

ON-CAMPUS STUDENT EMPLOYMENT HANDBOOK

BALL STATE UNIVERSITY
CAREER CENTER

FISCAL YEAR 2017 – 2018

Table of Contents

0.0 [INTRODUCTION](#) 3

1.0 [MISSION AND VISION OF THE CAREER CENTER](#) 3

2.0 [EMPLOYMENT](#) 1

 2.1 [General Information](#) 3

 2.1.1 [Background Checks](#) 4

 2.1.2 [Title IX Online Training](#) 4

 2.1.3 [Eligibility for On-Campus Student Employment](#) 4

 2.1.4 [Eligibility Documents](#) 4

 2.1.5 [I-9 Verification](#) 4

 2.1.6 [International Student Eligibility](#) 5

 2.1.6.1 [Rules and Restrictions](#) 5

 2.1.6.2 [F Visa Employment](#) 5

 2.1.6.3 [J Visa Employment](#) 6

 2.1.7 [Employment Categories](#) 6

 2.1.8.1 [Federal Work-Study](#) 6

 2.1.8.2 [Qualifying for Federal Work-Study](#) 7

 2.1.9 [Contact Information](#) 7

 2.1.10 [Dress Code](#) 7

 2.1.11 [Uniforms](#) 7

 2.1.12 [Use of University Vehicles](#) 7

 2.1.13 [Telephone Use](#) 8

 2.2 [Illness or Injury](#) 8

 2.2.1 [Injuries on the Job](#) 8

 2.2.2 [Return to Work from an On-The-Job Injury \(Worker’s Compensation\)](#) 9

 2.2.3 [Return to Work from Other Absences](#) 9

 2.3 [Time, Time Records, and Pay](#) 9

 2.3.1 [Hours per week](#) 10

 2.3.2 [Rest Periods](#) 10

 2.3.3 [Meal Periods](#) 10

 2.3.4 [University Hours](#) 10

 2.3.5 [Flexible Schedule](#) 10

 2.3.6 [Pay](#) 11

2.3.7	Federal Work Study Wages	11
3.0	WORK LIFE ISSUES	11
3.1	Americans with Disabilities Act	11
3.2	Anti-Nepotism Policy	11
3.3	Consensual Sexual or Romantic Relationships	13
3.4	Equal Opportunity and Affirmative Action Policy	14
3.5	GBLA Information Security Program	15
3.6	Religious Accommodations and Holy Day Observances	15
3.7	Resignation	16
3.8	Social Security Number Statement	16
3.9	Identity Theft Prevention Program	16
3.10	Job Duties and Responsibilities	16
3.11	Grievance Procedure	16
4.0	STUDENT EMPLOYEE CONDUCT	17
4.1	Anti-Harassment Policy	17
4.2	Bloodborne Pathogens/Universal Precautions	18
4.3	Code of Ethics Statement	18
4.4.1	Indiana Ghost Employment Law	18
4.4.2	Exception to the Indiana Ghost Employment Law	18
4.5	Driving Privileges Policy	19
4.6	Drug Abuse Policy	19
4.7	Emergency Responses (Fires and Tornadoes/Severe Weather)	19
4.8	Hazard Communication Standard	20
4.9	Policy on Unaccompanied Minors	21
4.10	NCAA Rules and Regulations	21
4.11	Pet Policy	21
4.12	Sexual Harassment Statement	22
4.13	Tobacco Free Campus	22
4.14	Social Media Policy	23
4.15	Title IX Compliance	23
4.16	Information Technology Users' Privileges and Responsibilities	24
4.17	Weapons Policy	24
4.18	Whistleblower Protection Policy	24
Appendix A:	BALL STATE UNIVERSITY'S STATEMENT ON SEXUAL HARASSMENT	26

0.0 INTRODUCTION

This Handbook was prepared by the Ball State University Career Center. Policies and procedures apply to on-campus student employees unless otherwise indicated. Please read this Handbook carefully. In some cases, only summaries of the university's policies and procedures have been listed; consequently, the text of the official policies and procedures shall govern in all cases. The university's policies, benefits, rules and regulations, whenever and however expressed, whether in handbooks, policy statements or otherwise, do not create and are not to be considered as creating terms and conditions of an employment agreement, expressed or implied. The employment of any employee may be terminated, with or without cause, and with or without notice at any time, at the option of either the employee or the university. No employee of Ball State University, other than the President or vice presidents of the university, has any authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the foregoing. The university's policies, benefits, rules and regulations are subject to unilateral change by the university without notice. The latest version of this Handbook can be found on the Career Center website.

1.0 MISSION AND VISION OF THE CAREER CENTER

Vision – We will be recognized as expert partners who create industry best practices through connecting and preparing students, employers, faculty, and alumni in their quests to reach their goals.

Specifically, we commit to:

- Assisting students with exploring career options, making informed academic major decisions, obtaining experience and employment, and acceptance to graduate school;
- Creating high-impact connecting activities which bring together students, faculty, employers, and alumni;
- Serving the university as experts in career and professional development, on-campus student employment, employer relations, and post-graduate outcomes;
- Seeking opportunities to partner with faculty in classrooms as well as other stakeholders, delivering career and professional development content in partnership with employers and alumni; and
- Teaching students the process and skills which will empower them to manage their careers.

Mission – To connect all of our partners for the purpose of helping students integrate their education, self-awareness, and experiences to empower a lifetime of career achievement and personal satisfaction.

2.0 EMPLOYMENT

2.1 General Information

Ball State University is an equal opportunity/affirmative action employer and is committed to employing qualified employees who possess good professional character and standards and who are legally authorized to work in the United States. Therefore, background checks are performed on applicants who have been recommended for employment. In addition, Ball State University is a drug-free workplace.

2.1.1 Background Checks

Background checks are performed on all student employees who will be working with minors. Student employees are responsible for notifying their supervisor immediately if status of any license(s) changes or if they are convicted of a crime (misdemeanor or felony) subsequent to their employment with the university.

All hiring decisions are contingent upon the results of the background check. Hiring supervisors are responsible for ensuring that background check is completed before scheduling any hours for the student employee.

The Career Center uses Reference Services, Inc. (RSI) as our preferred service provider. Student employees will receive two emails directly from RSI and are responsible for providing the appropriate information to complete the background investigation. The subject line will state, "Request for Background Check for Ball State University." Do not discard the email and please complete the form in a timely manner upon receipt.

On-campus supervisors will be notified when the Career Center receives background investigation results by email. Upon receipt, students may begin working on campus.

2.1.2 Title IX Online Training

The Campus SaVE Act requires institutions of higher education to provide mandatory, ongoing, primary prevention and awareness training for all employees, including student employees, to address the prohibition against domestic violence, dating violence, sexual misconduct, and stalking.

Student employees must complete the online training provided by Everfi (Lawroom.com) as a mandatory requirement for employment. If the training is not completed within the first 30 days of employment, the student work assignment will be terminated.

2.1.3 Eligibility for On-Campus Student Employment

In order to work as a student employee on the Ball State University campus, you must be a degree-seeking student with at least 6 credit hours (5 credit hours for graduate students) during the fall and spring semesters. Student withdrawing from classes resulting in enrollment below the minimum number of hours will result in the termination of the student work assignment. You must also be eligible to work in the United States.

To work over the summer, students must be enrolled for at least six hours in the following fall; or, must have graduated from high school, been admitted to Ball State University, and have paid their enrollment deposit.

2.1.4 Eligibility Documents

Before newly hired student employees can begin working on campus, they must go to the Career Center (LU 235) to complete and submit the following documents:

- State WH-4 Tax Form
- Federal W-4 Tax Form
- Ball State Direct Deposit Authorization Form
- Federal I-9 Form
- Employee Confidentiality Agreement Form
- Universal Availability Notice

2.1.5 I-9 Verification

All new student employees of the university (both citizen and non-citizen) must complete a Form I-9 no later than the actual beginning of their employment to indicate that they are authorized to work in the United States. New employees are asked to come to **Lucina Hall 235**, to complete their employment verification.

REQUIRED DOCUMENTS:

U. S. citizens must present documents that establish identity and employment authorization. Examples of a documents that establishes both identity and employment authorization are a:

- U.S. Passport
- Driver's license issued by a state
- An ID card issued by federal, state or local government agencies
- School ID card with a photo.
- Examples of documents that establish employment authorization are a social security card or a birth certificate. Both documents must be original; photocopies will not be accepted.

2.1.6 International Student Eligibility

As a Ball State international student, you may eligible to work on campus – and even off campus at different times during your studies.

Only degree-seeking students are eligible to work on or off campus. Students who are at Ball State as part of an exchange program are ineligible to work either on or off campus.

2.1.6.1 Rules and Restrictions

Employment is a benefit international students must qualify for and where certain rules and restrictions apply.

Included below is a description of the kinds of employment for which students with F-1 or J-1 visas may be eligible. You can learn more about these employment benefits both online and in person with an international student advisor at the Rinker Center for International Programs.

International students considering any type of employment in the United States should consult with an international student advisor before beginning any work experience.

2.1.6.2 F Visa Employment

Students in F-1 status may accept employment under certain conditions if they are eligible. If you have questions about or would like to determine your eligibility for F-1 employment, please contact International Student Services.

F-1 students attending Intensive English Institute are not eligible for employment.

As a student in F-1 status, you are allowed to work on campus up to 20 hours per week during the academic year and 40 hours per week during school vacations. You may only work 20 hours per week if summer is your first semester at Ball State.

On-campus employment must stop once you complete your studies.

You must receive written permission from International Student Services before pursuing on-campus employment. Also, you need to complete a Form I-9 in the Career Center before working on campus.

2.1.6.3 J Visa Employment

Students with J-1 status may accept employment under certain conditions if they are eligible. If you have questions about or would like to determine your eligibility for J-1 employment, please contact International Student Services.

J-1 students attending the Intensive English Institute are not eligible for employment.

As a student in J-1 status, you are allowed to work on campus up to 20 hours per week during the academic year, and 40 hours per week during school vacations. You may work only 20 hours per week if summer is your first semester at Ball State.

Your on-campus employment must stop once you complete your studies.

You must receive written permission from International Student Services before pursuing on-campus employment. Also, you need to complete a Form I-9 in the Career Center before working on campus.

2.1.7 Categories of Employment

It is the university's intention to hire only individuals who are legally authorized to work in the United States. Students are paid on a bi-weekly basis.

Part Time Employment – Students working up to 20 hours per week; 40 hours per pay period.

Full Time Employment – Students working up to 40 hours per week over approved breaks.

Resident Assistants – Students working in Housing and Residence Life; paid stipend of \$1,300/10 months plus full room and board.

Honors College Undergraduate Fellows – Students may apply for additional part-time on-campus employment through the Career Center. For information on restrictions, please contact the Honors College at 765-285-1024.

Graduate Assistant and Doctoral Assistants – Students may accept additional part-time campus employment during assistantship if you receive prior approval from the department where you serve as an assistant. An *Additional Employment Form* must be completed through the Graduate Office and be on file with the Career Center before you can receive referrals for on-campus jobs.

Federal Work-Study – Students working up to 20 hours per week during the academic year; awarded through the Office of Financial Aid and Scholarships.

2.1.8 Federal Work-Study

Federal Work-Study provides students with part-time employment during the school year, both on and off campus. The program is based on a student's financial need, among other qualifications. Work-Study employees are paid the same hourly rates as other student employees. Awards are made for one academic year.

2.1.8.2 Qualifying for Federal Work-Study

To be eligible for Federal Work-Study, you must:

- Be a U.S. citizen, national, or permanent resident
- Be admitted to Ball State at least half-time (six or more credit hours as an undergraduate student or five or more credit hours as a graduate student each semester)
- Complete a Free Application for **Federal Student Aid (FAFSA)**.

Federal Work-Study employment is based on financial need, which is determined from the information you report on your FAFSA. If you are eligible for Federal Work-Study, you will receive an offer in your financial aid award notification. In order to use any funding, you will need to accept the offer online at My.BSU.edu, and find a job on campus through Cardinal Career Link.

2.1.9 Contact Information

It is the responsibility of the student employee to keep the university apprised of his/her correct phone number and mailing address. The employee's immediate supervisor and Payroll should be promptly notified of any changes in contact information.

2.1.10 Dress Code

An employee must wear clothing suitable to the work expected to be performed in a given work environment. Clothing should be neat, clean, tasteful, and not constitute a safety hazard. Interpretation of this code is at the discretion of the department head.

2.1.11 Uniforms

Some university departments require the wearing of uniforms. The uniforms issued by the university remain the property of the university. An employee is required to be in the designated uniform and be prepared for work at the start of the workday.

2.1.12 Use of University Vehicles

A driver must have a valid U.S. driver's license and be insurable under the university's auto fleet policy. As a condition of driving any university vehicle, a driver must give Ball State University authorization to conduct a comprehensive driving record check to comply with liability insurance provider requirements.

If the status of a driver's license changes, including a suspension for any reason or length of time, an employee must notify his/her supervisor immediately who will promptly notify Transportation Services. An employee whose job responsibilities require driving as an essential function will not be permitted to continue driving if he/she is not insurable under the university's auto fleet policy or if he/she does not maintain a valid driver's license, and his/her employment may be terminated.

A driver is expected to operate a university vehicle in a safe, prudent manner. A cell phone should not be used while driving. Seat belts must be worn at all times; and the use of tobacco, alcohol, or drugs by a person driving a university vehicle is strictly prohibited. Personal use of a university vehicle is prohibited.

An accident in a university vehicle, regardless of the extent of damage, must be investigated by the police and reported to Transportation Services immediately. Contact Transportation Services at 285-

1022 for additional information on driving policies or go to www.bsu.edu/facilities and click Transportation to review the entire Driving Privileges Policy.

2.1.13 Telephone Use

Except in extreme emergencies, personal calls should be made and received during normal rest or meal periods.

Some departments have restricted the possession or use of cell phones during working hours; an employee should consult with his/her supervisor for specific information about such use.

Electronic devices, such as cell phones, should not be used while driving a motor vehicle. University employees who need to use an electric device while operating a motor vehicle are expected to use a speakerphone or hands-free headset.

2.3 Illness or Injury

If absent from work because of illness or injury, an employee must notify his or her supervisor according to departmental regulations for reporting absences. Failure to notify his or her supervisor within the departmental prescribed time may result in disciplinary action up to and including discharge. If there is not a specific departmental regulation, the employee is required to notify his or her supervisor no later than thirty (30) minutes after the beginning of the work shift.

2.2.1 Injuries on the Job

Regardless of the nature or severity, all injuries incurred on the job must be reported to the employee's supervisor immediately. Any employee who fails to report an injury during the shift in which the injury occurred will be subject to disciplinary action. The injured employee's supervisor should complete an accident report and forward it to the Health Center within twenty-four (24) hours of the incident. The Health Center fax number is 285-1103. The accident report may be printed from the BSU website and found under Employee Relations Forms, titled as Worker's Comp First Report.

The University Health Center provides and/or directs all medical care for employees injured on the job. The Health Center hours are 8:00 a.m. to 4:30 p.m. Monday, Thursday, and Friday and 9:00 a.m. to 6:30 p.m. on Tuesday and Wednesday. Summer hours are 7:30 a.m. to 3:30 p.m. Monday through Friday.

Employees injured outside of Health Center hours who are in need of immediate medical treatment but whose injuries are not so severe as to warrant Emergency Room treatment should be referred to the U.S. HealthWorks medical clinic on 4125 W. Clara Lane. U.S. HealthWorks hours are 8:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday and Sunday. Another option which is available from 8:00 a.m. to 8:00 p.m. seven days a week is MedExpress located at 1313 W. McGalliard (intersection of Wheeling and W. McGalliard).

After U.S. HealthWorks/MedExpress's hours or because of the severity of the injury, IU Health's Ball Memorial Hospital Emergency Room is open twenty-four (24) hours a day every day.

In emergency situations immediately following an on-the-job injury, emergency care is covered by Worker's Compensation. However, the University retains the right to direct medical treatment, and after the ER visit the injured employee must seek follow-up treatment at the University Health Center the next day the Health Center is open. Non-emergency treatment not requested and authorized by the University is not covered by worker's compensation.

If an employee is injured while on authorized travel outside the Ball State area, he/she may obtain emergency treatment as needed, but should contact the University as soon as possible to discuss the situation.

An injured employee who is sent home by a University physician will be paid for the remainder of the workday on a one time basis per injury. Worker's compensation temporary total disability (TTD) benefits begin on the 8th calendar day of disability and the benefit is typically 2/3 of an employee's average weekly wage (AWW) at the time of injury.

Questions regarding worker's compensation or on-the-job injuries should be directed to the Worker's Compensation Administrator at 765-285-1853 or the Director of Employee Relations at 765-285-1823.

2.2.2 Return to Work from an On-The-Job Injury (Worker's Compensation)

If absent from work due to an on-the-job injury or illness, clearance from the University Health Center must be obtained before returning to work.

2.2.3 Return to Work from Other Absences

If absent from work for other than an on-the job injury or illness of seven (7) or more calendar days, a clearance form from the employee's health care provider must be presented to University Human Resource Services. Except that if a part-time temporary service or substitute service employee is absent from work for other than on-the-job injury or illness of seven (7) or more calendar days, s/he must obtain a "Return to Work" release form from the University Health Center. UHRS will process the clearance form from the health care provider and give the employee a release form to give to his or her supervisor.

EXCEPTIONS:

1. Staff Personnel in the food service units must obtain a "Return to Work" release form from the University Health Center after being absent from work for more than two (2) days following an injury or illness.
2. If the release to work form obtained by the employee from a health care provider lists any medical restrictions as to the employee's ability to perform his or her job, the employee must obtain a "Return to Work" release form from the University Health Center and then present it to his or her supervisor. UHRS is notified by the University Health Center.

2.3 Time, Time Records, and Pay

Pay for student employees is calculated on a biweekly basis, and access to pay is available on the Friday following the appropriate pay period. A student employee is expected to use direct deposit and to use Self-Service Banner to access his/her paystub. If needed, the Ball State Federal Credit Union will permit Ball State University employees to open a savings account that may be used for payroll deposits. If an error is detected in the pay amount, promptly contact the immediate supervisor.

Student employees are required to accurately record (timestamp) their time worked using the Kronos automated time-entry system. Employees may not perform work for the University before clocking in or after clocking out. Conversely, "ghost employment" (when employee reports having work, but did not) is also prohibited. The University expects to pay employees for all working time, so an employee should work with his//her supervisor to complete a Kronos Adjustment Form if a meal period is interrupted to

perform work or if an employee otherwise performs work for the University before clocking in or after clocking out. If edits to the Kronos timestamps are necessary, an employee must request edits in writing using the Kronos Adjustment Form to his/her supervisor. Supervisors are required to retain the requested edits for three (3) years. Timecards for nonexempt staff must be approved (sign off function in Kronos) by the supervisor or designee. Supervisors may not make adjustments to an employee's timestamp without written consent.

An employee should contact the department head, Payroll and Employee Benefits, and/or Human Resources if s/he has concerns or complaints for not being paid for all time spent working.

2.3.1 Hours per Week

Student employees may work up to 20 hours per week during the fall and spring semester. During semester, spring and summer breaks, students are permitted to work up to 40 hours a week. Student employees are responsible for monitoring their work hours to ensure they do not exceed the set limitations.

2.3.2 Rest Periods

During each four (4)-hour working period, a student employee is allowed one fifteen (15)-minute rest period which is limited to fifteen (15) minutes of absence from the job. The rest period is to be preceded by and followed by an extended work period; thus, it may not be used to cover any late arrival to work or early departure, nor may it be regarded as cumulative if not taken. Rest periods are to be scheduled by the supervisor who will advise an employee of the scheduled time and place for such rest periods.

2.3.3 Meal Period

Each student employee will be informed as to when to take a lunch period. As with rest periods, lunch periods are to be preceded by and followed by an extended work period. At the discretion of the supervisor, an employee may take a thirty (30) minute unpaid lunch during the academic year. Employees are permitted a paid grace period preceding and following the lunch period not to exceed a combined total of five (5) minutes. All student employees who work at least six (6) hours must be granted a thirty (30) minute meal break.

A student employee is expected to take his/her full meal period and perform no work during the meal period except in the case of emergency or at the request of his/her supervisor. The University expects to pay employees for all working time, so an employee should work with his/her supervisor to complete a Kronos Adjustment Form if a meal period is interrupted to perform work.

2.3.4 University Hours

The official university office hours are 8:00 a.m. to 5:00 p.m. during the academic year. Currently, summer hours are 7:30 a.m. to 4:00 p.m. Some areas of the university may require different schedules depending upon the needs of the area; however, it is expected that all areas will provide continuous customer service from the beginning until the end of official university office hours.

2.3.5 Flexible Schedules

Supervisors may approve requests for flexible schedules. Flexible schedules must be pre-approved by supervisors and meet the business needs of the operation. Supervisors may discontinue previously approved flexible schedules.

2.3.6 Pay

Student employment wages coincide with the federal minimum wage rate of \$7.25/hour. The maximum amount a student may earn on campus is \$9.00/hour. Students may be eligible for a wage increase of \$0.25 per semester.

Federal and state income taxes will be deducted from each paycheck. FICA tax (Social Security and Medicare) will not be withheld while you are attending classes through the academic year; however, it may be withheld if you work during breaks (winter, spring and summer) or if you exceed the number of hours permitted to work during the academic year.

2.3.7 Federal Work Study Wages

The Office of Financial Aid and Scholarships will notify each student regarding the amount of Federal Work Study money that can be earned in the financial aid award letter. Wages earned in jobs designated as “FWS Only” will be limited by the student employee's Federal Work Study award. Contact the Office of Scholarships and Financial Aid early in the academic year if you need to request an adjustment to your earnings limit.

3.0 WORK LIFE ISSUES

3.1 Americans with Disabilities Act

If a Ball State University employee with a disability needs a workplace accommodation, that employee should contact University Human Resource Services immediately upon learning of the need for the accommodation. All disability accommodation requests will be reviewed in a timely manner and through an interactive process typically involving the employee, the supervisor of the employee, and the Director of University Human Resources or her designee.

If a Ball State University employee is only temporarily impaired, he/she should work with his/her immediate supervisor and/or department head to determine if temporary accommodations can be made or are appropriate. Temporary impairments are not covered by the Americans with Disabilities Act.

3.2 Anti-Nepotism Policy

This anti-nepotism policy is intended to reinforce the university's commitment to employment practices which create and maintain constructive working relationships within the university community and which reflect the university's commitment to management practices that are fairly, efficiently, and evenhandedly applied to all Staff and Service Personnel and applicants for employment in these job classifications without actual or apparent bias or favoritism.

1. It is the general policy of Ball State University not to employ, or to continue to employ, relatives on a regular or part-time or temporary basis within the same functional work unit or to have one relative under the direct supervision of another relative.

a. A relative, for the purposes of this policy, is defined as an individual for whom a faculty or professional or staff or service employee has been assigned legal responsibility in a guardianship capacity, parent, child, brother, sister, spouse, aunt, uncle, niece, nephew, grandparent, grandchild, or such persons related by marriage.

b. For the purposes of this policy, a "functional work unit" normally will be defined as an academic department or an administrative office. If questions should arise as to what constitutes a "functional work unit" in the administration of this policy, that determination will be made by the university officer to whom the unit reports within which the affected employees are employed.

c. For the purposes of this policy, "direct supervision" means the lowest level of supervision responsible for assigning work, supervising activities related to that work, appraising performance, determining salary or wage increases, and/or making decisions in regard to the hiring, firing, and disciplining of an employee.

d. In addition to the prohibition against the direct supervision of a staff or service employee by a relative, no faculty or professional or staff or service employee shall initiate, participate in, or in any way influence institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary/wage, leave of absence, grievance adjustment, etc.) to members related by family or marriage as defined in paragraph 1.a. above. In instances where a conflict of interest might occur because of general supervisory responsibilities (supervision at least one step above that of the direct supervisor) under normal operating procedures, the responsibility for institutional decisions involving a direct benefit will pass to the next higher administrative level.

2. If any of the relationships defined in paragraph 1 above are created subsequent to the employment of the affected staff or service employee, one of the persons affected must give up his or her position no later than 6 months from the date the relationship was established. Within 30 days after the relationship, as defined in paragraph 1 above has been established, the affected persons must inform in writing the university officer to whom the unit in which he or she is employed reports that such a relationship exists and must state which of the affected persons will relinquish his or her position.

Should the written notification to the university officer fail to specify which of the affected persons will give up his or her position, it will be assumed that the party with the least seniority (length of continuous service from the last date of hire at the university) will relinquish his or her position. The person giving up his or her position may be re-employed within the university subject to the needs of the university.

3. Whenever any supervisor may propose because of the best interests of the university to employ a person, or to continue the employment of a person, in a position where he or she would be working in the same functional work unit with a relative or would be under the direct supervision of a relative as specified in paragraph 1, such supervisor shall prepare a written request for approval of such employment setting forth the reasons for the request. The request shall be submitted to his or her immediate supervisor for review and recommendation, through each higher supervisory level, to the university officer responsible for the affected unit. The university officer may reject the request or grant it subject to such conditions as he or she may deem appropriate and in the best interests of the university and in such a way as to be consistent with the general purposes of this policy as set forth above. If the request is granted, it shall be for a period of no more than 12 months and shall be conditional upon the annual review procedure set forth in paragraph 4.

4. The university officer shall review annually each request previously approved. If the university officer finds that the circumstances under which the approval was granted have materially changed or that the conditions attached to the approval, if any, are ineffective or inadequate, he or she shall take such action as he or she finds to be in the best interests of the university, including termination of the employment or continuance of the employment under different conditions. The affected employee(s) may appeal the decision by the university officer as provided in section 4 of this policy through the appropriate grievance procedure -- Staff/Non-Bargaining Unit Affiliated with Staff or Service Personnel.

5. Students, graduate assistants, research assistants, and doctoral fellows employed by the university are covered under this policy.

6. If a university officer is made aware of possible violations of this policy, he or she shall have the matter investigated. If the facts alleged are found to be correct so as to establish a violation of this policy, the President may terminate the employees violating this policy or the person having administrative supervision of the affected employees may request, pursuant to paragraph 3, that the employment be continued, in which event the matter shall be treated as provided in paragraphs 3 and 4.

7. This policy applies to all persons employed after the effective date of the adoption of the policy. This policy also applies to persons whose employment precedes the adoption of this policy with the following exceptions:

- a. persons who directly supervise another person related by family or marriage, or
- b. persons related by family or marriage who are employed within the same functional work unit upon the effective date of the adoption of this policy shall not be subject to the provisions of this policy in regard to that supervisory relationship or working relationship as long as the incumbents remain in their current positions.

3.3 Consensual Sexual or Romantic Relationships

Legal and ethical risks are inherent in any sexual or romantic relationship between a person with instructional responsibilities (full-time or part-time faculty, lecturer, visiting professor, graduate assistant, or tutor) and a student whose academic work is being supervised by the person with instructional responsibilities, even when the relationship seems to be consensual. The same is true of a sexual or romantic relationship between a person with non-instructional supervisory responsibilities (faculty, administrator, staff, or student) and someone over whom the person has supervisory responsibility. Individuals involved in a romantic relationship cannot be expected to be able to render an objective assessment of the performance of his or her partner in the relationship; the ability to render an objective assessment is crucial to the role of instructor or supervisor.

Because of these legal and ethical risks, it is the university's policy that persons shall not have instructional or supervisory responsibilities over anyone with whom they have a sexual or romantic relationship. If such a relationship exists or develops, the person with instructional or supervisory responsibilities shall immediately make arrangements to terminate his or her instructional or supervisory responsibilities over the partner in the relationship. A member of the campus community who fails to withdraw from participation in decisions that may reward or penalize the party with whom he or she has or has had a sexual or romantic relationship will be deemed to have violated his or her ethical obligation to the university.

Violations of this policy may be reported to the Office of the General Counsel or in the case of a student, he or she may report the conduct to the administrative head of Student Affairs. All such complaints and reports will be investigated in accordance with the "Equal Opportunity and Affirmative Action Complaint Investigation Procedure and Appeal Process." To knowingly file a false or malicious complaint or report is a violation of this policy.

3.4 Equal Opportunity and Affirmative Action Policy

Ball State University is committed to the principles of nondiscrimination and equal opportunity in education and employment. Further, the University's committed to the pursuit of excellence by prohibiting discrimination and being inclusive of individuals without regard to race, religion, color, sex (including pregnancy), sexual orientation, gender identity or gender expression, disability, genetic information, ethnicity, national origin or ancestry, age, or protected veteran status. This commitment enables the University to provide qualified individuals access to all academic and employment programs on the basis of demonstrated ability without regard to personal factors that are irrelevant to the program or job requirements involved.

The University assigns a high priority to the implementation of this equal opportunity policy and, through its affirmative action program, seeks to expand its efforts to guarantee equality of opportunity in employment. Staff Handbook 17 Revised 2017 Affirmative action is taken to attract and recruit diversity, including underrepresented minority groups, females, protected veterans or individuals with disabled veteran status, and otherwise qualified persons with disabilities. Ball State will hire, transfer, recruit, train, promote, assign work, compensate, layoff and/or terminate based upon the tenets of this policy.

The University President affirms the commitment to equal opportunity and accepts responsibility for the implementation of the affirmative action program along with the vice presidents, deans, directors and heads of unit. All persons involved in the decision-making process, including members of faculty and other employee committees, shall act in a nondiscriminatory manner. The Director of Employee Relations and Affirmative Action has been specifically designated to be responsible for overall compliance with all federal and state laws and regulations regarding nondiscrimination and for implementation and coordination of the University's affirmative action program. Information concerning the University's affirmative action program can be obtained from the Director of Employee Relations and Affirmative Action, Ball State University, Muncie, IN 47306.

To ensure equal employment opportunity and nondiscrimination, each member of the Ball State University community must understand the importance of this policy and his/her responsibilities to contribute to its success. This policy seeks to encourage the reporting of incidents so they may be addressed. Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion, discrimination, or retaliation because they have engaged or may engage in any of the following: 1) filing a complaint; 2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of any federal, state, or local law requiring equal employment opportunity; 3) opposing an act or practice deemed unlawful by a federal, state, or local law requiring equal employment opportunity; or 4) exercising any right according to this policy and/or any other lawfully protected right.

Complaints regarding unlawful discrimination or retaliation should be filed within 45 calendar days following the alleged act or incident giving rise to the complaint with the Director of Institutional Equity and Internal Investigations in accordance with the Ball State University Equal Opportunity and Affirmative Action Complaint Investigation Procedure and Appeal Process. A copy of this document may be obtained by contacting the Director of Institutional Equity and Internal Investigations. Any individual or group found to have violated this policy will be subject to disciplinary or remedial action, up to and including termination of employment or expulsion from the University.

The University maintains an audit and reporting system to determine overall compliance with its equal employment opportunity and affirmative action mandates. As a part of this system, the President will review the University's equal opportunity and affirmative action policy and program at least once each year, measure progress against the objectives stated in the affirmative action program, and report findings and conclusions to the Board of Trustees.

Effective date: July 17, 2015

3.5 GLBA Information Security Program

Ball State University is committed to providing a security program mandated by the Federal Trade Commission's Safeguard Rule and the Gramm Leach Bliley Act (GLBA). This program ensures the security and confidentiality of any record containing non-public financial information about a student or other third party who has a relationship with Ball State University. In addition to this coverage which is required under federal law, Ball State University chooses as a matter of policy to also include in this definition any credit or debit card information received in the course of business by the university whether or not such credit or debit card information is covered by the GLBA. Examples of student financial information include but are not limited to the following: bank and credit card account numbers; income, credit histories, and other consumer report information; social security numbers; loan information, including loan applications and loan servicing; loan collection and delinquent loan processing; money wiring and other electronic funds transfers; financial aid information; student account balance information; other nonpublic personally identifiable information relating to a financial transaction.

3.6 Religious Accommodation and Holy Day Observances

Ball State University respects the religious beliefs and practices of all student employees and will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the University's operations.

A student employee whose religious beliefs or practices conflict with his/her job, work schedule, with the University's policy or practice on dress and appearance, or with other aspects of employment and who seeks a religious accommodation must submit a written request for the accommodation to his/her immediate supervisor. The written request will include the type of religious conflict that exists and the employee's suggested accommodation.

The immediate supervisor will evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available which is reasonable and which would not create an undue hardship on the University's operations. An accommodation may be a change in job, using paid leave or leave without pay, allowing an exception to the dress and appearance code which does not impact safety or uniform requirements, or for other

aspects of employment. Depending on the type of conflict and suggested accommodation, the supervisor will confer with his/her manager and with the Director of Employee Relations.

The supervisor and employee will meet to discuss the accommodation request and decision on an accommodation. If the employee accepts the proposed religious accommodation, the immediate supervisor will implement the decision. If the employee rejects the proposed accommodation, he/she may appeal following the Handbook's general grievance policy and procedure.

3.7 Resignation

The student employment relationship may be terminated at any time. Student employees are expected to submit a written resignation to his/her supervisor. All employees must turn in keys, uniforms, and other university property to his/her supervisor.

3.8 Social Security Number Statement

Ball State University is committed to protecting the privacy of its students, employees, and alumni, as well as other individuals associated with it. At times the university will ask you for your Social Security Number. Federal and state law requires the collection of your Social Security Number for certain purposes such as those relating to employee compensation, tuition payments and financial aid. Whenever your Social Security number is requested on a Ball State University form or other document, the written or electronic form used to request your number will be clearly marked as to the reason for the request and will state whether this request is voluntary or mandatory. For more information, go to www.bsu.edu/bsuid.

3.9 Identity Theft Prevention Program

The university adopts this Program in an effort to detect, prevent and mitigate identity theft in connection with its covered accounts. The Program is further intended to help protect students, faculty, staff and other constituents and the university from damages related to the fraudulent activity of identity theft. For more information, go to www.bsu.edu/legal.

3.10 Job Duties and Responsibilities

Whenever an employee begins a new position, he or she will have access to a job description for his or her position setting forth the essential functions of the position. Generally, the supervisor will explain the employee's job responsibilities and the performance standards expected of the employee. Job responsibilities may change at any time during employment, and an employee may be asked from time to time to work on special projects or to assist with other work necessary or important to the operation of the unit or the university. The employee's cooperation and assistance in performing such additional work is expected. The university reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

3.11 Grievance Procedure

A grievance is defined as a dispute between the University and a Student Employee concerning the meaning or application of a university rule or regulation. All grievances shall be processed in accordance with this procedure:

Step 1. Meet with your immediate supervisor within three days to identify and discuss the problem.

Step 2. If the problem is not resolved, take the matter to the next management level and request further action.

Step 3. If the problem remains unresolved, you may request an appointment with a Career Center On-Campus Student Employment Coordinator who will work with you and your department to resolve the problem. To request an appointment, contact the Career Center at 285-5634.

Complaints regarding discrimination of race, religion, color, sex, national origin, age, disability, protected veteran status or any other legally protected status should be submitted to the **Office of University Compliance**, AD 335, 765-285-5162.

4.0 STUDENT EMPLOYEE CONDUCT

4.1 Anti-Harassment Policy

Harassment of students or employees at Ball State University on the basis of race, color, national origin, ancestry, religion, creed, gender*, sexual orientation, gender identity/gender expression, age or physical or mental disability is unacceptable and will not be tolerated. Such conduct is inconsistent with the University's commitments to excellence and to respect for all individuals. This Policy is intended to complement the University's Equal Opportunity and Affirmative Action Policy.

The university is also committed to protecting the academic freedom and freedom of expression of all members of the university community. This Policy will be construed and applied in a manner that protects the academic freedom and freedom of expression of all parties to a complaint. Academic freedom and freedom of expression include but are not limited to the expression of ideas, philosophies, or religious beliefs, however controversial, in classroom or other academics settings.

The term "harassment," as used in Paragraph 1 of this Policy, refers to verbal, physical, graphic or written conduct that has the purpose or effect of creating a hostile or intimidating environment; i.e., conduct which is sufficiently severe, pervasive, or persistent that it interferes significantly with an individual's employment, education, or living conditions. The conduct alleged to constitute harassment under this Policy will be evaluated from the perspective of a reasonable person similarly situated to the complainant and considering all of the facts and circumstances. Harassment must be distinguished from behavior which, even though unpleasant or disconcerting, is appropriate to the carrying out of instructional, advisory, or supervisory responsibilities. Instructional responsibilities, in particular, require appropriate latitude for pedagogical decisions concerning the topics discussed and methods used to draw students into discussion and full participation.

Members of the university community and others who believe they have been harassed in violation of this Policy by university employees or students, or by contractors or vendors serving the university, may contact the Office of the General Counsel. Formal complaints must be filed in the Office of the General Counsel within 45 calendar days following the occurrence of the act, incident, conduct, or pattern of conduct constituting the alleged violation. Such complaints will be processed under the "Ball State University Office of Equal Opportunity and Affirmative Action Complaint Investigation Procedure and Appeal Process." A copy of this document may be obtained by contacting the Office of the General Counsel. Complaints involving students may instead be filed in the Office of the Vice President for

Student Affairs and Enrollment Services, for handling under the procedures set forth in the Student Code.

Any university employee who becomes aware of conduct by another university employee, student, vendor or contractor which the employee reasonably believes constitutes harassment under this Policy shall report the conduct immediately to the Office of the General Counsel; or, if the harassment involves students, the conduct may instead be reported to the Office of the Vice President for Student Affairs and Enrollment Services. To knowingly file a false or malicious complaint or report of harassment is a violation of this Policy. *This Policy covers gender-based harassment that is non-sexual in nature. Sexual harassment is covered by a separate "Statement on Sexual Harassment."

Effective date: July 19, 2013

4.2 Bloodborne Pathogens/Universal Precautions

The university complies with the Occupational Safety and Health Act's Bloodborne Pathogens Standard as adopted pursuant to the Indiana Occupational Safety and Health Act. In compliance with this Standard, all employees are required to use "universal precautions" whenever they come into direct contact with blood or other body fluids and follow university procedures for the containment, treatment, transportation, and disposal of infectious waste. Appropriate training is provided to affected employees. The university has also developed a written exposure control plan that is available in departmental offices. If an employee is exposed to blood, other body fluid, or infectious waste, report the exposure incident immediately to the supervisor. Failure to follow universal precautions, including those regarding the containment, treatment, transportation and disposal of infectious waste, may result in disciplinary action.

4.3 Code of Ethics Statement

Many student employees may have access to student records and to the records of other employees. Information concerning students or other employees is not to be discussed with anyone, including fellow employees, who are not directly connected with the office in which the records are kept unless that person specifically has been authorized to receive such information. Because various federal and state laws govern the release of confidential information, inquiries about students or other employees should be referred to the department head or chairperson unless the employee has received specific direction concerning the release of such information. Divulging confidential information to unauthorized personnel may result in immediate dismissal. Complaints of unethical behavior should be reported to the supervisor of the individual whose behavior is being questioned. If the person making the allegation of unethical behavior does not feel comfortable reporting the situation to the appropriate line administrator, the employee may report concerns to University Human Resource Services.

4.4.1 Indiana Ghost Employment Law

The Indiana Ghost Employment Law, with a limited exception which is set forth below, makes it a criminal and civil law offense for Ball State University to employ and pay an employee when that employee is not assigned duties or is assigned duties not related to the operation of the University. Both the supervisor and employee may be subject to criminal and civil penalties for such violation.

4.4.2 Exception to the Indiana Ghost Employment Law

The Indiana Ghost Employment Law does permit an employee of a governmental entity, such as Ball state University, to voluntarily perform services during the normal hours of employment as long as those services do not:

1. Promote religion.
2. Attempt to influence legislation or governmental policy, or
3. Attempt to influence elections to public office;

And the services may only occur:

4. For the benefit of another governmental entity or a not-for-profit organization exempt from taxation under IRC 501(c)(3).
5. With the approval of the employee's supervisor, and
6. In compliance with a written policy approved by the governmental entity.

4.5 Driving Privileges Policy

The safety of Ball State University's students, faculty, staff, and the public is a central concern to the University. This policy governs the use of BSU's vehicles by applicable individuals and is designed to support safe and prudent use of BSU owned, leased, or rented vehicles and personally owned, leased, or rented vehicles used on University business. An approved driver must immediately report to his/her supervisor any incident or situation such as moving violations, license suspension or revocation, medical restrictions which may interfere with driving, or any other incident or situation that may result in a suspension or termination of university driving privileges as enumerated in the driving policy. Go to www.bsu.edu/facilities and select Transportation to review the entire policy.

4.6 Drug Abuse Policy

The Drug-Free School and Communities Act Amendments of 1989 required the university to adopt and implement a program to prevent the unlawful possession, use, or distribution of illegal drugs and alcohol by employees and students. In addition, the Drug-Free Workplace Act of 1988 and the State of Indiana Drug-Free Workplace Executive Order of 1990 required the university to establish and maintain a policy designed to create a drug-free workplace.

The university does not condone the inappropriate use of a controlled substance by any individual employed by the university. Therefore, the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in university facilities which is a violation of federal and state law is prohibited. Compliance with this policy is a condition of employment, and violations may be cause for one or more of the following actions:

- referral to the Employee Assistance Program for evaluation and assessment to determine appropriate treatment for rehabilitation;
- participation in a drug rehabilitation program;
- suspension from the university; and/or
- termination of employment. For a copy of the complete policy text, contact the Human Resources Programs Coordinator in University Human Resource Services

4.7 Emergency Responses (Fires and Tornadoes/Severe Weather)

Fire. If a burning odor or smoke is present, pull a fire alarm to activate the fire alarm system. If possible, shut off gas in your area. If you can help control the fire without personal danger and have received training, take action with available fire extinguisher or fire hose. If not, leave the area. Never allow the fire to come between you and an exit. Leave the building, checking as you leave to make sure everyone has left the immediate area. Close doors behind you to confine the fire. Once you have evacuated the building, dial 285-1111 (University Police) and report the location of the fire and the material burning if known. Report this information to fire and police personnel as they arrive.

If the audible fire alarm sounds, evacuate the building. Shut off any gas in your area. Leave immediately; do not delay to locate personal items. Try to make sure that all members of your department hear the alarm and evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc. as you exit. Use the nearest stairway. Do not use the elevator. If requested, accompany and assist persons with disabilities. Shut all doors behind you as you go. Closed doors can slow the spread of fire and smoke. Evacuate as quickly as possible but in an orderly manner. Do not push or shove. Once outside, move at least 100 feet from the building. Meet at a predetermined location to account for all members of your unit.

Return to the building only when given the “all clear” by university police or other proper emergency personnel. Do NOT assume that when the audible alarm stops that it is safe to enter the building. There are many possible reasons for the alarm to stop sounding.

Tornadoes/Severe Weather. A tornado watch means that weather conditions are favorable for the formation of a tornado. A tornado warning is issued when a tornado has actually been sighted in the surrounding area. Emergency warning sirens are activated when there is a tornado warning.

Emergency Warning Sirens. An emergency warning siren emits a continuous three-minute sound warning. The siren is used to alert the public of an impending danger such as tornado, severe thunderstorm with high winds or large hail, hazardous material spill, or a national threat. If you hear the siren, take cover inside and tune to a local radio or television station for further instructions. If you cannot get to a radio or television, initiate tornado protection procedures as this is the most likely reason for the siren to sound.

The siren does not sound for the entire duration of a tornado warning. Do not assume that the danger has passed when the siren stops sounding. The emergency warning siren is tested each Friday at 11 AM. These tests last for 30 seconds. If the emergency warning siren sounds on a Friday morning for longer than 30 seconds, you should initiate tornado protection procedures.

If a tornado warning has been issued and you are inside, stay inside. Stay away from outside walls, windows, mirrors, glass, overhead fixtures, and unsecured objects, such as filing cabinets or bookcases. If possible, move to a below-ground-level floor, interior corridor, or room or office without windows. Crouch low with your hands covering the back of your head and neck. Do not use elevators. If requested, assist persons with disabilities to the safest area on the same floor. Do not leave the shelter area until after the storm is over. Continue to monitor the weather via radio or television until the tornado watch has been lifted for your area.

If a tornado warning has been issued and you are outside, look for a nearby safe structure in which to take shelter. If you are in your car, get out of it. Never try to outrun a tornado. If there is no shelter, lie down flat in a low area, such as a ditch away from trees with your hands covering the back of your head and neck. Ball State University Emergency Response Guidelines. Each office should have a copy of these Guidelines, which cover numerous emergency situations. Please visit the university’s Emergency Preparedness web page for information.

4.8 Hazard Communication Standard

The university complies with the Occupational Safety and Health Act Hazard Communication Standard as adopted pursuant to the Indiana Occupational Safety and Health Act. In accordance with that Standard,

the university has developed and implemented a written hazard communication program which includes appropriate employee training, together with related documents, including safety data sheets (SDS). Copies of the program, including related documents and safety data sheets, are kept in departmental offices. The Office of Environmental Health and Safety has overall responsibility for the program.

4.9 Policy on Unaccompanied Minors

Ball State University, as part of its educational mission, has many University programs and activities that include minors, who are defined as persons under the age of eighteen. Such programs and activities include, but are not limited to, camps, lessons, workshops, clubs, teams, projects, practices, tours, research, or open houses, but excludes single performances or events open to the general public such as athletic competitions, plays, or concerts and regularly scheduled classes or activities designed primarily for enrolled students who are age seventeen (17) and above. This definition may not capture certain circumstances in which minors are present on campus, and further consideration will be given as to whether they fall within the scope of the policy. The purpose of this policy is to provide appropriate protection and safety for minors who are involved in all programs and activities taking place on the Ball State University campus or under the authority and direction of the University at other locations. This policy applies to all University units and departments, including but not limited to, Athletics, Sports Facilities, Burriss Laboratory School, and the Indiana Academy for Science, Mathematics, and Humanities, and to all University employees, contractors or volunteers who interact with, supervise, chaperone, or otherwise oversee minors in program activities. To review the entire policy, please go to the university's Risk Management website.

4.10 NCAA Rules and Regulations

As a student employment representative at Ball State University, you are considered a representative of athletic interest and must adhere to the same NCAA rules and regulations as followed by the university and its Office of Athletic Compliance. For more information, please go to www.ballstatesports.com.

4.11 Pet Policy

The pet is any domesticated or tamed animal that would normally be expected to belong to someone whether or not there is any acknowledged ownership. Written authorization is to be obtained from the appropriate Department Chairperson, Dean, or Administrative Head involved before a pet may be brought into university buildings. Such authorization is to state the purpose and duration of the activity involving the pet. The authorization is to be in the possession of the owner or person in control of the pet during the time the pet is in a university building. Pets are not permitted in Residence Halls with the exception of marine life in fresh water aquariums and those approved as an accommodation. Pets are not permitted on university grounds unless they are appropriately leashed or caged and under the control of and accompanied by their owners or others designated by their owners as having responsibility for the control and care of the pet. Pets are not permitted in Student Family Housing Apartments with the exception of marine life in fresh water aquariums, small caged birds and those approved as an accommodation. Violations of the university Pet Policy will be dealt with in accordance with university rules governing the conduct of faculty, staff, and students. In addition, violations in the Residence Halls and Student Family Housing Apartments, will have action taken in accordance with "Conditions of Occupancy" for Student Family Housing, and "Policies of University Residence Halls" for the Residence Halls. Provisions of this policy do not apply to service animals or to police or K9 dogs while such animals are performing their duties under supervision. The Pet Policy is in addition to applicable ordinances of the City of Muncie and statutes of the state of Indiana.

4.12 Sexual Harassment Statement

Harassment on the basis of sex is a form of illegal sex discrimination. Sexual harassment in employment violates Title VII of the Civil Rights Act of 1964, as well as state law. Student-on-student sexual harassment and sexual harassment directed toward a student by a University employee violates Title IX of the Education Amendments of 1972.

Ball State University will not tolerate sexual harassment of students or employees by members of its faculty or staff, its students or by other agents of the University and will respond in a suitable manner to every complaint. The complete Ball State University's Statement on Sexual Harassment is located in Appendix A.

4.13 Tobacco Free Campus

Ball State University is committed to providing a healthy working and learning environment for the entire campus community. The purpose of this policy is to reduce harm from tobacco use and secondhand smoke, provide an environment that encourages persons to be tobacco-free, reduce health insurance and health care costs, and promote a campus culture of wellness. Therefore, Ball State University establishes the following smoking policy for all facilities, campus areas and vehicles in which university functions or services are carried out or offered. All university students, employees, contractors, and visitors are subject to these regulations.

1. As used herein, tobacco includes but is not limited to cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco and any non-FDA approved nicotine delivery device.
2. Tobacco use is prohibited on Ball State University campus.
3. Tobacco use is prohibited in all university vehicles, including maintenance vehicles, automobiles, and public carriers.
4. Tobacco use is prohibited in all university housing units.
5. Tobacco use will be permitted in the tailgating areas on home football game days only; otherwise, the area is to be tobacco free.
6. University regulated parking areas are included in the ban. Tobacco use in enclosed personal vehicles will be permitted as long as users contain smoke and tobacco products inside the vehicle (e.g., windows must be closed). Failure to do so is a violation of this policy.
7. Adherence to this policy is the responsibility of all members of the University community. It is expected that students, faculty, staff, University affiliates, contractors and visitors to campus will comply with this policy. Members of the University community are empowered to respectfully inform others about the policy to ensure compliance. Primary enforcement of this smoking policy will be the responsibility of those persons who head individual units, departments, buildings, student housing units, those who supervise personnel, Public Safety personnel, and other designees.
 - A. Failure to comply with this policy shall result in a fine of \$100 per occurrence.

B. The Office of Bursar will be responsible for fine collection and account maintenance. Monies collected from the assessments will be used to fund smoking cessation initiatives, health education, and other relevant health and wellness related programs.

C. Citations may be applied through the University Traffic Appeals Subcommittee. All appeals will be handled in a manner consistent with traffic appeal procedures.

D. Failure of a student or employee to pay a fine shall be subject to existing policies and procedures for collecting delinquent accounts owed the university.

8. This smoking policy shall be effective August 1, 2013.

4.14 Social Media Policy

Social media are powerful communications tools that have a significant impact on organizational and professional reputations. Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include but are not limited to LinkedIn, Twitter, Facebook, YouTube, Snapchat and Instagram.

Both in professional and institutional roles, employees need to follow the same behavioral standards online as they would in real life. The same laws, professional expectations, and guidelines for interacting with students, parents, alumni, donors, media, and other university constituents apply online as in the real world. Employees are liable for anything they post to social media sites. For the entire policy, please click [here](#).

4.15 Title IX Compliance

Each of us has a responsibility to report behaviors that may put others at risk. Title IX makes it essential that every employee know his or her obligations in reporting sexual harassment or assault.

It is equally important that an employee know that in Indiana everyone is considered a mandatory reporter regarding child abuse. Call Child Protective Services' 24-hour hotline at 1-800-800-5556 if you believe that a child is a victim of abuse or neglect. If the abuse has occurred on campus, please immediately call University Police at 765-285-1111.

Students who believe they have experience sexual harassment are encouraged to come forward to receive assistance. But regardless of whether the harassed student files a complaint or otherwise requests assistance, university employees who know about possible harassment must take appropriate steps to report the information to the Associate Dean of Students and Title IX Coordinator.

Circumstances requiring an employee to report sexual harassment that occurs on or off campus include but are not limited to: a) a student shares information about an incident with an employee (even if he or she requests the employee's confidence); b) an employee observes a student, employee, or other representative of the university sexually harassing a student; c) a third party shares information about an incident with you.

To learn more about sexual harassment compliance and your role in maintaining a safe and respected campus, contact the Associate Dean of Students and Title IX Coordinator at 765-285-1545.

4.16 Information Technology Users' Privileges and Responsibilities

Information technology plays a crucial role in the delivery of Ball State University's educational mission. In making use of these shared resources, members of the University community have a responsibility to help create an intellectual environment in which students, faculty, and staff may feel free to create and collaborate with colleagues both on and off campus without fear that the products of these efforts will be violated by misrepresentation, tampering, illegal access, destruction, or theft. The policy outlines the ethical and acceptable use of information systems and resources at Ball State University as well as the duties and responsibilities incumbent upon everyone who makes use of these resources. For the entire policy, please go to www.bsu.edu/informationtechnology and select Security, Policies, and Standards.

4.17 Weapons Policy

Faculty, Professional, Staff and Student employees of Ball State University are prohibited from possessing or carrying weapons of any kind while on university property, regardless of whether they are licensed to carry the weapons or not. Such prohibition extends to such individuals having such weapons in briefcases, purses, toolboxes, personal vehicles, or other personal property or effects.

The exceptions to this policy are:

- a. firearms in the possession of university police officers and other individuals who have written authorization from the University's Director of Public Safety to carry such weapons;
- b. firearms in the possession of sheriffs, police officers, law enforcement officers, and correctional officers who are duly authorized by law to carry such firearms;
- c. equipment, tools, devices and materials which are prescribed for use by university employees as a condition of employment or class enrollment; and
- d. legal chemical dispensing devices, such as pepper sprays, that are sold commercially for personal protection.

University property includes all university owned, leased, or otherwise controlled buildings and lands. University vehicles are covered by this policy at all times whether or not they are on university property.

University sanctions will be imposed on offenders as appropriate and, in addition, criminal charges may be filed. For the purposes of this policy, "weapons" include:

- a. firearms, such as handguns, shotguns, rifles, pellet guns, machine guns, stun guns, tasers, or electronic stun weapons;
- b. explosives, such as bombs, grenades, blasting caps, or other containers containing explosive substances; and
- c. other equipment, material and devices that, in the manner they are used, could ordinarily be used, or are intended to be used, are readily capable of causing serious bodily injury. The items described in clause (c.) include, but are not limited to, knives (except small personal pocket knives with folding blades that are less than 3 inches long), tear gas, chemical substances, brass knuckles, clubs, or chains.

4.18 Whistleblower Protection Policy

All employees of the university and other members of the university community are expected to comply with all federal and state laws and regulations as well as university policies; and they also are expected to report to the university any violations of such laws, regulations, or policies and other university related misconduct they witness or have good reason to believe occurred.

The university has existing policies and procedures for disclosing certain types of violations and misconduct. They include but are not limited to the Equal Opportunity and Affirmative Action Policy, the Sexual Harassment and Anti-Harassment Policies, the Policy on Conflict of Interest and Conflict of Commitment, and the Policy on Protection of Human Subjects in Research. These policies should be used to report any suspected violations and misconduct covered by the policies.

Other suspected violations and misconduct should be reported to the university office responsible for the policy area or alternatively to the Office of General Counsel. Reports can also be made either by phone using the EthicsPoint dedicated toll-free hotline for Ball State University at 1-844-338-7290 or through the EthicsPoint Internet-based reporting system at www.bsu.edu/ethicspoint. Access to the EthicsPoint Hotline Reporting is available 24/7/365 days of the year. For the complete policy, please go to www.bsu.edu/legal.

APPENDIX A

Ball State University's Statement on Sexual Harassment

1. Harassment on the basis of sex is a form of illegal sex discrimination. Sexual harassment in employment violates Title VII of the Civil Rights Act of 1964, as well as state law. Student-on-student sexual harassment and sexual harassment directed toward a student by a University employee violates Title IX of the Education Amendments of 1972.

2. Ball State University will not tolerate sexual harassment of students or employees by members of its faculty or staff, its students or by other agents of the University and will respond in a suitable manner to every complaint.

3. The University has adapted the Equal Employment Opportunity Commission (EEOC) definition of sexual harassment for our academic community: Sexual harassment is defined as any unwelcome sexual advance, request for sexual favor or other unwelcome verbal or physical conduct of a sexual nature, whether committed on or off campus, when:

3.1 submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or participation in a University-sponsored education program or activity;

3.2 submission to or rejection of such conduct by an individual is used as the basis or threatened to be used as the basis for employment decisions or academic decisions or assessments affecting an individual; or

3.3 such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or educational environment. Such conduct will typically be directed against a particular individual or individuals and will either be abusive or severely humiliating or will persist despite the objection of the person targeted by the speech or conduct.

Sexual harassment includes but is not limited to situations where one person has authority over another. In such situations, sexual harassment is particularly serious because it may unfairly exploit the power inherent in a faculty member's or supervisor's position.

4. Sexual harassment can be verbal, visual, physical or communicated in writing or electronically. Some conduct obviously constitutes sexual harassment – such as a threat that a grade or promotion will depend on submission to sexual advance. But whether particular conduct constitutes sexual harassment will often depend upon the specific context of the situation, including the participants' reasonable understanding of the situation, their past dealings with each other, the nature of their professional relationship (e.g., supervisor-subordinate, colleague, etc.) and the specific setting. The inquiry can be particularly complex in an academic community, where the free and open exchange of ideas and viewpoints preserved by the concept of academic freedom may sometimes prove distasteful, disturbing or offensive to some. Sexual harassment must be distinguished from behavior which, even though unpleasant or disconcerting, is appropriate to the carrying out of instructional, advisory, or supervisory responsibilities. Instructional responsibilities, in particular, require appropriate latitude for pedagogical decisions concerning the topics discussed and methods used to draw students into discussion and full participation.

5. Examples of conduct which may constitute sexual harassment include but are not limited to:

5.1 requests for sexual favors;

5.2 unwelcome physical contact such as hugging, rubbing, touching, patting, pinching or brushing another's body;

5.3 veiled suggestions of sexual activities;

5.4 requests for private meetings outside of class or business hours for other than legitimate academic or business-related purposes;

5.5 use in the classroom of sexual jokes, stories or images in no way germane to the subject of the class;

5.6 use in the workplace of sexual jokes, stories or images in no way germane to the subject of the work environment;

5.7 remarks about a person's body or sexual relationships, activities or experience that are in no way germane to the subject of the work or academic environment;

5.8 use of inappropriate body images to advertise events.

6. Members of the University community can expect to be free from sexual harassment and thus all members of the University community should guard against it. The fact that someone did not intend to sexually harass an individual is generally not considered a sufficient defense to a complaint of sexual harassment, although the reasonableness of the accused's perceptions may be considered. In most cases, it is the effect and characteristics of the behavior on the complainant and whether a reasonable person similarly situated would find the conduct offensive that determines whether the behavior constitutes sexual harassment.

7. The University will not tolerate retaliation or discrimination against persons who report or charge sexual harassment or against those who testify, assist or participate in any investigation, proceeding or hearing involving a complaint of sexual harassment. In this context, retaliation means speech or conduct that adversely affects another's terms or conditions of employment or education and is motivated by an intent to harm the targeted person because of his or her participation in the filing or investigation of an allegation of sexual harassment. Any such retaliation – or encouragement of another to retaliate – is a serious violation of University policy and law, independent of whether the particular claim of sexual harassment is substantiated. Anyone who believes he or she has been subjected to retaliation in violation of this rule may use the procedures described in this policy to complain and seek redress.

8. Any member of the University community who believes he or she is being sexually harassed or is being retaliated against is encouraged to contact the Office University Compliance and make a complaint. The complaint will be investigated in accordance with the "Equal Opportunity and Affirmative Action Complaint Investigation Procedure and Appeal Process." A copy of this document may be obtained by contacting the Office of University Compliance.

9. The University can respond to specific instances and allegations of harassment only if it is aware of them. The University therefore encourages anyone who believes that he or she has experienced sexual harassment to come promptly forward (typically within 45 calendar days) with inquiries, reports or complaints and to seek assistance from the Office of University Compliance. In addition, any University employee who becomes aware of instances or allegations of sexual harassment by or against a person under his or her supervisory authority must report them to the Office of University Compliance. It shall be the responsibility of the Office of University Compliance to respond to allegations and reports of sexual harassment or refer them to other University officials for an appropriate response.

10. Any dean, chairperson, director or department head or other similar administrator who becomes aware of information indicating a significant likelihood of sexual harassment must report such information to the Office of University Compliance. These administrators must respond not only when they receive a specific complaint or report alleging improper activity, but also when such matters come to their attention informally. Unconfirmed or disputed allegations should be clearly labeled as such and reports should indicate any steps already taken to respond. Administrators should consult the Office of University Compliance prior to responding to any situation involving alleged harassment.

11. Possible sanctions for a person found engaging in behavior which is in violation of this policy include but are not limited to the following:

11.1 oral or written reprimand, placed in personnel file;

11.2 required attendance at a sexual harassment sensitivity program;

11.3 an apology to the victim;

11.4 loss of salary or benefit, such as sabbatical or research or travel funding;

11.5 transfer or change of job, class or residential assignment or location (i.e., removing the person from being in a position to retaliate or further harass the victim);

11.6 demotion;

11.7 suspension, probation, termination, dismissal or expulsion. While counseling is not considered a sanction, it may be offered or required in combination with sanctions. Where alcohol/drugs are involved in the sexual harassment, such counseling may include a substance abuse program. If students or student groups are guilty of sexual harassment, any of the sanctions set forth in the "Code of Student Rights and Responsibilities" may also be invoked.

12. The University seeks to protect the rights of all persons, accusers and accused, to fair procedures. Accusations of sexual harassment frequently have injurious, far-reaching effects on the careers and lives of accused individuals. Allegations of sexual harassment must be made in good faith and not out of malice. Knowingly making a false or frivolous allegation of sexual harassment will be considered a serious violation of University policy.

Approved by the Board of Trustees December 17, 1999. Revised 8/02, 7/15.