

**TRINITY**  
W A S H I N G T O N  
**UNIVERSITY**



**EMPLOYEE HANDBOOK**



## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

This is to provide you with information and directions for our Employee Handbook on the Trinity Website. Go to [www.trinitydc.edu](http://www.trinitydc.edu) and click on Working at Trinity, then click on the Employee Handbook (on the left side of screen, third option down). This employee Handbook located on the Trinity Website supersedes all previous versions that may have been issued by the College.

This form contains my acknowledgment that I have received directions for accessing the Trinity College Employee Handbook on-line. I understand that by signing this acknowledgement form I agree to read and become familiar with this handbook.

I understand that the Employee Handbook provides general statements of policy and procedures and is not an expressed or implied contract, promise or guarantee of any term of condition of employment or continued employment with the College, for any period. I understand that the Employee Handbook and the policies and procedures on which they may be based, are subject to additions, modifications, deletions and other changes, and that the College may not be able to provide advance notice of any changes. Because of this, I further understand that it is my responsibility to periodically check Trinity's website for the most updated and a current version of any particular policy, procedure or practice included in the Employee handbook.

I also understand that my employment at the College is on an at-will basis, and that the College or I may terminate my employment relationship at any time, for any reason or no reason, with or without cause or with or without notice. I understand that no representative of the College, except the President, has the authority to enter into an agreement with me relating to any term or condition of my employment, including, without limitation, any agreement for employment for any specified period, or to make any promises or commitments contrary to the foregoing, I further understand that any employment agreements entered into by management shall not be valid or enforceable unless it is in writing and signed by both parties.

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Signature of Employee

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Date

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Name of Employee (Please Print)



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**EMPLOYEE HANDBOOK**  
*2005 EDITION*

**PREFACE**

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Trinity College presents this *Employee Handbook (2006 Edition)* as a guide to the College's employment policies and practices, as well as benefits and services available to employees of the College. As an academic institution with a religious foundation and a special mission to the education of women, Trinity seeks to ensure that the campus workplace mirrors the goals and values that the College embraces in its educational programs, within the framework of Trinity's mission.

**MISSION STATEMENT OF TRINITY COLLEGE**



**Trinity College is a comprehensive university offering a broad range of educational programs that prepare students across the lifespan for the intellectual, ethical and spiritual dimensions of contemporary work, civic and family life. Trinity's core mission values and characteristics emphasize:**

***Commitment to the Education of Women* in a particular way through the design and pedagogy of the historic undergraduate women's college, and by advancing principles of equity, justice and honor in the education of women and men in all other programs;**

***Foundation for Learning in the Liberal Arts* through the curriculum design in all undergraduate degree programs and through emphasis on the knowledge, skills and values of liberal learning in all graduate and professional programs;**

***Integration of Liberal Learning with Professional Preparation* through applied and experiential learning opportunities in all programs;**

***Grounding in the mission of the Sisters of Notre Dame de Namur and the Catholic tradition*, welcoming persons of all faiths, in order to achieve the larger purposes of learning in the human search for meaning and fulfillment.**

All personnel of Trinity College should be familiar with Trinity's Mission Statement and Strategic Plan, *Beyond Trinity 2000*, and the history, traditions and values of Trinity.

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## **History**

Founded in 1897 by the Sisters of Notre Dame de Namur as the first four-year Catholic college for women in the United States, Trinity has historically offered a high quality liberal arts education to women preparing for professional life and leadership in public and private arenas. Since 1966, Trinity has also offered educational opportunities to men as well as women in graduate programs in education and human services. Since 1985, Trinity has also recognized and supported the needs of working women and professional students through the Weekend College and other programs that support the needs of the workforce.

Trinity today is organized into three major units: the historic College of Arts and Sciences for women who take their baccalaureate study in the weekday; the School of Education for men and women earning teaching credentials and master's degrees in education, counseling and school leadership; and the School of Professional Studies for women and men in the workforce who take classes and earn credentials at Trinity in the evening and on weekends.

In addition, Trinity's educational programs today encompass; Upward Bound for high school students; and a range of affiliate programs including Education for Parish Service. Through these programs, Trinity seeks to fulfill the mission of the College and the Sisters of Notre Dame de Namur to promote personal, professional and spiritual growth, a commitment to lifelong learning, and a willingness to take action to promote social justice.

Trinity is dedicated to the achievement of equal opportunity for all persons regardless of race, sex, religion, age, color, national origin, physical disability, or other personal characteristics. Trinity conforms its policies and practices to all laws of the United States and the District of Columbia. This *Handbook* seeks to amplify Trinity's support for and adherence to the public law and policies governing Affirmative Action, Equal Opportunity and Non-Discrimination; Human Rights; Family and Medical Leave; Americans with Disabilities; Employee Retirement Security; Occupational Safety and Health; and similar laws governing wage and salary, worker's compensation, taxes and insurance.

Incorporated under the laws of the District of Columbia, the College's legal title is Trinity College, Washington, D.C. Trinity is accredited by the Middle States Association of Colleges and Schools, and the National Association of State Directors of Teacher Education Colleges.

### *Purpose and Scope of the Employee Handbook*

Trinity College recognizes that all employees are part of the educational dynamic of the College. For that reason, Trinity seeks to promote among its staff the same kind of dedication to intellectual excellence and growth, respect for the truth and human dignity that are the hallmarks of a Trinity education. The policies stated in this *Employee Handbook* seek to emulate these values of Trinity.

This *Handbook* articulates policies and procedures, benefits and resources for all staff personnel of Trinity College. Certain portions of this *Handbook* also apply, as indicated, to faculty personnel, whose general rights and responsibilities are set forth in the *Faculty Handbook*.

This manual is designed to be a working guide for supervisory and staff personnel in the day-to-day administration of the Trinity College's Human Resource Program. Its purpose is to increase the understanding of policy and to ensure consistency in personnel policy administration. Every staff member is responsible for following these policies. Every supervisor of staff personnel is responsible for carrying out these policies in a consistent and impartial manner.

No *Handbook* can cover all employment situations, nor can policy statements substitute for good judgment and common sense. While these policies are consistent guidelines, they do not cover all situations and are not a substitute for detailed review of individual cases.

Trinity College reserves the right to interpret or change the policies stated in this *Handbook* as the need arises. This document is not a contract.

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**PART I: DEFINITIONS AND CLASSIFICATIONS**

The Trinity College *Employee Handbook* uses terms that determine various aspects of an employee's work relationship with Trinity College. Therefore, understanding these terms and classifications is essential to the application of the policies and procedures set forth in this *Handbook*.

**A. Classification of Personnel at Trinity College**

Trinity College's workforce includes a broad range of talents and types of jobs classified according to the following schedule:

<i>Classification</i>	<i>Definition</i>	<i>Types of Positions and Titles</i>
Faculty Personnel	Faculty Personnel teach the academic program of Trinity College. Additional classifications and definitions of Faculty Personnel are in the <i>Faculty Handbook</i> .	Full Professor Associate Professor Assistant Professor Instructor Adjunct Faculty
Executive Personnel	Executive Personnel are the senior managers of the College.	President Executive Vice President Vice President Dean Senior Executive Staff
Management Personnel	Management Personnel are responsible for the day-to-day operation of specific departments; such personnel receive general direction from the senior executive personnel but are largely expected to function without close supervision.	Directors Managers Associate/Assistant Deans Associate/Asst. Vice Presidents University Registrar
Administrative Personnel	Administrative Personnel are responsible to execute particular projects and routine tasks with only modest levels of supervision.	Assistant Director Associate Director Coordinator Controller Senior Accountant
Staff Personnel	Staff personnel execute routine tasks in support of administrative functions, and these positions usually require close supervision.	Executive Assistant Administrative Assistant Secretary Staff Accountant
Technical and Trade Personnel	Technical and Trade Personnel are positions that require special training and adherence to additional policies and procedures beyond the scope of this <i>Handbook</i> , e.g., engineers, building trades, security, food handling, computer support.	Housekeeper



## B. Applicability of Handbook Provisions

Among the various classifications of personnel specified above, the faculty and executive personnel positions are hired on contracts that specify the terms and conditions of their employment. Such personnel are responsible to comply with the general policies of Trinity College, but may have contractually-determined conditions for work hours, leave time, outside activities, compensation, tenure, length of employment, and other specific employment conditions. As a result, certain aspects of this *Employee Handbook* do not apply to contractual personnel where the contract provides for a different treatment. Such contracts conform to all law and regulations concerning personnel and benefits administration.

The *Faculty Handbook* includes particular provisions describing the contractual relationship between faculty members and Trinity, and that document applies to and contains the general employment policies for specific classifications of faculty (A, B, C). The *Employee Handbook* applies in all cases to academic personnel who have some limited faculty status (Category D and E), except for any specific item on which the *Faculty Handbook* might take precedence (e.g., participation in faculty meetings). The *Employee Handbook* applies to Category A, B and C faculty on a limited number of topics not specifically addressed in the *Faculty Handbook*, e.g., benefits, Sexual Harassment Policy, Technology Policy, and other institution-wide policies.

All other employees are hired according to the general expectations of employment-at-will, which is a legal term that means that employment is for an indefinite term, and the terms and conditions of such employment are set forth in the general policies and procedures of Trinity College and this *Employee Handbook*. Employment-at-will can end at any time at the discretion of Trinity College.

All personnel at Trinity College are expected to uphold the policies of the College, to respect the mission and strategic plans of Trinity, and to conduct their work life in accord with the general directions of the Board of Trustees and President, who are empowered to make policy and to change policy as necessary from time to time. The terms of this *Employee Handbook* may be changed at any time.

### **C. Probationary Status**

All non-contract employees are employed at-will and such employment may end at any time.

New employees have probationary status for the first 90 days of employment. This period of time gives the employee an opportunity to get to know the College and the details of his or her responsibilities. With this additional information and experience, the employee can more effectively evaluate the College and his or her position with the College. This period also gives College management an opportunity to observe and evaluate the individual's effectiveness in the position. At any time during the 90 day probationary period, the employee may be discharged without cause and Trinity will not pay severance compensation.

### **D. Exempt and Non-exempt Classifications**

Like all employers governed by federal and state regulations, Trinity's employees are classified as either non-exempt or exempt under the Federal Wage-Hour law. These categories mean:

a. *Exempt Employees:*

Employees in executive, managerial, administrative, and learned professional positions (paid monthly) are exempt from overtime law provisions; exempt employees are paid an annual salary, rather than an hourly wage. Exempt employees are expected to work the number of hours necessary to complete responsibilities, assignments and objectives by their supervisor, and as necessary, this may mean that at times exempt employees work more hours than the standard 40-hour work week.

b. *Non-Exempt Employees:*

Non-exempt employees (paid bi-weekly) are entitled to overtime compensation under the provisions of the 1974 Federal Wage Hour Law. These employees are paid according to the number of hours worked per week and receive overtime pay at time and one-half for hours worked beyond a 40-hour week in accordance with the law. Non-exempt employees may not incur overtime without the specific permission of a supervisor, and supervisors must be able to give suitable justification for incurring such overtime charges to the Director of Human Resources and the Executive Vice President for Finance and Administration. Trinity reserves the right to cancel overtime directions at any time in any department.

## **PART II: SERVICES FOR EMPLOYEES**

Participation in the life of Trinity College opens opportunities for employees to enjoy many of the best aspects of 'college life' while also continuing to grow professionally and personally. Beyond the opportunity to earn tuition benefits leading to degrees (see Section VIII), Trinity also provides educational, professional and personal services and opportunities for employees.

### **A. Professional Training and Development**

The Office of Human Resources is responsible for providing regular programs for employee training and professional development on a broad range of topics. The training programs offered through HR are an important part of Trinity's workforce development, and all staff are expected to participate as appropriate; staff may take time from the regular workday to take advantage of training programs offered through HR, and supervisors should cooperate with the training schedule.

### **B. Career Advancement and Professional Growth**

For individuals wishing to advance their careers with Trinity, the Office of Human Resources posts notices of open positions on a continuous basis. Internal candidates with appropriate qualifications are often preferred to fill open positions. However, no supervisor should discuss an open position with an employee working in another department without first consulting with the director of Human Resources.

Individual employees who would like to receive advice and counseling about career growth at Trinity may and should take advantage of the services available through Human Resources as well as the College's Career Center.

### **C. Employee Assistance Counseling**

Trinity's Office of Human Resources can provide confidential external referrals to employees who seek counseling and assistance for a wide variety of personal issues. Trinity may also require counseling in instances in which an employee's conduct at work indicates a need for such assistance. Trinity has a legal obligation to make such counseling available in any cases involving use or abuse of drugs or alcohol.

## **PART III. PROFESSIONAL NORMS**

All personnel of Trinity College are professionals who accept responsibilities inherent in employment with a value-centered learning institution that has a distinctive mission and tradition. Trinity expects all employees to respect and uphold the mission and values of the College, and to refrain from any activity that would demean or harm Trinity.

The ethics of professionalism require loyalty to the institution and a willingness to participate in those tasks that advance the mission of the College and strengthen its ability to carry out that mission. Professional ethics also expect an employee to learn as much as possible about Trinity College, to pay attention to news and information about Trinity, to respect and help the students and faculty of Trinity who are engaged in Trinity's core work of teaching and learning, and to embrace the principle of honor that is a central value of Trinity's existence.

### **A. Confidentiality of Information**

Employees have a general obligation of confidentiality about the information they manage on Trinity's behalf. Those employees who have access to the internal business affairs of the College, including student records, financial information, payroll and personnel information, gift records, alumnae records and all other information about the people and business affairs of Trinity have an obligation to treat that information as confidential and limited to the purposes for which the information is generated. Any employee who discloses confidential information to any person who does not have a right to the information, including other employees or students, may incur disciplinary action including termination.

Trinity's general policies on the use of technology and telecommunications are embodied in that policy statement. Trinity recognizes that technology exposes information to access and dissemination in ways that may not be anticipated or controlled. If an employee finds that he or she has gained access to information that is not normally included in the scope of employment, that employee is expected to notify the appropriate supervisor and to take those steps that are appropriate to re-secure the information. Any misuse of information received by mistake, or any tampering with the computer and information system, falsification of passwords or other actions that obtain, or attempt to obtain, information without authorization will result in immediate termination.

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## **B. Public Relations and Representation of Trinity College**

The Office of Public Relations handles all media inquiries and other informational inquiries about Trinity. From time to time, other offices also must respond to external information requests, and these are generally reviewed by the appropriate senior staff member prior to the release of information. Only the President or her designee may speak to the press or release information about Trinity College.

No individual employee may speak for Trinity College in an external public forum without the knowledge and consent of the President or her designee. In the case of participation in panels or presentations for professional associations, such permission is easily obtained as part of the travel and expense approval process; in all cases the employee's supervisor should receive early notice of any invitation to an employee to speak or present at a public gathering. The supervisor has both the right and the obligation to review the nature of the request and the content of the presentation if it is being given in Trinity's name or if it uses Trinity's proprietary information and approve or deny the request.

## **C. Work Products**

All materials that a staff employee writes or creates as part of his or her work at Trinity College are the property of Trinity College and may not be reproduced or otherwise distributed in an external public forum without Trinity's permission. No staff employee may earn separate fees for the publication or use of materials generated as part of Trinity's work assignments without the knowledge and consent of Trinity. Materials in this context include print, video, audio, electronic and all other media through which work product is available to a public audience.

Trinity College considers all materials generated with its resources to be proprietary to Trinity, and no employee may transmit these materials for use by another institution or any third party without Trinity's explicit permission.

Members of the staff enrolled in master's, doctoral or other degree programs who have a valid research plan that might entail some data collection at Trinity must obtain the formal approval of the President to conduct any and all studies using Trinity personnel or resources. Any such studies must also conform to the Institutional Review Board policies and processes as well. Trinity reserves the right to deny, suspend or change any such studies conducted on its premises, to deny publication rights, and to receive copies of any such research conducted with its permission and using its personnel and resources.

Policies concerning faculty materials are contained in the *Faculty Handbook* and related policy statements issued through the Vice President for Academic Affairs.

#### **D. References and Other Information about Current and Former Employees**

The Office of Human Resources is the sole source of information and references for current or former employees. No employee may release information about another employee to a third party without the prior knowledge and approval of the director of Human Resources.

#### **E. Outside Employment and Conflicts of Interest**

Full-time employees have a professional obligation to devote substantially all of their professional time to Trinity College. Full-time employees with other jobs, businesses and consulting practices must disclose the nature of those activities to Trinity's Office of Human Resources in writing. The Office of Human Resources will issue additional directions for such disclosures.

In addition, Employees must disclose any activity which conflicts with, or appears to conflict with, the interests of the College. The requirement of disclosure does not prohibit the activity, but Trinity reserves the right to instruct the employee to cease the activity if the College deems the conflict to be injurious to the College. The following list of examples of conflicts-of-interest is not exhaustive, and the College reserves the right to declare other activities to fall within the scope of this policy:

Holding a position, whether compensated or voluntary, in an organization with which Trinity College does business; similarly, if a member of the employee's immediate family holds a position in a company with which Trinity is doing business;

Working for another college or university, whether full-time or part-time;

Providing consulting services to external organizations or groups;

Engaging in any activity that competes directly with Trinity's lines of business, including fund raising for other nonprofits or colleges, student recruiting for other institutions, and related activities;

Employing a relative in any position, including part-time and adjunct positions.

#### **F. Prohibited Activities**

The following activities are generally prohibited activities that go beyond conflicts of interest to possible violation of ethical norms, and may be grounds for termination:

Providing proprietary information about Trinity College, without authorization, to an outside company that may seek to do business with Trinity, or that is doing business with the College, in a way that may advantage or disadvantage the external company in bidding for

Trinity's business;

Receiving any form of compensation or gift from a company that does business with Trinity, including taking any fee for steering Trinity's business to the company;

Seeking references for other employment from Trinity vendors while still employed at Trinity;

Using Trinity College equipment, including telephones, computers, software, typewriters, fax machines, dictation equipment, a/v equipment, and any other equipment for personal business, regardless of the profitability of the personal business.

Promising a job or a contract, providing a premium of any variety, or extending any other form of incentive to a person or company outside of Trinity.

Interfering with the privacy and security of other personnel on campus through misuse of Trinity identification or resources, proselytizing for religious or political purposes, intimidating or harassing other individuals on campus, or engaging in any activity that poses a threat of harm to members of the Trinity campus community.

## **G. Political Activities**

All employees of the College may exercise their rights as American citizens to vote as they choose, to express their opinions as private citizens, and to join political organizations. Such political activity should occur off-campus on the employee's own time. No employee may use the resources of Trinity College for any partisan political activity, including telephones, regular mail, email, space, mailing lists, photocopiers, etc.

In compliance with federal lobbying regulations, employees of the College with responsibility for the administration of governmentally-funded programs or compliance with government regulations must be free from political influence in the impartial execution of laws and government programs.

Because Trinity is a public charity regulated under Section 501(c)(3) of the Internal Revenue Code, the College specifically prohibits lobbying or partisan political activity on the part of any administrator or employee who has any responsibility, part or full, in the administering of any federally program. Certain federal regulations extend this prohibition to activities that might take place off-campus and on personal time. Questions about the applicability of this section may be directed to the Executive Vice President for Finance and Administration.

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## **H. Personal Use of College Services, Supplies, Equipment, or Facilities**

Employees may not use College supplies, equipment or facilities for personal use. Examples of items covered by this policy include, but are not limited to:

Telephone long distance service and postal services (including postage), FedEx, UPS, couriers, and other forms of delivery.

Office supplies, paper products (including food service paper products) and physical plant supplies.

Copy machines, fax machines, office equipment (typewriters, adding machines, calculators, etc.), and computer equipment.

Use of Trinity technology, as specified in the Trinity Technology and Telecommunications Policy.

Use of Trinity's facilities and vendors for private parties.

Use of Trinity's accounts, credit capacity and credit cards for personal purchases.

Employees who are also students in Trinity's programs may not use office equipment to prepare papers or conduct research during business hours. The use of equipment for academic purposes after regular business hours must be approved by the Director of Human Resources.

No employee may contract with another employee to do personal work of any variety. Such work might include typing papers, providing home repair services, or providing transportation services. In highly unusual circumstances, Trinity may grant an exception to this policy after the nature of the work sought is disclosed to the Director of Human Resources.

Trinity does not host private parties on its fields or in its facilities, except wedding receptions that immediately follow weddings in Notre Dame Chapel. Employees who wish to make wedding reservations may do so through the Conference Office.

No employee may remove for personal purposes any items of tangible property belonging to Trinity, including property that appears to be damaged or discarded. All property, including discarded items, belong to Trinity College, and removal of such items without permission constitutes theft and will incur personnel action, and possible legal action.



## **PART IV. TRINITY COLLEGE WORK HOURS**

Trinity College is officially open for general business from Monday through Friday, from 9 a.m. to 7 p.m., and on Saturday from 8 a.m. to 2 p.m., except during periods when the College is not in session for classes or on official holidays published separately each year. However, beyond these official business hours, Trinity conducts many programs that occur at other times during the day and evening, on weekends, and during the summer.

Within these “official” business hours, Trinity non-exempt employees work 40 hours per week, exclusive of the lunch period. From time to time non-exempt employees may need to work overtime, with the approval of their supervisors, and such work is time-and-a-half after 40 hours.

The responsibilities of exempt (salaried) employees may require work beyond 40 hours and outside of the official business hours of the College in order to fulfill the duties of the position and to achieve the goals of the department. Trinity does not practice ‘comp time’ for exempt employees, but flexible scheduling (see below) gives supervisors the opportunity to adjust schedules after an intense period of work.

Because of the nature of the work of the College, from time to time all personnel may be asked to adjust hours, to provide assistance during special events or functions like Commencement, or to respond to emergencies involving the campus community. The nature of work in a college requires staff to be flexible and responsive to time demands that may not be foreseeable at the moment of hiring. The ability to adapt to changing schedule needs is an important consideration in accepting employment with Trinity. Events such as Commencement, Convocation, Cap and Gown, Family Weekend, Alumnae Reunion and other special events or programs are not extra or volunteer time, but rather, are integral to the nature of the work of Trinity College.

Because Trinity includes a residential component, and because some of the work of the College occurs outside of the regular business hours, some staff may have job assignments that require them to work overnight, on weekends, to travel, to respond to campus emergencies, or to conduct College-related work in other unusual ways. Such an environment requires both employees and supervisors to be flexible, to respect the weekly time-at-work expectations, and to be fair and honest in reporting actual hours worked, and in performing the duties of the position professionally at times when no supervisors are present.

### **A. Flextime**

Trinity College recognizes the value of ‘flextime’ in promoting a healthy working environment. However, a college is a distinctively different workplace from a corporation or agency whose main work may well occur with minimal public contact; an academic institution serves a broad and ever-present public constituency who have a right to find offices open and staff prepared to be helpful during the published business hours of the institution.

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Accordingly, Trinity seeks to implement a modified 'flextime' policy that fulfills the College's duties to all of its constituents while also providing reasonable flexibility to supervisors and staff for creating individual work schedules.

Supervisors and employees may work together to create flexible work schedules that occur within the official business hours of the College, or within such other parameters as the nature of the work may require (e.g., Physical Plant, Residence Life). Employees may participate in the creation of the schedules, but ultimately, the determination of work hours rests with the College. An employee is not entitled to any particular schedule. If an employee and the College cannot reach agreement on work hours, then the employee will not continue on the staff.

Flexible scheduling also results in different schedules for employees from department to department. What may be possible in one office may not be possible elsewhere. Employees working in different departments should not expect to be able to have the same kind of scheduling across-the-boards. With the exception of positions that entail specific responsibilities outside of the official business hours, employees are expected to spend a minimum of 40 hours each week (excluding lunch hours) on the campus during the official business hours.

**B. Office Schedules**

Trinity's general policy is that all offices of the College should be open for business during the official business hours of the College. However, recognizing that personnel limitations may make this expectation impossible for every office all of the time, the offices that serve students directly have the greatest obligation to arrange staff schedules in a manner that will ensure service for students during all business hours. Unless specifically exempted, when classes are in session these offices must always be open from 9 a.m. to 7 p.m. on weekdays, and from 8 a.m. to 2 p.m. on Saturdays: Admissions, Business Office, Financial Aid Office, Registrar, Student Services, School of Professional Studies (when SPS classes are in session), School of Education (when EDU classes are in session), Professional Development Workshops (when workshops are in session). The Conference Office and Physical Plant must also have staffing present whenever a major conference is taking place. The Library, Academic Support and Career Services, Dean of Student Services Office and other offices that support students and faculty should be open as many hours as possible within the official business hours.

When a department sponsors an event outside of the official business hours, that department is responsible to ensure adequate staffing for the event, including set-up and clean-up time.

Supervisors should establish master schedules for each department in consultation with the supervising executive staff member or dean. If the President or her designee determines that any particular office schedule does not serve Trinity's constituencies appropriately, then the supervisor will receive additional directions about making changes. Trinity College reserves the right to review all departmental schedules periodically, and to make changes in this policy and its practice as the needs of the College dictate.

## PART V. LEAVE TIME

All staff personnel at Trinity are entitled to take leave time, both paid and unpaid, according to the policies specified in this section.

### A. General Leave

This section and the term replaces all former terminology and encompasses the forms of leave formerly known as annual leave, sick leave, bereavement leave and personal days. Major Medical Leave is available in the event of serious illness. See section B for information regarding Major Medical.

“General Leave” for all personnel is time off with pay for vacation or personal needs, including sick days that are not part of a major medical problem (see below). Beyond securing the permission of the supervisor to take the time off, employees do not need to specify the reasons for taking the leave. All employees are expected to comply with the directions of the Office of Human Resources for leave documentation and reporting of the use of general leave.

*Executive Personnel* have leave time specified in their contracts of employment.

All other *exempt* personnel receive 20 days of general leave per year, after the three month probationary period expires, with the first year of general leave pro-rated according to the number of months remaining in the leave year. Exempt personnel receive 25 days of general leave per year after their fifth year of employment. This leave does not accumulate; any balance remaining in any given year extinguishes as of December 31<sup>st</sup> or upon the employee's separation from Trinity, and such **left-over leave time is not paid.**

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*Non-exempt employees* accrue general leave time in each pay period, up to a maximum of 15 days, after which time the leave stops accumulating. The maximum accrual increases to 20 days after five full years of service. Non-exempt personnel must have the permission of their supervisor to take general leave, and failure to secure prior permission will result in unpaid leave and may incur dismissal.

In all cases, personnel must consult with their supervisors with regard to the schedule for taking general leave; failure to do so will result in unpaid leave for any period absent, and may result in dismissal. In general, while occasional days off may be necessary, personnel may *not* take extended general leave during the fall and spring semesters when classes are in session, or in the two weeks prior to the opening of school in August. Exceptions to this norm may occur on a case-by-case basis in non-academic departments.

Personnel who voluntarily resign their positions with Trinity College are expected to work through the announced date of their departure. Trinity will not pay for any leave time taken between the time the resignation is announced and the date of departure, unless that leave time is specifically approved by the Director of Human Resources.

Also, Trinity reserves the right to refuse to pay for the leave time of any employee who chooses to resign upon returning from an extended leave, and Trinity may withhold final paychecks of individuals who take extended paid leave and then fail to return to work.

Supervisors may not enter into individual employee agreements that subvert this policy. Any variances from the policy must be approved by the Director of Human Resources.

Our policies were constructed to promote equity and fairness for all employees across the range of position classifications and salary levels, and also to promote responsible use of institutional resources, virtually all of which come either from student tuitions or gift/grant monies provided by donors. This is not our money, it belongs to our students and donors, and we hold it in trust to accomplish Trinity's goals. No one has a right to exempt themselves from our policies, and in particular, managers have a special obligation to manifest appropriate fiduciary conduct at all times.

## **B. Major Medical Leave**

For the purpose of paid leave accrual in the event of a major medical need, *exempt* employees earn 12 days of medical leave for every year worked at Trinity, up to a cap of 90 days after which the long-term disability coverage becomes effective.

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*Non-exempt* employees accrue major medical leave at the rate of one day (8 hours) per pay period up to 12 days per year, accumulating up to a cap of 90 days after which the long-term disability coverage becomes effective.

For both exempt and non-exempt employees, the bank of major medical leave shall not be used for routine sick days, which are now covered under general leave, but rather, this bank is intended to protect the employee in the event of a major medical event (e.g., maternity, major surgery or catastrophic illness, similar family medical needs). In order to use this form of medical leave, personnel must notify the Director of Human Resources who will provide additional directions regarding necessary documentation and approval for use of major medical leave.

Major medical leave accumulates throughout the employee's tenure at Trinity, up to the 90 day cap specified. However, the leave bank extinguishes upon the employee's separation from Trinity, and any balance of major medical leave time is not payable.

### **C. Family and Medical Leave Act**

In cases of extended medical conditions or family needs, an employee who has worked at Trinity for at least one year without a break in service may take unpaid leave of up to 16 weeks under the Family and Medical Leave Act. During the period of leave, an employee shall not lose any employment benefits such as continuous service or health care coverage. Employees remain responsible to pay the contributory portion of their health care premium during FMLA leave. Benefits such as annual and sick leave do not accrue during unpaid leave.

An employee who needs to use FMLA leave should make a formal request to the Director of Human Resources with reasonable prior notice when possible.

Trinity policy requires that at such time that an employee has recovered sufficiently to resume the responsibilities of his/her position that the employee provide a written statement regarding his/her fitness for work from his/her health care provider.

Upon return from FMLA leave, the employee will be restored to the same or equivalent position with equivalent benefits, pay and other terms of employment.

### **D. Paid Holidays**

Trinity College publishes an annual calendar of paid employee holidays. This calendar is published no later than July 1, the start of each fiscal year. Once the calendar is published, however, the dates will not change.

Trinity may also grant additional paid holidays at the discretion of the President.

## **E. Administrative Leave, Liberal Leave, Weather and Other Emergencies**

Various kinds of emergencies --- snow, hurricane, power outage, water main breaks, etc.--- sometimes cause a re-arrangement of the work day and attendance expectations. Trinity's senior staff makes every effort possible to assess the situation at the earliest feasible moment and to communicate with employees about changes in work plans for the day. All staff are expected to cooperate with supervisor's directions in these circumstances.

*Administrative Leave* occurs when, in the judgment of the President or presiding Vice President, the business of the College cannot continue on any given day. Administrative leave is paid leave. The most typical circumstance for administrative leave occurs when a snowstorm forces the College to close its operations for the day.

Administrative leave is *not* vacation time, and executive and management personnel are expected to remain generally available to assist with any emergency situation and to facilitate communications among staff, students and constituencies. On snow days and other times when administrative leave is necessary for a majority of the staff, certain administrative and technical staff may also be required to come to campus for particular duties, e.g., supervision of residence halls, snow clearing, distribution of emergency supplies, re-activation of telephones and power systems, etc. Here again, administrative leave is not to be considered vacation time, and personnel need to know that some employees may need to work according to the nature of the emergency. In such circumstances, non-exempt personnel are still covered by the general 40-hour rule for overtime purposes.

*Liberal Leave* is leave time that is charged against the employee's bank of general leave, but may occur without prior approval of the supervisor in certain circumstances. Liberal leave occurs at times when a general event --- usually a snowstorm --- causes disruption in public transportation or schools, but is not severe enough to warrant shutting down Trinity's operations for the day. *Liberal Leave* means that an employee may take the day as general leave without first calling the supervisor. However, professional courtesy would still expect that the employee and supervisor would communicate, at least by voicemail, about the plans for the day.

*Other forms of administrative leave, both paid or unpaid,* may be directed by the President or her designee in individual cases. Such leave may occur for a wide variety of reasons, including disciplinary actions as well as personal situations. The specific reasons for individual administrative leave are a private matter between the employee and the college, and such individual cases do not set precedents for other employees.

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Finally, from time to time, the President may choose to send all employees home early. This is not leave time and may not be claimed by employees who are not present on the day that the early dismissal occurs. Nor may employees who stay beyond the dismissal time claim overtime, unless they are non-exempt personnel who have exceeded the 40-hour standard.

## **PART VI: WAGE AND SALARY PLAN**

Trinity College maintains a wage and salary plan, and this plan is revised and updated periodically. A copy of the plan is available for staff to read in the Office of Human Resources.

## **PART VII: FRINGE BENEFITS**

Trinity College offers a competitive and comprehensive benefits package for faculty and staff. Following are the key components of the package, and additional details are available in the Office of Human Resources:

### **A. Health Insurance**

*The terms of this section may change annually depending upon the prices charged and coverages offered by the health care provider, and from time to time Trinity may change the provider in order to ensure the most affordable and competitive health care plan for employees.*

Trinity University offers Aetna Health Care plan for all full-time employees. Aetna offers three health care plan options. Available options are HMO, POS, and PPO. Details for each of the plan options are available in the Office of Human Resources. All plans include a discounted vision care feature.

The University also offers a voluntary Dental Plan through Guardian. The dental plan premium is cost share by the University at 50%. Additional information regarding the dental plan is available in the Office of Human Resources.

If the health care plan is elected, coverage begins on the first of the month following the month in which employment begins. The health care plan is a contributory benefit with the University paying 65% of the total premium.

Information packets (including a toll-free information number) for Aetna Health Plan are available in the Office of Human Resources. Visit [www.aetna.com](http://www.aetna.com) for information regarding the most current list of Participating Physicians and other health care providers.

Trinity University reserves the right to change any benefit offered without notice at anytime.

## **B. Flexible Spending Account**

Trinity provides a flexible spending account program in which employees may set-aside pretax earnings for certain health expenses or benefit care not covered. This program provides a great tax savings, since the funds set aside are not taxed. This deduction must be spent in its entirety during the designated year or the employee will not be able to claim the balance.

The Flexible Spending Account for medical reimbursement allows employees to set aside up to \$5,000 of their own money, pre-taxed, for expenses that are not covered by health care insurance.

The Flexible Spending Account for dependent day care reimbursement allows employees to set aside up to \$5,000 (\$2,500 if married and filing separate returns) for day care expenses. This dependent care must be used in order to allow you and your spouse (if applicable) to work.

## **C. Life Insurance and Long-Term Disability**

Full-time employees receive life insurance at two times the base annual salary. Trinity pays the entire premium. This coverage is optional and any employee may decline the benefit.

Employees may also purchase supplemental life insurance through the UNUM Life Insurance Company. Information is available in the Office of Human Resources.

Employees who have completed one full year of full-time employment at Trinity are also covered by the Long Term Disability Plan. This plan pays 60% of the employee's monthly salary (after being disabled for three months) up to a maximum of \$6,000 per month. The total cost of this plan is paid by Trinity. Additional details regarding this plan are available in the Office of Human Resources.

## **D. TIAA-CREF Retirement Plan**

Trinity participates in the TIAA-CREF Retirement Plan (Teachers Insurance Annuity Association and the College Retirement Equities Fund). To participate in the plan, employees must first complete *one full year* of employment at Trinity, be 21 years of age or older, **or** have contributed to a 403(b) plan for the preceding 12 months (without any breaks) to be eligible.

Trinity automatically contributes 2% of the employee's base annual salary for all employees who elect to participate. Trinity matches additional voluntary contributions on a formula basis, with 6% as the highest match.

## **E. SRA Supplemental Retirement Plan**



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Employees may also contribute to a TIAA-CREF SRA (Supplemental Retirement Annuity) up to the maximum allowed by law, but SRA contributions are not matched by Trinity.

*Please note that Trinity cannot make any contributions until all enrollment forms are complete and filed in the Office of Human Resources, and retroactive payments cannot be made.*

## **F. Parking**

Employees of Trinity College may park in designated campus lots for free. Employees who park on campus must register their vehicles with the Campus Safety Office and display the appropriate parking permit decal.

## **PART VIII: TUITION ASSISTANCE**

Because Trinity College believes that a higher education is an important component of personal and professional development, Trinity provides employee tuition assistance for courses taken at Trinity as described below. Employees, their spouses and dependent children who meet the academic and employment policy requirements described below are eligible to apply for tuition assistance benefits, which are calculated according to a tuition credit bank plan (see the end of this section). Tuition assistance is a valuable benefit. A single baccalaureate degree in 2006 dollars is valued in excess of \$70,000.

Eligible employees are all full-time staff and faculty. Eligible employees may use the tuition assistance credits to enroll in baccalaureate courses after six months of employment. To use the tuition credits in graduate programs, the waiting period is one year.

Trinity does not guarantee the absolute availability of the benefits described below in any given semester, and Trinity reserves the right to change, reduce or eliminate tuition benefits at any time. The Academic Vice President may cancel any course in which the number of students participating as part of the tuition benefits plan exceeds the number of students paying regular tuition, and any course with fewer than ten students enrolled will normally be cancelled in any case. Conversely, if enrollment in any course exceeds the enrollment cap, students enrolled on tuition benefits will be placed on the waiting list first in order to accommodate paying students.

Degree and certificate programs implemented *after* May 1, 2001, are not included in the tuition benefits coverage unless specifically designated as part of the program.

Participation in an academic program under this section does not entitle the employee to change his or her hours of work, and in all cases, the responsibilities of the employee's position and the employment needs of the College come first. Trinity College may deny benefits under this section

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when the course or degree program that the employee desires to take conflicts with the employee's job responsibilities.

All employees who expect to benefit under this section are required to apply for any and all available federal and state assistance and grant aid; such aid will be credited against this tuition benefit.

Employees should consult with the Office of Human Resources on any tax consequences associated with participation in a tuition remission program.

**General Provisions for Applicability to Employees Taking Courses**

1. All tuition benefits apply only to tuition for courses offered at Trinity College. The employee must pay laboratory and other fees and expenses, including books, room and board fees as appropriate.
2. The employee must meet admission requirements and is subject to all academic rules, regulations, and fees. The employee must also remain in good standing under the financial responsibility policy and the disciplinary policies of the College.
3. **Employees may not take classes during scheduled working hours; nor may employees use regularly scheduled work hours for their personal academic work.**
4. Because of the demands of the workplace, employees may not enroll in courses or programs that require extended absence during the work day, e.g., internships or student teaching.
5. In the event of termination of employment or transfer to an ineligible status, the employee becomes ineligible for tuition benefits. Should this change in status occur during a semester, the employee must pay for the courses in which he or she is enrolled during that semester.
6. Employees who earn Trinity degrees under this tuition remission policy are expected to remain employed at Trinity for at least one full year following graduation. Employees who voluntarily leave Trinity before the expiration of the one-year period will be liable to reimburse the College for up to half of the tuition assistance paid by Trinity for the degree. An employee who completes partial work toward a degree and who chooses to resign from Trinity's staff prior to earning the degree may also be liable to reimburse Trinity on a pro-rated basis.
7. The employee must complete a tuition assistance application for each semester with appropriate approval signatures prior to the start of the semester. An employee who fails to complete the forms in a timely way will not receive the tuition benefits for that semester. The forms are available in the Office of Human Resources.

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4. Employees are responsible for any tax liabilities that arise under this section in accordance with Internal Revenue Service regulations.
5. A dependent child must be the natural or legally adopted child or step child of the employee. The child must be legally dependent upon the employee for support as defined by the Internal Revenue Service statutes. The employee must provide supporting documentation.
6. Spousal benefits are available for persons who have a legal marriage. This benefit shall not apply to legally separated or divorced spouses. The employee claiming this benefit for the spouse may be required to provide supporting documentation.
7. All spouses and dependents are required to apply for any and all available federal and state assistance and grant aid and such aid will be credited against this tuition benefit.

**Credit Bank**

Employees earn tuition assistance benefits based on years of employment with Trinity, and these benefits constitute a 'credit bank' against which the employee may draw benefits so long as he or she is employed with Trinity. The credit bank is extinguished when the employee no longer works at Trinity. Credit bank accumulation is as follows:

<b># of Years of Employment</b>	<b># of Credits Earned Per Year of Employment</b>	<b>Total Accumulation at the end of the period</b>
1-3	24	72
4-6	30	162
7-10	36	270
10+	40	384 maximum (3 BA degrees)

Personnel employed with Trinity prior to January 1, 2002, will have their prior years of service credited toward this credit bank, and prior tuition benefits will also be debited from the bank.

The accumulated credits apply *only* to the tuition of the employee or covered dependents or spouse, and may not be transferred to any other individual.

Once the accumulation is used-up, the credit bank is not renewable.

**General Provisions for Tax Liability Responsibility for the Use of Tuition Remission**

Under the provisions of the Internal Revenue Code, certain types of tuition assistance benefits can

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be provided on a tax-free basis. This means that the amount of the tuition assistance you receive would not be treated as income for you, and you would not owe taxes on it.

To enable employees to realize these tax advantages, Trinity provides two types of tuition assistance benefits: one is under a plan offered in compliance with Internal Revenue Code § 117(d), and the other follows Internal Revenue Code § 127.

The following explains the requirements of these two sections as they pertain to Trinity's tuition assistance program. It explains the conditions under which these benefits can be received on a tax-free basis.

**Internal Revenue Code § 117(d)**

Benefits provided by this plan are available only for undergraduate courses. They can be provided to employees, spouses and dependents of employees. There is no maximum amount of benefits beyond which it becomes taxable income.

**Internal Revenue Code § 127**

Benefits provided under this plan for both undergraduate and graduate courses. However, only employees are eligible to receive benefits from a § 127 plan. Also, the maximum tax-exempt amount that can be received from a § 127 plan is \$5,250. Amounts received above this figure will be treated as taxable income.

Please note that these two plans are provided to maximize your ability to receive tuition assistance on a non-taxable basis. Your eligibility for benefits and the amount of those benefits are governed by the provisions of the Employee Handbook. Trinity is free to modify any of these provisions at any time.

Information about these plans is not provided as tax advice to you. If you have any questions about your tax liability for tuition assistance that you, your spouse or your dependents receive, you should take them up with your own tax advisor.

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Trinity College reserves the right to interpret or change the policies stated in this *Handbook* as the need arises. This document is not a contract.

## **PART IX: EMPLOYEE ASSESSMENT**

All staff employees participate in annual assessments of their work performance. Supervisors who are responsible to conduct assessments with employees must participate in training sessions conducted by the Office of Human Resources on assessment practices.

The purpose of annual assessment is to give employees an opportunity to review the work they have accomplished; to identify and illuminate particularly successful activities, and to identify and define areas that need improvement. The ultimate end of the assessment process should be a set of goals that the supervisor and employee mutually agree upon for the subsequent period.

The specific assessment process is defined by the Office of Human Resources in an annual memorandum with instructions. The process provides an opportunity for employees to participate in the process and to discuss discrepancies between the supervisor's judgment and employee's perspective.

If the assessment process identifies substantial deficiencies in the work performance of the employee, then the supervisor and employee should meet with the director of the Office of Human Resources to discuss a plan of action to address the deficiency. This plan may include a new assessment timeframe, a probationary period, required training, or such other actions as may be appropriate to address the issues.

Employees may provide a written statement for their files in cases in which disagreement exists between the supervisor's opinion and the employee's perspective. Nevertheless, an employee's statement of disagreement does not excuse the employee from complying with any and all corrective actions directed by the supervisor, and if an employee fails to comply with the corrective actions, then progressive discipline may ensue.

## **PART X: HIRING PROCESS**

The hiring process has significant legal, financial and performance implications for Trinity College, and as a result, Trinity is acutely concerned with all hiring actions. For these reasons, all hiring for staff positions at Trinity College *must* follow the process described in this section. A supervisor or manager who hires someone outside of this process will incur disciplinary action.

### **Step One: Establishing the Existence of a Vacancy and Approval to Begin Process**

Before any potential candidates for positions may be contacted, the manager responsible must be sure that the vacancy exists in fact, meaning in the budget, and that approval exists to begin the hiring process.

*Just because a position is vacant does not mean that a hiring process may commence.* In some cases, a vacancy may result in position elimination, a change in position, or other adaptation that affects the hiring process.

The manager should begin the process by discussing the vacancy with the senior staff supervisor. If the senior staff member agrees that the position needs to be filled, the manager should make a request *in writing* to the director of Human Resources, copy to the senior staff supervisor, the Executive Vice President for Finance and Administration, stating that the vacancy exists, that the senior staff supervisor has consented to the search, and seeking approval to begin the hiring process. Having all documentation in writing is essential (email is acceptable, but copies must be kept). (In all cases referenced in this section, the senior staff supervisor may choose to take the place of the departmental manager in the management of the search.)

The request to begin the hiring process should state:

1. The title of the position, and the previous incumbent's name if relevant
2. The summary position description (fuller description should be attached)
3. Salary level when the position was vacated
4. *Why* the position should be filled as described
5. Any adaptations that should be made in the position
6. Qualifications for a new hire
7. Position Announcement

After receiving the message, the director of Human Resources and Executive Vice President for Finance and Administration should confer about the budget implications for the position, and any other issues that may affect the decision to proceed. If there are significant variations from the manager's message (e.g., a decision to deny the position, a decision to restructure the position significantly), then the director of Human Resources should call or meet in person with the senior

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staff supervisor to explain the reasons for the change or denial, and after that meeting the senior staff member may determine the appropriate next course of action.

In no circumstance may a supervisor proceed with activities to fill any position without formal approval as required in this section. Failure to secure such approval may result in personnel action.

### **Step Two: Formalizing the Position Description and Position Announcement**

Upon receiving permission to proceed, the manager should then prepare a final *written* position description and announcement of the position availability; the senior staff member should approve the final version of the job description and forward it to the Office of Human Resources for further processing.

### **Step Three: Advertising and Searching**

Advertising and searching are distinctly different parts of the process, and no amount of advertising can substitute for searching.

*Only* the Office of Human Resources may place advertisements and post position notices. No other personnel at Trinity are authorized to do so.

The searching manager should, however, send out letters, make phone calls, and conduct all other tasks associated with identifying candidates for the position.

### **Step Four: Vetting the Applications and Resumes**

When the applications and resumes arrive, and no longer than two weeks after the published deadline, the manager, senior staff supervisor and appropriate colleagues should review the resumes and identify 3-5 candidates for telephone interviews, and possible on-campus interviews.

### **Step Five: Telephone Interviews**

The telephone interview stage of the process is very important; before incurring the expense of bringing a candidate to campus, the telephone interview can establish whether a further step is warranted.

Following are the key questions for telephone interviews:

What aspects of this position appealed to you? What experience do you have that would work well in this position?

What is it about the idea of working at Trinity College that appeals to you? What do you know about Trinity? What talents would you add to Trinity?



3. Verify the most recent positions listed on the resume and ask the person to talk about why he/she moved through each position.
4. In the last two positions held, what was your most significant accomplishment? Why?

What were some less desirable aspects of those positions that you hope you would not encounter at Trinity?

At this point, the candidate should have revealed a sufficient amount of information that the interviewer can establish, at least minimally, whether a face-to-face interview would be appropriate. If there is any reason to hesitate about the candidate at this stage, the interviewer should wrap-up the conversation without making an on-campus appointment, and report and analyze the interview with the director of HR before proceeding with a next step. However, if the conversation has gone well, then the next step may ensue quickly.

### **Step Six: On-Campus Interviews**

At least two candidates for each position should come to campus for interviews. The on-campus interview stage is very important, and all appropriate parties should have an opportunity to participate. The manager responsible and the senior staff supervisor should discuss how to handle the on-campus interview with the director of Human Resources.

All persons who will participate in the on-campus interviews should receive in advance (a) a copy of the application and resume, (b) a rating sheet, and (c) the job description (d) the position announcement. In addition, the participants in the interview should have an opportunity to meet ahead of time to be sure that everyone understands the position, qualifications and experience sought.

The on-campus interview should be an in-depth exploration of the candidate's qualifications and experience, and questions should be designed to elicit the right kind of information. A set of recommended questions should also accompany the materials sent out ahead of time.

The manager in charge, or a designee, should be ready to greet the candidate upon arrival on campus, and a printed schedule with names and titles of participants should be available to the candidate. Interview sessions should last about 50 minutes, with time allowed for breaks. If possible, a brief campus tour is also usually appropriate.

The interview day is *not* an appropriate time for other staff members to discuss their disagreements with their supervisors, their confusion about the position, or their unhappiness in their current positions. The candidate is assessing Trinity's climate and professionalism, too, and the manner in which the interview is conducted tells the candidate a lot about whether Trinity is a good place to work.

### **Step Seven: References**

The director of Human Resources conducts the reference conversations, and as appropriate for the level and scope of the position, the hiring manager or senior staff supervisor may also be involved in calling references. The Director of Human Resources will prepare a set of questions for references as appropriate for the position.

### **Step Eight: Making the Offer**

No offer may be extended to any candidate without the express approval of the executive vice president for finance and administration and Director of Human Resources, and as necessary, they may consult with the president. If the decision is to proceed, then the salary level and other conditions of the offer must also be approved, and only after that may the offer be extended. Unless otherwise directed in specific circumstances (for faculty positions or executive personnel), only the director of Human Resources may conduct the final conversation extending the offer, discussing salary and other conditions of employment.

In all cases, as soon as the candidate accepts the offer, the Human Resources Director will immediately inform the executive vice president for finance and administration, the senior staff supervisor and the hiring manager.

The office of human resources will then confirm the appointment and terms in writing to the hire.

### **Step Nine: Preparing the Office**

Hiring is not complete with the offer. Immediately upon the acceptance of the offer, the hiring manager must make appropriate preparations for a workspace, telephone, computer and related tools of the position. No candidate should start a job if the tools are not available. The Director of Human Resources is responsible to work with the manager to ensure that the workspace and equipment are ready and functional.

### **Step Ten: Welcoming the New Colleague**

On the day that the new colleague starts work, the manager should be present and ready to greet the new colleague, conduct a mini-orientation about the office and workspace, and do introductions in the office and around Trinity. The manager should also have prepared a work plan for at least the first few days, depending upon the position, so that the new employee is able to be productive at the earliest possible moment.

New staff orientations occur every month, but in the interim, new staff also need an opportunity to get to know other colleagues informally, and to learn the Trinity routines. The manager should pay careful attention to training the new employee in Trinity's various procedures and the specific details of the position.

## **PART XI: GRIEVANCE PROCEDURES**

Certain policy statements within this Handbook contain their own grievance and disciplinary procedures, and those are appropriate for those specific policies. In all other cases, the procedures set forth below apply for employee grievances.

Supervisors and other persons about whom complaints are made should not take any action against the employees or other persons who make the complaints. Any retaliatory action, for whatever reason, is a separate offense and can result in termination. Accused persons who believe that the complaint is wrong may make their cases in the appropriate forum, described below.

All persons making complaints are expected to do so truthfully and with respect for the reputations of the persons involved. A complaint that is false may result in termination, and employees are also reminded that false complaints may incur legal actions for defamation of character.

### **Stage One: Informal Dispute Resolution**

When possible, informal dispute resolution is the preferred method for handling employment complaints of a minor nature. Following are suggested steps for informal dispute resolution:

If the complaint is about another employee who is not the immediate supervisor involved, then the employee with the complaint should speak directly with his or her supervisor about the problem.

- a. If the complaint is about another employee in the same department, then the supervisor should take appropriate steps to address the issues with both parties, and the supervisor may consult with the director of Human Resources for guidance in managing the dispute resolution.
  - b. If the complaint is about an employee in another department, then the two supervisors should confer about the issues and determine an appropriate course of action. Here again, consultation with the director of Human Resources is an appropriate course of action.
  - c. If the complaint is about someone who is not the immediate supervisor but who is at the supervisory level or higher, then the supervisor who hears the complaint *must* consult with the director of Human Resources about the appropriate next steps.
2. If the complaint is about the immediate supervisor, then the employee should speak directly with the director of Human Resources, who will work with both parties to resolve the matter.

3. In all cases, the complaining employee has a right to know how the matter is being addressed, and open communication among the various supervisors and affected employees is essential.

### **Stage Two: Mediation**

Sometimes a complaint cannot be resolved informally, so a more formal mediation process is appropriate. The decision to move into a mediation mode shall be made by the Director of Human Resources in consultation with all of the parties to the dispute. The Director should make a file memo, copies to the parties, simply stating that a mediation process is underway, the nature of the complaint, the names of the parties, the mediator and timeline.

When the Director has determined that mediation is necessary, she will appoint an independent party (an employee at the supervisory level or higher, or a member of the faculty if appropriate) to conduct the mediation process.

The process is not a legal proceeding, and every effort should be made to keep the process open, respectful and amicable. Written materials should be minimal.

The mediator should meet with all of the concerned parties individually and listen to all statements without prejudice. After hearing all points of view, if the mediator sees an avenue for resolution, the mediator should meet again with the parties to explore solutions. These meetings may occur individually or in a group at the mediator's discretion. The mediator is empowered to work with the parties to secure their mutual agreement to a solution. However, the mediator is *not* empowered to dictate a solution.

If, after the expiration of the original timeline no resolution is apparent, then the mediator and the Director of Human Resources may agree to continue the mediation, to conclude it with no resolution and no further action, or to recommend to the complainant that the formal grievance process is available.

The Director of Human Resources should make a file memo, copies to the parties, indicating the disposition of the case.

### **Stage Three: Formal Grievance Process**

Many of the most serious forms of misconduct (discrimination, sexual harassment) already have formal grievance procedures stated in those policies. For other situations in which an employee feels aggrieved by the conduct of another employee or supervisor, the formal grievance process may be the most appropriate step toward resolution. *Time frames indicated in the following steps are recommended, but these may need to be adjusted based on the facts of each case.*

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The employee who wishes to invoke the formal grievance process must do so in writing. Such a request should be addressed to the Director of Human Resources, or, in the alternative, to the Executive Vice President for Finance and Administration.

- a. The written request must state the reasons for invoking the formal grievance process.
  - b. The written request should be as accurate as possible in stating the names of the persons about whom the complaint is made, and the specific facts and circumstances that gave rise to the grievance.
2. The Director (or Vice President), upon receiving the written statement, should immediately write back to the party acknowledging receipt but making no further comment on the case.
  3. Within five days of receiving the written complaint, the Director should review the case to determine whether adequate grounds exist to proceed to a formal hearing. In making this determination, the director may consult with all appropriate persons, including the complainant and the person about whom the complaint is made. The Director may decide to send the case to Stage 1 or Stage 2 dispute resolution before proceeding to a formal hearing, and if the director so decides, that decision is final.
  4. If the Director determines that a formal hearing is appropriate, then the Director appoints an independent third party, at the supervisory level or higher, to serve as the hearing chair. The Director then notifies the parties of the appointment of the Chair and the timeline for the process. These steps should occur within ten days of the date of the complaint.
  5. The Chair immediately issues a formal notification to the person about whom the complaint is made (the respondent) and invites a written response. The respondent is entitled to a copy of the original complaint so that the respondent can make a complete answer. This part of the process may take up to thirty days.
  6. After receiving the answer, the Chair may determine
    - a. to interview each party separately,
    - b. to send the case back to the Director with comments, or
    - c. to call the parties to a formal hearing.

If the case goes to a formal hearing, the procedure should be kept as simple as possible.

This is not a legal proceeding; each party may bring one other person for support, such as a member of the Trinity community, a friend or family member, but *not* legal counsel.

The Chair must also appoint a secretary to keep a record of the meeting, and the secretary should be independent of the parties. At this hearing, the chair should invite each party to make opening statements for a defined period of time. After hearing each statement, the Chair may ask questions of each party. The parties may not argue with each other, but

simply

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respond to the chair. The chair may ask for concluding statements.

8. After the hearing, within five days, the chair issues a written report and recommendation for action to the president. The recommendation may include:
  - a. a definitive action involving the parties to secure resolution;
  - b. disciplinary action against a party;
  - c. further investigation for cause;
  - d. closure of the case.
9. The president may accept the recommendation, ask for additional information, or return the case to the Director of Human Resources for further processing.

Parties who are dissatisfied with the outcome of the case may make a written appeal directly to the president, who may invoke a new hearing, seek additional facts, interview the parties, or decide the case. The President's action is final.

Trinity College reserves the right to interpret or change the policies stated in this <i>Handbook</i> as the need arises. This document is not a contract.
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## **PART XII: DISCIPLINARY PROCEDURES**

Trinity expects the highest standards of conduct from all employees, and believes that with appropriate supervision, disciplinary actions against employees should not be necessary. However, on rare occasions, disciplinary actions are necessary for employees who repeatedly do not perform the duties of their positions with excellence, or who engage in misconduct. *The following descriptions of possible disciplinary steps are not contractual rights; Trinity College retains the right to take other actions as appropriate to the facts of each case.*

### **1. Work Performance: Corrective Coaching and Training**

Most often, situations involving inadequate work performance should receive corrective coaching and additional training. All employees should receive an adequate period of time and sufficient instruction to be able to correct performance problems that are skill-related. The period of time allowed is dependent upon the specific job and circumstances of the case.

If, after an appropriate period of training and counseling, the employee remains unable to perform the duties of the job at an acceptable level, then the employee may be terminated for inability to perform the functions of the position.

### **2. Behavioral Problems: Progressive Discipline**

Progressive discipline is an appropriate tool in situations in which an employee manifests repeated behavioral problems on the job, e.g., continued lateness, repeated disregard for the instructions of the supervisor, sloppy work product, a pattern of rude and unhelpful behavior exhibited toward students, faculty and other staff.

As a first step, the supervisor should meet with the employee to counsel him or her about the conduct, and to recommend a corrective course of action. This is the verbal warning stage of the process. The supervisor should make a brief written file memo stating that the meeting occurred and the outcomes agreed to.

If the problems continue, the supervisor must then make a written statement, to the employee, describing the problems and the expected course of remedial action. Prior to writing this document, the supervisor should meet with the director of Human Resources for guidance. The employee is entitled to see this document and to make a written statement in response.

If the problems continue after the written warning, then Trinity may place the employee on probation, suspend or dismiss the employee.

### **3. Misconduct and Termination**

In rare instances, employee misconduct is so offensive that immediate termination must ensue. Examples of such misconduct include, but are not limited to:

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any deliberate act of physical or psychological intimidation or actual assault against any other employee, student, faculty member, visitor or guest of Trinity, whether the incident occurs on or off campus;

violation of Trinity's policies on non-discrimination, sexual or racial harassment, technology, contracts, public representation of Trinity, and other policies that indicate dismissal as possible discipline;

theft of Trinity's property or the property of other persons on Trinity's campus, including credit card fraud using Trinity's credit cards or other actions to secure personal financial gain at Trinity's expense;

lying about credentials, plagiarism, fraud, or other forms of dishonesty;

carrying or keeping a gun on campus regardless of any license for the firearm; guns are strictly prohibited from campus, including security personnel;

carrying or keeping any knife or other weapon, explosive or hazardous material on campus, unless such instruments or materials are explicitly required for the work to be performed;

engaging in any form of criminal conduct whether internal or external to Trinity.



## **PART XIII: SEPARATION**

Separation from employment at Trinity College occurs voluntarily and involuntarily. In all cases, Trinity College requires an employee to participate in an exit interview at the time of separation so that the details of benefits, compensation, and closure of work-related duties can be attended to in a timely and professional manner.

### **A. Voluntary Separation: Resignation**

An employee who decides to leave a position at Trinity has an obligation to the College to provide timely notice, and to fulfill the wrap-up of duties and responsibilities with professionalism.

For persons in positions of management responsibility, at least one month's notice is necessary, and for senior executive staff, notice of at least three months is appropriate.

For all other staff positions, at least two weeks' notice is required.

All employees who leave Trinity have an obligation to turn-in University issued credit cards. Identification Card, laptop computers, pagers, cell phones, all keys and any other issued equipment or documents; to leave files and papers in good order; and to ensure that all computer equipment, software and electronic files are accessible and ready for a successor.

### **B. Involuntary Separation: Termination**

All staff employees who do not have specific contracts are employed at-will, and Trinity may choose to terminate such positions at any time without cause.

New employees who are within the 90-day probationary period may be terminated without cause or notice.

Employees past the 90-day probationary period may be terminated without cause and Trinity will normally provide at least two weeks' notice. Trinity may provide additional time as circumstances warrant.

Employees may also be terminated "with cause," which are cases usually involving serious non-performance of duties, misconduct on the job, dishonest conduct, criminal conduct, or violations of Trinity's policies that include termination provisions. Employees terminated with cause may be asked to leave the premises immediately if necessary.

## **PART XIV: COMPLIANCE WITH PUBLIC LAWS AND POLICIES**

### **A. Equal Employment Opportunity, Affirmative Action and Non-Discrimination**

Trinity College is committed to providing equal employment opportunity in the workplace without regard to race, color, sex, religion, national origin, age, and all other categories governed by the laws of the United States and the District of Columbia. Trinity does not engage in discrimination on the basis of any personal characteristics defined by law as prohibited classifications. All supervisors must adhere strictly to the policies and procedures that implement the non-discrimination, equal opportunity and affirmative action requirements.

#### **1. The Affirmative Action Plan**

To maintain the vitality of the commitment to equal opportunity, the College has prepared an Affirmative Action Plan designed to guarantee equal access to employment opportunities on the basis of individual merit and performance. Trinity embraces the goals of equal opportunity, and the specific goals of its Affirmative Action Plan, in its hiring and employment practices, including, but not limited to advertising, recruitment and employment, position upgrading, promotion, demotion or transfer, layoff, termination, compensation, training and apprenticeship.

Because of the importance of strict adherence to the expectations of the Affirmative Action Plan, all supervisors, including faculty personnel with hiring responsibilities, must work through the Office of Human Resources in all personnel searches and hiring.

Copies of the Affirmative Action Plan are available for review in the Office of Human Resources. The Director of Human Resources is also the Affirmative Action Officer.

#### **2. Complaint Procedures - Discrimination Claims**

Any person who believes that he or she has been the victim of employment discrimination at Trinity College under this section may make a formal or informal complaint according to the following procedures:

The complainant should meet with the Director of Human Resources to discuss the situation. Upon hearing the nature of the complaint, the Director may take one of the following actions:

1. Ask the complainant to write a formal written complaint; or

Ask the complainant if she or he is willing to participate in an informal discussion with the supervisor or other person who allegedly violated this section; or

Investigate further, including conducting a meeting with the accused party, before determining an appropriate course of action.

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Whether or not the complainant makes a formal written complaint, the Director is responsible to maintain a record of the complaint and to inform the President of the College of the matter. The President may request additional investigation of the case, or direct an alternative process.

Upon receiving a formal written complaint, or based on the results of the initial investigation, the Director must provide a formal written notice to the accused person. This notice sets forth the nature of the charges and describes the likely disciplinary action. The notice asks for a written reply, and admonishes the accused party that he or she may not discuss this case with the complainant or take any action that might be construed as retaliation. The Director and the accused party may meet to discuss the expectations for the written reply.

If the accused party refuses to provide a written reply within the timeframe stated, or if the accused party engages in any act of retaliation or intimidation toward the complainant, the Director will notify the President of the College immediately, and the President will take disciplinary action which may include termination of the offending party.

Upon receiving a written reply from the accused party, the Director may choose a course of action depending upon the nature of the reply. The likely options include:

If the accused person denies the charges, then the Director will create a small committee, composed of two or three members of the staff or faculty, to conduct a further investigation of the case; upon receiving the report of the committee, the Director may determine appropriate disciplinary action as the findings warrant; the accused may appeal the findings and the action to the President, who may direct additional inquiry or who may take any other action appropriate to the circumstances of the case;

If the accused person admits the charges, then the Director will determine the appropriate disciplinary action;

If the reply provides sufficient evidence to dismiss the case, the Director may do so; in which case the Director must also provide a written reply to both parties explaining the reasons for the dismissal.

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If the Director dismisses the complaint, the complainant may appeal the dismissal according to this procedure:

The complainant makes a formal request in writing to the President for a review of the case;

The President appoints a three person review panel, consisting of members of the staff and faculty who are not in the immediate department of either the complainant or the accused; the President designates the chair of the review panel;

The review panel may review all of the evidence, invite both parties to make oral or written statements, seek the testimony of other witnesses, review the report of the Director of Human Resources, and otherwise engage in inquiry activities reasonably designed to establish the facts and assess the issues in the case;

The review panel makes a formal written report to the President, along with a recommendation for the disposition of the case;

The President reviews the report and makes the final decision in the case.

### **3. Disciplinary Actions**

Trinity College may take disciplinary actions against employees and supervisors under this section according to the circumstances of the case. The range of actions includes, but is not limited to:

- a. Mandatory participation in education and training programs;
- b. Reduction in pay;
- c. Dismissal from supervisor position and re-employment in a non-supervisory position, but only as possible and appropriate;
- d. Administrative leave with pay;
- e. Administrative leave without pay;
- f. Termination.

**B. Sexual Harassment**

The Trinity College Policy on Sexual Harassment is issued as a companion document to this *Handbook* and may be found in its entirety in the Policy Supplement.

**C. Americans with Disabilities Act**

Trinity College welcomes all people to study and work at the College who otherwise meet the requirements for admission to the College or for employment in the particular positions advertised.

In all aspects of its employment policies and practices, Trinity College seeks to ensure that applicants for employment, as well as employees, are treated in compliance with the American with Disabilities Act (ADA). Trinity College is committed to nondiscrimination in its hiring and employment practices, including but not limited to advertising, recruitment and employment, position upgrading, promotion, demotion or transfer, layoff, termination, compensation, training, and apprenticeship.

The College provides prompt, fair and impartial consideration of all complaints of discrimination in employment or personnel practices. Complaints brought under the ADA should follow the same process as described above for complaints of discrimination.

**D. Drug-Free Workplace Act**

Trinity complies with the federal Drug-Free Workplace Act.

Trinity College reserves the right to interpret or change the policies stated in this *Handbook* as the need arises. This document is not a contract.

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### **EMPLOYEE HANDBOOK: POLICY SUPPLEMENT**

From time to time the President of the College may issue policy statements under the executive authority of the College. All such policy statements become part of the general policies of Trinity College, and are incorporated by reference into the Employee Handbook. The policies that follow are extant as of August 1, 2001.

#### **POLICY ON RISK MANAGEMENT RESPONSIBILITIES FOR ALL PERSONNEL**

#### **POLICY STATEMENT 1: CONTRACTS, REGULATIONS AND LEGAL AUTHORITY**

#### **POLICY STATEMENT 2: FINANCIAL RESPONSIBILITY AND SPENDING**

#### **POLICY STATEMENT 3: SMOKING ON CAMPUS**

#### **POLICY STATEMENT 4: CHILDREN ON CAMPUS**

#### **POLICY STATEMENT 5: PROTECTING STUDENT PRIVACY**

#### **POLICY STATEMENT 6: TECHNOLOGY AND TELECOMMUNICATIONS POLICY GUIDE**

#### **POLICY STATEMENT 7: HARASSMENT**

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### POLICY ON RISK MANAGEMENT RESPONSIBILITIES OF ALL PERSONNEL ISSUED 2005

Trinity's legal counsel, insurance company and auditors continuously review our risk management practices. They frequently require a review of compliance with our policies and risk management practices with all personnel on a periodic basis. According to the By-laws of Trinity, our Board of Trustees holds the president legally responsible for ensuring that all employees comply with Trinity's policies, as well as external laws and regulations. I have a very large duty to protect Trinity, its personnel and students, from the harm that occurs when employees violate policies and laws, or act negligently. Risk management is the means by which we try to reduce liability by increasing everyone's attentiveness to compliance and the appropriate exercise of your reasonable duty of care while employed with Trinity.

On a daily basis, Executive Vice President Barbara Lettiere shares my compliance and supervision responsibilities on all risk management matters, and both of us are in frequent communication with legal counsel. All other vice presidents and members of the senior staff also have very high levels of risk management oversight responsibility. I expect all personnel to cooperate fully with members of the senior staff on risk management matters.

For these reasons, as we begin the new academic year, I want to review some of the specific risk management responsibilities that *all* personnel associated with Trinity must observe during your work with Trinity. If, after reading this memo, you have questions or feel that you cannot comply with the directions in this message, you must let me know and we will discuss how to proceed. Compliance is not optional or voluntary. Your employment status (full-time or part-time, faculty, staff or contract personnel) does not create any exemption or variance, except to the extent that you may have a *greater* degree of responsibility depending upon your position and the degree to which you exercise oversight of other personnel, students or events, or money.

We do carry liability insurance that will protect you and Trinity *if* we can demonstrate that (a) we promulgate and follow our policies carefully, and (b) we exercise reasonable care in the discharge of our duties. Ignoring the policies, acting negligently, or deliberately acting outside of the norms of the institution not only puts Trinity at risk, but you as well. Please know that you could be personally liable for damages if you choose to ignore Trinity's policies and directions.

As the year goes along, we will also provide more staff development opportunities to improve all of our risk management practices among all departments and personnel.

#### **1. Compliance with All Trinity Policies**

As an employee of Trinity, or as a vendor working on Trinity's campus, you are responsible to know and comply with all policies of Trinity University. Almost all policy statements, handbooks and related guides are published on our website. Go to [www.trinitydc.edu](http://www.trinitydc.edu) and click on "Quick Links" on the bottom left, then click on "Policies" and the entire policy page will appear. We update this page regularly, and periodically we issue print copies of the policies as well. We will be doing that again later this fall, but meanwhile, please read the website.

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Policies sometimes arise from the verbal directions of senior managers. Policies also exist in the longstanding practices of the institution that are not necessarily always written, but that form the ‘common law’ of Trinity. We have made an effort to capture most policies in writing and to post them on the website, but the absence of a written document does not mean that a policy arising from practice, or given orally, is invalid.

Trinity expects you to follow and respect the policies, and to apply them fairly and accurately in all situations. Where a set of facts requires interpretation of a policy, if you do not know how to proceed you must seek guidance from your supervisor. Do not “make it up as you go along.”

**ASK FOR DIRECTION.** If the issue involves legal, regulatory, compliance, contract, insurance, risk management or other such issues, you and your supervisor also have a very serious obligation to bring the matter to my attention and to the attention of Executive Vice President Barbara Lettiere. **DO NOT** think that you can just discuss a legal matter with your co-workers and figure out the solution without notice to me and Ms. Lettiere. The website includes a policy statement on contracts, regulations and other legal matters; please read it carefully.

If you need to create a policy statement as part of the effective discharge of your duties, please raise this issue for direction, review and approval. Some examples of such policy statements include handbooks and manuals for students and staff in your area of responsibility, methods for complaint resolution, and procedures for accessing services that students have a right to receive by law (e.g., disability services, refund checks). Some forms of policies require more elaborate processes, including faculty, president and board approval. Routinely, I approve major policy statements as part of the executive function. Executive Vice President Barbara Lettiere is the appropriate person to consult with on any policy statement in the non-academic operational areas of Trinity. Vice President for Academic Affairs Sue Blanshan is the appropriate person to consult with regarding academic policy statements.

From time to time, we may find it necessary to make exceptions to policies for good cause. As a general protocol, if you think an exception to a policy is warranted, you should state the rationale in writing to the member of the senior staff responsible for your area of work, and that executive is then responsible to discuss the requested exception with Ms. Lettiere, Dr. Blanshan or me depending upon the nature of the case.

Similarly, from time to time a policy that worked well in the past is no longer effective. If you know of a policy statement that needs an overhaul, please bring that to my attention. We certainly do not want to keep policies on the books that are outdated, and you can definitely help us keep the policy book up to date.

### **2. Personal Conduct**

All personnel are responsible to act truthfully and ethically. The *Employee Handbook* and the *Faculty Handbook* both have sections concerning professional norms. Conduct that violates Trinity’s expectations for truthfulness and integrity (for example, plagiarism, lying on a resume, misrepresenting credentials, falsification of timesheets or leave sheets, fraudulent expense requests) will incur personnel action up to and including termination.



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No employee of Trinity may accept a gift or other favor of value from a contractor or vendor. Trinity also has clear conflict-of-interest policies for all personnel.

You are responsible to know and abide by the Policy on Sexual Harassment. As well, Trinity strictly prohibits any other form of harassment --- racial, religious, or any other demeaning behavior toward another person. Off-color jokes, ethnically offensive language, suggestive photographs or posters, and similar offensive conduct have no place in Trinity's work environment, and supervisors must intervene to address the situation according to Trinity's stated policies. An employee will incur discipline up through and including termination if he or she engages in conduct that Trinity considers threatening to other personnel or students, even if the conduct occurs off-campus (for example, arrests for drugs, weapons or violent crimes, theft and fraud, or crimes involving pornography or any form of abuse of others).

In all of your work, you are an agent of Trinity, and your actions have the potential to create liability for Trinity *and* you. You have a responsibility to discharge your duties with reasonable care. Given the nature of our work as a university, the legal and regulatory environment today imposes higher standards of care than in the past. Activities where students may be at risk, in particular, are receiving increasingly strict scrutiny by courts, imposing very high levels of responsibility on the personnel of universities.

Personnel who work with chemicals, cleaning solvents, electrical and mechanical systems, tools and machines, and other hazardous materials must use all reasonable caution, have appropriate training in the use and storage of the materials, and report defects immediately.

All personnel must refrain from needlessly dangerous conduct, or find the most prudent way to conduct an activity safely. For example, a scientific demonstration might involve certain risks which can be mitigated depending upon how the experiment is conducted. Grounds personnel should wear protective glasses and gloves when handling chainsaws. Athletic coaches should not force outside training sessions on oppressively hot days. While this may seem like common sense, sometimes we need to remind colleagues about reasonably prudent conduct.

While it may also seem to go without saying, Trinity absolutely prohibits weapons of any kind on the premises --- not in your car, in your glove compartment, in your car trunk, in your gym bag, in your office drawer, or in any other place. The only exception is for law enforcement and military personnel who must carry weapons by law. No other persons may have weapons on campus, and it does not matter whether you have obtained a license to possess the weapon for recreational or other purposes. You may not have the weapon here.

### **3. Human Resources and Personnel Practices**

The Director of Human Resources and the Executive Vice President handle almost all personnel issues, except for some matters involving faculty which are handled by the Vice President for Academic Affairs or the President. Following are key risk management issues in HR:

Hiring Practices: NO hiring or contracts for payments to personnel may occur outside of the

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established procedures and directions of HR, EVP or the VPAA. Trinity has well established hiring policies and procedures that all staff must follow. Please note that Trinity does not hire relatives.

*Part-Time and Temporary Personnel:* Part-time temporary employees, including adjunct faculty, athletic coaches and personnel with similar assignments work on contracts that specify the time period for the engagement, the duties expected, and the compensation. Part-time temporary employees do not have a continuing contractual relationship outside of the contract period, and they may not conduct business in Trinity's name or represent Trinity for any purpose outside of the contract period.

*Volunteer Personnel:* You may not retain "volunteer" assistants without the approval of the HR director. Even if someone is generously volunteering their time to help out with a program, a class, a sporting event or some other activity, the fact that they are working for Trinity means that Trinity has liability for them and their actions.

*DEALS:* Just say NO. We do not make sidebar 'deals' including special payments, stipends, time off, office arrangements, furniture swaps or swipes, or other terms of work or perquisites that are negotiated outside of the boundaries of Trinity's normal personnel rules. If a colleague needs a special arrangement, the Director of Human Resources, the EVP or VPAA will review the situation and determine the best course of action. The various handbooks address work hours and leave time, and no arrangements may be made outside of the provisions of the handbooks.

*Personal Employment:* You should not employ Trinity personnel or students to do your personal chores such as typing, tax work, babysitting or housekeeping. Such arrangements are inconsistent with good risk management practices that seek to avoid even the appearance of impropriety, unfair treatment, or coercion of any kind.

*Medical Leave:* If you need to take medical leave, you should consult with the Director of Human Resources and she will assist you in working through the details of compliance with our medical leave policy and FMLA.

*Reference Calls:* The Director of Human Resources handles reference calls, including references for personnel currently working at Trinity and personnel who are former employees. If you receive a call or message to provide a reference for a current or former colleague, please refer the call to the Director of Human Resources. Why do we have this rule? References have become an increasingly difficult legal area with considerable liability for employers and those who give the references. Some reference calls are a test of the institution's compliance with various laws and agreements. Some reference calls are recorded or transcribed without your knowledge. Even if you only say good things, you could incur liability for discussing matters about which you do not have accurate information or authority to comment: protected information that could violate existing agreements and privacy expectations, or false information where you are not privy to all of the facts. Any action on your part that increases Trinity's liability in personnel matters could result in personnel action up to and including termination.

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Personnel Actions: Disciplinary actions involving employees whom you supervise should only occur after consultation with the Director of Human Resources, and supervisors must follow her directions about documentation.

Privacy: Privacy and confidentiality are huge personnel issues. The HIPPA law requires absolute confidentiality about medical matters involving personnel, students and all others. Personnel are expected to act with a large sense of respect for and adherence to the privacy of others.

Parties and Entertainment: From time to time we want to celebrate colleagues and group achievements --- birthdays, reaching goals, etc. Small office parties are, of course, part of the joy of work. Such events should be modest in terms of cost and the burden placed on individual staff members. Except for occasional institutional gifts approved by the president, Trinity does not buy presents for staff members from Trinity funds. Also, Trinity does not permit alcohol at office parties on campus, nor may office parties occur at bars. Colleagues who choose to gather at a bar, club or home do so as private individuals. Supervisors must exercise great care to ensure that an invitation to an off-campus social function does not put pressure on a colleague to participate. If an office group needs to conduct an off-campus event as part of work expectations --- a luncheon, dinner, a working retreat --- then that event should have the prior approval of the Executive Vice President, VPAA or President.

### **4. Student Privacy and Risk Management**

The Family Educational Rights and Privacy Act (FERPA, also known as the Buckley Amendment) generally protects student privacy in their academic and disciplinary records. However, sometimes FERPA is improperly cited to keep information away from professional staff who have a need to know. FERPA permits access to student information among professionals at Trinity who have a legitimate reason to access the data. All professionals who have access to student data should treat it with great care. Please do not leave printouts with student names and records, and other print materials that are identifiable to students, in public view. Similarly, please try to shield your computer screens when working on student data. Conversations with students about their grades, bills, financial aid, personal problems or other individual matters should occur in private, not in the cafeteria line or other public spaces where others might overhear the conversation.

Related, faculty and staff *must* alert the Dean of Students whenever a student manifests a potential to harm herself or others. No employee can agree to keep information “in confidence” when that information indicates a potential threat. Courts are increasingly clear: colleges and employees are being held liable for substantial damages in cases in which students manifested suicidal or threatening behavior toward others and the institutions did nothing to intervene. Confidentiality rules do not mean that you can keep such information from the professional personnel who need to take action to protect the student and others.

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### **5. Money**

Trinity's policies for handling financial matters --- PO's, check requests, travel advances and reconciliation of advances, credit cards, etc. --- are available on the website. From time to time, the Executive Vice President/CFO issues updates of these policies. Breaching the established policy will result in personal liability for the employee.

No employee may engage in personal financial transactions with students or other personnel in the discharge of your duties with Trinity. What does this mean? Here are some examples:

Faculty may not charge students directly for course materials. If a faculty member needs to use certain materials that cause the faculty member out-of-pocket expenses, the faculty member should discuss this with the dean and provision will be made to reimburse the faculty member and, if necessary, to charge the students additional fees. This discussion should occur BEFORE the faculty member engages the expense.

Athletic coaches may NOT purchase equipment and clothing for the athletes and then ask the athletes to write checks to the coach. This practice is specifically prohibited. If a coach determines that certain items of equipment or clothing are desirable, the coach may discuss that with the supervisor of athletics, who will consult with the Dean of Students on how to handle the expense.

Employees may not solicit or receive charitable gifts, including gifts-in-kind, without the prior approval of the EVP or vice president for institutional advancement.

### **6. Technological Systems**

All personnel should know and follow Trinity's Technology Policy, including the "acceptable use" standards. Your computers, the email system, phones and voicemail are all Trinity property, and may only be used for Trinity business.

You may not install personal software on your computer without the specific approval of the Director of Technology Services.

Your email is not private. Email is also discoverable in legal proceedings, and as necessary, Trinity must produce employee email records in discovery. For this reason, you should take great care to limit sensitive email communications about students and personnel. In the past, we have had some unfortunate cases in which staff (a) made derogatory comments about students and other staff members in email that subsequently came to light in various cases, (b) made erroneous judgmental statements about complying with various regulations that complainants used to their advantage. While some sensitive communications may be necessary on email, please keep them brief, do not characterize other people, and do not make declarative statements about your refusal to comply with the law and regulations that govern Trinity. (Nor should you make such statements orally; but definitely do not put them in writing!!)

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Trinity reserves the right to review email and to block access to email accounts for any employee who violates the Technology Policy.

Similarly, Trinity's website and web server are for official business only. Trinity will not permit links to personal web pages from Trinity's official website.

Audio/visual equipment is Trinity's property. No personnel may adapt, fix, replace or take off-campus any projector, screen, computer, or other item of equipment without authorization.

### **7. Travel and Field Experiences**

Trinity's policies for the conduct of all travel and field experiences are posted on the website. Without restating the entire policy here, please note these headlines:

NO employee may drive students on trips. All student trips must be with professional drivers in buses. Trinity no longer uses 15-passenger vans for student transportation of any kind.

ALL field experiences must be vetted for student safety and the appropriateness of placement. Certainly, some locations even in the city involve some risk --- the issue is not a total avoidance of risk, but a reasonable assessment of the risks and a management plan to protect the student (and Trinity personnel) from foreseeable harm. For example, a placement at a community service site where the clients have special needs would require the supervisor to assess the ability of the students to work with those needs. A student teaching placement in a school in a rough neighborhood requires analysis of the risks in the neighborhood and a plan to manage those risks prudently.

For study abroad, Trinity will review the study plan, the location and the risks associated with the location, and Trinity reserves the right to refuse to approve a study abroad plan that is not properly prepared, or where the travel is to a place that Trinity judges the risk to be unacceptable.

### **8. Working with Children**

Some of Trinity's programs work with children, such as Upward Bound, the various camps and other programs that bring children to campus. Given increased legal and regulatory scrutiny in areas involving children, Trinity is increasing its oversight of all such programs. Personnel who work with children are now *required* to have additional background checks, including giving fingerprints, and to comply with new directions for program planning and safety.

### **9. Grants and Contracts**

Some personnel work on grants and contracts --- privately funded, federally funded, locally funded. Whatever the source of the funding, the conduct of personnel working on grant-funded projects *must adhere to all Trinity policies*. Additionally, those personnel involved with grant-funded projects may have additional compliance and reporting responsibilities beyond existing policies.

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Please note that working on a federal or local grant does NOT mean that personnel may abrogate Trinity's pay scales, P.O. rules, travel and safety policies, or other policies. Working on a grant *increases* rather than decreases your risk management responsibilities.

Along with increased responsibility, working on a grant also carries responsibility for accurate and timely reporting of expenses, justification and reporting of activities according to the grant terms, compliance with the funder's expectations about assessment and program reports.

The Executive Vice President supervises compliance with all grants, and all personnel working on grants must comply with her directions.

### **10. Events Planning and Management**

Trinity has specific procedures and protocols for planning and managing events. You should know those procedures and follow the protocols, including timely notice to the Conference Office and other relevant parties, formal scheduling of space, participation in the weekly facilities meeting when your event is on the docket, obtaining PO's for food, rentals, security and other costs associated with the event. You should be present for the event and ensure that all affected personnel --- security, facilities, food service --- are ready for your program.

## **TRINITY COLLEGE EMPLOYEE HANDBOOK**

### **POLICY STATEMENT 1**

#### ***CONTRACTS, REGULATORY AND LEGAL AUTHORITY***

The legal authority of Trinity College rests in the Board of Trustees, which has enacted by-laws that delegate certain authorities to the president of the College for the executive management of Trinity's affairs. The by-laws also delegate certain limited powers to the vice president for financial affairs, and vice president for academic affairs, particular to their positions. No other employees of the College have any legal authority.

From time to time the president may delegate a specific legal act to another agent. Such a delegation (a) does not serve as a wholesale grant of authority for all time, and (b) does not relieve the president of ultimate accountability for the acts of the agent. Accordingly, the president has both the right and an obligation to receive an accounting from the agent of any and all actions taken under the limited grant of authority.

The consequences for a failure to understand and respect these very simple principles can be catastrophic for Trinity. Any trial to determine liability will seek first to establish whether the exercise of authority was legal and reasonable, and breaches in the chain of command can be used to prove negligence even before other facts are examined. An individual who acts outside of the legal authority of the College exposes Trinity to grave risk, and, in addition, could become personally liable for the consequences as well. Acting without authority could result not only in litigation, but also, the nullification of insurance policies, and the refusal of the College to indemnify the employee who violated the stated procedures.

For these reasons, all employees of Trinity, and particularly, personnel in executive, managerial and administrative positions, must strictly adhere to these rules concerning contracts, regulatory compliance and legal authority:

1. No one may sign contracts except the president of the College.
2. The president may choose to delegate some specific contractual authority to the vice presidents for actions that are relevant to their areas of responsibilities. This is not a wholesale grant of authority, and the president reserves the right to withdraw the authority in any case.
3. The vice presidents, or any other persons to whom the president delegates contractual authority, may not sub-delegate that authority without the explicit knowledge and approval of the president.
4. All contracts must be reviewed by Trinity's legal counsel. Individual managers who need contracts signed must submit contracts for review at least ten days before the contracts are due. Trinity will not act on a contract without legal review, and reserves the right to return a contract to the contractor for revision prior to executing the contract.

### **TRINITY COLLEGE EMPLOYEE HANDBOOK**

5. No financial obligations under any impending contract may be undertaken by any employee until the contract is executed. Unless specifically directed by the president, Trinity will not honor financial obligations incurred prior to the final approval of a contract, and the employee who acts without authority in such a case may have to bear the cost personally. Other rules concerning financial obligations are covered in the Policy Statement on Purchasing and Spending.
6. The president is the legal representative of the College, and all legal matters are handled through the President's Office. Any legal matter that arises in the course of the work of any department must be brought to the president's attention immediately and in writing. Such legal matters include regulatory matters (e.g., health, fire or safety inspections, federal compliance inquiries, FBI or police inquiries, etc.), complaints with legal claims whether through agencies or lawyers, personnel actions, subpoenas, and other such legal actions.
7. No employee is empowered to attempt to resolve a legal issue individually. Trinity retains legal counsel and Trinity seeks the advice of counsel before responding to any legal problem. Employees should make every effort to terminate conversations with individuals who make legal threats against them or Trinity.
8. Employees who are involved in circumstances, in which they have received advice and direction from Trinity's legal counsel, or the president acting on advice of counsel, have a strict obligation to comply with those directions. In most cases, those directions also include an implicit, if not explicit, expectation of confidentiality concerning the facts and issues of the case. Any supervisor or manager who attempts to take an action against a subordinate who has brought a legal action risks a retaliation claim, and consequent legal and personnel action.
9. Employees should not engage in gossip and speculation about legal matters and pending cases. Employees need to be aware that any statements (including emails, notes, voicemail, and even oral communications) can be subject to discovery and in a legal proceeding, and possible deposition.
10. Employees who believe that a situation exists that could have legal or regulatory consequences for Trinity should bring the situation to the attention of the president.
11. All regulatory and compliance reports, to governmental, quasi-governmental, accrediting or other public or private agencies, must receive the approval of the president prior to their submission. Individual employees do not have sign-off authority on such reports unless specifically granted by the president.
12. In the event of litigation or other adverse legal action, Trinity College will provide legal representation to its employees who have acted reasonably and in good faith, and in compliance with this policy. Trinity cannot guarantee representation or insurance coverage to any employee who violates this policy, or whose action is reckless or grossly negligent.



## TRINITY COLLEGE EMPLOYEE HANDBOOK

### POLICY STATEMENT 2

#### *FINANCIAL OBLIGATIONS AND EXPENDITURES*

The Trustees and president of Trinity College have serious fiduciary duty to protect the financial well being of the institution. Trinity expects all employees to comply with these policies and procedures to ensure Trinity's fiscal health:

1. All expenditures must receive the approval of the executive vice president for financial affairs;
2. All expenditures of \$1,000 or more must receive the approval of *both* the executive vice president for financial affairs *and* the president of the College.
3. In all cases, such approvals must be obtained *prior to incurring the obligation*; the purchase order system exists to secure such prior approval. (see Policy of Expenses)
4. Failure to secure prior approval, including failure to use the purchase order system, could result in personal liability to pay for the expense. Trinity reserves the right to refuse to pay for goods and services purchased without approval.
5. A budget is not the same as spending approval. Just because an item exists in a budget does not mean that funds are available to pay for the item. Separate approval is necessary.
6. Purchases of computers and related technological equipment must be handled through the Technology Resources staff, unless otherwise directed by the president or executive vice president.
7. As indicated in the professional norms section of the Employee Handbook, no employee may engage in a negotiation with any vendor without the knowledge and approval of the executive vice president for financial affairs;
8. No employee may accept any gift or favor from a vendor.
9. Trinity prefers to seek competitive bids for large expenditures, and all vendors need to be on notice that Trinity reserves the right to seek the most favorable price for any goods or services.
10. Trinity will not pay for work in advance of timely and effective completion of contracts. Bidders need to be aware that Trinity will withhold final payments until receiving full satisfaction for the contract.

## **TRINITY COLLEGE EMPLOYEE HANDBOOK**

### **POLICY STATEMENT 3**

#### ***SMOKING ON CAMPUS***

Trinity College strives to maintain a healthy workplace and campus environment for all staff, students, faculty and visitors. For that reason, Trinity College discourages smoking generally, and no smoking is permitted in any building at any time. Trinity College expects all employees to adhere to this policy:

1. No smoking is permitted in any building at any time. Staff who violate this policy may be subject to disciplinary action.
2. Smoking is BANNED from the vicinity of Main, Chapel, Alumnae, Science, the Library and the Trinity Center. People in those buildings who feel a need to smoke will have to do so on the sidewalk on Michigan Avenue. You may no longer smoke on campus.
3. Smokers who reside in Cuvilly and Kerby may utilize the parking lots of those buildings for smoking for now, but Trinity will be re-evaluating those locations before the start of the new academic year.
4. No smoking is permitted on the steps of any building, or near any windows where the smoke may enter a building.
5. Individuals who choose to smoke in designated areas must extinguish their cigarettes completely and dispose of them responsibly. Leaving butts all over the sidewalk is unacceptable and may result in further restrictions on outside smoking areas.
6. Violations of this policy will incur serious disciplinary penalties. The lives and health of everyone on campus are at risk, along with the potential for grave damage to our buildings.

## **TRINITY COLLEGE EMPLOYEE HANDBOOK**

### **POLICY STATEMENT 4**

#### ***CHILDREN ON CAMPUS***

Trinity celebrates the presence of many children in the lives of our large campus family, and Trinity is committed to doing everything possible to ensure the health, safety and well being of all children. Trinity is also committed to maintaining an appropriate academic environment for collegiate-level teaching, research, learning and co-curricular activities, and all of the related work that supports the academic life of the College. To achieve these objectives, Trinity expects the full cooperation of all faculty, staff and students in observing these policies, which apply to all persons under the age of 18 who are not otherwise enrolled in programs of Trinity College:

As a general rule, because Trinity's work is higher education, Trinity's campus is not an appropriate environment for children. Students and faculty expect to be able to conduct their teaching and research in an adult environment; Trinity manages the campus for adults, and does not have the capacity to provide safe places for children. As a result, parents who find it necessary to bring a child to campus at any other time must adhere strictly to these rules:

no child may be left alone on campus at any time for any reason; Trinity will call the police if any child is found locked in a car or wandering alone around the campus;

children may not accompany parents to class;

personnel may not bring children to work unless Trinity has specifically designated a time or place for staff children to be present;

children may not be in the library, computer labs, science building, or residence hall floors; children may not be in the Trinity Center except on those supervised occasions when the management of the Center indicates that children may participate in programs.

Resident students may not 'babysit' children in their rooms. In addition, resident students may not have guests in their rooms who are legal minors, under the age of 18, including relatives.

The lounges for commuter students and weekend students are not appropriate places for child care, and children may not be left in these rooms for extended periods of time, even if other students are willing to look after the children.

We understand that child care emergencies happen. However, Trinity is not in a position to provide emergency child care on campus. We advise students, faculty and staff who have child care emergencies to choose to remain at home rather than trying to bring the child to campus. We ask supervisors and faculty members to be lenient in excusing absences that result from child care emergencies.

## POLICY STATEMENT 5

### *PROTECTING STUDENT PRIVACY*

Students attending Trinity College have privacy rights under the Federal Educational Rights and Privacy Act (FERPA) which limits access to student information. All employees of Trinity College, both faculty and staff, are obliged to protect student privacy rights as both a legal and ethical concern. Faculty and staff are likely to obtain significant amounts of private information about students in the normal course of business, whether academic, co-curricular, financial, judicial, admissions, athletic, security, counseling, testing, or other kinds of information. Sometimes students will volunteer highly personal information; or staff may observe certain student actions, or have legitimate access to academic, financial or personal information about students. No matter how the information is derived, faculty and staff should observe these rules to protect student privacy:

1. Faculty and staff should not discuss student business in public places, e.g., in the dining hall, on the corridor, in the bookstore, or in any other location in which other people might overhear the conversation. No professional person on Trinity's staff should ever engage in gossip about a student or share a student's personal information outside of a legitimate and necessary business purpose.
2. Care should be exercised in the dissemination of papers, email, voicemail and any other forms of written or oral documentation in which individual students are discussed. As a general rule, sensitive student issues should not be discussed in email messages, and written documentation should be limited to the specific purpose for which the document is needed. While a written document may necessarily describe a behavior or data set concerning a student, it is never appropriate to render any characterization of the student beyond the simple description of the issue at hand, unless the characterization is rendered by a competent professional for clinical purposes.
3. In order to care for students appropriately, or to ensure their academic progress, it is necessary for faculty and staff to share student information on a 'need to know' basis according to the nature of the information and the student's situation. Individual staff or faculty who do not need to know individual student information should not be included in discussions about particular cases.
4. Faculty or staff who misuse student information expose student information to public view, or who otherwise violate the letter and spirit of this policy may be subject to disciplinary action. Any member of the faculty or staff who misuses student information in a way that is likely to harm the student's reputation, to threaten or intimidate the student, or similar actions, may incur dismissal.
5. Faculty and staff also have an obligation to disclose information in their possession in situations in which a student might do harm to herself or others. A pledge of confidentiality to a student may not be a basis for withholding information if the situation indicates a potential for harm. Such disclosure should be to the appropriate dean, vice president or president.

**POLICY STATEMENT 6**

**TECHNOLOGY AND TELECOMMUNICATIONS POLICY GUIDE**

*Policy Statements Regarding the Acceptable Use, Access to and Administration of:*

*Trinity Information Network (TriNet)*

*World Wide Web*

*E-Mail System*

*Telephone System and Voice Mail*

*CAMPUS Database*

*Library Systems*

*Computer Classrooms and Labs*

*...and Related Technology and Telecommunications Issues...*

***Reissued with Employee Handbook: November 2001***

***Revised: March 30, 2001***

***First Edition: January 15, 1999***

Trinity College recognizes the critical value of technology in achieving its institutional mission. The rapid expansion of technological and related telecommunications opportunities has enlarged the scope of teaching and learning immeasurably, expanding the range of possible inquiry, research and intellectual dialogue well beyond previous horizons. In keeping with its historic reputation for academic excellence and innovation, Trinity seeks to ensure that its faculty and students have the maximum possible access to these opportunities.

While creating a modern technological environment for educational and administrative purposes, Trinity strives to meet the immediate needs of the learning community even as the College prepares for greater technological innovation in the future. The pace of technological invention places demands on the College's resources --- human, financial, plant and systems --- that are difficult to project beyond a two-to-three year horizon. These demands require careful planning and prudent administrative oversight, including the considerate allocation of scarce resources to the most pressing priorities. Such demands also require policies that promote a large degree of academic freedom in the use of technology while also protecting individuals and the institution from the harm that can come from the misuse of technology.

Accordingly, the scope of this Technology and Telecommunications Policy Guide (TTPG) includes both the assessment of priorities as they exist in the current academic year, and a statement of policies that govern the use of Trinity's technology and telecommunications infrastructure as these systems exist today. In recognition of the rapidly changing technological environment at Trinity and throughout higher education, the administration and faculty will review the TTPG periodically and make adjustments to ensure that Trinity's priorities and policies are keeping pace with innovations and experience.

## CONTENTS: SYSTEMS AND SERVICES

This policy guide includes policies and guidelines for these technological systems and services at Trinity:

- I. Statement on Acceptable Use
- II. Access to Systems
- III. Trinity Information Network (TriNet)
- IV. World Wide Web
- V. E-Mail
- VI. Telephone System and Voice Mail
- VII. CAMPUS Database
- VIII. Library Systems: TRON and ALADIN
- IX. Marilley Classroom
- X. Computer Labs, Media Center
- XI. Staff Structure and Services

Because of the evolutionary nature of the topics covered in this policy guide, supplements to this document will be necessary on a routine basis, and the guide itself will be reviewed and revised about every six months. In the event that a new technology or system is introduced to the Trinity community prior to a revision of this guide, the general principles reflected below will govern the new use.

### APPLICABILITY OF THIS POLICY GUIDE

All faculty, students and staff of Trinity College are responsible to abide by the policies and directions of this policy guide. In addition, any other users who participate in the Trinity technology and telecommunications environment are responsible to observe these policies.

This document will be available on Trinity's web site at <http://www.trinitydc.edu> as well as in hard copy in the Library, computer labs, Marilley Classroom, and various offices responsible for technology.

Access to the technology and telecommunications systems of Trinity College is a privilege extended to specified users. Violation of these policies may result in suspension or termination of access privileges to any or all technology and telecommunications systems.

## I. STATEMENT ON ACCEPTABLE USE

In the articulation of policies governing the acceptable use of the campus technology and telecommunications systems, Trinity believes that its mission and strategic goals must inform the policy framework.

As a Catholic college, Trinity believes that all uses of technology on and through the campus systems must occur with respect for the sacred dignity of the human person, and with respect for Trinity's essential religious identity.

As a college with a primary undergraduate mission to the education of women, and to women and men in professional studies as well as teaching and human service professions, Trinity believes that the uses of technology should ensure every student's growth and development for public leadership.

As a college whose intellectual tradition is firmly rooted in liberal learning, Trinity believes that all uses of technology must promote and enlarge the acquisition of knowledge and the search for truth.

All uses of these systems must conform to the ideals and expectations of the Trinity College Honor System, and violations of the policies stated in this guide may incur judicial action as well as the consequences described below.

Within this general context of Trinity's mission and values, Trinity expects all users of its technology and telecommunications systems to respect conventional "acceptable use" guidelines for colleges and universities, which generally state that technology and telecommunications equipment and systems may be properly used for all aspects of teaching and research, as well as the business affairs of the College, and related communications including publication and distribution of information related to the academic and administrative affairs of the College.

Acceptable use is also governed by the general policies of Trinity College, including policies stated in the various handbooks and policy statements.

Acceptable use is also determined by external law

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and regulation, including laws governing copyrights, intellectual property, libel, privacy and pornography.

### I. ACCEPTABLE USE (Continued....)

#### A. Activities that are NOT “Acceptable Use”

Following are examples of activities that are NOT acceptable use under this policy guide:

1. Use of any Trinity College computer, telephone, fax machine, e-mail account, web site, or other technological or telecommunications device for commercial activities not approved by Trinity.

(“Commercial” means activities that produce goods or services for sale and offered to a broad market; as used in this policy, the term generally encompasses the idea that an individual may not use Trinity’s equipment, domain address, or any aspect of technology to run a private business or for personal financial gain. This meaning generally distinguishes conventional scholarly and academic activities like writing articles or publishing books, which may generate honoraria or royalties for a faculty member as a by-product of scholarly and intellectual activity, from activities whose primary purpose is financial gain, e.g., using a web page located on Trinity’s web site to advertise a private consulting business or to sell retail products. As individual cases arise, Trinity reserves the right to determine whether an activity conducted using its equipment is permissible under this section, and personnel conflict-of-interest policies also apply in relation to such activities.)

2. Any use that seeks to break into, modify, disrupt, shut down or otherwise impact negatively upon the College’s computer and telephone systems, including hacking, introduction of viruses, spamming, stealing account codes, and related activities. Users are warned that such activities may also result in legal action, including FBI involvement and criminal prosecution.

3. Any use that inappropriately abridges another person’s ability to use the technology and telecommunications systems.

4. Any use that violates Trinity’s policies or laws that protect individuals from sexual or racial harassment, or harassment or discrimination based on other categories covered by federal law and the D.C. Human Rights Act.

5. Any use that violates another person’s privacy. Examples of such use include: publishing another person’s name, phone number, address, grades, messages, papers or written coursework, or any other

personally identifying information without that person’s explicit permission.

6. Any use that violates copyright and intellectual property laws and policies, including the use or distribution of unlicensed software, as well as uses that violate the standards of Academic Honesty including downloading and using another person’s work without their explicit permission, engaging in plagiarism (presenting someone else’s work or ideas as your own), engaging in any form of academic or business fraud.

7. Any use that tampers with software protections or restrictions placed on computer applications, files, or directories. Examples of such use includes altering or deleting operating systems, desktop icons, and desktop settings.

8. Any use that engages in fraudulent or criminal activities, uses that are obscene or defamatory, or uses that harass or intimidate individuals or groups.

9. Any use that attempts to obtain a higher level of security on TriNet systems than the level to which the user is authorized.

Trinity College owns its name, its seal, logo and images, and no one may use the name, seal, logo or images of Trinity College on print or electronic communications without explicit permission (permission is implied for uses related to work at Trinity; examples distinguishing such uses: using letterhead is permitted for official correspondence but not for personal letters, and in the same way in cyberspace, using the College name and logo generally would be permitted for official web pages but not for personal web pages. Similarly, while the name “Trinity College” might appear on individual addresses or resumes for identification purposes, the official name of the College may not be used in ways that imply endorsement, oversight or ownership without explicit agreement with the College.) Trinity College owns the domain name *trinitydc.edu*, and no one may use this domain address other than persons authorized by Trinity College.

Within this context, the following general policies are intended to assist all members of the campus community in their use of campus telecommunications, technology and information systems. Unless the policy statements that follow indicate specific application to faculty, staff or students, the policy governs all persons who have accounts with the Trinity College systems.

### II. ACCESS TO SYSTEMS

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## A. Faculty and Staff

All faculty and staff of Trinity College have general access to the telecommunications, technology and information systems of the College as a matter of necessity to accomplish their work. All full-time faculty and staff have direct access to computers and telephones and the systems they support, and this access includes a larger responsibility to use the equipment appropriately and to care properly for the equipment. All telephone and computer equipment purchased and installed by Trinity College is the property of Trinity College, unless otherwise specified. Employees who use their personal equipment on the premises of the College should register that use through the Office of Technology and Information Resources.

Part-time faculty and staff also have access to computer and telephone systems through accounts assigned at the beginning of each semester.

Students who also work as staff in various offices and departments have varying degrees of access to Trinity's systems and information services beyond the access normally provided to persons who are students only. For purposes of the application of this policy, students with staff levels of access are treated as "staff" in this section; students who misuse their staff privileges will incur disciplinary actions that may include both personnel actions as well as judicial sanctions depending upon the conduct.

Every user who is an employee receives access codes and passwords for those portions of the systems that are applicable to the employee's work. Trinity reserves the right to restrict access according to the needs of the users. Employees who are not provided access codes or passwords may not attempt to gain access to systems or information by other means; similarly, employees who are granted limited access to the information system may not use such access to obtain other information to which they are not entitled, e.g., payroll information or student records.

## B. Students

Students may have access to portions of the telecommunications, technology and information systems of Trinity as a matter of privilege, not right. The privilege is extended on a semester-by-semester basis to students (a) who are in good academic standing and (b) who have cleared their financial obligations. **Trinity reserves the right to deny access to these systems to any student who has violated these policies.**

Trinity encourages all students to acquire personal computers for use either at home or in their residence hall rooms. Trinity will provide information about student computer purchasing and financing plans. As with all personal equipment, students are responsible for the security, maintenance and repair of their computers and technological equipment.

Trinity provides the following means of computer and phone access for students:

*Residence Halls:* Each student room is equipped with voice and data ports sufficient for the number of students expected to live in the room. Resident students have access to the Trinity College telephone system, and they will receive voicemail boxes and information about long-distance access. Resident students will be expected to provide their own analog telephone instruments. Resident students will also have access to the e-mail system and the Internet through the TriNet ports in the student rooms.

*Commuter Students:* All commuter students in all programs will receive e-mail addresses and voice-mailbox numbers at the beginning of each semester. Students are responsible to check e-mail and voice-mail on a regular basis, because the faculty will use these systems to communicate with students.

*Computer Labs:* The main computer lab for students is in the Science Building. **The use of the computer labs is restricted to Trinity College students, faculty and staff only; no other person may use the labs, and children may not be present in the labs or use the public access computers.**

## III. TRINET: THE TRINITY INFORMATION NETWORK

Trinity provides a campus wide information and communications network (TriNet) to support all teaching and learning activities on campus, as well as the business affairs of the College. The use of the network and its software must conform to the "acceptable use" standards in this policy, and must not violate any aspect of this policy, other college policies, or laws and regulations.

Severe penalties will ensue in any case in which a person uses TriNet in ways that violate this policy, commit fraud or abuse, steal or manipulate information from the College's database, violate copyright (including software licensing requirements) and other violations of law or policy. "Severe penalties" may include internal disciplinary actions up to and including separation from the College, as



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well as prosecution through external law enforcement authorities

## IV. THE WORLD WIDE WEB

TriNet, the Trinity Information Network, also provides faculty, staff and students with rapid access to the World Wide Web and the Internet. As with all uses under this policy, access to the Web is for instructional and Trinity business purposes.

Trinity does not provide access to the Web for commercial use. While Trinity does not generally provide web access for personal entertainment, certain uses for entertainment may be permissible so long as those uses do not compromise the business and academic interests of the College or any section of this policy; for example, staff may not play games on office computers; but resident students may use Trinity's web connection to access entertainment material in their rooms.

Common sense and respect for appropriate use at appropriate times must govern the application of this section. Occasional and limited use for personal communications is permitted so long as that use does not interfere with the academic and business acceptable uses described in this policy; personal use must always give way to business or academic need for all public access computers and office computers; for example, students in the library should not tie-up the research access computers by doing personal e-mail on those machines.

Persons who misuse Web access privileges may incur suspension or termination of their accounts.

Employees of the College have a special responsibility to use the Web appropriately and to model acceptable use practices. Employees have access to the Web during regular business hours for Trinity business purposes only. Supervisors may limit or fully restrict the access privileges of employees who misuse their web access privileges.

No person may use College computers or the College network at any time to gain access to pornographic material or other material of an illegal nature, including material that encourages or perpetrates hate crimes.

### A. Trinity College Web Site

Trinity maintains an official College web site at

[www.trinitydc.edu](http://www.trinitydc.edu). This site is an official College publication, and all materials posted on this site must conform to the policies and expectations of the College for official publications. No one may post material on this site who has not received formal approval through the process described below.

The Webmaster is responsible for the general oversight of the web site, but not for posting individual material for individual departments. Each approved department or individual is responsible for posting and updating their own material. **Additional technical information about how to prepare and post approved web pages is available through the CIO or Webmaster, and they will publish this information in a separate document.** The Webmaster is located in the Office of Public Relations.

The following web pages may appear on the Trinity College web site, subject to the approval process described below:

8. 1. Pages Prepared by Administrative Departments
2. Pages Maintained by Affiliate Organizations
9. 3. Faculty and Academic Program Pages Related to Official Academic Work for Trinity
4. Student Organization Pages Related to Official Student Association Work

Trinity College is unable to support personal web pages at this time. For those members of the College community who wish to create personal web pages, Trinity recommends working with a commercial provider.

## IV. WORLD WIDE WEB (Continued...)

### B. Guidelines for Web Pages

Faculty, department heads, student organizations, and affiliate organizations may request permission to post web pages on Trinity's official Web Site. All persons requesting such access must make an application, including signing an agreement to observe Trinity's web policies. Users are reminded that web pages must conform to acceptable use standards, and may not violate laws or regulations, including copyright, defamation and libel. Following are policy guidelines for web pages; technical directions are available through the Webmaster and Faculty Information and Technology Services Committee (FITSC).

#### 1. Faculty and Academic Program Web Pages

Faculty may post web pages for their academic

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programs, their courses and for their official academic work, which includes scholarly and professional activities, conducted in relation to their work for Trinity. Personal material or material for outside businesses may not be posted on Trinity's web site.

The Faculty Information and Technology Services Committee (FITSC) exercises general oversight of the faculty web page program. In the event of any question about the application of these guidelines for faculty, the FITSC will be the first point of review and guidance.

Faculty members who wish to post web pages must complete an application and agreement form (attached). The FITSC will review the applications and oversee the construction of the pages. Faculty web pages that are part of the official college web site are considered to be official publications of Trinity College. Accordingly, Trinity expects such pages to observe Trinity's general policies for accuracy and readability, and Trinity reserves the right to request reformation of a page, or to shut down a page that fails to conform to the College's publications expectations.

Academic program web pages should include the kind of information about the program that is also posted in the College catalog, and additional material may be posted to assist majors during the semester. The Office of the Academic Vice President will offer additional guidance to academic programs for these web pages.

Faculty web pages should link to the academic program web pages. Faculty web pages should contain, at minimum, the following information:

- a) Name of the faculty member and Academic Program
- b) Telephone number (at least office, home as preferred), e-mail address, fax number
- c) Courses taught by semester, and course numbers

To be most useful, web pages should also contain this information:

- a) Course syllabi
- b) Notices about Assignments
- c) Curriculum Vitae

As the faculty member prefers, the web page may also contain information about the faculty member's scholarly and professional work.

Faculty web pages should NOT include:

- a) Student lists

- b) Student papers
- c) Student grades, or any other personally identifiable information about students
- d) Any material that violates copyright, intellectual property, or other laws and policies.

Because of staff limitations, Trinity cannot provide staff time to faculty for the posting of faculty web pages. Faculty who wish to learn how to post the pages will have opportunities to receive training and ongoing support via the Webmaster and FITSC.

Because of space limitations on the server, Trinity also reserves the right to limit the size of faculty web pages. Additional notices about space limitations may be issued by the Webmaster or CIO at any time.

Faculty are responsible to keep their web pages current. From time to time, the FITSC or Dean of the Faculty may ask faculty web page users to review and update their pages, and faculty are asked to cooperate immediately with these requests. Failure to maintain an accurate and current web page may result in termination of the page.

## 2. Administrative Departments

Administrative departments are expected to develop web pages appropriate for their function, e.g., the Office of Human Resources may post job openings, the Dean of Student Services may list student activities, etc. Eventually, all administrative departments are expected to have active and functional web pages.

## **IV. WORLD WIDE WEB (Continued...)**

### **B. Guidelines for Web Pages (Continued...)**

#### 2. Administrative Departments (Continued...)

All administrative departments are responsible for the development of their own web pages conforming to the style guidelines that the Webmaster will provide. These web pages are part of the official college web site and are treated as official publications, and they must conform to all publications guidelines of the College.

The same general guidance as given under "Faculty" above also applies to administrative sites.

#### 3. Affiliate Organizations

Trinity College's official affiliate organizations may also post web pages, or have their own web pages hot linked to Trinity's site. Trinity's affiliate organizations include the Women's College

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Coalition; Education for Parish Service; Upward Bound; Elderhostel; the Pan American Symphony Orchestra; and the Notre Dame Education Center.

As with all other entities affected by this policy, affiliate organizations must maintain their own web pages and are expected to conform to Trinity's policies, including the same parameters as described under "Faculty."

Affiliate organizations who wish to post web pages should complete an application through the Webmaster.

#### 4. Student Clubs and Organizations

Official Trinity student clubs and organizations may post web pages according to the guidelines published in this section and additional guidance from the Dean of Student Services. All student heads of such organizations must first apply for web page access through applications available in the Dean of Student Services office. The Dean may postpone or deny approval in any case in which the club or organization has previously manifested an inability to comply with other policies and expectations of official status. Approval may also be withdrawn if any active web page abridges Trinity's policies. Following are guidelines for web pages for student clubs and organizations:

The web page should include at a minimum:

- a) the name of the organization
- b) the name of the student head and student officers
- c) a phone number and post office box
- d) the official statement of purpose
- e) non-discrimination statement

f) in the case of publications, a disclaimer that makes it clear that the opinions expressed are those of the students involved, and not representative of Trinity College

The web page should also include:

- a) schedule of events or deadlines
- b) information about upcoming activities
- c) descriptions of ways in which student may participate in the events

The web page may also include:

- a) for pages posted by student organizations that produce publications, all or part of actual publications (e.g., the Trinity Times, Trinilogue, Record)
- b) for SGA pages, meeting minutes and various statements from the Student Government
- c) similar kinds of statements and notices that relate to the activities of the organization.

The web page may NOT include:

- a) personally identifying information about students or other people without their explicit permission;
- b) photographs of students or other people published without their permission;
- c) any materials that would be construed as defamatory, libelous, or contrary to the policies and mission of Trinity, especially concerning religious, racial or sexual harassment, or materials that violate copyright, intellectual property, or other laws and policies, or that violate standards of academic honesty.

## TRINITY COLLEGE EMPLOYEE HANDBOOK

Student Financial Responsibility.

### V. THE E-MAIL SYSTEM

Trinity provides a campus e-mail system for the convenience of faculty, staff and students. The system is maintained on the TriNet server, and GroupWise software runs the system.

All faculty and staff receive e-mail addresses when they begin their employment with Trinity. Part-time faculty receive e-mail addresses at the beginning of each semester. Part-time faculty who are engaged with Trinity on a continuous basis will keep the same addresses from semester to semester.

Students will receive e-mail addresses at the beginning of each semester, and continuing students will keep their same addresses.

#### A. Activation of E-Mail Accounts

In order for e-mail accounts to become active, all users must sign agreements governing the use of the e-mail privileges. Faculty and staff sign these agreements at the beginning of their employment, or upon other direction from the Office of Human Resources. Students must sign the e-mail agreement at the beginning of each semester as part of their registration process. No e-mail account will be activated without a signed agreement.

#### B. Passwords

All e-mail accounts require special passwords. Users are responsible for safeguarding their passwords and are responsible for all transactions using their passwords. No individual may assign their account or password to any other person. Any person who deliberately makes their account available to an unauthorized user will incur termination of their account. Similarly, any person who fraudulently gains access to another person's password or account will incur disciplinary action.

#### C. Financial and Academic Clearance

Students must be in good financial and academic standing in order to have active e-mail accounts. The same thresholds that apply to financial clearance also apply to e-mail account activation. See the Policy on

#### D. General Expectations for E-Mail Conduct

The use of e-mail is a privilege that can enhance all campus communications and facilitate the learning environment. These goals can only be met if all users observe basic courtesies and adhere to the code of conduct for e-mail use set forth below.

The following general expectations govern e-mail:

1. Users must remember that e-mail is not private; e-mail may be scrutinized by employers, law enforcement authorities, and persons who gain access to the e-mail system by legal or illegal means. E-mail sent to non-existent or incorrect user names may wind up in mailboxes of persons whom the sender did not intend to receive the mail. Even if the user deletes an e-mail message, the message remains resident in the system memory. For all of these reasons, the first good rule for any e-mail message is to write it as if the whole world might read it; no one can expect complete privacy in any e-mail message. Users must understand that any work created and stored electronically may be subject to electronic monitoring, administrative or law enforcement scrutiny, discovery in legal cases, retention and storage on backup systems, and other scrutiny.

While Trinity will take appropriate measures to protect the privacy of users from inappropriate scrutiny of their communications and documents, the nature of electronic media makes it impossible for Trinity to guarantee absolute privacy to users. Trinity also reserves the right to access such material for legitimate administrative purposes, or upon appropriately presented request by law enforcement authorities, and also to delete, archive, compress, or otherwise manage such data as may be necessary.

2. Courtesy and respect in communicating with other individuals is an essential expectation for all communications at Trinity, and this expectation carries through to e-mail.

3. The Honor System also applies to e-mail, so that all communications via e-mail must be truthful and respectful of the good of the community.

4. E-mail that violates Trinity's policies on racial or

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## TRINITY COLLEGE EMPLOYEE HANDBOOK

sexual harassment, or any other policies, may incur termination of the account and additional penalties under the policies implicated.

5. E-mail that violates laws and regulations regarding hate crimes, or that makes threats or attempts to intimidate, extort or otherwise harm another person will be turned over to law enforcement authorities for further investigation, including the FBI.

6. Spamming, chain e-mailing, or any other activity that attempts to jam mailboxes or to interfere with the normal operation of the e-mail system will result in account termination and other disciplinary action; users should know that such actions may also result in the involvement of external law enforcement authorities.

### VI. TELEPHONE SYSTEM AND VOICE MAIL

Trinity provides telephone and voice mail access for all students, faculty and staff. Full-time faculty and staff receive phone numbers and voice mailboxes when they begin employment at Trinity. Students and part-time faculty will receive voice mailbox numbers at the beginning of each semester. The same policies and expectations that govern e-mail also govern voice mail and telephone usage.

Resident students have telephone access through the main Trinity telephone system. This access will include local dial tone service and long distance service. Residents will be expected to pay fees for the long-distance telephone service, and the fee schedule will be announced each semester.

Any use of Trinity telephones for any fraudulent or illegal purpose will incur severe penalties, including the possible involvement of law enforcement authorities as well as disciplinary action by Trinity.

Telephone misconduct includes misuse of telephone credit cards, misuse of college long-distance access codes, theft of telephone instruments, and any related misconduct.

### VII. THE CAMPUS DATABASE

Trinity College maintains a computerized database system (CAMPUS) for a wide variety of information

management purposes. Much of the information is personal information on students, faculty, staff, alumnae and friends of the College. Trinity College considers the security of this information to be one of the College's most serious responsibilities, and accordingly, access to these databases is limited to persons who have a legitimate need to use the information to advance the academic and administrative goals of the College.

Persons who are given passwords and have legitimate access to the information on CAMPUS have a strict responsibility to ensure that this information is used appropriately, and that the privacy of persons identified through this information is strictly protected. This responsibility extends both to information available on computer screens as well as information available in print media, including all printouts, manual dossiers, correspondence files, directories, and similar forms of information banks.

The Family Educational Rights and Privacy Act (FERPA, also known as the "Buckley Amendment") limits access to student information to persons inside of the institution who have a legitimate need to know the information. Under the law, no one may give out information about a student to a third party without the student's explicit permission, except in certain specific legal cases. A separate statement and guide on FERPA is available through the Office of the Registrar.

As the capacity of the TriNet advances, more individuals will have official access to more information. Accordingly, Trinity will continue to develop this statement on information management to meet the changing access conditions.

### VII. THE LIBRARY: TRON AND ALADIN

The Trinity College Library maintains an online catalog, TRON (Trinity Research Online Network), and is a member of the Washington Research Library Consortium's (WRLC) online system, ALADIN. The Library also has access to other databases and information resources. Priority for the Library's TriNet resources will be given to:

- a) library instruction;

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- b) course-related research in databases subscribed to by the Library and available solely through the Internet;
- c) course-related research available through general Internet search engines and browsers.

Policies governing the use of the Library systems and resources are available through the Library. Users are reminded that the “acceptable use” statement and other policies contained in this guide also apply to the use of library resources.

### IX. MARILLEY CLASSROOM, OTHER COMPUTER CLASSROOMS, SMART ROOMS

The Jane Marilley Classroom is named in honor of Jane Marilley '44, a Trinity College alumna who was a prominent business leader in Washington at a time when few women had such leadership roles. She founded Courtesy Associates, an events management company that is one of the most prominent names in the Washington business community. The gift of the Marilley Foundation made it possible for Trinity to create the Marilley Classroom as a model electronic instructional environment.

Other electronic classrooms and laboratories have subsequently been donated by major benefactors and grant sources, including the AOL/Time Warner Foundation, the Kimsey Foundation, the U.S. Department of Labor, the U.S. Department of Education and the U.S. Department of Defense.

Use of these classrooms is generally restricted to instructional use, for regularly scheduled classes and academic or administrative instruction. The rooms may not be used as a computer lab for personal projects or homework assignments; other computer labs are available for this purpose. The faculty member whose class is conducted in these locations must be present in the room at all times, and the faculty member is responsible to ensure the appropriate use and care of the equipment, and to be sure that the room is locked when the class is over.

The Office of the Academic Vice President provides additional information and instructions about access to and the use of the various electronic and smart classrooms. Users are reminded that the acceptable use statement and other policies stated in this guide also

apply to the use of the Marilley Classroom.

### X. COMPUTER LABS

Trinity also maintains classrooms and laboratories with computer access, including the Academic Computer Center in the Science Building, the Media Technology Studies Lab in Main Hall, and the Writing Center in Main Hall. The directors of these facilities are immediately responsible to ensure the appropriate use of the equipment and software, and from time to time they may issue additional directions about access to and the proper use of these facilities. Users are reminded that the acceptable use and other policies contained in this guide also apply to these labs.

### XI. STAFF AND SUPPORT SERVICES

As Trinity's electronic environment grows more complex, the staff structure and services to support the environment must also grow in different directions. Because no central office can possibly support all of the demands of the technology environment, Trinity is designing its staff structure on the assumption that all staff will develop appropriate technological capacity, including the ability to obtain and analyze information, to perform routine maintenance functions on hardware and software, to create and manage web pages in a decentralized fashion, and to engage in other technical activities that do not require central personnel.

Within this general information, the following personnel have clear duties to support all other users:

The Director of the Office of Technology Resources leads the staff that maintains TriNet, the telephone system, hardware and software purchasing and installation, technical support services and help desks.

Within Tech Services, the staff and technicians provide specific service for telephones, personal computers, printers, the network software, the e-mail system, and related matters.

With the specific exception of certain academic technologies where different purchasing methodologies are approved by the president, all purchases of computers, peripherals, software and related

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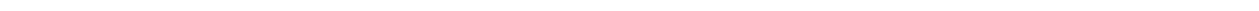
technologies are managed by the CFO and director of Tech Services in cooperation with the respective department heads.

The purchasing exception for certain academic technologies includes specialized equipment and software for science laboratories, as well as software and information resources purchased through the Director of Library and Academic Information Services. In such cases, the Academic Vice President reviews the purchasing requests and consults as appropriate with the director of Tech Services to ensure good communication and the most cost effective purchase.

The Director of Library and Academic Information Services is responsible to oversee academic information and instructional technology generally,

working with the Director of Academic Computing and the FITSC.

The Webmaster is responsible to oversee electronic publications, e.g., the College's official web site and the approved web pages.



## **POLICY STATEMENT 7**

### **HARASSMENT**

**Original Date of Issue: September, 1998**  
***Reissued with Employee Handbook: November 2001***

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***Original Date of Issue: September 1998***  
***Reissued with Employee Handbook: November 2001***

***Revised and Expanded: August 2006***

In keeping with its historic mission as a Catholic college with a special emphasis on women and action for social justice, Trinity seeks to ensure that all students, faculty, staff, vendors and personnel who work for Trinity's vendors and contractors, tenants, conference and event participants, guests and visitors can conduct their business, work, teach and study in an atmosphere of respect for human dignity. Such an expectation of respect for the human person requires that Trinity articulate policies that safeguard members of the community against discrimination, intimidation and harassment in any form.

Trinity expects all members of the campus community, including visitors and guests and personnel who work for contractors, to exercise the highest level of care in their professional and personal conduct toward each other and all others on campus. This policy statement is rooted not only in Trinity's understanding of legal requirements, but also in the College's core philosophies of honor and justice, respect for women and all persons, and the sacred nature of human life.

Violations of this policy, including retaliation against any individual for raising a claim under this policy, will result in immediate disciplinary action up to and including dismissal for both employees and students. Procedures for making claims are included in the body of the policy statement. False claims are also subject to action up to and including dismissal.

Trinity also reserves the right to call the police and to refer instances of harassment to external authorities. Trinity will call the police and involve external legal authorities in any case in which a sexual assault is alleged.

#### **I. Definition of Harassment**

For the purpose of this policy, "harassment" is the general term that includes actions that are discriminatory, intimidating, coercive or hostile. Trinity prohibits all forms of harassment by all persons on campus, including, faculty, staff, students, guests and visitors. Harassment is any oral, written, physical or other form of conduct that denigrates, seeks to intimidate or coerce,

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discriminates against or shows hostility toward any person on the basis of sex, race, color, national origin, religion or beliefs, sexual orientation, age, disability, language or other personal characteristics.

Sexual harassment is a specific form of harassment that includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

2. submission to or rejection of such conduct by an individual is used as a factor in employment or academic decisions affecting the individual; or

3. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, offensive or demeaning employment or educational environment.

Violations of this policy can occur through direct actions and communications from one person to another, whether in-person or via mail or phone or other electronic communications; or through conduct that creates a hostile environment for students or employees or others on campus, which may include verbal or nonverbal forms of communication, visual displays including posters or photographs, anonymous messages, graffiti, or actions that bias other members of the community against an individual.

Retaliation is any action taken against an individual who brings a complaint under this policy. Retaliation includes but is not limited to direct communications from the person who is accused to the accuser, contrary to administrative direction to refrain from such communication; taking a negative action against the accuser (e.g., lowering a grade or assigning the accuser to an undesirable shift at work); spreading false information about the accuser; or engaging other people in creating a hostile environment for the accuser.

## **II. Responsibilities of Faculty, Staff and Students**

Trinity expects its employees (full-time and part-time faculty and staff) as well as its students, contractors and visitors to exercise the highest level of care in their personal conduct toward each other and toward students.

### **A. Employee Conduct Toward Students**

Employees (full-and-part-time faculty and staff) of Trinity, including employees of contractors and tenants, must observe the highest standards of propriety when working with students, communicating with or about students, and handling student records and information.

Employees must make every effort to avoid characterizing students in ways that may be construed as hostile, discriminatory or defamatory. Written memos, private e-mails and oral conversations among employees about students must avoid the kinds of language and characterizations of students that could form the basis for claims under this policy. Employees who use epithets, vulgarities or other offensive language in reference to students will incur disciplinary action up to and including termination.

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Trinity explicitly prohibits sexual relationships between students and members of the faculty or staff of the College, including contractors. Such relationships breach conventional standards of professional conduct in the academic workplace, and have high potential to give rise to claims of sexual harassment by students against the College. For the same reason, Trinity counsels faculty and staff to maintain appropriate professional distance in all other aspects of their relationships with students so as to reduce the potential for claims of harassment, discrimination or unethical conduct. Faculty and staff should refrain from conduct that could give rise to claims under this policy such as touching the student unless essential to the performance of duties (e.g., nurse or athletic trainer), personal comments unrelated to the professional relationship, inappropriate language in any communications, or initiating communications with students at unusual hours,

Faculty and staff should avoid other kinds of personal relationships with students that could be construed as inappropriate and even grounds for harassment or discrimination claims. This prohibition includes employing students to do private work for the Trinity employee, including but not limited to work that the student conducts in the private home of the employee; or housing a student in the employee's home; or socializing with students outside of the normal course of institutional business.

From time to time employees of Trinity may travel with students or may entertain students for institutional reasons in their homes or in public places. An example might be a dinner party for students in a major program at a faculty member's home. Faculty and staff who have occasion to travel with or entertain students in off-campus environments must follow the university travel policy, and should exercise great discretion to ensure that these occasions are (1) related to university business, (2) include groups of students, not just one student if at all possible, and (3) refrain from any inappropriate conduct. Faculty and staff should never serve alcohol to students in any setting.

#### B. Employee Conduct with Co-Workers

All employees (full-time and part-time faculty and staff), including employees of contractors, must observe the highest standards of propriety when working with and communicating with or about each other. Communications about employees that include language that is hostile, discriminatory or defamatory will result in immediate personnel action up to and including termination.

The interpersonal conduct of individuals in the workplace must be informed by discretion, professional ethics and the law. Supervisors are expressly prohibited from engaging in any form of sexual conduct with persons whom they supervise, and supervisors are counseled to avoid any circumstance that could be misconstrued: inappropriate remarks about appearance, dress or other personal characteristics; inappropriate jokes and language, and similar kinds of conduct that might create an atmosphere of harassment.

Supervisors must also exercise great discretion in avoiding the appearance, if not the reality, of favoritism toward individuals with whom they have a friendly relationship. Friendships between supervisors and employees can give rise to claims of discrimination by employees who perceive

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the friendships as creating unfair advantages for the friends. For this reason, supervisors should maintain arms-length relationships with all employees in their areas of responsibility.

Supervisors are also responsible to ensure that their supervisees understand and uphold the law and policy on harassment; supervisors who neglect their duties under this may be subject to separate disciplinary action for permitting a harassment situation to exist without intervention. Supervisors are responsible to guard against circumstances that could lead to a hostile workplace claim. This includes reminding employees that they must refrain from making personal comments about other employees, displaying posters or photographs that others could construe as offensive, or telling inappropriate jokes with sexual or racially offensive content, or using offensive language.

All employees are specifically warned against circulating email jokes, cartoons, links, etc. that contain inappropriate content.

Beyond the supervisor-supervisee relationship, all employees are expected to conduct their interpersonal relationships with discretion and respect for Trinity's mission and policies, and to refrain from any actions that would create the appearance as well as the reality of harassment for any other employee. While Trinity cannot completely prohibit relationships among consenting adults who are peers in the workplace, Trinity reserves the right to take appropriate action when personal relationships interfere with the ability of other employees to conduct their professional work in a climate of harmony, respect and equity.

#### C. Contractor and Vendor Responsibilities

Contractors and vendors whose employees work on the Trinity campus are expected to promulgate this policy to their employees who work at Trinity, and Trinity will expect contractors and vendors to provide clear guarantees of appropriate risk management practices under this policy. For purposes of the applicability of the provisions of this policy regarding prohibited actions, the same prohibitions that apply to staff of Trinity also apply to vendor employees. Trinity reserves the right as a matter of contract to request that a vendor remove immediately from campus any vendor employee who violates the terms of this policy, in addition to any other actions that Trinity may take under this policy and the contract with the vendor.

#### D. Student Responsibilities

Students also have large responsibilities and liabilities under this policy. Students who are in positions of authority over other students have the same obligations as professional supervisors to refrain from any form of harassment conduct with persons whom they supervise, and they are counseled to avoid any circumstance that might be construed as harassment under this policy. Student-to-student relationships also have the potential for claims under this policy, and students are advised to conduct their interpersonal relationships with great care and respect for the rights of others.

In rare cases, faculty or staff may have complaints of sexual harassment or misconduct against students. Such cases most frequently involve inappropriate student conduct such as unwanted

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touching, phone calls or letters of a sexual nature, or excessive efforts to spend time with the person. Faculty and staff have the right to bring formal complaints in such cases, and they should discuss their complaints first with the Director of Human Resources regarding how to handle the problem. Left unattended, such cases have the potential to become complaints *against* the same faculty or staff persons who are feeling victimized themselves. Faculty and staff should seek advice and counsel on these matters at the earliest possible moment.

#### E. Tenants, Visitors and Guests

Students, staff and faculty are also responsible for the conduct of their guests while on campus. A guest may also incur a charge of sexual harassment under this policy, and the person who is responsible for the guest may incur disciplinary action if the evidence reveals that she or he has failed to intervene or seek help in a situation in which the guest commits sexual harassment against another person on campus.

This policy also applies to the personnel and visitors of tenants and conference groups on campus.

### **III. Process for Reporting a Harassment Claim**

#### A. Students

Students who wish to make a claim of sexual harassment under this policy should make an appointment to speak directly with the Dean of Student Services (202-884-9600). The Dean is responsible for the management of all cases involving students.

The general process is as follows:

#### **Filing Your Complaint:**

The student makes an appointment to speak with the Dean of Student Services. During this meeting, the student and the Dean discuss the circumstances.

Based on her conversation with the student, the Dean assesses the case and may take one of the following steps:

Ask the student to submit the complaint in writing;

Ask the student to participate in an informal mediation session with the accused person;

c. Commence a formal investigation of the complaint.

#### **Confidentiality and Notifications:**

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While Trinity will attempt to preserve a complainant's confidentiality, a thorough investigation of a harassment claim usually requires some disclosure of the complainant's identity in order to verify the facts of the claim. While conducting the investigatory process with discretion and respect for the parties' privacy, Trinity cannot guarantee absolute anonymity to any of the parties involved.

4. The accused party has a right to know the name of the accuser and the nature of the accusation. Normally, the Dean will meet with the accused person as soon as the complaint is filed; the Dean should have a witness present in this meeting. In recognition of the fact that this rule might intimidate some victims of harassment into silence, especially if the complaint is about a faculty member from whom they are taking a course or a major advisor, the Dean has the discretion to keep the name of the accuser and the facts of the complaint confidential until such time as the student is no longer in a position to suffer retaliation as a result of her complaint. While Trinity's policy also specifically prohibits retaliation, Trinity also recognizes the need to be proactive in protecting student grades and the student's ability to function effectively in her academic programs without fear of reprisals.

The Dean of Student Services must notify the President immediately of any complaint of harassment or misconduct involving a student. If a member of the faculty or academic staff is involved, the Dean will also notify the Academic Vice President.

#### **Informal Mediation:**

6. If the student complainant agrees to an informal mediation session, the Dean brings both parties together for review of the facts, discussion and counseling with the parties. The Dean has the authority to direct follow-up actions by the parties, and they must accept the direction of the Dean. Failure to follow the Dean's directions in such cases may incur further disciplinary action.

#### **Formal Investigation:**

If the Dean determines that sufficient evidence exists to support a more formal investigation and the filing of formal charges against the accused, the Dean must require a written statement from the accuser. If the accuser refuses to file a written complaint, the Dean must make her own written report to the President of the College, who may direct further investigation and action in the case.

8. Once formal charges are filed, or once the Dean and President determine that further investigation is necessary, the Dean informs the accused person that an investigation is proceeding. If the accused person admits to the activity, the case may proceed directly to the disciplinary stage. The Dean or President may also decide that the formal investigation must continue.

As part of the formal investigation, the Dean may assign the case to an internal investigator, who may be a member of the faculty or staff who has received appropriate training. If the

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student complaint involves a faculty member, the Dean and Academic Vice President should discuss the selection of the investigator. The investigator may interview persons with relevant information in the case. The investigator submits to the Dean a written summary of the facts discovered through the investigation. This phase of the case should take no more than ten days, but the Dean has the discretion to extend the timeline if circumstances warrant.

If, as a result of the investigation, the facts support a charge of harassment, the Dean will so inform the accused person. The accused may:

- a. Accept the findings of the investigation and proceed to the disciplinary stage;

Request a formal hearing to challenge the facts and to present additional evidence.

### **Formal Hearing:**

If the accused requests a formal hearing, then both the accused and the complainant must receive the written investigation report so that they may prepare for the hearing.

12. If the accused requests a formal hearing, the Dean constitutes a three-person hearing panel from among faculty and staff who are trained to participate in the hearing process. The hearing is not the same as a legal proceeding in a court of law. The accused may have an advocate from within the Trinity community, but may not have outside legal counsel at the hearing. A secretary will record the minutes of the proceedings, but a transcript is not maintained. Following are the usual steps in the hearing process:

- a. Prior to the hearing, the hearing panel receives the original written complaint and the written report of the investigation. The Dean may also meet with the hearing panel to brief them on the case and to discuss hearing procedures.
- b. The chair of the hearing panel sends procedural directions to the parties. Such directions may include specifications about the presentation of evidence and witnesses, and other matters related to the conduct of the hearing and preparation of the case.

At the beginning of the hearing, the investigator who prepared the written report should make a brief oral overview of the case, and the panel may ask questions of the investigator.

- d. The complainant may make a statement. The panel may wish to ask questions of the complainant. The complainant has a right to be present at the hearing, but may not speak unless invited to do so by the panel.
  - e. The accused may have an opportunity to make a formal response to the complaint and the findings of the investigation. This response may include written and oral evidence, including statements from witnesses.
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- f. At no time during the hearing may the parties to the case cross-examine each other. All questioning and statements are directed to the hearing panel.
- g. At the conclusion of the hearing, the chair may adjourn the hearing panel for a period of deliberation, which may take as long as five days. The hearing panel makes a conclusory report in writing to the Dean, specifying the panel's assessment of evidence, findings of responsibility and making recommendations for disciplinary action.

## B. Faculty and Staff

Faculty and Staff who have complaints about harassment as a matter of employment rights should report the complaint immediately to the Director of Human Resources. If the complaint involves a faculty member, the Director of Human Resources will inform the Academic Vice President. Following are the procedures in cases involving harassment and employees:

### **Registering Your Complaint**

- 1. The faculty or staff person makes an appointment to speak with the Director of Human Resources about the circumstances of the case.
- 2. Based on her conversation with the faculty or staff member, the Director of Human Resources assesses the case and may take one of the following steps:
  - a. Ask the complainant to submit the complaint in writing;
  - b. Ask the complainant to participate in an informal mediation session with the accused person;
  - c. Commence an investigation of the complaint.

### **Confidentiality and Notifications:**

- 3. While Trinity will attempt to preserve a complainant's confidentiality, a thorough investigation of a harassment claim usually requires some disclosure of the complainant's identity in order to verify the facts of the claim. While conducting the investigatory process with discretion and respect for the parties' privacy, Trinity cannot guarantee absolute anonymity to any of the parties involved.
  - 4. The accused party has a right to know the name of the accuser and the nature of the accusation. Normally, the Director will meet with the accused person as soon as the complaint is filed; the Director should have a witness present in this meeting. In recognition of the fact that this rule might intimidate some victims of harassment into silence, especially if the complaint is about an immediate supervisor, the Director has the discretion to keep the name of the accuser and the facts of the complaint confidential during the initial phase of the investigation. While Trinity's policy also specifically prohibits retaliation, Trinity also recognizes the need to be proactive in protecting the
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ability of complainants to continue to function effectively in the workplace without fear of reprisals.

5. The Director of Human Resources must notify the President immediately of any complaint of harassment or misconduct involving a student, and such cases are usually referred to the Dean of Student Services for further processing. If a member of the faculty or academic staff is involved, the Director will also notify the Academic Vice President.

#### **Informal Mediation:**

6. If the complainant agrees to an informal mediation session, the Director brings both parties together for review of the facts, discussion and counseling with the parties. The Director has the authority to direct follow-up actions by the parties, and they must accept the direction of the Director. Failure to follow the Director's directions in such cases may incur further disciplinary action.

#### **Formal Investigation:**

7. If the Director determines that sufficient evidence exists to support a more formal investigation and the filing of formal charges against the accused, the Director must require a written statement from the accuser. If the accuser refuses to file a written complaint, the Director must make her own written report to the President of the College, who may direct further investigation and action in the case.
8. Once formal charges are filed, or once the Director and President determine that further investigation is necessary, the Director informs the accused person that an investigation is proceeding. If the accused person admits to the activity, the case may proceed directly to the disciplinary stage. The Director may also decide that the formal investigation must continue.
9. As part of the formal investigation, the Director may assign the case to an internal investigator, who may be a member of the faculty or staff who has received appropriate training. The investigator may interview persons with relevant information in the case. The investigator submits to the Director a written summary of the facts discovered through the investigation. This phase of the case should take no more than ten days, but the Director has the discretion to extend the timeline if circumstances warrant.
10. If, as a result of the investigation, the facts support a charge of harassment, the Director will so inform the accused person. The accused may:
  - a. Accept the findings of the investigation and proceed to the disciplinary stage;
  - b. Request a formal hearing to challenge the facts and to present additional evidence.

#### **Formal Hearing:**

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11. If the accused requests a formal hearing, then both the accused and the complainant must receive the written investigation report so that they may prepare for the hearing.
12. If the accused requests a formal hearing, the Director constitutes a three-person hearing panel from among faculty and staff who are trained to participate in the hearing process. The hearing is not the same as a legal proceeding in a court of law. The accused may have an advocate from within the Trinity community, but may not have outside legal counsel at the hearing. A secretary will record the minutes of the proceedings, but a transcript is not maintained. Following are the usual steps in the hearing process:
  - a. Prior to the hearing, the hearing panel receives the original written complaint and the written report of the investigation. The Director may also meet with the hearing panel to brief them on the case and to discuss hearing procedures.
  - b. The chair of the hearing panel sends procedural directions to the parties. Such directions may include specifications about the presentation of evidence and witnesses, and other matters related to the conduct of the hearing and preparation of the case.
  - c. At the beginning of the hearing, the investigator who prepared the written report should make a brief oral overview of the case, and the panel may ask questions of the investigator.
  - d. The complainant may make a statement. The panel may wish to ask questions of the complainant. The complainant has a right to be present at the hearing, but may not speak unless invited to do so by the panel.
  - e. The accused may have an opportunity to make a formal response to the complaint and the findings of the investigation. This response may include written and oral evidence, including statements from witnesses.
  - f. At no time during the hearing may the parties to the case cross-examine each other. All questioning and statements are directed to the hearing panel.
  - g. At the conclusion of the hearing, the chair may adjourn the hearing panel for a period of deliberation, which may take as long as five days. The hearing panel makes a conclusory report in writing to the Director, specifying the panel's assessment of evidence, findings of responsibility and making recommendations for disciplinary action.

#### **IV. Disciplinary Actions**

Trinity will take all appropriate disciplinary actions in cases of harassment. Trinity considers harassment to be one of the gravest forms of offense against the community, so the disciplinary actions under this section are also severe.

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The Dean and Director of Human Resources administer this section at the advice and direction of the President. In cases involving faculty, the Academic Vice President is also consulted.

#### A. Students

A student who is found guilty of a violation of the harassment policy may incur penalties that include:

1. Performance of specific actions of both an educational and regulatory nature, e.g., an educational penalty might include participating in a course or training program on sexual harassment, a regulatory penalty might include a requirement that the student move off campus and refrain from engaging in any activities that would put her in close proximity to the complainant.
2. Suspension from school: Trinity may choose to suspend any student for violations of this section, and such a suspension may be for one semester or one year, or longer and in all such cases Trinity may impose conditions that must be met before and during the student's return to the Trinity community.
3. Expulsion: Trinity may expel any student for violations of this section.

#### B. Faculty and Staff

An employee of the College, whether faculty or staff, who violates this policy places the College in severe legal jeopardy and violates standards of professional conduct as well as the law. Accordingly, Trinity takes severe disciplinary action with regard to any employee who violates this policy. Such disciplinary action, depending upon the severity of the case, may encompass a range of actions including, but not limited to, mandatory education, reduction in pay, demotion from a supervisory position, reassignment to another department, leave without pay, or termination, regardless of tenure.

#### C. Contractors and Vendors, Tenants, Guests and Visitors

Trinity reserves the right to ban from campus any employee of a contractor or vendor, any tenant, or any guest or visitor who engages in any acts of harassment against members of the Trinity community. Trinity will also call the police in any case of sexual assault, or in cases in which persons banned from the campus attempt to return.

### **V. Retaliation**

A person who is the subject of a harassment complaint may not take any retaliatory action against the person who brought the complaint. Retaliation gives rise to separate legal claims from the underlying complaint, with the consequence that the accused might be separately liable

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for illegal retaliation even if the original complaint of sexual harassment is not proven, is dismissed or withdrawn.

Trinity will take appropriate disciplinary action in all cases in which retaliation occurs under this policy.

## **VI. False Claims**

Any charges raised under this harassment policy are matters of grave consequence for Trinity, for the accused as well as for the complainant. The mere fact of an accusation of harassment, regardless of the ultimate disposition of the case, can have a devastating effect on the reputation of the accused and the College.

For this reason, this policy specifically prohibits false claims made under it, and specifies consequences for false claims.

A "false claim" occurs when a person knowingly and willfully files charges against another person which the complainant knows are not true. Such an untruthful action is a violation of the Trinity Honor Code, which specifically prohibits lying.

A false claim does NOT exist simply by virtue of the failure to establish guilt in a harassment case. A charge of making a false claim must arise from clear evidence supporting the accusation of lying.

Only Trinity may initiate an investigation of false claims under this section. Trinity will initiate such an investigation when the evidence in a harassment case indicates that the complainant has deliberately lied about the claim. If Trinity concludes that evidence exists to support the false claims charge, then Trinity will take disciplinary action which may include suspension, expulsion and termination.

Individual persons who are falsely accused of harassment may choose to pursue external legal remedies against the accuser.

## **VII. Appeals**

All persons affected by this policy have the right to make written appeals of decisions made under this policy to the President of the College. The president will review all written appeals and will provide a written response. The President may uphold the decisions made, request additional information, or direct a new investigation or hearing.

The President's review and action is final. Further recourse must proceed through external legal authorities.

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## **VIII. Education and Training Programs**

As part of Trinity's implementation of this Policy on Harassment, Trinity will conduct a series of education and training programs for students, faculty and staff. All employees of the university will be required to participate in at least one harassment training session per year, according to plans developed by the Director of Human Resources. Under the direction of the Dean of Student Services, students will have curricular and co-curricular opportunities for further education on this topic.

## **IX. Administration of this Policy**

The President of the university is responsible for the administration of this policy. The President delegates the day-to-day administration of this policy to the Dean of Student Services and Director of Human Resources, who are the immediate staff officers responsible for implementation.

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