Committee of the Board. This Vice President is the Chief Information Officer and is responsible for computer and network systems to meet the needs of the University. This Vice President also maintains information security and compliance with state and federal regulatory requirements.

Vice President for Medical Services- This Vice President reports directly to the President with oversight from the Academic Committee of the Board. This Vice President will oversee the Campus Medical Clinic and is responsible with the Vice President for Academic Affairs to
expand academic programs, to address additional medical and health care needs and to develop medically related service programs that will be beneficial to our students and to society.

UNIVERSITY OF THE CUMBERLANDS – NAME AND LOGO

No faculty, staff, student, any other individual, or organization may use the name, “Cumberland College,” “University of the Cumberlands,” or its logo without the approval of the University administration. All actions in the name of the University must be consistent with its philosophy, goals, and educational objectives. All such issues will be evaluated by the President or by the President’s Cabinet.

CONTRACTUAL AUTHORITY

Only the President of the University or his designated representatives is authorized by the Board of Trustees to enter into a contract. All authorized contracts and agreements in the name of University of the Cumberlands, except employment agreements, shall require two signatures, the President and the signature of one of the Vice Presidents, each acting within the course and scope of such officer's respective authority. Employment agreements are entered into only by the President and such agreements require the signature of the President.

TAX-EXEMPT STATUS

University of the Cumberlands is a non-profit corporation which has received tax-exempt status under 501(c) (3) of the Internal Revenue Code. Thus, there are legal limitations upon non-educational functions and activities. All decisions concerning University governance and administration must be within the legally imposed limitations of federal and state statutes. Annual financial reports are prepared by the University Business Office and the University auditors, approved by the Trustees, and filed with the governmental agencies.

CONFIDENTIALITY OF EMPLOYEE RECORDS

The financial records of the University are disclosed annually through the audit report prepared by an external auditor. This report is available to groups and agencies as approved by the University President and the Board of Trustees.

All personnel files in the Business Office are confidential and not subject to inspection without specific authority. Requests for information from individuals or agencies are honored upon written approval of the University employee or upon legal authority of a governmental agency or court. The internal disclosure of information requires the consent of the President.
In like manner, student information is available only to the student and appropriate administrative personnel of the University. All others must have written approval of the student.

CONFIDENTIALITY OF STUDENT RECORDS

All officials will follow a strict policy that information contained in a student's education record is confidential and may not be disclosed to third parties without the student's prior written consent except as otherwise provided in the Student Records Policy contained in the Student Handbook and University Catalog. The University will comply with the Family Educational Rights and Privacy Act (FERPA). The University’s Registrar is designated to oversee compliance.

Student education records are maintained in order for the administrative staff and the faculty to perform their proper functions to serve the student body. To carry out their responsibilities, these officials will have access to student records for legitimate educational purposes. For complete guidelines refer to the Student Handbook and University Catalog.

INTELLECTUAL PROPERTY

The University of the Cumberlands encourages faculty to actively participate in their disciplines and contribute to their fields. The University’s Intellectual Property Policy seeks to:

- Ensure the rights of individuals to the works and ideas they produce.
- Protect the name and rights of the University.

SECTION I. Definitions

Creator - “Creator” refers to the individual who invents, authors, creates, or in any other manner produces intellectual property. In the University’s policy, the creator also refers to an individual employed by the University or enrolled in the University.

Intellectual Property - “Intellectual property” refers to inventions, processes, creations, or other products that can be copyrighted or patented.

Copyrighted Materials - “Copyrighted materials” include a broad range of works that would qualify for protection under the copyright laws of the United States. Samples of works that can be copyrighted are

- Books, journal articles, texts, glossaries, bibliographies, syllabi, study guides, laboratory manuals, and tests.
- Lectures, musical or dramatic compositions, and unpublished scripts.
- Visual aids such as films, filmstrips, transparencies, and charts.
- Live video and audio broadcasts.
• Videotapes, DVDs, audio tapes, and audio or video CDs.
• Programmed instructional materials.
• Computer software.

**Patented Materials** - “Patented materials” refer to inventions, processes, creations, or other products that would qualify for protection under the patent laws of the United States.

**SECTION II. Ownership**

The general policy of University of the Cumberlands is to grant all rights to intellectual property to the creator or creators with the creator or creators determining how to disseminate the intellectual property and keeping all income derived from the intellectual property. This policy applies to intellectual property developed on- or off-campus; developed during a teaching term, vacation, or faculty fellowship; and developed with normal use of office space, library resources, and computer resources.

Exceptions to the general policy include the following situations:

- **Assigned Tasks** - University of the Cumberlands owns intellectual property developed as a result of the performance of assigned University duties.
- **Outside Agreements** - When intellectual property is developed through a sponsored grant or contract with an outside entity, the provisions contained in the grant or contract determine ownership of the intellectual property. If the grant or contract does not address ownership, the general University policy applies.

**Significant Use of University-Administered Resources** - When the development of intellectual property is significantly assisted by the use of University facilities, resources, and/or personnel; the University is entitled to a share of royalty or other income from the intellectual property. Significant use of University-administered resources does not include resources ordinarily available (e.g., office space, personal office equipment, library) or incidental involvement of students who receive funding from the University.

**SECTION III. Administration of Policy**

The routine implementation and administration of the policies detailed above is assigned to the university officer to whom an employee is responsible. When either the institution or employee determines that circumstances may require a formal assignment or sharing of intellectual property rights between the employee and the institution, these may include but not be limited to
recognition of the use of the University’s facilities, resources, and/or personnel; liabilities and responsibilities concerning the use of facilities, resources, and/or personnel; as well as the percentage of royalty income or other compensation to be received by the University and/or the employee. The terms of any agreements concerning intellectual property rights will be negotiated with the creator/s by the appropriate University officer, subject to final review and approval by the President.

EXPECTATIONS OF THE UNIVERSITY OF ALL EMPLOYEES

The nature of the University as a church-related institution calls for inclusion of the following expectations:

1. Employees are expected to support the institution's primary objective -- the education of students in a framework of sound scholarly endeavor and of the Christian faith.
2. In exercising their duties, rights, and privileges, employees will be guided by principles of truthfulness, decency, moral integrity, a sense of loyalty to the institution, and the canons of good taste.
3. Employees are expected to support doctrines traditionally held by Baptists. Members of other religious bodies should show discretion and a sense of loyalty to this institution. It is expected that every employee will uphold and advance the Christian principles upon which the institution is founded.
4. Every employee is expected to refrain from the use of alcoholic beverages and illegal drugs to show clearly that the University does not approve of such activity.

An employee whose action is improper or inconsistent with the philosophy of the University, or who is unable to perform satisfactorily the assignment, should be reported immediately to the President. The President, in consultation with the appropriate supervisor and officers of the University, may give a warning, suspend, transfer, or terminate the employee. The University reserves the right to investigate the background of its employees. Such background investigations may include: credential and work history verifications, professional reference verifications, personal reference verifications, criminal history record checks, credit report reviews, and driving record history checks. Reports containing adverse information will be reviewed by the appropriate University officer and the President.

DRUG AND ALCOHOL POLICY

All faculty and staff members will uphold and advance the Christian principles upon which the institution is founded. Personal conduct on or off campus which significantly impairs the
employee’s fulfillment of institutional responsibilities, or is inconsistent with the philosophy of the University, usually related to the way such conduct may damage the individual's credibility or effectiveness within the University community, is grounds for disciplinary sanctions.

Each employee is expected to refrain from the use of alcoholic beverages and the use or distribution of illegal controlled drugs and any other substance that is inconsistent with the philosophy of the University. Especially, no employee shall be under the influence of, possess or distribute alcoholic beverages and/or any illicit drug on University property or at any University activity.

As part of the University’s employment procedures, certain positions within the University require that an applicant undergo a pre-employment alcohol and drug screening conducted by a physician designated by the University. Any offer of employment that an applicant receives from the University is contingent upon, among other things, satisfactory completion of this screening.

As a condition of continued employment, employees may also be required to undergo periodic alcohol and drug screenings, if the employee is involved in an accident at work or while driving a University vehicle or at the discretion of the University. All University-required alcohol and drug screenings are paid for in full by the University. Refusal by any employee to participate in a University-required alcohol drug screening will result in immediate termination of employment.

Questions about alcohol and drug screenings should be directed to the Human Resources Office or the Vice President of Business Services.

Violation of this policy shall result in the imposition of one or more of the disciplinary sanctions set forth in Appendix A and may result in severe criminal penalties under local, state and federal law. Federal legislation requires that these penalties be set forth in writing. See Appendix A for additional information.

HARASSMENT

University of the Cumberlands prohibits harassment and intimidation on the basis of one's age, disability, sex, race, color, religion or national origin. Examples of conduct prohibited by these policies include, but are not limited to, repeated insults, humor, jokes and/or anecdotes that belittle or demean an individual's or group's sex, race, color, religion or national origin and physical conduct or verbal innuendo which, because of one's sex, race, color, religion or national origin creates an intimidating hostile or offensive environment.

Examples of conduct prohibited by the policy against sexual harassment include, but are not limited to:

a. persistent, unwelcome flirtation advances and/or propositions of a sexual nature;
b. repeated unwelcome comments of a sexual nature about an individual's body or clothing;
c. unwanted displays of sexually suggestive objects or pictures;
d. unnecessary touching, such as patting, pinching, hugging, or repeated brushing against an individual’s body;

e. suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual’s employment, work assignments or status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation;

f. sexual assault.

It is in the perception of the target of the behavior that sexual harassment is defined; or in other words, harassment is in the eye of the beholder. The law defines sexual harassment from the point of view of the target of the harassment and as such excludes any consideration of intent.

Bullying is prohibited behavior. Bullying may be a form of illegal harassment. Whether the conduct is illegal or not, bullying is prohibited by the University. Bullying is any kind of conduct, speech, gesture, communication or other act which causes or is intended to cause one to suffer fear of physical harm, alarm, intimidation, humiliation or embarrassment, or which creates a hostile environment.

Persons wishing to file a complaint relative to a violation or violations of this policy should do so within 30 days of the occurrence to Ms. Pearl Baker, Human Resources Director and Title IX Coordinator, Gatlin Administration Office 116. An investigation of the complaint will be completed within 45 days. Recommendations on the merits of the complaint will be made to the President of University of the Cumberlands and the President shall render a decision which shall be final. The complainant shall be advised of the decision on the merits of the complaint within 90 days.

WHISTLEBLOWER POLICY

This policy prohibits retaliation against an employee or student of the University (referred to here as a “Whistleblower”) who reports an activity that the Whistleblower reasonably believes to be illegal, fraudulent or dishonest conduct involving University employees or resources.

All members of the University community are responsible for reporting fraudulent, dishonest, or illegal conduct involving University employees or resources. Such reporting should be made according to University policy or applicable law. If a situation is not addressed by existing University policy or if the appropriate manager or supervisor fails to act on such a report according to University Policy, a Whistleblower may report the matter to the President or the Chair of the Board of Trustees c/o University of the Cumberlands, 6191 College Station Drive, Williamsburg, KY 40769. If necessary, a Whistleblower may report the matter directly to the Chair of the Board of Trustees.
University employees may not retaliate against a Whistleblower with the intent or effect of adversely affecting the terms or conditions of employment or enrollment. If the Whistleblower has made a confidential report, the University will exercise reasonable care to keep the Whistleblower’s identity and the report confidential, unless (1) the Whistleblower agrees to the disclosure; (2) disclosure is necessary to allow University or law enforcement officials to investigate or respond effectively to the report; (3) disclosure is required by law; or (4) the person(s) accused of violations by the Whistleblower are entitled to the information as a matter of institutional due process in disciplinary proceedings.

Whistleblowers who reasonably believe that they have been retaliated against by a University employee may file a written complaint with the President with a copy to the Chair of the Board of Trustees. If retaliation is proven, the retaliating employee(s) are subject to appropriate disciplinary actions or remedies provided in law or equity, including dismissal. The prohibition against retaliation is not intended to prohibit managers or supervisors from exercising legitimate supervisory responsibilities in the usual scope of their duties and based on the University’s Expectations of all Employees, other institutional policies and valid performance-related factors.

PERSONAL RELATIONSHIPS WITH STUDENTS

The University’s employees may develop personal relationships with students which go beyond the congenial employee-student relationship Cumberland encourages. Employees should be sensitive to favoritism and the disruption it can cause in the academic setting.

A special relationship creates a possible conflict of interest. Employees must engage in honest academic conduct and ensure that their evaluations of students reflect each student’s true merit. If a faculty member assigns grades and/or if an employee otherwise relates professionally to a student with whom the employee has a personal relationship, the employee risks at least the appearance of a loss of professionalism and thus must exercise care.

Employees also should be sensitive to the power differential between employees and students. Employees must be careful to avoid personal relationships which may exist only as a result of the power differential. Exploitation must not occur.

Personal relationships between employees and students increase the risk of a charge of sexual harassment. Sexual harassment and other immoral conduct, and the appearance of such behavior, must be avoided in these relationships. If an employee of the University dates or is otherwise romantically involved with a Cumberland student, the employee shall report the existence of the relationship immediately to the employee’s supervisor.

PERSONAL RELATIONSHIPS WITH OTHER EMPLOYEES
The University strives to avoid the appearance of favoritism of one employee over another. To assist the University in this endeavor, if any employee of the University dates or is otherwise romantically involved with another employee, the employee shall report the existence of the relationship immediately to his or her supervisor. If an employee is related to another employee who is working in the same department, the employee shall report the existence of the family relationship to his or her supervisor. While personal or family relationships are not prohibited between University employees, the University reserves the right to take actions when the relationships or associations of an employee impact the institution.

RECRUITMENT, PROMOTION, AND TRANSFER

The President of the University is responsible for the recruitment, promotion, and transfer of all University employees. From time to time the President will request the assistance and recommendation of administrative or department heads. Applications or requests for employment may be addressed to the Human Resources Office or, in the case of faculty, to the President or the Vice President for Academic Affairs.

The University promotes an environment of open communication between employees and their supervisors. To assist in accomplishing this goal, performance reviews are completed annually to provide feedback for employees and their supervisors. In early spring of each year the Human Resources Office conducts a confidential survey, which allows each employee to evaluate his or her immediate supervisor. The Human Resources Office keeps these reviews and the summarized results are given to both the supervisor and the appropriate University officer. Employees are given feedback by their supervisor regarding their performance throughout the year. Departmental needs change from time to time and may require employees to be reassigned to a new position.

PERSONNEL RECORDS

The Vice President for Business Services and the Human Resources Office are responsible for preparing and maintaining employment records for all employees. These records include payroll records, tax reports, insurance records.

The Office of the Vice President for Academic Affairs is responsible for maintaining files of all academic credentials for faculty members. These records include: vita, transcripts, reports on professional development, and reports on other professional activities. Original Faculty contracts are kept on file in the President’s Office.
OUTSIDE EMPLOYMENT

No full-time employee of the University may accept outside responsibilities which interfere with a thorough and efficient performance of University responsibilities. In particular, all employees must secure written permission from the President of the University for outside employment. When, in the judgment of the President, any non-University related activity interferes with the employee’s responsibilities at the University, the President may require that the employee reorganize or eliminate the activity.

CONFLICT OF INTEREST

All faculty, staff, and members of the Board of Trustees have an obligation to fulfill their responsibilities in a manner consistent with the fact that they serve a charitable trust. Decisions are to be made on the basis of their desire to promote the best interests of the University. The integrity of the University must be protected and advanced at all times.

Possible conflicts of interests are likely to occur, and, although most such potential conflicts are inconsequential, employees have the responsibility to ensure that the University president is made aware of situations involving personal, familial, or business relationships that could be troublesome for the University. Thus, each employee is asked to disclose any possible conflict immediately upon recognition of the fact. Disclosure forms are distributed annually to all Board of Trustees and to all Faculty and Staff. Disclosure forms are also available in the Office of Human Resources.

Any disclosed information shall be held in confidence except when the best interest of the institution would be served by disclosure.

Definitions:

Business relationship: A relationship in which an employee or a member of his or her family as defined below, serves as an officer, director, employee, partner, trustee, or controlling stockholder of an organization that does substantial business with the University.

Family member: A spouse, parents, siblings, children, or any other relative if the latter resides in the same household as the employee.

Substantial benefit: When an employee or a member of the employee's family (1) is the actual or beneficial owner of more than 5 percent of the voting stock or controlling interest of an organization that does substantial business with the University or (2) has other direct or indirect dealings with such an organization from which the employee or employee's family member benefits directly, indirectly or potentially from cash or property receipts that total $1,000 or more per annum.

CHAPEL AND CONVOCATION ATTENDANCE
Because the University community is enhanced when faculty, staff, and students participate in these activities together, all University employees are encouraged to attend convocations and other University functions.

**TELEPHONE, KEYS AND FACILITY ACCESS**

The University telephone system offers local calling access from most phones by dialing nine first to obtain a dial tone. Office telephone facilities are to be used for business purposes. It is recognized that some personal telephone calls are necessary, but these are to be kept as brief as possible. Long distance access is given to employees by use of a seven-digit access code that must be entered before each call is placed. Employees are expected to use long distance service or any toll service paid by the University for business calls only, without exception. The University reserves the right to monitor any incoming or outgoing calls routed through the campus system. Monthly reports detailing telephone activity are distributed to each department for review of telephone usage.

Keys for University buildings and offices will be issued by Plant Services to employees only upon presentation of a key requisition form signed by the department chair or administrative head. No employee is allowed to copy or duplicate any University key for any University property. All University keys must be returned to Plant Services at the employee’s termination. The final payroll transaction of a terminated employee will not be released until all keys are returned.

For safety and security reasons, lost keys should be reported immediately to Plant Services. All University facilities are locked and alarms activated after the normal operational hours per that facility. Access to facilities after hours must be arranged in advance.

**RESPONSIBLE USE OF INFORMATION TECHNOLOGY**

All members of the University of the Cumberlands community who use the University’s computing, information or communication resources must act responsibly. Every user is responsible for the integrity of these resources under their control. All users of University-owned or University-leased information technology systems must respect the rights of other users, respect the integrity of the physical facilities and controls, and comply with all pertinent licenses and contractual agreements. It is the policy of University of the Cumberlands that all members of its community act in accordance with these responsibilities, relevant laws and contractual obligations, and the highest standard of ethics.

Information technology provides important means of communication, both public and private. Users and system administrators will respect the privacy of person-to-person communication in all forms, including voice (telephone), text (electronic mail and file transfer), and images (graphics and video).
Access to the University’s information technology facilities, from both remote and campus sites, is a privilege granted to the University’s students, faculty, and staff. Access to University information resources may be granted, limited, or withdrawn by the University based on the following factors: observance of relevant guidelines, laws, and contractual obligations, the requester’s need to know, the information’s sensitivity, system load, availability of training, risk of damage to or loss by the University, and the person’s previous history of use. The University reserves the right to extend, limit, restrict, or deny privileges and access to its information resources.

University facilities and accounts are to be used for the activities or purposes for which they are assigned. University computing resources are not to be used for commercial purposes without written authorization from the University.

Users must guard against abuses that disrupt or threaten the viability of any system, including those at the University and those on networks to which the University’s systems are connected or accessible. Abuses include the use of equipment such as wireless access points, wireless routers, cable routers, etc.

Access to information resources without proper authorization from data owners, unauthorized use of University facilities, and intentional corruption or misuse of information resources are direct violations of the University’s standards for conduct as a Christian institution. Consequently, the system is continually monitored to evaluate system usage. Individuals using University systems without authority, or in excess of their authority, are subject to having all of their activities on the systems monitored and recorded by system personnel in conjunction with appropriate University personnel, or local, state, and/or federal authorities.

University of the Cumberlands is not responsible for the user data lost or erased from University of the Cumberlands equipment. No member of the University community should use the University computing, information or communication resources with an expectation of privacy and therefore, constituents should be aware that the data created or stored on the University’s information systems is the property of the University and is subject to access by the University as provided below.

For security and network maintenance purposes, the University may monitor equipment, systems and network traffic at any time. Certain personnel are designated to investigate suspected information systems abuse or violations of other policies. The University reserves the right to examine files, including email.

Audits may be conducted to: ensure integrity, confidentiality and availability of information and resources; ensure conformance to the Information Technology policy, monitor user or system activity where appropriate, and investigate possible security incidents or violations of policies.
When requested, or for the purpose of performing an audit, any access needed will be provided to authorized members of the University staff. This access may include: user level and/or system level access to any computing or communications device and/or access to information (electronic, hardcopy, etc.) that may be produced, transmitted or stored on University equipment or premises.

System drives will be cleaned periodically, and any data files erased at the discretion of the Computer Center Director/Network Administration. It is the responsibility of the user to make disk copies or download any data files stored on University of the Cumberlands systems, including email messages and addresses stored in the user’s University of the Cumberlands Web mail account.

University of the Cumberlands treats access and use violations of computing facilities, equipment, software, information resources, networks, or privileges seriously. University of the Cumberlands will pursue criminal and civil prosecution of violators when appropriate. Alleged violations of this policy will be reported to the appropriate Vice President.

For a complete listing of all Information Technology policies, please visit http://www.ucumberlands.edu/it/.

SOCIAL MEDIA GUIDELINES

At University of the Cumberlands, we recognize that social media sites are increasingly important forms of communication for both our community and the world at large. To utilize these mediums effectively, the following guidelines will serve as a guide for the University’s faculty and staff.

Post accurate, concise and useful information.

- While Cumberlands does not regularly review content posted to social media sites, be aware that all posted content is subject to review in accordance with University employee policies and editorial guidelines.
- Uphold the University’s mission and values
- On Twitter accounts, do not “follow” individuals, causes or organizations that might run contrary to the University’s mission and values.
- Remember that on Facebook, official Cumberlands pages should be “fan pages,” which users “like” rather than “friend.”
- Know the facts before you post.
- Cite your sources whenever possible. Give credit where credit is due.
- Ask yourself, is this appropriate information to post.
• If you make an error, correct it quickly.
• If you come across negative posts about the University please pass the information to the multimedia department so the post may be addressed if inappropriate.
• Do not post confidential information about Cumberlands, its students, its alumni or employees. Remember FERPA.
• University computers and your work time are to be used for university-related business.
• Respect the ideas of others.
• Respect Copyrights
• Don't use Cumberlands name, logo, athletic logo or any other Cumberlands marks or images on any personal online sites you might maintain.
• Don't use Cumberlands name, logos, or images to promote or endorse any product, cause or political party or candidate.
• If you make contact information available so that others can ask questions, be sure to respond in a timely fashion.
• Do not represent your personal opinions as being endorsed by the University or any of its organizations.
• Be familiar with and abide by the terms of usage of any social media platform you are using.
• Be diligent about tracking and utilizing analytics to gauge the success and impact of your social media communications.

The University’s conduct code for students and employees applies to conduct on social media. Posts evidencing misconduct may be used by the University in disciplinary actions.

Administration

• Cumberlands employees identified as administrators of accounts for departments or organizations are responsible for managing and monitoring content of those accounts. Such accounts are the property of University of the Cumberlands and must also have a representative from the multimedia department as one of the administrators. The multimedia department will not maintain these sites; however, administrator designation will enable the multimedia department to access the account should the need arise.

Photos

• Photos posted on social networking sites are there for the world to see; no post or photo is private.
DEPARTMENTAL BUDGET RESPONSIBILITY

Each department head or unit manager is responsible for submitting an annual budget of expenses (and revenues, for revenue centers), in the spring before the start of each fiscal year to the Business Office. This budget for the coming fiscal year is reviewed by the Business Office and submitted to the Board of Trustees for approval in the spring meeting. The Business Office distributes monthly budget status reports to the Vice Presidents, which in-turn review the information with the appropriate department head or manager. Vice Presidents (referred to as Budget Unit Managers) are responsible for reporting any anticipated budget surplus or shortfalls to the Business Office as they are discovered. Furthermore, any department that misses its budget for the year must submit a written explanation to the Business Office at the end of the fiscal year. The Business Office gives a budget status report to the Board of Trustees each fall. In this fall meeting a report of the previous fiscal year’s budgeted and actual financials is given. In addition, a forecast for the current fiscal year’s end is given to the Board of Trustees with respect to the budgeted figures.

PURCHASING PROCEDURES

MyAP is the internal “Cumberlands” name for an electronic system used by employees to submit purchase requisitions and invoices for approval by their department heads, and VP, before being processed by the Business Office.

Purchase Requisition

Purchase Requisitions are classified as one of four “types” in MyAP, and will be routed differently, depending on the type of purchase requested:

**General**- Requisition is submitted through MyAP and routed to the Department Head, then the VP, before being submitted to Accounts Payable for final review, and ordering.

**Office Supplies / Printing / Logo Items**- Requisition is submitted through MyAP and routed to the Department Head, then the VP, before being submitted to Business Services for final review, and ordering.

**Capital / Furniture / Signage / Equipment**- Requisition is submitted through MyAP and routed to the Department Head, then the VP, before being submitted to VP for Operations for final review, and ordering.

**Technology / Hardware / Software**- Requisition is submitted through MyAP and routed to the Department Head, then the VP, before being submitted to Information Technology for final review, and ordering.
For general office supply purchases, the University has an on-line ordering system in place with a retail vendor (Staples as of October 18, 2012), for offices to easily place orders on-line, with the ability of the Business Office to approve these orders electronically before they are completed. On-campus services that are excluded from the submission of a purchase requisition are the bookstore, Dining Services, the Cumberland Inn and the Campus Post Office. On-campus facilities require an internal purchase order (white slip) that is signed by the appropriate department chair or administrative head before the service or product is obtained.

Major purchases such as Capital Equipment should be submitted through MyAP. The request will go through the appropriate workflow and then be sent to the Vice President for Operations for final review.

Invoice Verification
The vendor will send an invoice for the purchase, showing the amount due and payment terms to the Accounts Payable Office. The invoice is then scanned into MyAP and routed to the administrative head for approval.

Voucher and Payment
Vouchers which include all invoices for one vendor are prepared and are normally paid by the Business Office between the 20\textsuperscript{th} and 25\textsuperscript{th} of each month for purchases received during the preceding month.

Internal Purchase Request
An internal purchase request (white), is a transaction between two University departments. When products are transferred between departments, this form is used to communicate the transaction to the Business Office. For departmental transfers of supplies, the form requires the signature of the department heads for both the supplying and receiving department, a description of the goods or service supplied, and the prices of the transaction. The internal purchase request is also used for purchases from on-campus services. These services include the bookstore, dining services, the Cumberland Inn, and the Campus Post Office. These on-campus facilities require an internal request that is signed by the appropriate department chair or administrative head before the service or product is obtained. Each of these on-campus vendors are required to obtain the internal request, complete with an agreed upon price and the appropriate department head approval, before the product or service is delivered. Once the transaction has been completed, the internal request must be returned to the Business Office-Accounts Payable, so that the expense can be properly transferred to the purchasing department.

Some charges incurred by University departments result in a monthly distribution of expenses to the applicable department. Charges for duplicating services, motor pool vehicles, routine post office services, telephone usage, and employee benefit accruals, are distributed to each
department based upon usage. These distributions are made by the Business Office monthly and will not typically involve an internal purchase request for each transaction.

INVENTORY CONTROL

The Business Office maintains an inventory listing of all equipment and resources. Each department is responsible for all equipment assigned to it. Equipment purchases greater than $2,500.00, the University library books, and other collections are capitalized and reflected in the permanent assets of the University. Whenever equipment is sold or destroyed, it is removed from the inventory list.

GENERAL LIABILITY/SAFETY/SECURITY

Each individual is expected to exercise proper care and diligence at all times. The safety and security of others and the elimination of risks should be a constant concern. Any injury, loss or potential loss should be reported immediately by submitting an Incident Report Form to the Vice President for Operations. Employees involved in a work-related accident that suffer a personal injury must report the incident in writing within 24 hours of the accident to the Vice President of Business Services whom administers Workers Compensation Insurance coverage for employees. Failure to comply with this Workers Compensation reporting policy may result in the denial of Workers Compensation coverage by the University’s insurer.

UNIVERSITY REIMBURSABLE TRAVEL

All University related travel must be approved in advance by the Business Services office. A general list of required travel authorization and reimbursement forms is provided below. Additional information regarding travel and travel reimbursement policies is available in the Business Services Office. Receipts or other documents are required for all reimbursable expenses. The University auditors examine these documents regularly.

Purpose of Travel

University reimbursable travel normally can be classified under four areas.
1. Academic
   Academic travel may be required for a limited number of courses. Field trips for the enrichment of academic coursework are permitted on a limited basis depending upon cost and availability of vehicles. Also in this category is the travel of faculty members to supervise field experience.

2. Administrative
   A major portion of University reimbursable travel is for purposes of public relations, fund raising, and recruitment of students. Also, in this area is travel to attend meetings and workshops for training in specialized skills and for the purpose of keeping the University administration
informed of the latest changes of external agencies, such as accreditation requirements and
governmental regulations.

3. **Professional Development**
Faculty and staff development is encouraged. The University will reimburse for pre-approved
travel, academic course work, professional meetings, workshops, and conferences.

4. **Student-Related**
Student-related travel includes outreach activities, events of intercollegiate competition,
performing groups, and approved trips of individual student organizations.

**Travel Regulations**

1. **Limitations of Cost**
The University will reimburse for approved travel in personal vehicles at the rate of $.40 per
mile which is intended to cover the extra costs of gasoline, car maintenance, vehicle depreciation
and insurance.

The meal allowance for student groups is $7.00 per meal, per person and $21.00 per day.
Exceptions will be made only in extreme circumstances. Staff members are encouraged to keep
their meal and room costs as low as possible. As stated below receipts are not normally required
for expenditures under $7.00 when these appear normal and reasonable.

2. **Motor Pool Vehicles and Credit Cards**
The University owns a limited number of vehicles available for University-related travel. In
addition, the University may rent vehicles on an as-needed basis for University use. The
maintenance, scheduling and rental of vehicles is supervised by the Business Services Office.
An approved vehicle authorization form should be filed with the Business Services Office as
soon as travel is approved. All drivers of University vehicles must be approved by the
University’s insurance company before any University-owned or rented vehicle may be driven.
No person under the age of 21 is permitted to drive a University-owned or rented vehicle.
University owned or leased vehicles are the only vehicles allowed to be used to transport
students, employee passengers, and guests of the University. The University has commercial
liability insurance in place for passengers in its leased and owned vehicles, which is not provided
when personal vehicles are used.

All motor pool costs are posted under a "service account" number, and at the end of the month
costs are pro-rated on a mileage basis. Thus the pro-rated costs of each trip are charged to each
department.

Fuel purchasing credit cards in the name of the University are for University related expenses
only, because the oil companies remove federal taxes for tax-exempt organizations. Usage of
these cards for personal expense (not University reimbursable expenses) could endanger the tax-
exempt status of the card. These cards are normally assigned along with University-owned vehicles. Whenever a staff member signs a credit card receipt, the vehicle should be clearly identified. All copies of receipts should be returned to the Business Services Office. All employees using the fuel purchasing credit cards must first sign a use agreement form to be kept on file in the Business Services Office.

3. Insurance of Vehicles  
The insurance company requires that drivers be registered with the company through the Business Services Office before being permitted to drive a University-owned vehicle. In addition, any staff member who drives a personal vehicle on University business should be aware that a portion of the mileage reimbursement is intended to cover the cost of premiums for increased limits of liability coverage on the staff member’s personal vehicle.

4. Care of Vehicles  
Each driver of a University vehicle is requested to care for the vehicle as if it were personally owned: (1) inspect the vehicle and the gas gauge before usage; (2) drive the vehicle cautiously and obey all traffic laws (The driver is responsible for the payment of any traffic violations.); (3) clean out the vehicle and turn in the mileage log report and keys at the conclusion of travel; (4) report any malfunctions to the Business Services Office immediately; (5) report any accidents to the Business Services Office immediately.

Required Forms  
All University reimbursable travel and the usage of University owned vehicles must be approved in advance by the Business Services Office. The following paragraphs describe the normal procedure. These forms can be obtained online at www.ucumberlands.edu/business/forms.php

1. Travel Authorization Form  
This form must be approved by the appropriate department head and the Business Services Office before the Business Services Office will pay any advance reservation fee, issue any vehicle authorization, issue any travel advance, or issue any travel expense voucher reimbursement. Only one form is required per trip regardless of the number of staff members expecting to travel.

The information requested includes the University department involved with signed approval of department head, names of individuals or groups which will be traveling, the destination, the purpose of the travel, the schedule, the transportation needed, and a projected itemization of all related costs. Travel related expenses include transportation (University owned or leased vehicles, personal vehicles, and public vehicles), lodging, food, registration fees for conference, entry fees for athletic teams, and miscellaneous costs. Items such as professional membership fees, equipment purchases, and supply purchases are not travel-related expenses and should be reported on another form.
2. **Vehicle Authorization Form**

Vehicle Authorization Form is a copy of the approved Travel Authorization Form noted above. A few staff members have been assigned vehicles for regular usage. However, when deemed necessary, any University controlled vehicle may be temporarily reassigned. Whenever the demand for vehicles exceeds the supply, the scheduling is determined by priority need and date of request.

3. **Travel Advance Form**

A travel advance is available to faculty and staff members who need “cash in advance” for authorized University related travel expenses. The advance form must be completed and signed by the staff member seeking the advance and must be approved by the Business Services Office.

This advance may be cleared by turning in a travel expense voucher with receipts or by returning the cash to the Bursar’s Office. As indicated on the advance form, the advance will be payroll deducted if it has not been repaid within fourteen days after returning from the trip.

4. **Travel Expense Voucher Form**

Whenever an employee has incurred University reimbursable travel expenses, a travel voucher should be prepared and have the receipts attached. As a normal guideline, receipts are not required for expenditures under $7.00 when these appear normal and reasonable. This voucher must be signed by the employee and approved by the department or administrative head. Reimbursable advance payments requested by Wednesday from the Business Services Office will normally be available for pick up in the Accounts Payable Office on Friday.

**EMPLOYMENT CLASSIFICATION**

**Faculty**

The University faculty includes appropriately credentialed personnel involved in teaching courses in the University curriculum and the professional library staff. Inclusion in this classification does not necessarily imply eligibility for tenure, or employment benefits.

**Staff**

The University staff includes all employees who do not have faculty and/or officer status.

**Outsourced Employees**

Certain functions and services of the University are outsourced and are contracted to outside vendors. These employees are classified as outsourced employees. By terms of the contracts, they are eligible to receive staff parking permits and to attend various University-related functions. By definition, they are not considered employees of the University. However, they are expected to abide by University’s principles and regulations.
EMPLOYMENT STATUS

Unless an employee holds a written employment contract for a term of time signed by the President, employees of the University are at-will employees, meaning either the employee or the University may terminate employment without cause or notice. The mere recitation of an employee's salary in terms of an annual salary is for accounting, budgeting or payroll purposes only and does not constitute an annual contract or otherwise change the employee's classification from being an employee-at-will.

Regular Employee
This group includes all employees of the University regardless of position or level except the part-time, temporary, and student related employees. Each Regular Employee is eligible for the employee insurance programs (following a 90 day probationary period for non-contract Regular Employees) and the University retirement program according to the written guidelines. It is the responsibility of all employees to complete the appropriate documentation necessary to join the University's insurance program within 30 days of their hire date. Applications after this period may be denied by the carrier.

Part-Time Employee
This group includes all employees of the University who work less than 30 hours a week. These employees are not eligible to participate in the University insurance programs. Part-time employees that work 20 hours a week or more (1,000 hours a year) are eligible to participate in the University retirement program.

Temporary Employee
Occasionally the University may employ a person for a defined short period of time. These employees are not eligible to participate in the University insurance programs or the University retirement program. Also, temporary employees are not eligible to receive unemployment compensation.

Student Related Employee
Whenever a person is employed so that the employee or spouse may enroll at the University, the employee is considered a temporary employee and is classified as a student related employee. Such employees are not eligible to participate in the University employee insurance programs or the University retirement program and are not eligible to receive unemployment compensation or receive Faculty-Staff parking permits. When the student related staff or spouse is graduated or is no longer enrolled or planning to enroll at University of the Cumberlands, employment will be terminated.
PAYROLL SYSTEMS

Direct Deposit
Payroll direct deposit is required for all employees, except those classified as student employees. Direct deposit enrollment forms are available in the Human Resources office.

Salaried Payroll
Compensation is issued on the last full working day of the month.

Hourly Payroll
This is a semi-monthly payroll with compensation issued on the 15th and the last full working day of the month. Time and attendance is managed by an electronic time clock. Supervisors are responsible for approving employee’s time by the 4th and the 19th day of the month.

CALENDARS

The work schedule of the University staff follows two different calendars. The Academic Calendar is the guide for the teaching faculty. All other employees are to work with individual departments’ work schedules, adjusted as needed.

WORK WEEK DEFINED

Faculty
The faculty work week is determined by faculty teaching assignment, office hours, committee appointments, advising and other assignments. Please see The Faculty Addendum for detailed faculty information.

Staff
Each work week begins on Sunday and ends on Saturday. The length of the normal work week is 40 hours. The University allows two breaks of fifteen minutes each, one in the morning and one in the afternoon. These periods are intended to be preceded and followed by an extended work period; thus, they are not intended to cover late arrival to work or early departure, nor may they be regarded as cumulative if not taken.

In addition, the lunch break should normally be 30-60 minutes, varying upon department need and/or individual preference. The lunch break should be taken outside the office or away from the regular work station. Lunch time is not counted as a portion of a staff member’s work time.
Some individuals are in positions demanding more flexible scheduling. These persons' schedules will be assigned to enable the department's functions to be carried out in an orderly and appropriate manner.

**COMMITTEE WORK**

The University has many committees and the faculty and staff who are appointed to serve on one or more of these committee must coordinate any time away from work to attend committee meetings with the supervisor. Time spent in committee meetings is considered standard work time, and employees will be compensated as such. A complete list of the membership of all University committees is distributed annually. A copy of this listing is kept in the Academic Dean’s Office.

**OVERTIME COMPENSATION**

During normal operation of the University, overtime compensation should not be necessary. However, overtime may be necessary in certain situations but must be approved in advance by the appropriate University officer.

**EMPLOYEE BENEFITS**

**Absence from Work**
These days are treated as paid holidays for full-time employees as noted.
- New Year’s Day
- Good Friday
- Easter (for Inn employees only)
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving Day (excludes Inn employees)
- Christmas Day

When one or more of the scheduled holiday falls on a Saturday or Sunday, the employees will receive notification from the Human Resources Office as to the observance of that holiday.

**Vacation Leave for Staff**
The rate at which staff earns vacation is determined as follows: After an employee works one year of consecutive service, one week of vacation is earned. For employees with one to five years of consecutive service, one week of vacation is earned after each six month period of service, following their first one-year anniversary. Earned vacation is to be used within one year.
after each week is earned. For employees with five to ten consecutive years of service, vacation is earned at a rate of one week after every four months of service; to be used within one year after each week is earned. Employees with ten or more years of consecutive service earn one week of vacation every three months of service; to be used within one year after each week is earned.

Scheduling any paid vacation time and additional time absent without pay must be approved by the immediate supervisor and possibly other officials in order that there will be no interruption in the normal work flow.

Sick Leave
Each Regular Employee of the University is entitled to one day of paid sick leave per month of employment up to twelve days per year (ten for academic contract). It is expected that such leave will be taken only in cases of bona fide illness that confines the employee or a dependent within the family to home or health care facility. In the event it is necessary for an employee to take time off due to a medical or dental appointment, this time off with pay will be granted and charged against paid sick leave if available. The University reserves the right to require reasonable evidence that paid sick leave is used for a permitted reason. Absences as a result of the employee’s pregnancy and child birth are treated in the same manner as an illness.

Any unused sick leave will be accrued up to 66 working days which will protect the Regular Employee, if applicable, until the benefits of the University's optional long-term disability insurance begins. This is a non-insured benefit with no accumulated value. Under appropriate circumstances, paid sick leave maybe designated as FMLA leave. Employees who have exhausted paid sick leave may qualify for additional unpaid leave under FMLA.

Emergency Leave
Absence due to death or critical illness in the immediate family of an employee not to exceed five (5) working days per individual occurrence may be granted without loss of pay. Immediate family shall include spouse, child, grandchild, grandparent, parent, brother or sister of the employee or spouse. Critical illness is determined when a member of the immediate family is placed on the critical list in a hospital and/or is so designated by the attending physician.

Jury Duty
When an employee is called for jury duty or subpoenaed as a witness, the employee will continue to be paid at the normal rate and the University will try to cover the regular responsibilities of this employee until the employee can return. When an employee is released from daily jury duty responsibility during normal working hours, the employee is to return to work immediately following the adjournment.
Military Service
A military leave of absence for limited field training is granted to Regular Employees who are members of reserve components of the Armed Services. See Appendix D for the University’s policy concerning the uniformed Services Employment and Re-employment ACT (USERRA).

Tuition Scholarship for Employees
All regular employees of the University are eligible for a 100% waiver of regular, undergraduate tuition. The employee must adhere to the following criteria:

1. The President and Vice President must approve the request.
2. The employee must meet admissions requirements.
3. Time taken from work to attend class is to be made up, if the course is taken for personal interests.
4. The employee must complete a Free Application for Federal Student Aid (FAFSA) by February 1st of each academic year.
5. The University will not waive expenses for books.
6. If the employee qualifies for any federal or state grants, the grants will combine with the waiver to pay full tuition and provide an allotment for books.
7. If an employee is hired during a semester, the waiver will take effect at the start of the next semester.
8. Tuition waivers for on-line classes will be granted with the following exception: Course fees will be the responsibility of the student if the course is taken for personal interests. Please contact the Bursar for the on-line course fee schedule.
9. Tuition waivers are not granted for graduate classes.

Personal Leave, Including Family & Medical Leave (FMLA)
Upon approval of the appropriate administrative officer, a Regular Employee may be allowed time off for personal reasons, including but not limited to, time off to care for a new child or care of children, parents, or spouse.

University of the Cumberlands complies with the Family and Medical Leave Act. See Appendix B. This policy provides employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Any questions, concerns, or disputes with this policy should be directed in writing to Pearl Baker, Director of Human Resources
Insurance Programs
The University provides Medical Insurance, Dental Insurance, Vision Insurance, Group Life Insurance, Dependent Life Insurance, and/or Group Long-term Disability Insurance for eligible employees. Non-contract Regular Employees have a ninety day waiting period before they may be insured.

1. Medical Insurance
The University provides a medical insurance plan. Eligible employees must complete the application form and submit it to the Human Resources Office within the first thirty days of being classified as a Regular Employee. All applicable paid premiums by the employee are deducted from payroll on a pre-tax basis as allowed by Section 125 of the Internal Revenue Code. For information on the details of the plan, including benefits and premiums, contact the Human Resources Office.

Each Regular Employee who voluntarily terminates employment at the University, any Regular Employee who is terminated by the University, or any dependent of a Regular Employee who is no longer covered by the University policy, may continue medical insurance with the University. Each former employee or dependent who continues with the medical plan coverage is expected to pay the full cost on a regular, timely basis. See Appendix C (COBRA Coverage) for detailed information concerning applications of this policy. Special attention must be given to the conditions to continue and the conditions on which coverage will be terminated.

2. Life Insurance
Optional group life insurance coverage is available upon request for up to eight times the annual salary with a maximum amount of $500,000. The employee pays the total premium for all optional coverage.

Dependent Life Insurance is available upon request. Any eligible Regular Employee enrolled in the Group Life Insurance program may elect coverage for dependents. The employee pays the total premium for dependent coverage.

3. Dental Insurance
Eligible employees must complete an enrollment form and submit it to the Human Resources Office within thirty days of being classified as a Regular Employee. Premiums are deducted on a pre-tax basis. Contact the Human Resources Office for more information regarding the details of the plan.

4. Disability Insurance
To receive Long-term Disability Insurance an employee must be enrolled in the Group Life Insurance described above. Eligibility for Group Long-term Disability Insurance ceases upon retirement as a Regular Employee.
Long-term Disability Insurance, when combined with Social Security benefits, provides a guaranteed income of 60% of current base income including Social Security benefits. Benefits can extend from three months up to age 65. The premium per $100 monthly income is constant, but the cost automatically changes each time there is an increase in the base salary. The University contributes a portion of the premium.

5. **Personal Accident Insurance**
Employees may elect Group Personal Accident Insurance in increments of $25,000.00 up to 10 times annual income with a maximum of $200,000. The spouse of an employee may be covered for one-half of the amount elected by the employee. This insurance may be applied for at any time or revised at any time for any eligible employee. The employee pays the total premium. Accident Insurance ceases upon retirement as a Regular Employee.

6. **Other Insurance**
The University, from time to time, allows employees to enroll in special group insurance programs and permits a payroll deduction. These programs must have authorization from the University. The premiums for these programs are paid fully by the employee.

7. **Worker's Compensation (Federally Mandated Program)**
As required by law, each employee of University of the Cumberlands is covered by Worker's Compensation. This insurance covers medical expenses and other compensation arising out of job-related accidents and illnesses. All work-related injuries must be reported in writing to the Vice President of Business Services within 24 hours of the accident. Failure to report an incident on the date of occurrence may result in a denial of a worker’s compensation claim.

8. **Unemployment Compensation (Federally Mandated Program)**
As provided by law, the Regular Employees of University of the Cumberlands are covered by unemployment compensation. This program provides limited compensation for employees terminated by the University.

9. **Vision Insurance**
Eligible employees must complete an enrollment form and submit it to the Human Resources Office within thirty days of being classified as a Regular Employee. Premiums are deducted on a pre-tax basis. Contact the Human Resources Office for more information regarding the details of the plan.

**Retirement Program**
Any Regular Employee or Part-time employees that work 20 hours a week or more (1,000 hours a year) may elect to participate in the available University tax deferred 403(b) program. After twelve months of qualified employment, the University will match up to 5% of base income, including housing supplement, if applicable. The employee may increase or decrease the
employee’s contribution at any time. Further, the employee may elect to combine the University’s program with a supplementary 403(b) investment. For information about withdrawal of funds upon termination of employment, retirement, or death, contact the provider or the Human Resources Office.

**Tuition Scholarship for Spouses and Children**
An Employee’s spouse and natural or adopted children are eligible for a 100% waiver of regular, undergraduate tuition based on the following criteria:

1. All families must complete a Free Application for Federal Student Aid (FAFSA) by February 1st of each academic year.
2. The University will not waive expenses for books or room and board.
3. If the family qualifies for any federal and/or state grants or outside scholarships these will combine with the tuition scholarship to provide full tuition and an allotment for books, up to a maximum of $500 per semester, or $1,000 per year.
4. If the student is a dorm resident, any federal and/or state grants or outside scholarships for which the family qualifies for may combine with a work-study assignment of up to 15-hours per week to help pay for books and room and board. The maximum allotment for books is $500 per semester, or $1,000 per year.
5. If an employee is hired during a semester, the waiver will take effect at the start of the next semester.
6. Tuition waivers for on-line classes will be granted with the following exception: course fee will be the responsibility of the student. Please contact the Bursar for the on-line course fee schedule.
7. Study abroad and other programs of this type are not eligible for the waiver.
8. If an employee dies while employed at University of the Cumberlands or retires from University of the Cumberlands after ten years or more of full-time service, their children will be granted the tuition waiver through the academic year that includes their twenty-sixth birthday.
9. Tuition waivers are not granted for graduate classes.
10. The University has instituted tuition exchange agreement with other institutions. Specific criteria and a list of schools are available in the Office of the Vice-President for Academic Affairs.
11. In accordance with Federal need-based aid guidelines, all institutional financial aid allotments may be adjusted at the discretion of the Vice President for Financial Planning.
12. The full-tuition scholarship will take the place of any other institutional scholarships for which the student may qualify. This includes, but is not limited to, athletic and
academic scholarships. The student may still be recognized for honor purposes, but
the amount of institutional scholarships will never exceed full tuition.

13. Children of faculty and staff are eligible for the tuition scholarship through the year
that includes their twenty-sixth birthday.

Professional Development (Membership, Travel and Educational)

1. Faculty
The Faculty of the University is encouraged to spend whatever time possible in personal and
academic growth. The University assists in various ways: (1) availability of services, such as
computer assisted bibliographic research, inter-library loans, bookstore discounts, duplicating
services, and student assistants; (2) annual allowance for professional development; and (3)
special funds for study and travel.

In addition, from time to time, the University may request or the faculty member may request
that the faculty member be given paid or unpaid study leave of absence to pursue a graduate
degree. These requests are considered individually, based upon the needs of the University,
individual needs, and available funding.

2. Staff
The professional development of the staff differs in that most frequently the individual receives
“on-the-job training.” In addition, many administrative functions change and must respond to
external influences, such as constantly changing governmental regulations. From time to time, a
staff member may be required to attend various workshops and conferences. The limitation will
be determined by University need and available funds. This does not include requests to recruit
students, to solicit funds for the University, or to represent the University before other
organizations which are not primarily professional development.

MISCELLANEOUS BENEFITS

Use of University Facilities
All University facilities are for the support and enhancement of its educational program. These
programs have first priority over any other activity. Certain facilities may be open to the general
public from time-to-time. The use of University buildings, equipment, etc. is the responsibility
and under the control of those authorities who normally direct their use for educational purposes.
Permission for exceptional use may normally be obtained from those who are in said authority.

Any person or group seeking to use University facilities must first secure permission. Any
permission will be based on the proposed use as it relates to the mission and the image of the
University as well as potential conflicts with scheduled activities. The University reserves the
right to reject any application for use or to stop any activity in progress that it deems in conflict
with its stated purpose or mission.
Those seeking permission should contact any officer and will be referred to the person assigned the responsibility for the type of event or the facility in question. Each request and each facility will be dealt with on an individual basis.

**Admission to University Sponsored Events**  
Employees of the University and their dependents are the guests of the University for many special events sponsored by the University. However, some events by their nature will require a nominal charge.

**Food Service**  
Contracted food service is available to all employees and guests at a nominal charge.

**Bookstore Discount**  
The bookstore provides a 5% discount on personal purchases, made by Regular Employees, excluding books.

**Parking Permits for Employees**  
All motor vehicles parked on the campus of University of the Cumberlands must display a parking permit. The Faculty and Staff permit is available free of charge upon request in the Business Office for all Regular Employees. Vehicles with this permit may park in any regular parking space on the campus, and the red-lined parking spaces have been reserved for Faculty and Staff parking only. Restricted parking spaces are kept at a minimum, such as, handicapped parking and loading zones. Street parking is controlled in cooperation with the Williamsburg Police Department.

**Campus Health Clinic**  
The Campus Health Clinic is open when classes are in session and services are available to students, faculty and staff. There is no charge for faculty/staff and the students that are covered under the student insurance plan. Students with private coverage will be charged a $20 co-payment that is applied to their student tuition account.

**Campus Mail System/Duplicating Services**  
1. **U.S. Post Office**  
All mail to the campus from the U.S. Postal Service is received at the Cumberland University Post Office located on the middle level of the Boswell Campus Center. This is a contract station with limited services. Post office boxes are available for rent at nominal cost. Others may
receive mail at the general delivery window. The hours of operation are posted. Generally the post office staff distributes the mail five-days a week, except on legal holidays

2. **Campus Mail**
Employees are provided boxes for inter-departmental mail. These are located in the hallway of the Gatliff Building and should be checked regularly.

3. **Central Shipping/Receiving**
UPS, Airborne, Fed Ex and DHL services are available

4. **Duplication Services**
Duplication services are provided by the personnel of the University’s Post Office.

**Library**
All University employees and dependents, have access to the library's holdings and equipment.

**Counseling Services**
The University maintains a close relationship with outside counseling agencies and makes referrals as needed.
APPENDIX A: 
DRUG AND ALCOHOL POLICY

All faculty and staff members will uphold and advance the Christian principles upon which the institution is founded. Personal conduct on or off campus which significantly impairs the employee's fulfillment of institutional responsibilities, or is inconsistent with the philosophy of the University, usually related to the way such conduct may damage the individual's credibility or effectiveness within the University community, is grounds for disciplinary sanctions.

Each employee is expected to refrain from the use of alcoholic beverages and the use or distribution of illegal controlled drugs and any other substance that is inconsistent with the philosophy of the University. Especially, no employee shall be under the influence of, possess or distribute alcoholic beverages and/or any illicit drug on University property or at any University activity. Violation of this policy shall result in the imposition of one or more of the disciplinary sanctions set forth below and may result in severe criminal penalties under local, state and federal law. Federal legislation requires that these penalties be set forth in writing.

As part of the University’s employment procedures, certain positions within the University require that an applicant undergo a pre-employment alcohol and drug screening by a physician designated by the University. Any offer of employment that an applicant receives from the University is contingent upon, among other things, satisfactory completion of this screening.

As a condition of continued employment, employees may also be required to undergo periodic alcohol and drug screenings, if the employee is involved in an accident at work or while driving a University vehicle or at the discretion of the University. All University-required alcohol and drug screenings are paid for in full by the University. Refusal by an employee to participate in a University-required alcohol and drug screening will result in immediate termination.

Questions about alcohol and drug screenings should be directed to the Human Resources Office or the Vice President of Business Services.

Disciplinary Sanctions
Any employee guilty of violating the alcohol or drug policy shall be penalized by the application of one or more of the following sanctions:
1. Warning
2. Suspension
3. Transfer
4. Termination
5. Participation in a drug abuse assistance or rehabilitation program
6. Referral of violations to appropriate authorities for criminal prosecution
Alcohol and Drug-Free Policy and Standard of Conduct
Each year, University of the Cumberlands will distribute in writing to each student and employee the University’s standard of conduct regarding alcohol and drugs and of applicable sanctions for violation of the standard. University of the Cumberlands expects its students and employees to refrain from the possession or use of alcohol, whether legal or illegal, and to refrain from the unlawful possession, use, or distribution of illicit drugs or any other substance.

Legal Sanctions
Local, state and federal laws prohibit unlawful possession or distribution of illicit drugs and alcohol, and otherwise regulate their use. The University will refer for prosecution the unlawful possession, use, or distribution of illegal drugs and alcohol by employees on its property or during working hours. Employees are required to notify their immediate supervisor within 48 hours of a conviction for the violation of any law regulating drugs or alcohol. Failure to report a drug or alcohol related conviction shall be grounds for immediate termination.

1. Under Kentucky Law:
   - Simple possession of marijuana is punishable by up to 45 days in jail.
   - Trafficking may result in a fine of up to $10,000 and ten years in prison for the first offense.
   - No person under 21 may
     1. Enter any premises for the purpose of purchasing or receiving any alcoholic beverage.
     2. Possess or attempt to purchase or have another purchase for him, any alcoholic beverages. (any person who aids or assists any person under 21 in purchasing or serving to him or her any alcoholic beverages is acting in violation of the law.)
     3. Misrepresent his age for the purpose of being served an alcoholic beverage.
   - No person shall
     1. Be publicly intoxicated.
     2. Drink any alcoholic beverage in any public place or public vehicle.
     3. Be under the influence of alcohol in any public place.

Sanctions for violation of state alcohol laws range up to $2,000.00 in fines, and from a sentence of 48 hours to twelve months in jail. State law prohibits driving under the influence of alcohol or other substance which may impair ability. A first offense is punishable by up to $500.00 fine and 30 days in jail and license suspension.

2. Under Federal Law:
   - A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts and licenses.
   - Any person convicted of a federal drug offense punishable by more than one year in prison forfeits to the government any personal or real property related to the violation, including, houses, cars, and other personal belongings.
• A conviction makes one ineligible to purchase or receive a firearm or ammunition.
• The first conviction of illegal possession of a controlled substance is punishable by up to one year in prison and a fine of up to $1,000.
• Penalties for federal drug trafficking vary depending on the quantity and the substance involved.
<table>
<thead>
<tr>
<th>Schedule</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Cocaine 500-4999 grams mixture</td>
<td>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Cocaine 5 kilograms or more mixture</td>
<td>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>Cocaine Base 28-279 grams mixture</td>
<td>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Cocaine Base 280 grams or more mixture</td>
<td>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>IV</td>
<td>Fentanyl 40-399 grams mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
<td>Fentanyl 400 grams or more mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>Fentanyl Analogue 10-99 grams mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
<td>Fentanyl Analogue 100 grams or more mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>Heroin 100-999 grams mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
<td>Heroin 1 kilogram or more mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>LSD 1-9 grams mixture</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td>LSD 10 grams or more mixture</td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
</tr>
<tr>
<td>II</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
</tr>
<tr>
<td>II</td>
<td>PCP 10-99 grams pure or 100-999 grams mixture</td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Amount Of Other</td>
<td>First Offense: Not more than 20 yrs. If death or serious bodily</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Description</td>
<td>First Offense</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Schedule I &amp; II Substances</td>
<td>injury, not less than 20 yrs. or more than Life. Fine $1 million if an individual, $5 million if not an individual.</td>
</tr>
<tr>
<td>Any Drug Product Containing Gamma Hydroxybutyric Acid Flunitrazepam (Schedule IV) 1 Gram</td>
<td></td>
</tr>
<tr>
<td>Any Amount Of Other Schedule III Drugs</td>
<td><strong>First Offense:</strong> Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual.</td>
</tr>
<tr>
<td>Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)</td>
<td><strong>First Offense:</strong> Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
</tr>
<tr>
<td>Any Amount Of All Schedule V Drugs</td>
<td><strong>First Offense:</strong> Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.</td>
</tr>
<tr>
<td>Substance</td>
<td>First Offense</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Marijuana 1,000 kg or more</td>
<td><strong>Not less than 10 yrs. or more than life.</strong> If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.</td>
</tr>
<tr>
<td>1,000 kg or more</td>
<td></td>
</tr>
<tr>
<td>marijuana mixture or 1,000 or</td>
<td></td>
</tr>
<tr>
<td>more marijuana plants</td>
<td></td>
</tr>
<tr>
<td>Marijuana 100 to 999 kg</td>
<td><strong>Not less than 5 yrs. or more than 40 yrs.</strong> If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.</td>
</tr>
<tr>
<td>marijuana mixture or 100 to 999</td>
<td></td>
</tr>
<tr>
<td>marijuana plants</td>
<td></td>
</tr>
<tr>
<td>Marijuana 50 to 99 kg</td>
<td><strong>Not more than 20 yrs.</strong> If death or serious bodily injury, not less than 20 yrs., or more than life. Fine $1 million if an individual, $5 million if other than an individual.</td>
</tr>
<tr>
<td>marijuana mixture,</td>
<td></td>
</tr>
<tr>
<td>50 to 99 marijuana plants</td>
<td></td>
</tr>
<tr>
<td>Hashish more than 10 kg</td>
<td><strong>Not more than 5 yrs.</strong> Fine not more than $250,000, $1 million if other than an individual.</td>
</tr>
<tr>
<td>Hashish Oil more than 1 kg</td>
<td><strong>Not more than 5 yrs.</strong> Fine not more than $250,000, $1 million if other than an individual.</td>
</tr>
<tr>
<td>Marijuana less than 50 kg</td>
<td><strong>Not more than 5 yrs.</strong> Fine not more than $250,000, $1 million if other than an individual.</td>
</tr>
<tr>
<td>(but does not include 50 or more</td>
<td></td>
</tr>
<tr>
<td>marijuana plants regardless of</td>
<td></td>
</tr>
<tr>
<td>weight)</td>
<td></td>
</tr>
<tr>
<td>1 to 49 marijuana plants</td>
<td></td>
</tr>
<tr>
<td>Hashish 10 kg or less</td>
<td><strong>Not more than 5 yrs.</strong> Fine not more than $250,000, $1 million if other than an individual.</td>
</tr>
<tr>
<td>Hashish Oil 1 kg or less</td>
<td><strong>Not more than 5 yrs.</strong> Fine not more than $250,000, $1 million if other than an individual.</td>
</tr>
</tbody>
</table>
Health Risks Associated with the Use of Alcohol and Illicit Drugs

Health risks associated with the alcohol and drug abuse are tragic and represent a national problem of major proportions. Effects range from mood altering to death. The consequences affect not only the abuser but family and friends and society at large. Thinking is impaired. Behavior may be altered and judgment impeded. The risk of physical or psychological dependence is well documented. The use of alcohol and drugs may lead to the deterioration of physical health by causing or contributing to various health conditions including but not limited to fatigue, nausea, personal injury, insomnia, pathological organ damage, some forms of cancer, pancreatitis, heart attack, respiratory depression, birth defects, coma, and death. Abuse may also result in deterioration of mental health by causing or contributing to various conditions such as increased aggression, hallucinations, depression, disorientation, and psychosis.

1. Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Date rape and other sexual assaults are regularly associated with drinking. Low to moderate doses of alcohol increase the incidence of a variety of aggressive acts, including spouse and child abuse, date rape, and other sexual assaults.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death.

If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effect just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions, and it can be life-threatening.

Long-term consumption of large quantities of alcohol particularly when combined with poor nutrition, can lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversibly physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics.
## 2. Drugs: Controlled Substances Uses & Effects

<table>
<thead>
<tr>
<th>Drug Schedule</th>
<th>Trade or Other Names</th>
<th>Medical Uses</th>
<th>Physical</th>
<th>Psychological</th>
<th>Dependence</th>
<th>Duration (hours)</th>
<th>How Used</th>
<th>Possible Effects</th>
<th>Symptoms of Overdose</th>
<th>Withdrawal Syndrome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Narcotics</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Opium II III V</td>
<td>Dextro-Powder, Paregoric</td>
<td>Analgesic, antispasmodic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral, smoked</td>
<td>Euphoria, drowsiness, respiratory depression, constipated pupils, nausea</td>
<td>Slow and shallow breathing, clammy skin, convulsions, coma, possible death</td>
<td>Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating</td>
</tr>
<tr>
<td>Morphine II III</td>
<td>MS-Concin, Roxanol, Roxanol-SR</td>
<td>Analgesic, antispasmodic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral, smoked</td>
<td>Euphoria, drowsiness, respiratory depression, constipated pupils, nausea</td>
<td>Slow and shallow breathing, clammy skin, convulsions, coma, possible death</td>
<td>Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating</td>
</tr>
<tr>
<td>Codeine II III V</td>
<td>Tylenol w/ Codeine, Emperare A-C, Formal w/Codeine</td>
<td>Analgesic, antispasmodic</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral, injected</td>
<td>Euphoria, drowsiness, respiratory depression, constipated pupils, nausea</td>
<td>Slow and shallow breathing, clammy skin, convulsions, coma, possible death</td>
<td>Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating</td>
</tr>
<tr>
<td>Heroin I</td>
<td>Dacryromorphine, Heroin, Smack</td>
<td>None</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-6</td>
<td>Injected, snorted, smoked</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hydroxyzine</td>
<td>Dibenidid</td>
<td>Antihistaminic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meprobamate (meprobamate) II</td>
<td>Demerol, Meprovan</td>
<td>Analgesic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methadone II</td>
<td>Dolophine, Methadone</td>
<td>Antihistaminic</td>
<td>High</td>
<td>Low-Low</td>
<td>Yes</td>
<td>12-24</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Narcotics II III IV</td>
<td>Nemorphin, Percodan, Percocet, Tylan, Taxodrin, Fenietal, Darvon, Lorazol, Talbon</td>
<td>Analgesic, antispasmodic, antihistaminic</td>
<td>High-Low</td>
<td>High-Low</td>
<td>Yes</td>
<td>Variable</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chloral Hydrate IV</td>
<td>Secoth</td>
<td>Hypnotic</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>5-8</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barbiturates II III IV</td>
<td>Amytal, Barbitural, Luminar, Seconal, Stylur, Tumital, Phenobarbital</td>
<td>Neuroleptic, anticonvulsant, sedative, hypnotic, barbituric convulsor agent</td>
<td>High-Med</td>
<td>High-Med</td>
<td>Yes</td>
<td>1-16</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benzodiazepines IV</td>
<td>Xanax, Librium, Lunesta, Libriton, Librium, Mument, Versant, Versed, Halcyon, Pentorm, Pentoril</td>
<td>Neuroleptic, anticonvulsant, sedative, hypnotic, barbituric convulsor agent</td>
<td>Low</td>
<td>Low</td>
<td>Yes</td>
<td>4-8</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methaqualone I</td>
<td>Quaalude</td>
<td>Sedative, hypnotic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>4-8</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glibenclamide III</td>
<td>Dolothine</td>
<td>Sedative, hypnotic</td>
<td>High</td>
<td>Moderate</td>
<td>Yes</td>
<td>4-8</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Depressants III IV</td>
<td>Equanil, Miltown, Noludr, Praludar, Valenol</td>
<td>Antianxiety, sedative, hypnotic</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>4-8</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cocaine II</td>
<td>Coke, Fluka, Snow, Crack</td>
<td>Local anesthetics</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>1-2</td>
<td>Smoked, smoked, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphetamine II</td>
<td>Benzedrine, Dexedrine, Actidrex, Benzedrine, Orbenil</td>
<td>Attention deficit disorders, narcolepsy, weight control</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phencyclidine II</td>
<td>Phencyclidine</td>
<td>Weight control</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methylphenidate II</td>
<td>Ritalin</td>
<td>Attention deficit disorders, narcolepsy</td>
<td>Possible</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Stimulants III IV</td>
<td>Adderall, Cylert, Delors, Isopram, Milnoral, Phenergan, Stanozole, Temazepam, Trazadone, Trizol-2</td>
<td>Weight control</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LSD I</td>
<td>Acid, Microdot</td>
<td>None</td>
<td>None</td>
<td>Unknown</td>
<td>Yes</td>
<td></td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mesocaine and Psyche</td>
<td>Mescal, Botwins, Cactis</td>
<td>None</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Yes</td>
<td>8-12</td>
<td>Oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphetamine Variants I</td>
<td>2,5-DMA, PMA, STP, MDA, MDMA, MDA, TMA, DOM, DOB</td>
<td>None</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Yes</td>
<td></td>
<td>Variable</td>
<td>Oral, injected</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phencyclidine II</td>
<td>PCP, Angel Dust</td>
<td>None</td>
<td>Unknown</td>
<td>High</td>
<td>Yes</td>
<td>Days</td>
<td>Smoked, oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phencyclidine Analogs</td>
<td>PCE, PCC, TCP</td>
<td>None</td>
<td>Unknown</td>
<td>High</td>
<td>Yes</td>
<td>Days</td>
<td>Smoked, oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Hallucinogens I</td>
<td>Botanic, Brevirama, DMT, DET, Psilocybin, Psilocyn</td>
<td>None</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Yes</td>
<td>Pessive</td>
<td>Variable</td>
<td>Smoked, oral, injected, sniffed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marijuana I</td>
<td>Pot, Acapulco Gold, Grass, Roofer, Samehla, Thai sticks</td>
<td>None</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tetrahydrocannabinol I I I</td>
<td>THC, Mammol</td>
<td>Cancer, chemotherapy, antitumorant</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hashish I</td>
<td>Hash</td>
<td>None</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Hashish Oil I</td>
<td>Hash Oil</td>
<td>None</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Drug Treatment and Rehabilitation Program

The University does not provide drug and alcohol treatment and rehabilitation programs for its faculty or staff. There are programs available in the local area such as the Cumberland River Comprehensive Care Center in Corbin, Kentucky. The University staff will refer those who have need of such programs. University of the Cumberlands in no way endorses or affirms the competency or effectiveness of the services offered by these or any other agency.

Program Review
The Human Resources Office will conduct a biennial review of the University’s program to (1) determine its effectiveness and implement changes to the program if they are needed; and (2) ensure that the disciplinary sanctions are consistently enforced.
University of the Cumberlands complies with the Family and Medical Leave Act. This policy provides employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Any questions, concerns, or disputes with this policy should be directed in writing to Pearl Baker, Director of Human Resources.

**Basic Leave Entitlement.** FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee’s child after birth, or placement for adoption or foster care;
- to care for the employee’s spouse, son, daughter or parent, who has a serious health condition; or for a serious health condition that makes the employee unable to perform the employee’s job.

**Military Family Leave Entitlements.** Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.”
Benefits and Protections. During FMLA leave, University of the Cumberlands must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements. Employees are eligible if they have worked for University of the Cumberlands for at least 12 months, have 1,250 hours of service in the previous 12 months, and if at least 50 employees are employed by the University within 75 miles of the employee’s workplace.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.
Substitution of Paid Leave for Unpaid Leave. In order to use paid leave during an FMLA leave period, employees must comply with University of the Cumberlands normal paid leave policies.

Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with University’s normal call-in procedures. Employees must provide sufficient information for the University to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the University if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities. The University must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees’ rights and responsibilities. If they are not eligible, the University must provide a reason for the ineligibility.

The University must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the University determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers. FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- or
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.
**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or agreements which provide greater family or medical leave rights.
APPENDIX C: CONTINUATION COVERAGE OF MEDICAL INSURANCE (COBRA)

On April 7, 1986, a federal law was enacted (Public Law 99-272, Title X) requiring that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the new law. (Both you and your spouse should take the time to read this notice carefully.)

If you are an employee of University of the Cumberlands covered by a University of the Cumberlands Medical Plan (UCMP), you have a right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment or (for reasons other than gross misconduct on your part).

If you are the spouse of an employee covered by UCMP, you have the right to choose continuation coverage for yourself if you lose group health coverage under UCMP for any of the following four reasons:
1. The death of your spouse;
2. A termination of your spouse's employment (for reasons other than gross misconduct) or reduction in your spouse's hours of employment;
3. Divorce or legal separation from your spouse; or
4. Your spouse becomes entitled to Medicare.
5. Your spouse leaves University of the Cumberlands to perform military service.

In the case of a dependent child of an employee covered by UCMP, he or she has the right to continuation coverage if group health coverage under UCMP is lost for any of the following five reasons:
1. The death of a parent;
2. A termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment with University of the Cumberlands;
3. Parent's divorce or legal separation;
4. A parent becomes entitled to Medicare; or
5. The dependent child ceases to be a "dependent child" under UCMP.
6. The parent leaves University of the Cumberlands to perform military service.

Under the law, the employee or a family member has the responsibility to inform the UCMP Administrator of a divorce, legal separation, or a child losing dependent status under UCMP within 60 days of the date of the event or the date in which coverage would end under the Plan because of event, whichever is later. University of the Cumberlands has the responsibility to notify the Plan Administrator of the employee's death, termination, reduction in hours of employment, or Medicare entitlement. Similar rights may apply to certain retirees, spouses, and
dependent children if your employer commences a bankruptcy proceeding and these individuals lose coverage.

When the Plan Administrator is notified that one of these events has happened, the Plan Administrator will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least 60 days from the date you would lose coverage because of one of the events described above, or the date notice of your election rights is sent to you, whichever is later, to inform the Plan Administrator that you want continuation coverage. If you do not choose continuation coverage, your group health insurance coverage will end.

If you choose continuation coverage, University of the Cumberlands is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for 3 years unless you lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is 18 months. These 18 months may be extended to 36 months if other events (such as a death, divorce, legal separation, or Medicare entitlement) occur during that 18 month period. The 18 months may be extended to 29 months if an individual is determined to be disabled (for Social Security disability purposes) and the Plan Administrator is notified of that determination within 60 days. The affected individual must also notify the Plan Administrator within 30 days of any final determination that the individual is no longer disabled. In no event will continuation coverage last beyond 3 years from the date of the event that originally made a qualified beneficiary eligible to elect coverage. For employees that have left the University to perform military service, the required continuation coverage period is 24 months for the employee and dependents.

However, the law also provides that your continuation coverage may be terminated for any of the following five reasons:

1. University of the Cumberlands no longer provides group health coverage to any of its employees;
2. The premium for your continuation coverage is not paid on time;
3. You become covered under another group health plan; unless that plan contains any exclusions or limitations with respect to any pre-existing conditions you or your covered dependents may have;
4. You become entitled to Medicare; or
5. You extended coverage for up to 29 months due to your disability and there has been a final determination that you are no longer disabled.

You do not have to show that you are insurable to choose continuation coverage. However, under the law, you may have to pay all or part of the premium for your continuation coverage. There is a grace period of at least 30 days for payment of the regularly scheduled premium. (The law also says that, at the end of the 18 month or 3 year continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under UCMP.)
This law applies to UCMP beginning on (*applicable date under Section 10002(d) of COBRA). If you have any questions about the law, please contact the Vice President of Business Services, University of the Cumberlands, 6180 College Station Drive, Williamsburg, Kentucky 40769.

Also, if you have changed marital status, or you or your spouse have had a change of address, please notify the Human Resources Office, University of the Cumberlands, 6184 College Station Drive, Williamsburg, Kentucky 40769.
APPENDIX D:
ACCOMMODATIONS OF DISABILITIES FOR EMPLOYEES

In order to reasonably accommodate qualified individuals with a disability, the University has adopted the following policy:

General. The University prohibits discrimination against a qualified individual with a disability. This includes, but is not limited to, discrimination with respect to application, hiring, promotion, discharge, compensation, benefits, training, and all other aspects of employment. The Vice President for Business Services, the Vice President of Academic Affairs and the Director of Human Resources shall be responsible for implementing this policy. “Disability” means a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment, or is regarded as having such an impairment is a “disabled individual.” A “qualified person with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for. Additionally, the University prohibits discrimination against an employee because a family member is a person with a disability. In general, benefits will be made available to employees on an equal basis without regard to whether any individual has a disability.

Reasonable Accommodation. The University seeks to reasonably accommodate qualified individuals with disabilities. Such reasonable accommodation may take the form of making existing facilities readily accessible to or usable by individuals with a disability, restructuring equipment, adjusting training materials, adjusting employment policies, and the like. Generally, such reasonable accommodation will be made unless it creates an undue hardship for the University. The factors to be considered with respect to an undue hardship are: (1) the nature and cost of the accommodation; (2) the overall financial resources of the Department at which the reasonable accommodation is to be made; (3) the number of persons employed in the department; (4) the effect on expenses and resources or other impact upon the department; (5) the overall financial resources of the University; (6) the overall number of employees in the department; (7) the operations of the particular department as well as the entire University; and (8) the relationship of the particular department to the University. These are not all of the factors but merely examples.

Requests for the accommodation of a documented disability must be made in writing to the Director of Human Resources. All requests for accommodation will, generally, be held in confidence and will only be disclosed to those individuals who have a need for the information. The employee requesting an accommodation will receive written notice of the University’s decision regarding the accommodation within 30 days of its receipt in the Human Resources Office.
**Essential Job Functions.** For each position, a job description will identify the essential functions of a position. A complete list of the job descriptions is kept on file in the Human Resources Office.

**Safety.** All employees are expected to be able to comply with safety rules at all times. Any applicant for a position who poses a direct threat to the safety or health of others in that position, when that threat may not be eliminated by reasonable accommodation, will not be employed in that position. Similarly, current employees who become disabled and thereby pose a direct threat to fellow employees or student, which threat may not be eliminated by reasonable accommodation, will be placed on an appropriate leave. An attempt will be made to place applicants and employees in positions for which they are qualified and in which they do not pose a direct threat. The determination that an employee poses a direct threat to the safety or health of others will be confirmed by an opinion in writing from an appropriate professional, e.g., a physician.

**Drugs and Alcohol.** All employees are expected to comply at all times with the University’s policy regarding the use of drugs and alcohol as outlined in Appendix A. The University will reasonably accommodate individuals who are recovering from chemical dependency or alcohol dependency. Employees who have an alcohol dependency will not be judged on the fact that they have an alcohol dependency.
APPENDIX E: UNIFORMED SERVICES EMPLOYMENT AND RE-EMPLOYMENT

The Uniformed Services Employment and Re-employment Act (USERRA) protects the rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. All military related leave of absence must be announced in writing to the Human Resources Office prior to the first day of leave (Appendix C). An employee who is absent from work for more than 31 days in order to fulfill a period of duty in the uniformed services (as defined by USERRA) experiences a qualifying event as of the first day of the employee’s absence for such duty. Such an employee and his or her covered dependents shall be treated as a qualified beneficiary under COBRA as explained in Appendix C. The Human Resources Office shall furnish the employee and his or her covered dependents a notice of the right to elect COBRA continuation coverage and the opportunity to elect such coverage. However, individuals qualifying for coverage due to uniformed service are limited to coverage for the lesser of (1) 24 months beginning on the date of the employee’s absence or (2) the day after the date on which the employee fails to apply for or return to active employment with the employer.

Any employee and any of his or her dependents whose coverage ended due to a period of the employee’s absence for duty in the uniformed services for more than 31 days shall again be eligible for coverage without the imposition of any waiting period or proof of good health as soon as the employee returns to full-time service, provided that the employee returns to or reapply for re-employment within 90 days of completion of such duty. The Plan exclusion for any service-connected sickness or injury, including any aggravation of an injury or sickness as a result of service, continues to apply. However, the pre-existing condition exclusion does not apply to any medical condition which is not service connected and which arose during the uniformed service leave.

If the employee or his or her covered dependents have greater rights under COBRA, as outlined in Appendix C, those rights apply.
APPENDIX F:
RECORD RETENTION POLICY

1. Purpose
The purpose of this policy is to ensure that necessary records and documents are adequately
protected and maintained and to ensure that are no longer needed or of no value are discarded
at the appropriate time.

2. Administration
The records retention committee governs the retention and disposal of the University’s
records. The record retention committee includes the President’s Cabinet members, the
Director of Admissions, the Dean of Students, the Human Resource Director, the Bursar, and
the Registrar.

The records committee is authorized to perform the following functions:

- Identify and evaluate which records should be retained;
- Publish a retention and disposal schedule that is in compliance with local, state, and federal laws;
- Monitor local, state, and federal laws affecting record retention;
- Annually review the record retention and disposal program
- Develop a training program for personnel responsible for record storage and maintenance; and
- Monitor all departments for compliance with the record retention and disposable program.

Each department head will prepare a listing of major documentation used and maintained by
the department and will compare it to the documents listed in the Record Retention Policy. In
addition, each department head periodically will review currently-used records and forms to
determine whether these records and forms are adequate and appropriate for each
department’s requirements.

Each department head periodically will review the policy to determine any special
circumstances that necessitate changes in the retention periods. Requests for changes in
retention periods or deviations from specified retention periods should be made to the Vice
President of Business Services, and may be implemented only after approval by counsel.
In the event of a government audit, investigation, or pending litigation, record disposal may be suspended at the direction of the Vice President of Business Services or President. In addition, the Vice President of Business Service or the President should be informed of any situation that might give rise to legal action as soon as the situation becomes apparent.

3. Applicability
This policy applies to all records generated in the course of the University’s operation, including both original documents and reproductions. It also applies to records stored on computer and microform as well as paper records.

4. Retention Periods
ACT= while active, employed, or enrolled
LIFE= life of affected employee
PERM= permanent

**Document Retention Period**

**INSTITUTIONAL AND LEGAL RECORDS**
- Articles of Incorporation PERM
- Charter PERM
- By-Laws PERM
- Minutes of Directors’ Meetings PERM
- Minutes of Directors’ Committee Meetings PERM
- Licenses ACT
- Expired Licenses 6 years
- Deeds and Titles PERM
- Attorney Opinion Letters (property) ACT + 4 years
- Leases ACT + 6 years
- Policy Statements 10 years
- Campus Crime Reports (annual) 4 years
- Campus Crime Reports (interim) 2 years
- Contracts ACT + 4 years
- Patent and Trademark Records ACT + 6 years

**APPLICATION MATERIALS FOR STUDENTS WHO ENTER**
- Acceptance Letters 5 years after date of last attendance
- Applications 5 years after date of last attendance
Correspondence 5 years after date of last attendance
Entrance Exams and Placement Scores 5 years after date of last attendance
Letters of Recommendation Until Admitted

APPLICATION MATERIALS FOR STUDENTS WHO ARE ACCEPTED BUT DO NOT ENTER
Acceptance Letters 1 year after application term
Applications 1 year after application term
Correspondence 1 year after application term
Transcripts 1 year after application term

INDIVIDUAL STUDENT RECORDS
Course Drop/Add Slips 1 year
Disciplinary Files ACT
Pass/Fail Requests 1 year
Class Schedules 1 year after date of last attendance
Registration Forms 1 year
Transcript Requests 1 year
FERPA Requests Life of requested record. (If requested by the student, no records are required.)

Academic Records PERM
Advance Placement 5 years after date of last attendance
Application for Graduation 1 year after date of last attendance
Foreign Student (I-20) Forms 5 years after date of last attendance
Date of Graduation and Degree Award PERM
Degree Audit Records 5 years after date of last attendance
Transfer Credit Evaluations 5 years after date of last attendance
Personal Data Forms 1 year after date of last attendance
Name Change Authorizations 5 years after date of last attendance
Tuition and Fee Charges 5 years after date of last attendance

GENERAL STUDENT RECORDS
Applicant Statistics 5 years
Enrollment Statistics 10 years
<table>
<thead>
<tr>
<th>Record Type</th>
<th>Retention Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade Statistics</td>
<td>10 years</td>
</tr>
<tr>
<td>Racial/Ethnic Statistics</td>
<td>3 years</td>
</tr>
<tr>
<td>Degree Statistics</td>
<td>10 years</td>
</tr>
<tr>
<td><strong>FINANCIAL AID RECORDS</strong></td>
<td></td>
</tr>
<tr>
<td>Applications</td>
<td>5 years</td>
</tr>
<tr>
<td>Financial Aid Awards</td>
<td>ACT + 5 years</td>
</tr>
<tr>
<td>Financial Aid Transcripts</td>
<td>ACT + 5 years</td>
</tr>
<tr>
<td>Lender’s Name and Address</td>
<td>5 years</td>
</tr>
<tr>
<td>Promissory Notes</td>
<td>ACT + 5 years</td>
</tr>
<tr>
<td>Job Placement</td>
<td>PERM</td>
</tr>
<tr>
<td>Repayment History</td>
<td>ACT + 5 years</td>
</tr>
<tr>
<td><strong>EMPLOYMENT APPLICATIONS / EMPLOYMENT LISTINGS</strong></td>
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</tr>
<tr>
<td>Job Announcements and Advertisements</td>
<td>1 year</td>
</tr>
<tr>
<td>Individual Applicants Who Are Not Hired</td>
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<tr>
<td>Employment Records</td>
<td>1 year</td>
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<tr>
<td>Background Investigation Results</td>
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</tr>
<tr>
<td>Resumes</td>
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<td>Letters of Recommendation</td>
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<tr>
<td>Individual Applicants Who Are Hired</td>
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<tr>
<td>Employment Applications</td>
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<tr>
<td>Background Investigation Results</td>
<td>ACT + 1 year</td>
</tr>
<tr>
<td>Resumes</td>
<td>ACT + 1 year</td>
</tr>
<tr>
<td>Medical Examinations</td>
<td>ACT + 1 year</td>
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<tr>
<td>Letters of Recommendation</td>
<td>ACT + 6 years</td>
</tr>
<tr>
<td><strong>PAYROLL RECORDS</strong></td>
<td></td>
</tr>
<tr>
<td>General Information</td>
<td></td>
</tr>
<tr>
<td>Wage Rate Tables</td>
<td>3 years</td>
</tr>
<tr>
<td>Cost of Living Tables</td>
<td>1 year</td>
</tr>
<tr>
<td>Individual Employee Files</td>
<td></td>
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<tr>
<td>Wage or Salary History</td>
<td>6 years</td>
</tr>
<tr>
<td>Salary or Current Rate of Pay</td>
<td>6 years</td>
</tr>
<tr>
<td>Payroll Deductions</td>
<td>6 years</td>
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</table>
Time Cards or Sheets 5 years
W-2 Form 6 years
W-4 Form 6 years
Garnishments ACT

PERSONNEL FILES

Faculty Files
Correspondence ACT + 5 years
Course Evaluation Forms 3 years
Peer Review Documents 4 years
Scholastic Evaluation 4 years
Tenure Records ACT
Faculty Committee Evaluation Reports PERM

Individual Employee Files
Employment Application or Resume ACT
Employment History ACT
Beneficiary Designation ACT
Emergency contacts ACT
Medical Records ACT
Promotions ACT
Attendance Records 3 years
Employee Evaluations 3 years
Transfers 3 years
Personnel Actions 3 years
Disciplinary Warnings and Actions 3 years
Layoff or Termination 3 years

General Files
Superseded Employee Manuals 10 years
Superseded Job Description 10 years
Faculty Committee Evaluation Reports ACT

EMPLOYEE MEDICAL HEALTH AND SAFETY RECORDS
Accident Reports 6 years
Employee Exposure Records 30 years
Exposed Employee Medical Records 30 years
Safety Records 6 years
Employee Medical Complaints 6 years
Employee Injury Records 6 years

**PENSION AND BENEFITS RECORDS**
Individual Employee Files LIFE
Education Assistance LIFE
Vesting 6 years
Sick Leave Benefits LIFE
Retirement Benefits Accrued LIFE
401K Benefits Accrued LIFE
Disability Records LIFE
General Files
  - Actuarial Records 6 years
  - Incentive Plans (after expiration) 6 years
  - Pension Plan (after expiration) 6 years
  - Retirement Plans (after expiration) 6 years

**FEDERAL TAX RECORDS**
Form 990 3 years
Form 990-T 3 years

**ACCOUNTS RECEIVABLE RECORDS**
Accounts Receivable 4 years
Accounts Receivable Ledgers 4 years
Receipts 4 years
Uncollected Accounts 4 years
Collection Records ACT

**ACCOUNTS PAYABLE RECORDS**
Purchase Requisitions/Work Orders 4 years
Invoices 4 years
Accounts Payable Ledgers 4 years
Payment/Disbursement Records 4 years
Expense Reports 4 years
Insurance Payments 4 years
Royalty Payments 4 years

**CAPITAL PROPERTY RECORDS**

<table>
<thead>
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<th>Description</th>
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<tbody>
<tr>
<td>Property Records/Inventory</td>
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<tr>
<td>Equipment Inventory</td>
<td>ACT</td>
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<tr>
<td>Depreciation Schedules</td>
<td>ACT + 4 years</td>
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<tr>
<td>Mortgage Records</td>
<td>ACT + 4 years</td>
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<tr>
<td>Property Improvements Records</td>
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<td>Sales</td>
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**FINANCIAL RECORDS**

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<tbody>
<tr>
<td>Account Ledgers</td>
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<tr>
<td>Description of Accounting System</td>
<td>ACT</td>
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<tr>
<td>Balance Sheets</td>
<td>ACT + 4 years</td>
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<tr>
<td>General Ledgers</td>
<td>ACT + 4 years</td>
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<tr>
<td>Auditor’s Reports</td>
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**INSTITUTIONAL PUBLICATIONS**

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<th>Description</th>
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<tr>
<td>Alumni Newsletters</td>
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<tr>
<td>Alumni Directories</td>
<td>3 years</td>
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<tr>
<td>Bulletins and Course Catalogs</td>
<td>10 years</td>
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<tr>
<td>Student Newspapers</td>
<td>3 years</td>
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<tr>
<td>Institutional Newspapers/Newsletters</td>
<td>3 years</td>
</tr>
<tr>
<td>Student Directories</td>
<td>5 years</td>
</tr>
<tr>
<td>Employee Directories</td>
<td>5 years</td>
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<td>University Press Publication List</td>
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**FACILITIES RECORDS**

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<tr>
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<tbody>
<tr>
<td>Building Permits</td>
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</tr>
<tr>
<td>Building Plans and Specifications</td>
<td>PERM</td>
</tr>
<tr>
<td>Office Layouts</td>
<td>ACT</td>
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<td>Zoning Permits</td>
<td>ACT</td>
</tr>
<tr>
<td>Operating Permits</td>
<td>ACT</td>
</tr>
<tr>
<td>Record Type</td>
<td>Retention Period</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Maintenance Records</td>
<td>ACT</td>
</tr>
<tr>
<td>Motor Vehicle Records</td>
<td>ACT</td>
</tr>
<tr>
<td>Air or Water Waste Emissions</td>
<td>3 years</td>
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<tr>
<td>Hazardous Chemical Waste Records</td>
<td>5 years</td>
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<td>Laboratory Practices</td>
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**LITIGATION RECORDS**

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<thead>
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<tbody>
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<td>Claims</td>
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<td>Court Documents and Records</td>
<td>ACT</td>
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<tr>
<td>Deposition Transcripts</td>
<td>ACT</td>
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<td>Discovery Materials</td>
<td>ACT</td>
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<td>Litigation Files</td>
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APPENDIX G:
FERPA Guidance

The Federal Educational Rights and Privacy Act (also referred to as both FERPA and the Buckley Amendment) affords students of institutions of higher education certain rights and imposes on the University certain duties regarding the students' "education records."

"Education Records"

The law regulates "education records." Education records are, with certain enumerated exceptions,

those records that are directly related to a student; and maintained by an educational . . . institution . . . .

A "student" is any person who attends or has attended the University.

Exceptions

The following are not education records:

1. Sole Possession Records. "Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute. . . ." For example, notes that an instructor might

1 This guidance is to assist the University in complying with FERPA, but is not to be distributed to students.
make about students to help him or her remember class participation or a student's individual or personal circumstances would not be “education records”.

2. *Law enforcement unit records*. The Vice President for Operations, in his role of overseeing campus Safety and Security, maintains "law enforcement" unit records. These are records which have not been shared with other University offices.

3. *Employment records*. Records which are made and maintained in the normal course of business, related exclusively to the student in his employee capacity, and are not available for use for any other purpose.

4. *Medical records*. Records regarding a student which are made or maintained by a physician or other health care provider made or used only in connection with treatment of the student and not disclosed other than to persons providing treatment.

5. *Alumni records*. Records created after the student no longer attends the University are not FERPA protected. However, education records created while the student attended remain protected after the student leaves the University until the student's death.

**FERPA gives the student these rights:**

- to inspect and review the student's education records;
- to seek to amend education records which the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights. (The right to seek the correction of records, does not include the right to challenge a grade.)
- to have some control over the disclosure of information from those records;
- to be advised of the student's rights under the law; and
- to complain to the U.S. Department of Education if the student believes his rights have been violated.

The University shall distribute notice of rights approved by legal counsel in writing to all students annually. This shall be accomplished by publication in the University's Student Handbook which shall be given to every student. This notice may also be published in the University's Catalog, other handbooks, and documents.
The Registrar has been designated as the University's FERPA compliance officer. Faculty and staff of the University shall direct their inquiries concerning FERPA to the Registrar. Except as this guidance explicitly names another officer of the University, only the Registrar may act for the University in regard to disclosures of education records of students, student requests that certain directory information not be disclosed, and student requests regarding viewing and correcting their education records. Faculty and other employees who are asked to disclose student records not within one of the above exceptions shall consult with the Registrar before disclosing the records.

The Registrar shall conduct training for all employees of the University to help assure compliance with this guidance and the law.

Right to inspect and review records. Limitations on the right to inspect and review records. The student shall not be permitted to inspect and review records of another student even when those records are commingled with the records of the student who seeks the review. The University may or may not permit a student to inspect and review records that are: financial records, including any information those records contain, of his or her confidential letters and statements of recommendation related to the student's admission, application for employment, or receipt of an honor or honorary recognition if the student has waived his or her right to inspect and review those letters and statements. A waiver is valid only if it is made in writing and signed by the student, regardless of the student's age, and the waiver was not required by the University as a condition for admission to or receipt of a service or benefit from the University.

Right to request the amendment of education records. Students who believe that their education records contain information that is inaccurate or misleading, or otherwise in violation of their privacy or other right, may discuss their problems informally with the Registrar. Students may ask the Registrar to amend a record that they believe is inaccurate or misleading. They should write the Registrar and clearly identify the part of the record they want changed, and specifically state why it is inaccurate or misleading. FERPA is not intended to provide a process to be used to question substantive judgments which are correctly recorded. If the Registrar's decision is in agreement with the student's requests, the appropriate records will be amended. If the Registrar decides not to amend the record as requested by the student, the
Registrar will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when the student is notified of the right to a hearing.

If the student requests the Registrar to initiate a hearing, the Registrar shall communicate the request for a hearing to the Vice President of Academic Affairs who, within a reasonable period of time, will inform the student of the date, place, and the time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the student's expense. Should the student choose to be represented by legal counsel, the Vice President must be informed by the student of that fact at least two weeks before the date of the hearing. The hearing panel which will adjudicate such challenges will be appointed by the Vice President of Academic Affairs.

Decisions of the hearing panels will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decision, will be delivered to all parties concerned, and will be final. The education records will be corrected or amended in accordance with the decision of the hearing panel, if the decision is in favor of the student. If the decision is unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panel. The statements will be placed in the education records, maintained as part of the student's records and disclosed with the contested records whenever they are disclosed.

**Right to control disclosure.** Only the Registrar may authorize or make a disclosure of education records except as this Guidance explicitly allows another named University official to disclose.

The University will disclose personally identifiable information from a student's education records only with the written consent of the student, except that the records may be disclosed without consent when disclosure is permitted by law or regulation. The following are some of the circumstances which permit disclosure without the student's written consent:
1. To school officials who have a legitimate educational interest in the records. A school official is

- A person employed by the University in an administrative, supervisory, academic, research, or support staff position, including health or medical staff.

- A person elected to the Board of Trustees.

- A person or entity employed by or under contract to the University to perform a specific task for which the university would otherwise use employees, such as an attorney, auditor, or outside vendor.

- A person who is employed by the University law enforcement unit.

- A student serving on an official committee, such as a disciplinary or grievance committee or who is assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or contract agreement.

- Performing a task related to a student's education.

- Performing a task related to the discipline of a student.

- Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.

- Performing a task that is necessary and appropriate for the management or administration of the university;

- Maintaining the safety and security of the campus.

The determination as to whether or not a legitimate educational interest exists will be made by the custodian of the records on a case-by-case basis. When the custodian has any question regarding the request, the custodian should withhold disclosure unless the
custodian obtains consent from the student, or the concurrence of a supervisor or other appropriate official that the record may be released.

2. To officials of another school, upon request, in which a student seeks or intends to enroll. The student shall receive notification of the disclosure unless the student initiated the disclosure.

3. To certain state and federal government representatives, when authorized by law. Disclosure of records under this exception must be authorized by the President.

4. To school officials or lending institutions, in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
   · determine eligibility for the aid;
   · determine the amount of the aid;
   · determine the conditions for the aid; or
   · enforce the terms and conditions of the aid

5. To accrediting organizations in order to carry out their accrediting functions.

6. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954. (Note: The University may, not must, make this disclosure to parents. See subsequent guidance regarding parents.) A signed statement from a parent stating that he or she claims the child as a dependent shall be sufficient evidence of dependency unless disputed by the student. Full rights under the act shall be given to either parent unless the institution has been provided with a court order or a legally binding document relating to such matters as divorce, separation or custody, that specifically revokes those rights. The University does not have an obligation to disclose any financial information about one parent to another. If a parent claims a student as a dependent and does not want his/her
financial information disclosed to his/her spouse or former spouse, the parent may make that request to the institution.

7. In connection with an emergency, to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or others. A health and safety emergency shall be deemed to exist only upon the declaration of the emergency by the Office of the President, the Vice President of Student Services, the Vice President of Academic Affairs, or the Registrar.

8. To comply with a judicial order or lawfully issued subpoena, provided the University makes a reasonable effort to notify the student of the order or subpoena in advance of compliance. Notification may be prohibited if the University receives a subpoena which states that the student should not be notified. The Legal counsel shall be consulted prior to release of the record. See below for further details on the University's policy in dealing with subpoenas.

9. Under certain circumstances, the university can disclose the final results of a disciplinary proceeding involving a student who is an alleged perpetrator of a crime of violence or non-forcible sex offense. Legal counsel shall be consulted prior to release of the record.

10. To anyone, information the University has designated as "directory information," unless a hold has been placed upon release of the information by the student. The following data is considered to be directory information and may be given to an inquirer, either in person, by mail or by telephone, and may be otherwise made public:

    A student's name, addresses including electronic mail address, telephone numbers, date and place of birth, major field of study, degree sought, attained class level, expected date of completion of degree requirements and graduation, degrees and awards received, picture, dates of attendance, full or part-time enrollment status, the previous educational agency or
institution attended, class rosters, participation in officially recognized activities and sports, weight and height of athletic team members and denominational preference.

The policy that such information will be made generally available will be communicated to presently enrolled students through the publication of the annual notice to students of FERPA rights. A student currently enrolled may request that such directory information not be disclosed by completing a nondisclosure form in the Office of the Registrar, and giving the form to the Registrar prior to the last day to register or add courses for credit. ²

Transcripts. A transcript of a student's official academic record contains information about his or her academic attainment and status exclusively. Only the Registrar is authorized to issue transcripts or to certify in any way the official academic record of a student. An official transcript is issued only when requested by the student in writing. Faxed requests for transcripts that contain the requesting student's authentic signature will be honored.

Unless a student has provided a signed written consent, copies of transcripts, like other records, may be disclosed to parents of a student only when financial dependency of the student of the parent, as that phrase is defined in the Internal Revenue Code, has been adequately documented. Copies may also be issued with the written consent of the student as indicated upon his or her registration form of application for financial aid, to persons or agencies financially responsible for a student's tuition, such as a governmental agency or a scholarship fund.

Posting Grades. Grades shall not be publicly posted in any manner which identifies the grade to a student. For example, grades shall not be posted by social security number or institutional student ID number. Some anonymous ID may be employed if the ID is kept secret between a

² Registrar Note: The deadline for this hold direction from a student can be set by the University otherwise as long as the annual notice declares the deadline.
faculty member and the student. Secrecy might require the abandonment of an ID on a regular basis to avoid the loss of secrecy.

**Disciplinary Records.** Disciplinary records are covered by FERPA and should not be disclosed unless the student has provided a signed, written consent or an exception to the requirement of consent applies.

The University *has the discretion* to disclose to any parent or legal guardian of a student under the age of 21 information about a violation of any federal state or local law, or any rule of policy of the institution governing the use or possession of alcohol or a controlled substance if the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

The discretion of the University in these instances shall be exercised only by the Vice President of Student Services or the Office of the President.

Any and all financial data and income tax forms submitted in confidence by the student's parents shall not be released without their prior express written consent.

Medical, psychological, and counseling records are governed by the strictest canons of professional conduct and confidentiality. Information from these records shall not be made available to anyone other than the persons providing the medical, psychological, and counseling treatment without the student's written consent unless disclosure is permitted by applicable law and approved by the President.

**Written Consent by a Student**

A valid consent for the disclosure of education records must be written, signed by the student, dated, specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. A written consent can be in electronic form if it identifies and authenticates a particular student as the source of the
electronic consent and indicates the student's approval of the information contained in the
electronic consent.

**Re-Disclosure Prohibited**

Personally identifiable information from an education record can be disclosed only on the
condition that the party to whom the information is disclosed will not disclose the information to
any other party without the prior consent of the student.

**Emails with Multiple Recipients**

Any employee sending a statement for electronic distribution to more than one student or
employee, which contains sensitive information, or which would disclose sensitive information
about the status of other recipients if the blind cc field was not properly used, may not use a
simple email to send this data.

**In regard to issues surrounding the release of a student's record to parents:** Parents of the
University's students have no rights under FERPA. Students have the rights provided under
FERPA whether they are eighteen years of age or not, and without regard to their dependent
status. But, if a student is dependent for federal income tax purposes, the student cannot prevent
the University from disclosing otherwise private information to the student's parents if the
University chooses to reveal those records to the parents. Before any such disclosure to parents,
it will be necessary for the University to have in hand evidence that the student is in fact
dependent on his or her parents. The University is not obliged to disclose to parents of a
dependent student; the University may make the disclosure if the University chooses to do so.

Whether or not a student is a dependent, in most cases the university chooses not to disclose a
student's personal information to a parent unless the student consents.³

³ This policy is not mandated by law; it is offered for the University's evaluation.
Judicial orders and subpoenas. The Office of the President shall determine how the University will respond to a judicial order or lawfully issued subpoena calling for the disclosure of records. That Office may seek legal counsel, for example, to determine if the subpoena is lawful. The Office may choose to discharge the University's duty to inform the student of the subpoena by requesting legal counsel to make that communication.

The Right to Complain to the United States Department of Education

Students who believe that their rights under FERPA have been violated may request, in writing, assistance from the Registrar to aid them in filing a complaint with the FERPA Office in the Department of Education and the Registrar shall provide that assistance.

Record-keeping Requirement

No records need be kept concerning a request for the disclosure of records to:

1. the student;
2. a school official determined to have a legitimate educational interest;
3. a party with written consent from the student;
4. a party seeking directory information; or
5. a federal grand jury or law enforcement agency pursuant to a subpoena that by its terms requires nondisclosure.

In all other cases, a record shall be kept of every request for disclosure, or disclosure of, a student's education records and maintained with the student's records.

1. The record shall identify the party who requested or received the records.
2. The record shall state the legitimate interests the party had in requesting or obtaining the information.
3. If the party receiving the information intends to re-disclose it, the university's record shall state the names of the additional parties to which the receiving party may disclose
the information on behalf of the university and the legitimate interests under 34 CFR § 99.31 which each of the additional parties has in requesting or obtaining the information.

1. the student;

2. a school official determined to have a legitimate educational interest;

3. a party with written consent from the student;

4. a party seeking directory information; or

5. a federal grand jury or law enforcement agency pursuant to a subpoena that by its terms requires nondisclosure.
APPENDIX H:
GLBA SECURITY POLICY

Overview:
This document summarizes University of the Cumberlands’ comprehensive written information security program (the "Program") mandated by the Federal Trade Commission's Safeguards Rule and the Gramm - Leach - Bliley Act ("GLBA"). In particular, this document describes the Program elements pursuant to which the University intends to (i) ensure the security and confidentiality of covered records, (ii) protect against any anticipated threats or hazards to the security of such records, and (iii) protect against the unauthorized access or use of such records or information in ways that could result in substantial harm or inconvenience to customers. The Program incorporates by reference the University’s policies and procedures enumerated below and are in addition to any University policies and procedures that may be required pursuant to other federal and state laws and regulations, including, without limitation, FERPA.

Designation of Representatives:
The University’s Vice President of Business Services, is designated as the Program Officer who shall be responsible for coordinating and overseeing the Program. The Program Officer may designate other representatives of the University to oversee and coordinate particular elements of the Program. Any questions regarding the implementation of the Program or the interpretation of this document should be directed to the Program Officer or his or her designees.

Scope of Program:
The Program applies to any record containing nonpublic financial information about a student or other third party who has a relationship with the University, whether in paper, electronic or other form, that is handled or maintained by or on behalf of the University or its affiliates. For these purposes, the term nonpublic financial information shall mean any information (i) a student or other third party provides in order to obtain a financial service from the University, (ii) about a student or other third party resulting from any transaction with the University involving a financial service, or (iii) otherwise obtained about a student or other third party in connection with providing a financial service to that person.

Elements of the Program:
1. Risk Identification and Assessment. The University intends, as part of the Program, to undertake to identify and assess external and internal risks to the security, confidentiality, and integrity of nonpublic financial information that could result in the unauthorized disclosure, misuse, alteration, destruction or other compromise of such information. In implementing the Program, the Program Officer will establish procedures for identifying and assessing such risks in each relevant area of the University’s operations, including:

2. Employee training and management. The Program Officer will coordinate with representatives in the University’s Information Technology and Financial Aid offices to evaluate the effectiveness of the University’s procedures and practices relating to access to and use of
student records, including financial aid information. This evaluation will include assessing the effectiveness of the University’s current policies and procedures in this area, including the Faculty and Staff Policies and Procedures Handbook, and the Student Handbook.

3. Information Systems and Information Processing and Disposal. The Program Officer will coordinate with representatives of the University’s Information Technology office to assess the risks to nonpublic financial information associated with the university’s information systems, including network and software design, information processing, and the storage, transmission and disposal of nonpublic financial information. This evaluation will include assessing the university’s current policies and procedures relating to the acceptable use of the University’s network and network security, document retention and destruction. The Program Officer will also coordinate with the University’s Information Technology office to assess procedures for monitoring potential information security threats associated with software systems and for updating such systems by, among other things, implementing patches or other software fixes designed to deal with known security flaws.

4. Detecting, Preventing and Responding to Attacks. The Program Officer will coordinate with the University’s Information Technology office to evaluate procedures for and methods of detecting, preventing and responding to attacks or other system failures and existing network access and security policies and procedures, as well as procedures for coordinating responses to network attacks and developing incident response teams and policies. In this regard, the Program Officer may elect to delegate to a representative of the Information Technology office the responsibility for monitoring and participating in the dissemination of information related to the reporting of known security attacks and other threats to the integrity of networks utilized by the University.

5. Designing and Implementing Safeguards. The risk assessment and analysis described above shall apply to all methods of handling or disposing of nonpublic financial information, whether in electronic, paper or other form. The Program Officer will, on a regular basis, implement safeguards to control the risks identified through such assessments and to regularly test or otherwise monitor the effectiveness of such safeguards. Such testing and monitoring may be accomplished through existing network monitoring and problem escalation procedures.

6. Overseeing Service Providers. The Program Officer shall coordinate with those responsible for the third party service procurement activities among the Information Technology office and other affected departments to raise awareness of, and to institute methods for, selecting and retaining only those service providers that are capable of maintaining appropriate safeguards for nonpublic financial information of students and other third parties to which they will have access. In addition, the Program Officer will work with the University’s legal counsel to develop and incorporate standard, contractual protections applicable to third party service providers, which will require such providers to implement and maintain appropriate safeguards. Any deviation from these standard provisions will require the approval of the Vice President of Business Services. These standards shall apply to all existing and future contracts entered into with such third party service providers, provided that amendments to contracts entered into prior to June 24, 2002 are not required to be effective until May 2004.
7. Adjustments to Program. The Program Officer is responsible for evaluating and adjusting the Program based on the risk identification and assessment activities undertaken pursuant to the Program, as well as any material changes to the University’s operations or other circumstances that may have a material impact on the Program.
UNIVERSITY of the CUMBERLANDS
ORGANIZATIONAL CHART
ACADEMICS
2015-2016

Major Responsibilities:
- Academic Grants
- Academic Program Development/Delivery/Assessment
- Academic Resources Center
- Educational Outreach
- Faculty Recruitment/Evaluation and Development
- Graduate Admissions
- International Student Services
- Library
- Multicultural Education
- Registrar
- Study Abroad
- Curriculum Development

* Dual Reporting
Major Responsibilities:
- Athletic Sports Teams
- Athletic Training
- Sports Information
- University Representative at NAIA and MSC conference meetings
- Secure Coaches for Sports Teams
- Athletic Fundraising
Major Responsibilities:
- Bookstore
- Campus Health Clinic
- Cumberland Inn
- Employee Benefit Administration
- Food Services
- Human Resources
- Insurance Administration
- Operational Budgeting
- Parking/Motor Pool/Travel
- Post Office
- Printing/Duplication
- Purchasing
- Risk Management
- Student Employment

* Dual Reporting
Major Responsibilities:
- Compliance Officer
- QEP oversight
- SACSCOC oversight
- Oversee accreditation efforts
- Collect, interpret, and maintain institutional data and trend data
- Communicate with government and accreditation agencies
UNIVERSITY of the CUMBERLANDS
ORGANIZATIONAL CHART
ENROLLMENT & COMMUNICATIONS
2015-2016

Vice President for Enrollment & Communications

Director of Graduate & Online Admissions
- Office Manager
- Graduate Academic Advisor
- Counselors
- Data Entry & Information Processor
- Graduate & Online Admissions Counselor

Director of Communications & Marketing
- Photography & Graphics Coordinator
- Administrative Assistant
- UC TV & Special Events Coordinator
- University Media & Publications Coordinator
- Web Content Manager

Director of Admissions
- Counselors
- Data Entry Manager
- Video-Streaming Coordinator
- Journalism & Features Coordinator
- Data & Operations Manager
- Mail Room Manager*

Major Responsibilities:
- Student Recruitment
- Undergraduate Admissions
- Institutional Marketing
- Video Production
- Public Relations
- Social Media
- Graduate & Online Admissions
- Web Content Management

* Dual Reporting
Major Responsibilities:
- Accounting
- Bursar
- Loan Department
- Investment Management
- Banking
- Financial Reporting
- Financial Budgeting
Vice President for Information Services & Director of Information Technology

Major Responsibilities:
- Manage wired data network
- Manage wireless data network
- Manage email and Web servers
- Develop and maintain Web sites
- Provide software and support for all online classes
- Recommend all technology purchases
- Manage network security and compliance
- Provide end-user hardware support
- Provide end-user software support
Major Responsibilities:
- Alumni Records
- Alumni Programs/Communications
- Alumni Solicitation
- Church Relations/Communications
- Development Coordination
- Donor Identification, Prospecting
- Donor Correspondence
- Donor Cultivation, Fund Raising
- Gift Receipting & Processing
- President’s Correspondence
- Mountain Outreach
- Cumberland Inn (as a development tool)
- Asst. Sec. to Board of Trustees

* Dual Reporting
Major Responsibilities:

- To work with the VP for Academics to expand the academic programs to address additional medical and health care needs;
- To work with the VP for Academics to develop medical related service programs that will be beneficial to our students and society;
- To oversee with VP for Academics all medically related academic programs;
- To oversee the Patriot Medical Clinic

* Dual Reporting
**Major Responsibilities:**
- Plant Operations
- Capital Projects
- Facilities Management
- Infrastructure
- Mountain Outreach Construction
- Property Management
- Real Estate Development
- Safety and Security
- Tel-Data Com Plant
- Telecommunications Services

*Dual Reporting*
Vice President for Student Financial Planning

Dean of Student Labor*

Assistant Director of Student Financial Planning

Associate Director of Financial Planning

Major Responsibilities:
- Plan/Budget All Aid Programs
- Federal Aid Reporting
- State Aid Reporting
- Institutional Aid Reporting
- Counseling Students & Parents

* Dual Reporting
UNIVERSITY of the CUMBERLANDS
ORGANIZATIONAL CHART
STUDENT SERVICES
2015-2016

Major Responsibilities:
- Dean of Student life
- Director of Student Activities
- Recreational Sports Director
- Director of Career Planning and Placement
- Campus Ministries Director
- Director of Leadership and Community Service

* Dual Reporting