

Faculty Handbook
PART III – ADMINISTRATIVE POLICIES
TABLE OF CONTENTS

3.0.	Intellectual Property Ownership	3
3.0.1	Introduction.....	3
3.0.2	Intellectual Property Ownership	4
3.0.3	Dispute Resolution	6
3.0.4	General Provisions.....	7
3.1.	Responsible Use of Electronic Communications Resources Policy	8
3.2.	Responsible Use of Information Technology Resources Policy.....	10
3.3.	Domestic Partner Policy	12
3.4.	Non-discrimination Policy	14
3.5.	Title IX Compliance	16
3.6.	Conflict of Interest Policy for Board of Trustees, Officers, Former Officers, and Key Employees	17
3.7.	Whistleblower Policy.....	20
3.8.	Records Management Policy.....	21
3.9	Institutional Policy Governing CCTV.....	23
3.10	Health and Safety Policies.....	25
3.10.1.	Environmental Health and Safety Policy.....	25
3.10.2.	Bloodborne Pathogen Exposure Control Policy	29
3.10.3.	Work Related Injuries and Illnesses	39
3.10.4.	Smoking Policy.....	39
3.10.5.	Communicable Diseases Policy	40
3.11.	Sexual Misconduct Policy	41
3.12.	Child Protection Policy	48
3.13	Violence Against Women Act (VAWA) Compliance.....	51
3.14.	Student Exhibitions and Installations Policies.....	52
3.15.	Drug Free Policy	54
3.16.	Procedures for Events with Alcohol.....	58
3.17.	Business Affairs Policies.....	60
3.17.1.	Business Expense Reimbursements	60
3.17.2.	Cash Advances.....	61
3.17.3.	Purchasing Policies	61
3.18.	Payroll Policies	62
3.18.1.	Payroll Deductions	62
3.18.2.	Garnishments or Wage Attachments	62
3.18.3.	Direct Deposit	62
3.18.4.	Payroll Advances.....	62
3.18.5.	Pay Distribution Dates and Pay Periods	63
3.18.6.	Supplemental Payments	64
3.18.7.	Lost, Stolen or Destroyed Pay Checks	Error! Bookmark not defined.
3.20.	Advancement, Public Relations and External Affairs Policies.....	67
3.20.1.	Use of College Facilities	67

Faculty Handbook
PART III – ADMINISTRATIVE POLICIES
TABLE OF CONTENTS

3.20.2. Use of College Name and Logo.....	67
3.20.3. Political Activities	67
3.20.4. Communications	68
3.21. Other Administrative Policies	69
3.21.1. Stationery	69
3.21.2. Telephones.....	69
3.21.3. Parking and Vehicle Registration	69
3.21.4. College-Owned Vehicles.....	69
3.21.5. Personal Property.....	69
3.21.6. Solicitation and Distribution Policy	70
3.21.7. Bicycle Policy	70
3.21.8. Animals and Pets on Campus	72

3.0. Intellectual Property Ownership

3.0.1 Introduction

A. **Purpose**

This document describes Ringling College of Art and Design's policy governing the ownership of Intellectual Property and reflects the current and past practice of the College regarding the intellectual property of the faculty, staff, and students. This policy delineates the rights and responsibilities of Ringling College and those of its faculty, staff, students, and others who are involved in the creation of Intellectual Property so that the ownership status of Intellectual Property can be clearly determined and understood. Ringling College faculty and students, as members of a community of scholar practitioners, serve the educational mission of Ringling College through their engagement as working artists, designers, writers, and researchers. This policy affirms Ringling College's commitment to the free and open creation and exchange of creative works and scholarly information and an equitable division of ownership rights.

B. **Application**

This policy applies to all units of Ringling College, including all majors, programs, courses, departments, centers, and institutes; and to all Ringling College personnel, including all students, faculty, staff, employees, and independent contractors, all of whom are covered by this policy for the duration of their relationship with Ringling College. Employees are defined as those who receive direct or indirect compensation from Ringling College, such as wages, salaries, stipends, free housing, and the like. It is acknowledged that a single person (referred to as the "creator") may create Intellectual Property in different or multiple capacities from time to time (e.g., a student acting as an employee, or a member of the faculty acting in a staff capacity, as referenced in Sections 3.0.2 D.2. and 3.0.2 E.3.). Ownership of Intellectual Property will be determined based on the particular capacity in which the creator is acting while creating it.

C. **Intellectual Property Defined**

As used in this policy, the term "Intellectual Property" means:

1. all works of authorship subject to copyright protection (including, for example, works of art, writings, pedagogical works, photographs, musical compositions, motion pictures, audiovisual works, multimedia works, sculpture, architectural works, data, designs, and software, regardless of the extent to which any of the foregoing may be patentable);
2. all inventions subject to patent protection (including, for example, articles of manufacture, devices, compounds, plants, biological materials, processes, business methods, patentable designs, and patentable software);
3. all brands, logos, taglines, visual identities, and other source identifiers for goods or services;
4. all trade secrets, know-how, and other proprietary information that obtains commercial value from being kept confidential;
5. all proprietary and intellectual property rights that apply to the foregoing in any jurisdiction, including without limitation patents, copyrights, and trademarks, and the right to apply for and renew the same; and
6. the exclusive right to make, use, license, commercialize, and deal in the foregoing.

3.0.2 Intellectual Property Ownership

- A. **Policy Summary.** As further described in this Section 3.0.2, it is the general policy of Ringling College that:
1. Intellectual Property created by students and faculty is owned by the creator, unless the Intellectual Property has been specially commissioned by Ringling College from the creator(s);
 2. Intellectual Property created by staff and non-faculty employees is owned by Ringling College; and
 3. Ownership of the Intellectual Property of the work of independent contractors for Ringling College is determined by written agreements at the time the work is contracted.
- B. **Policy as to Staff and Non-Faculty Employees.** Ringling College alone owns all Intellectual Property created by creators acting within their capacity as Ringling College staff and non-faculty employees within the scope of their employment by Ringling College.
- C. **Policy as to Independent Contractors.** Ringling College's policy is to enter into written agreements with each of its independent contractors describing the Intellectual Property to be created, if any, prior to the independent contractor's creation thereof. Independent contractors are defined as non-employees.
- D. **Policy as to Faculty.** Intellectual Property created by faculty members acting solely within their capacity as Ringling College faculty is owned by and remains with the creator alone, and not Ringling College, unless the Intellectual Property is a Commissioned Work (as defined in Section 3.0.2 H.) or is created in furtherance of a faculty administrative, governance, or other institutional service role (as defined in 3.0.2 D.2.).
1. **Pedagogical Works.** Creators acting solely within their capacity as faculty shall own all pedagogical works of their own creation, including without limitation all class notes, presentations, handouts, slides, demos, and lectures. Each faculty member hereby grants to Ringling College the royalty-free, perpetual, irrevocable worldwide right and license in all media to use, reproduce, record, publicly display, sublicense, distribute, and make derivative works of, all such pedagogical works as part of the Ringling College instructional program. At their discretion, faculty members may also make necessary changes to maintain the accuracy and currency of their pedagogical materials.
 2. **Faculty Administrative, Faculty Governance, or Other Institutional Service Roles.** Faculty members are not considered to be acting within their capacity as faculty when they act in an administrative capacity or in service to the institution through the Faculty Governance/Committee structure or other types of institutional service. Intellectual Property Rights in works created by faculty acting within the scope of these roles shall be owned by Ringling College, including without limitation curricula and curriculum development, course descriptions, policies, accreditation materials, committee and task force reports, departmental reports, correspondence, memos, evaluations of faculty, and evaluations of students, regardless of the medium.

3. **License to Ringling College.** When any particular Intellectual Property of a faculty member is determined to be owned by the faculty member in accordance with this policy, the owner hereby grants to Ringling College the right and license to use and reproduce that Intellectual Property for Ringling College's reasonable administrative purposes, including, for example, in connection with events, catalogues, and other materials in any media relating to marketing, admissions, fundraising, and other customary Ringling College functions. The grant of this right and license to use shall be nonexclusive, perpetual, and royalty-free. Ringling College shall have the right in perpetuity to publicly claim that the Intellectual Property was created while the creator was affiliated with Ringling College.
- E. **Policy as to Students.** Intellectual Property created by students acting solely within their capacity as students is owned by the creator alone, and not Ringling College, unless the Intellectual Property:
1. is a Commissioned Work (as defined in Section 3.0.2 H.);
 2. is a part of a larger work that is a Commissioned Work, regardless of whether the student has signed the applicable Intellectual Property Ownership Agreement; or
 3. is created in the student's alternate capacity as a non-faculty employee or independent contractor (as defined in Section 3.0.2 C.)
- F. **Student Class-Work.** Each Student hereby grants to the assigning faculty member the right and license to use for scholarly and educational purposes reproductions of all works created by such student at the behest of such faculty member in connection with assigned class-work.
- G. **License to Ringling College.** When any particular Intellectual Property of a student is determined to be owned by the student in accordance with this policy, the owner hereby grants to Ringling College the right and license to use and reproduce that Intellectual Property for Ringling College's reasonable administrative purposes, including, for example, in connection with events, catalogues, and other materials in any media relating to marketing, admissions, fundraising, and other customary Ringling College functions. The grant of this right and license to use shall be nonexclusive, perpetual, and royalty-free. Ringling College shall have the right in perpetuity to publicly claim that the Intellectual Property was created while the creator was affiliated with Ringling College.
- H. **Commissioned Work Defined.** As used in this policy, the term "Commissioned Work" means Intellectual Property that:
1. is requisitioned by Ringling College pursuant to a written agreement with the creator; and
 2. is supported by a direct allocation of Extra Consideration (as defined in Section 3.0.2 .I.) by or through Ringling College to the creator expressly in exchange for the requisitioned Intellectual Property.
- I. **Extra Consideration Defined.** As used in this policy, the term "Extra Consideration" is defined to mean consideration (including extra pay, the allocation of extra resources, or any release time from normal duties except faculty development grants and faculty paid study leave) provided by Ringling College to creators of Commissioned Works, which such consideration would not otherwise have been earned by the creators in the course of their customary relationship with Ringling College.

- J. **Outside Funding Exceptions.** This policy shall not limit Ringling College's or any faculty member's ability to meet any obligations for deliverables under any grant, sponsored research agreement, or other outside funding contract, which shall supersede this policy to the extent that they differ.
- K. **Negotiated Exceptions.** This policy may be superseded as it applies to any creator by written agreement entered into and duly executed by such person and an authorized representative of Ringling College. For example, the creator of Intellectual Property that would normally be owned by the creator may elect to transfer ownership to Ringling College, under terms that may be agreed to in writing by the creator and an authorized representative of Ringling College.
- L. **Rights Clearance.** Responsibility for assuring that Intellectual Property does not infringe any third party proprietary rights and is otherwise free of liens and encumbrances rests fully with the owner(s) thereof as determined under this policy.
- M. **Registration.** Responsibility for applying for and obtaining statutory registration or other legal protection for any Intellectual Property rests with the owner(s) as determined under this policy.
- N. **Authorized Uses.** In addition to the authorized right and license to use granted under this policy by faculty members and students, if a party other than Ringling College is determined to be the owner of any particular Intellectual Property in accordance with this policy, the owner thereof hereby grants Ringling College the nonexclusive, perpetual, royalty-free right and license to use and reproduce such Intellectual Property created hereunder for Ringling College's reasonable administrative purposes, including without limitation in connection with events, catalogues, and other materials in any media relating to marketing, admissions, fundraising, and other customary Ringling College functions. Ringling College shall have the right in perpetuity to publicly claim that the Intellectual Property was created while the creator was affiliated with Ringling College.
- O. **Limitations on Sale & Modification.** Ringling College may not sell or materially modify any Intellectual Property without the prior written permission of the owner (if other than Ringling College), and only upon terms and conditions agreed to in advance.
- P. **Responsibility to Declare.** When Intellectual Property is to be owned by Ringling College under this policy, the creator shall make good faith efforts to maintain notes or records of his or her efforts to create such Intellectual Property and shall inform in writing his or her immediate supervisor in a timely manner.

3.0.3 Dispute Resolution

- A. **General.** Ringling College encourages open and honest communication between members of the Ringling College community, and believes that most questions and disputes can and should be resolved amicably and rationally through the forthright analysis of issues and the joint exploration of solutions. Any disputes respecting this policy which are not mutually resolved shall be referred to the Intellectual Property Advisory Committee, which shall make recommendations for resolution to the President of Ringling College.

- B. **Regular Review.** This policy shall be reviewed regularly.
- C. **Compliance with Law.** Notwithstanding any other provision of this policy, this policy will be modified as necessary to comply with applicable Federal or state law (e.g., to ensure Ringling College's continued status as a tax-exempt entity) or otherwise as directed by Ringling College's governing board.

3.0.4 General Provisions

- A. **Use of Resources.** Ringling College resources are to be used for Ringling College purposes and in accordance with College policies. Use of institutional resources may result in an assertion of Intellectual Property ownership rights by Ringling College and creators should receive clearance to use those resources.
- B. **Limitations Imposed By Resources.** Use of certain Ringling College resources, such as certain software packages, to create Intellectual Property may be subject to contractual obligations that impose certain limitations on use of the resulting Intellectual Property. (To illustrate: the educational edition of a Ringling College software package may require that the resulting Intellectual Property be used only for educational purposes and not for commercial exploitation, for example, or that the Intellectual Property not be distributed to third parties or posted to public websites.) Accordingly, owners of Intellectual Property as determined by this Policy may not enjoy complete freedom to use or commercially exploit the Intellectual Property if certain Ringling College resources were used in its creation. Such owners should confer with Ringling College administrative personnel to clarify whether such limitations apply with respect to any Intellectual Property intended for purposes other than educational purposes.
- C. **Likenesses.** Each faculty member, staff member, and student hereby grants to Ringling College the right and license to use for promotional purposes such faculty member's, staff member's, or student's likeness and right of persona.
- D. **Ringling College Trademarks.** Nothing in this policy affects Ringling College's continued exclusive ownership in its name. Ringling College's registered trademarks, as well as other names, seals, logos, visual identities, and other symbols and marks that are representative of Ringling College, may be used solely with Ringling College's permission. Items offered for sale bearing Ringling College's name or marks must be licensed.
- E. **Nondisclosure and Other Agreements.** Prior to executing any third party nondisclosure agreement or other agreement respecting proprietary rights or Intellectual Property, Ringling College personnel should ensure that their doing so does not conflict with this or any other Ringling College policy.
- F. **Third Party Intellectual Property.** Nothing in this policy authorizes any Ringling College personnel to make, use, sell, bring to Ringling College facilities, or otherwise exploit any third party Intellectual Property in which such personnel does not have the necessary right or license to do so.

3.1. Responsible Use of Electronic Communications Resources Policy

Policy Statement

Ringling College of Art and Design provides an environment for the campus community to utilize appropriate computer and electronic information technologies in meeting the educational mission of the college. The college expects all members of its community to use electronic communications in a responsible manner. It is each individual's responsibility to become familiar with his/her rights and responsibilities as outlined in this and other appropriate college documents. There are also federal, state and local laws governing some aspects of information use and distribution. While guidelines may be provided in the context of the classroom, each individual is responsible to remain knowledgeable about current laws and policies.

Ringling College seeks to enforce its policies regarding non-harassment and the safety of individuals; to protect the college against damage or legal consequences; to prevent the electronic posting or distributing of copyrighted material in violation of license restrictions or other contractual agreements; to safeguard the integrity of computers, networks, and data, either at Ringling College of Art and Design or elsewhere; and to ensure that use of electronic communications complies with the student handbook, the faculty handbook and the staff handbook.

Ringling College of Art and Design may restrict the use of its computers and network systems for electronic communications in response to complaints presenting evidence of violations of Ringling College policies or codes, or local, state or federal laws. Specifically, the college reserves the right to limit access to its networks through Ringling College-owned or other computers, and to remove or limit access to material posted on Ringling College-owned computers. Ignorance of the law or of campus policies does not exonerate one from the consequences of inappropriate or illegal behavior.

What follows is a list of some of the potential behaviors associated with computer use that are considered violations of the Student Code of Conduct and Prohibitions for All Campus Members. This list is not intended to be exhaustive; it is simply to provide examples of some of the behaviors that are considered unacceptable. Any behaviors, including those not explicitly listed here, in violation of the Student Code of Conduct will be adjudicated accordingly.

Examples of Violations

- A.** Violations targeted at a specific individual(s)
 - Sending harassing, threatening, communication by electronic mail or other electronic communications.
 - Sending harassing communication that is sexual in nature by electronic mail or other electronic communications.
 - Sending harassing communication or posting hate speech that is motivated by racial, ethnic, religious, gender or sexual orientations prejudice by electronic mail or other electronic communications.
 - Posting or otherwise disseminating personal or sensitive information about an individual(s).
- B.** Violations causing harm to the activities and/or the institution
 - Propagating electronic chain mail.
 - Interfering with freedom of expression of others by "jamming" or "bombing" electronic mailboxes.
 - Forging, fraudulently altering, or willfully falsifying electronic mail headers, electronic directory information, or other electronic information generated as, maintained as, or otherwise identified as college records in support of electronic communications.

- Using electronic communications to forge an academic document.
 - Using electronic communications to hoard, damage, or otherwise interfere with academic resources accessible electronically.

 - Using electronic communications to steal another individual's works, or otherwise misrepresent one's own work.
 - Using electronic communications to collude on examinations, papers or any other academic work.
 - Using electronic communications to fabricate research data.
- C.** Violations involving illegal, proprietary, or damaging material
- Electronically distributing or posting copyrighted material in violation of license restrictions or other contractual agreements.
 - Launching a computer worm, computer virus or other rogue program.
 - Downloading or posting illegal, proprietary or damaging material to a college computer.
 - Transporting illegal, proprietary or damaging material across college networks.
- D.** Violations targeted at classes of individuals
- Posting hate speech regarding a group's race, ethnicity, religion, gender, or sexual orientation.
 - Harassing or threatening classes of individuals.

3.2. Responsible Use of Information Technology Resources Policy

Guidelines

This statement defines the guidelines governing access to and use of information technology resources at Ringling College of Art and Design. These guidelines have been implemented to clarify and simplify procedures regarding use of information technology resources and to safeguard the computing and data network equipment.

All members of the Ringling College community are expected to utilize information technology resources in a responsible and appropriate manner, respecting the rights of other users. Each user is responsible for becoming familiar with his/her rights and responsibilities and applicable laws and guidelines. By utilizing these services, an individual agrees to abide by the guidelines and procedures that govern its use. Failure to abide by these guidelines and other applicable codes or local, state, or federal laws may result in disciplinary actions including, but not limited to, loss or limitation of privileges in using information technology resources.

Examples of Violations

Misuse of computing and information resources and privileges includes, but is not limited to, the following:

- Re-broadcasting unsolicited E-mail or USENET news (spam or electronic junk mail);
- Generating or forwarding chain letters, or participating in any kind of multilevel or pyramid scheme;
- Storing or transmitting copyrighted materials or licensed materials such as MP3 audio files without the owner's permission;
- Introducing viruses or other disruptive/destructive programs;
- Using resources such as network bandwidth or disk storage excessively;
- Attempting to evade or bypass resource quotas such as disk usage quota (logon to www.rsad.edu/manage.html to check your resource quotas);
- Attempting to decrypt coded information such as passwords;
- Using any Internet Protocol (IP) address inside or outside the Ringling domain(s) without prior approval;
- Attempting to install or utilize a server, network analysis tool, or network management tool on the Ringling College network without authorization;
- Intercepting network traffic intended for nodes other than your own.

Security and Confidentiality of Information Storage and Transmission

Ringling College of Art and Design cannot guarantee the confidentiality or privacy of electronic mail messages and other documents stored on college computers. Ringling College assumes users are aware that electronic files and transmissions are not necessarily secure. Furthermore, electronic mail in its present form is not secured and has the potential to be vulnerable to unauthorized access, modification, and forgery. Such services should be utilized with this in mind.

The World Wide Web users should be aware that it is possible for software on a Web site to explore and retrieve information from the user's computer without the user being aware of the invasion. Anyone who "downloads" software, certain applications, or certain file types, or receives E-mail attachments should be aware of the possibility that such material could incorporate viruses, worms, or other destructive materials.

Guidelines Relating to Confidentiality

- Ringling College reserves the right to conduct routine maintenance, track problems, and maintain the integrity of its systems. As is the case with all data kept on Ringling College's computer systems, the content of electronic mail or user files may be revealed by such activities;
- Ringling College does not routinely monitor the contents of E-mail. However, such monitoring may be conducted when required to protect the integrity of the systems or to comply with legal obligations;
- Ringling College reserves the right to inspect the contents of electronic mail and all disk files in the course of an investigation into alleged impropriety or as necessary, to locate substantive information not readily available by other means, or to ensure compliance with institutional policy;
- Authorization to investigate the contents of user files or E-mails must be given by the Officers.

Responsibilities of System Administrators

System administrators shall perform their duties fairly, in cooperation with the user community, the appropriate higher-level administrators, and college policies. System administrators shall respect the privacy of users as far as possible and shall refer all disciplinary matters to appropriate authorities.

3.3. Domestic Partner Policy

Policy Statement

The domestic partner of a Full-time Ringling College of Art and Design employee is eligible for coverage under the Ringling College of Art and Design Group Health Plan. To be eligible for coverage, the employee and his/her partner must satisfy all of the criteria for "Domestic Partnership", and complete and sign the College's "Affidavit of Domestic Partnership." Domestic Partners are subject to the same eligibility criteria and plan provisions that govern eligible spouses in the College's group health plan.

Domestic Partners of employees are not entitled to elect COBRA continuation coverage.

Definition of Domestic Partnership

Ringling College of Art and Design defines a Domestic Partner as the partner of an eligible College employee who meets the following criteria:

- The partners have had an exclusive mutual commitment similar to that of marriage for at least six months, the partners have lived together for at least six months, and the partners intend to maintain their commitment indefinitely.
- Neither partner is legally married to anyone else nor has another domestic partner.
- The partners are not related by blood closer than would bar marriage in their state of residence.
- Both partners are at least eighteen years old and mentally competent to consent to contract.
- The partners are jointly responsible for each other's common welfare and financial obligations.

Registration of Domestic Partnership

Before enrolling a Domestic Partner, the College employee must complete an "Affidavit of Domestic Partnership." The completed Affidavit is to be returned to the Office of Human Resources.

Employees must notify the Office of Human Resources in writing of the termination of a Domestic Partnership within 30 days of its termination.

If an employee does not report the termination of a domestic partnership within 30 days of its termination and the plan pays post-termination claims for the former domestic partner, the employee will be required to reimburse the plan for the post-termination claims.

If a partnership ends and a new Domestic Partnership is established, the new Domestic Partner will not qualify as a dependent under the Ringling College of Art and Design Group Health Plan for a period of six months from the date coverage was discontinued for the previous domestic partner.

Legal Consequences of Domestic Partnership

Please note that some courts have recognized non-marriage relationships as the equivalent of marriage for the purpose of establishing and dividing community property. A declaration of common welfare, such as the "Affidavit of Domestic Partnership" may therefore have legal implications. Employees should consult an attorney to learn the extent of those implications.

Tax Consequences of Domestic Partnership

Domestic Partner coverage may be purchased via after-tax payroll deduction by the employee.

Under the Internal Revenue Code, an employee is not taxed on the value of benefits provided by an employer to an employee's spouse or dependent. However, the IRS has ruled that a domestic partner does not qualify as a spouse.

The College will treat the value of the benefits provided to an employee's domestic partner as part of the employee's income, and will withhold applicable taxes on the value of those benefits from the employee's paychecks. If the employee's domestic partner qualifies as a dependent under Section 152 of the Internal Revenue Code, the employee may file the proper documentation with the IRS and seek a refund for taxes withheld.

Ringling College of Art and Design does not assume responsibility for any tax obligation that might result for an employee or his/her Domestic Partner.

3.4. Non-discrimination Policy

Ringling College of Art and Design does not discriminate on the basis of sex, age, gender, color, race, national or ethnic origin, religion, marital status, sexual orientation, gender identity or expression, disability, veteran status, genetic information, or any other basis prohibited by law, in its programs or activities.

No person, because of discrimination as defined in the Non-Discrimination Policy, will be excluded from participation in, or denied the benefits of or access to any educational program or activity provided by the College. This is not only the policy of the College, it is also the mandate under applicable federal and state laws and includes the administration of its educational policies, admissions policies, scholarship and loan programs, and other College administered programs, pursuant to the Internal Revenue Code of 1954.

The College's programs and activities are conducted in compliance with Section 504 of the Rehabilitation Act of 1973, as amended, with the Americans with Disabilities Act of 1990, as amended, and with Title IX of the Education Amendments of 1972. The College is an equal opportunity educational institution.

The College does not discriminate on the basis of sex in its education programs and activities, or in the context of employment. Sexual harassment, including sexual misconduct as defined in the Ringling College Non-Harassment Policy and the Ringling College Sexual Misconduct Policy, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. (See Ringling College of Art and Design *Title IX Compliance*). Title IX requires that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964 and other applicable statutes.

Anyone engaging in practices that violate the Non-Discrimination Policy, including discrimination, harassment or retaliation against someone who complains about discrimination, will be subject to disciplinary action, up to and including expulsion or separation from the College. Anyone who believes he or she has been subjected to unlawful discrimination, harassment, retaliation or other practices in violation of the Non-Discrimination policy should immediately contact the Title IX Coordinator or Deputy Title IX Coordinator, as listed below.

Inquiries

Inquiries regarding compliance with these statutes and referrals to designated coordinators under the ADA/Section 504 and Title IX may be directed to Christine DeGeorge, Title IX Coordinator, or to the Director of the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1100, 1-800-421-3481. TDD 877-521-2172.

Procedures for Complaints

Student to student complaints will be processed under the Student Code of Conduct system. For student complaints against faculty, staff or others, the procedures outlined in the *Non-Harassment Policy* or the *Sexual Misconduct Policy* will be used for handling reports and complaints of alleged violations of this policy.

For employees and others, the procedures outlined in the *Non Harassment Policy*, the *Sexual Misconduct Policy*, and the *Grievance Procedures* in the *Ringling College Faculty and Staff Handbooks*, will be the mechanism for handling reports of alleged violations of this policy.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Non-Discrimination Policy
Approved By: Board of Trustees, Administrative Update
Effective Date: November 6, 2019

Index: 304
Page: 2 of 2

The Title IX Coordinator and Deputy Coordinator will assist any individual wishing to inquire, make a report or a complaint and will provide information concerning the options for resolving a report under this policy.

The Title IX Coordinator has the overall responsibility for the implementation of the Title IX program at Ringling College. The Coordinator oversees the administration of grievance procedures for faculty and staff and coordinates training, education and communication of all College discrimination and harassment policies. The Deputy Title IX Coordinator oversees the administration of the grievance procedures for students and coordinates training, education and communication to students.

Title IX Coordinator

Christine DeGeorge
Vice President for Human and Organizational Development
Office of Human Resources, Kimbrough Bldg, 1st Floor
2700 N. Tamiami Trail
Sarasota, FL 34234
941-359-7619
ccarnegi@ringling.edu

Deputy Title IX Coordinator

Dr. Tammy S. Walsh
Vice President for Student Life and Dean of Students
Office Location: Ulla Searing Center, Second floor
(941-359-7510)
twalsh@ringling.edu

3.5. Title IX Compliance

Ringling College of Art and Design is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free from all forms of discrimination. Specifically, every member of the College community should be aware that Ringling College is opposed to discrimination, including sexual harassment, and that such behavior is prohibited by College policy (see *Non-Discrimination Policy*, *Non-Harassment Policy*, *Sexual Misconduct Policy*). It is the intention of the College to take whatever action may be necessary to prevent, correct, and, if necessary, discipline for behavior which violates this policy. Title IX of the Educational Amendments of 1972 (Title IX) is Federal law which prohibits discrimination on the basis of sex in education, programs or activities. Sexual misconduct and harassment, as defined in the Ringling College of Art and Design Non-Harassment Policy and Sexual Misconduct Policy, is a form of sex discrimination prohibited by Title IX, and includes sexual harassment and sexual misconduct. This policy applies to students, faculty, staff and visitors and covers conduct both on and off campus. Off-campus conduct that is likely to have a substantial effect on a complainant's on-campus life and activities or poses a threat or danger to members of the Ringling College community may also be addressed under this policy.

While it is often thought of as a law that applies to athletics programs, Title IX is much broader than athletics and applies to all programs at Ringling College. While compliance with the law is everyone's responsibility at Ringling College, the College has a designated Title IX Coordinator and Deputy Title IX Coordinator to oversee its response to all reports of sex discrimination, including harassment and sexual misconduct, and coordinate compliance with the mandates of Title IX. The Title IX Coordinator and Deputy Title IX Coordinator are knowledgeable and trained in the College's policies and procedures, State and Federal laws that apply to sexual misconduct and harassment, and the dynamics of sexual misconduct and harassment. The Title IX Coordinator and Deputy Title IX Coordinator are available to meet with any individual to discuss the options for resolving a report under this policy.

Title IX Coordinator

Christine Carnegie DeGeorge
Vice President for Human and Organizational Development
Office of Human Resources, Kimbrough Bldg, 1st Floor
2700 N. Tamiami Trail
Sarasota, FL 34234
941-359-7619
ccarnegi@ringling.edu

Deputy Title IX Coordinator

Dr. Tammy S. Walsh
Vice President for Student Life and Dean of Students
Office Location: Ulla Searing Center, Second floor
(941-359-7510)
twalsh@ringling.edu

The Title IX Coordinator has the overall responsibility for the implementation of the Title IX program at Ringling College. The Coordinator oversees the administration of grievance procedures for faculty and staff, and coordinates training, education and communication of all College non-discrimination and non-harassment policies. The Deputy Title IX Coordinator oversees the administration of the grievance procedures for students and coordinates training, education and communication to students. Grievance procedures are described in the *Student Code of Conduct*, the *Non-Harassment Policy*, and the *Sexual Misconduct Policy*.

3.6. Conflict of Interest Policy for Board of Trustees, Officers, Former Officers, and Key Employees

I. Scope.

The following statement of policy applies to each member of the Board of Trustees, Officers, Former Officers, and to Key Employees of Ringling College of Art and Design, Inc. It is intended to serve as guidance for all persons employed by the institution in positions of significant responsibility and authority, including, but not limited to, the following: Senior Officers of the institution and all deans and directors.

II. Fiduciary Responsibilities.

Board members, Officers, Former Officers and Key Employees of Ringling College of Art and Design, Inc. serve the public trust and have an obligation to fulfill their responsibilities in a manner consistent with that trust. All decisions of the Board of Trustees, Officers, Former Officers, Key Employees and members of the administration and faculty are to be made solely on the basis of a desire to advance the best interests of the institution and the public good. The integrity of Ringling College of Art and Design, Inc. is to be protected at all times.

Men and women of substance often are involved in the affairs of other institutions and organizations. Effective governing boards, administrations, and faculties will include individuals who have relationships and affiliations that may raise questions about perceived conflicts of interest. Although many such potential conflicts are and will be deemed inconsequential, every individual member of the Board of Trustees, Officers, Former Officers, Key Employees and the senior administration have the responsibility to ensure the Board of Trustees is made aware of situations that involve personal, familial, or business relationships that could be troublesome. Thus, the board requires each member of the Board of Trustees, Officers, Former Officers, and Key Employees annually (a) to be familiar with the terms of this policy; (b) to disclose to the Board Chair before the conflict arises any possible personal, familial, or business relationships that reasonably might give rise to a conflict involving Ringling College of Art and Design, Inc.; and (c) to acknowledge by his or her signature on the "Disclosure Of Conflict Of Interest Form For Ringling College Of Art and Design" that he or she is in accordance with the letter and spirit of this policy.

III. Disclosure.

All members of the Board of Trustees, Officers, Former Officers and Key Employees are requested to list on this form business relationships with substantial benefit which:

- (a) they and members of their family maintain with organizations that do business with Ringling College of Art and Design, Inc., or
- (b) that potentially could be construed to affect their independent, unbiased judgment in light of their decision-making authority and responsibility.

Conflicts that may arise while business matters are discussed in Trustee meetings should be disclosed. Trustees, Officers, Former Officers and Key Employees should consider whether a reasonable observer with knowledge of all of the relevant facts would conclude that the Trustee, Officer, Former Officer or Key Employee had an actual or apparent conflict of interest in the decision made.

If a Trustee, Officer, Former Officer or Key Employee is uncertain whether to list a particular relationship or identify a particular conflict that arises; the Board Chair should be consulted. The Chair may elect to seek the judgment of the Executive Committee (or the Committee on Trusteeship) before informing and consulting with the entire Board within an executive session.

Information shared or gathered as a result of such consultations (including information provided on this form) shall be confidential except when the institution's best interests would be served by disclosure. Such disclosure will be made only after informing those concerned.

IV. Restraint on Participation.

Trustees or Officers who have declared a conflict of interest, or who have been found to have a conflict of interest, shall refrain from participating in consideration of proposed transactions with such entity or person unless the Board or administration requests information or interpretation for special reasons. Should a conflict of interest matter require an Executive Committee or Board of Trustees vote to resolve, those with such conflict shall not be present at the time that the discussion relating to the conflict is occurring or at the time of the vote. Any invitation or removal of a Trustee Member, Trustee Committee Member or Officer will be recorded in the minutes of the meeting and be documented on the "Disclosure of Conflict of Interest Form for Ringling College of Art and Design" at the time that it occurs.

Definitions

The following definitions are provided to help Trustees, Officers, Former Officers and Key Employees decide whether a relationship should be listed on the disclosure:

- **Business Relationship:** One in which a Trustee, Officer, Former Officer, Key Employee or a member of his or her family as defined below serves as an officer, director, employee, partner, trustee, or controlling stockholder of an organization that does substantial business with Ringling College of Art and Design, Inc.
- **Key Employee:** For purposes of Form 990, an employee of an organization (other than an officer, director, or trustee) who meets all three of the following tests applied in the following order:
 1. **\$150,000 Test.** Receives reportable compensation from the organization and all related organizations in excess of \$150,000 for the calendar year ending with or within the organization's tax year.
 2. **Responsibility Test.** The employee:
 - a. has responsibilities, powers or influence over the organization as a whole similar to those of officers, directors, or trustees;
 - b. manages a discrete segment or activity of the organization that represents 10% or more of the activities, assets, income, or expenses of the organization, as compared to the organization as a whole; or
 - c. has or shares authority to control or determine 10% or more of the organization's capital expenditures, operating budget, or compensation for employees.
 3. **Top 20 Test.** Is one of the 20 employees that satisfy the \$150,000 Test and Responsibility Test with the highest reportable compensation from the organization and related organizations for the calendar year ending with or within the organization's tax year.
- **Family Member:** A spouse, parent, sibling (whole or half blood), child (natural or adopted), ancestor, grandchild, great-grandchild or a spouse of a sibling, child, grandchild or great-grandchild of the Trustee, Officer, Former Officer or Key Employee.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Conflict of Interest
Approved By: Board of Trustees
Effective Date: February 24, 2004, Revised April 24, 2014

Index: 306
Page: 3 of 3

- Substantial Benefit: When a Trustee, Officer, Former Officer, Key Employee or a member of their family
 - (a) is the actual or beneficial owner of more than 5 percent of the voting stock or controlling interest of an organization that does substantial business with the college or
 - (b) has other direct or indirect dealings with such an organization from which the Trustee, Officer, Former Officer, Key Employee or a member of their family benefits directly, indirectly, or potentially from cash or property receipts totaling \$10,000 or more annually.

*Adopted by the Board of Trustees February 24, 2004
Revisions adopted by the Board of Trustees, April 24, 2014*

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Whistleblower Policy
Approved By: Board of Trustees
Effective Date: April 22, 2010

Index: 307
Page: 1 of 1

3.7. Whistleblower Policy

An employee who reasonably believes that a policy, practice, or activity of Ringling College of Art and Design is in violation of a Federal, State or local law, rule or regulation may file a written complaint with the Vice President for Human and Organizational Development or with the President of the College.

It is the intent of Ringling College of Art and Design to adhere to all laws, rules and regulations that apply to the College, and the underlying purpose of this Policy is to support the Ringling College of Art and Design goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws, rules and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the Vice President for Human and Organizational Development or the President and provides that individual with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

Ringling College of Art and Design will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of the College, or of another individual or entity with whom Ringling College of Art and Design had a business relationship, on the basis of a reasonable belief that the practice is in violation of law, rule, regulation or a clear mandate of public policy.

Ringling College will not retaliate against an employee who discloses or threatens to disclose to an appropriate governmental agency any activity, policy, or practice of the College that the employee reasonably believes is in violation of a law, a rule, or regulation mandated pursuant to law or is in violation of a clear mandate or public policy concerning health, safety, welfare, or protection of the environment.

Adopted by the Board of Trustees on April 22, 2010

3.8. Records Management Policy

Ringling College of Art and Design requires that its records be managed in a systematic manner according to plans developed by the departments that maintain those records, and consistent with applicable law.

The College is committed to effective records management including meeting legal requirements for record retention and privacy protection, optimizing the use of space, minimizing the cost of record retention, and properly destroying outdated records. This policy applies to all records, regardless of whether they are maintained in hard (paper) copy, electronically, or in some other fashion.

The College is subject to a range of Federal and State requirements regarding record retention. Each department should develop a records management plan appropriate for the particular records it maintains.

Records Management Procedures and Practices

Departments that maintain College records are responsible for establishing appropriate records management procedures and practices. Each department head or a designee should:

1. Develop the department or office records management procedures and practices, consistent with the College's Records Management Policy;
2. Educate staff within the department in understanding the policy, procedures and practices;
3. Restrict access to confidential records and information; and
4. Coordinate the destruction of records as provided in the departmental procedures.

Confidential Information

Many records subject to record retention requirements contain non-public confidential data. Such records are protected by federal, state and local statutes, including the Family Educational Rights and Privacy Act (FERPA), the Gramm-Leach Bliley Act (GLBA), and the Health Insurance Portability and Accountability Act (HIPAA). In addition to statutory requirements, any record that contains confidential data should be treated consistent with College policy.

Preservation of Records Relevant to Legal Matters

Ringling College expects all officers, directors and employees to comply fully with any published record retention and destruction policies and schedules EXCEPT if you believe or you are informed that College records are relevant to litigation or anticipated litigation.

Any record that is relevant to any pending or anticipated litigation, claim, audit, agency charge, investigation or enforcement action shall be retained until final resolution of the matter. In these circumstances, the Office of the Vice President for Human and Organizational Development will notify relevant departments of a "litigation hold" and work with staff to identify and preserve any records (including electronic records) and other information that could be relevant to the matter. This will include a directive that the department's normal document destruction policies or protocols temporarily be suspended. Routine destruction will not be resumed without the written approval of the President.

No employee who has been notified of a litigation hold may alter or delete a record that falls within the scope of that hold. Violations of that hold may subject the individual to disciplinary action up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

Employees who become aware that an investigation or legal proceeding against the institution is anticipated or has commenced must promptly notify the Office of the Vice President for Human and Organizational Development.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Records Management Policy
Approved By: Administrative Update
Effective Date: April 22, 2010

Index: 308
Page: 2 of 2

Permitted Routine Disposal and Destruction of Records

Consistent with the College's Records Management Policy, and with departmental records management practices and procedures, records can be destroyed in one of the following ways:

1. Recycle non-confidential paper records;
2. Shred or otherwise render unreadable confidential paper records; or
3. Erase or destroy electronically stored data. (The Office of Institutional Technology can assist in effectively disposing of this data.)

The Office of the Vice President for Human and Organizational Development or the Office of the Vice President for Finance and Administration are available to work with individual departments to implement this Policy and departmental retention and destruction schedules. Questions may be addressed to these offices.

Adopted by the Board of Trustees on April 22, 2010

3.9 Institutional Policy Governing CCTV

Purpose

The purpose of this policy is to govern the use of closed circuit television (CCTV) cameras to record and periodically monitor public areas for the purpose of law enforcement, safety and security, while retaining a balance in protecting the privacy of its community members.

Definitions

CCTV - A generic term used to describe a variety of video surveillance technologies. More specifically, CCTV refers to a system in which one or more video cameras are connected in a closed circuit or loop, with the images produced being sent to a central television monitor and recorder. As used in this policy, the term CCTV applies only to video recordings.

Covert CCTV Equipment - A camera is covert when hidden from normal view or otherwise secreted away, and at least one of the individuals to be recorded has a reasonable expectation of privacy.

Overt CCTV Equipment - A camera is overt when it is not hidden from general view, regardless of whether or not the suspect actually sees the monitoring device or knows of its existence.

Scope

This policy applies to all College personnel in the use of CCTV technology.

Policy

The Ringling College of Art and Design is committed to enhancing the safety of members of the College community. Toward that end, it is the policy of the College to utilize CCTV to enhance personal safety, help deter crime, collect information and evidence of actual or potential criminal activity, and protect property. The use of CCTV will be conducted in a manner consistent with the values of the institution and in compliance with all existing College policies, including the Non-Discrimination Policy and Sexual Harassment Policy.

The Department of Public Safety, under the supervision of the Director of Public Safety and with the authorization of the Vice President for Finance and Administration and the Senior Officers of Ringling College of Art and Design, may maintain and use CCTV equipment at locations on College owned property or in such campus buildings where it is believed that the use of this equipment will contribute to the safety of persons and/or the protection of property. The Director of Public Safety and designated Public Safety staff members are authorized to use video equipment as outlined in this policy.

The Department of Public Safety, along with other Departments as appropriate, shall be responsible for all installed CCTV equipment. Safety and security purposes include, but are not limited to the following:

- Recording of building perimeters, entrances and exits, lobbies and corridors, receiving docks, specialized spaces containing high value items and cashier locations.
- Recording of Access Control Systems
- Recording of locations protected by intrusion alarms, and hold-up alarms.
- Recording sidewalks, and parking lots.
- Reviewing recorded images as part of a criminal investigation.
- Conducting surveillance for areas prone to on-going criminal activity.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Institutional Policy Governing CCTV
Approved By: Administrative Update
Effective Date: March 23, 2012

Index: 309
Page: 2 of 2

- Recording of ATM locations.
- Recording of call box or blue light phone locations.

The Department of Public Safety, with the assistance of Facilities Maintenance and Institutional Technology, shall make efforts to inform members of the College community of the presence and purpose of CCTV systems through appropriate signage, information on the College's website, and other means as decided by those departments. Covert or hidden CCTV can be initiated to address serious, repetitive campus violations or at the request of law enforcement officers in compliance with Federal, State and Local laws and in connection with suspected criminal activity.

Personnel involved in the use of CCTV shall be appropriately trained and supervised in accordance with College policies. Violations of the established operating procedures may result in disciplinary action and possible termination.

To assist with this College policy, a CCTV Oversight Committee (the Committee) shall be established to oversee the Department of Public Safety's use of CCTV. The Committee will consist of:

- VP for Finance and Administration
- VP for Human and Organizational Development
- VP and Dean of Students
- Director of Institutional Technology
- Academic Affairs administrative representative
- Asst. VP/Director of Facilities
- College Counsel (advisory, as needed)
- Director of Public Safety (ex-officio)
- Public Safety Technology Specialist (ex-officio)

The Committee is to serve several functions. First, the Committee shall review the purposes of the proposed surveillance system and operating procedures. Second, the Committee shall approve camera locations prior to the installation of cameras including the review of a site location map indicating camera placement, field of view, design intent and site challenges. Members of the College community who may wish to express privacy concerns regarding the placement of cameras may petition the Committee to review the appropriateness of a given camera or cameras. The Committee shall determine the appropriateness of an installation weighing the concerns of the person(s) making the requests against the safety, security and crime prevention value of the camera(s) and render a determination as to whether or not a camera should be removed or changed.

The Committee is also responsible for developing guidelines for release of video images and the review and approval of any and all video sharing agreements. In addition, the Committee may review all requests received by the Department of Public Safety to release recorded video images obtained through CCTV use and the course of action taken based upon the approved guidelines. Excluded from review by the Committee are releases of recorded video images directly related to a search warrant or subpoena.

3.10 Health and Safety Policies

3.10.1. Environmental Health and Safety Policy

The Environmental Health and Safety (EHS) Policy for Ringling College of Art and Design (Ringling College) demonstrates the commitment that the College assigns to matters of EHS. The President recognizes the importance of maintaining the health and safety of the College's employees, students and visitors while at Ringling College of Art and Design. To that end, the College has adopted environmental protection procedures. The President has delegated duties to specific employees to facilitate the day to day operation of particular areas and activities.

Ringling College will establish and implement local safe working and learning procedures together with College-wide safety procedures for EHS issues.

In pursuit of the overall environmental health and safety objectives, Ringling College will:

- Establish environmental health and safety procedures that relate to its academic and business objectives, as set out in the Strategic Plan and the Institution's Core Values.
- Ensure compliance with all legal requirements defined by Federal, State and local laws and regulations and commit to pursuing progressive improvements in environmental health and safety.
- Ensure that information, instruction and training is provided to its employees and students in order that those involved are aware of and can fulfill, their responsibilities safely.
- Promote communication and consultation with employees and students to develop high levels of awareness and encourage their participation in environmental health and safety matters.
- Conduct hazard assessments, inspections and monitoring programs to ensure compliance with the managerial and operational objectives.
- Provide the staffing, financial and other resources, as necessary, to meet these objectives.
- Review the Environmental Health and Safety Policy at least annually.

Scope

The policy applies to all faculty, staff, students and visitors and to all sites under the control of Ringling College.

Aims

The aims of this policy are to:

- a) Provide a safe working environment for employees, students and visitors.
- b) Reduce injuries and illnesses to the lowest possible level.
- c) Increase awareness and understanding of environmental health and safety arrangements and procedures.
- d) Outline duties for key personnel within Ringling College to implement this policy.

Principles

This policy meets the requirements of Federal, State and local laws and regulations to secure the environmental health and safety concerns for the campus community. Ringling College gives the highest priority to safeguarding the health and safety of its employees, students and visitors who may be affected by its operations. Ringling College will fulfill its commitment to these goals by:

- a) Providing and safely maintaining facilities, machinery and equipment.
- b) Handling, storing, transporting and disposing of substances and objects safely.
- c) Providing information, instruction, training and supervision.
- d) Providing safe access to and egress from the workplace.
- e) Providing suitable sanitation facilities.

Ringling College recognizes the importance of making appropriate arrangements for securing safe and healthy procedures. Effective planning, organization, control, monitoring and reviewing of the preventive and protective measures will be achieved by:

- a) Working to eliminate and/or reduce hazards.
- b) Controlling the risks.
- c) Removing or reducing exposure.
- d) Replacing dangerous materials and processes with safer ones.
- e) Training and supervising.
- f) Issuing personal protective equipment.

Responsibilities for Environmental Health and Safety

Organizational Structure for Environmental Health and Safety

Ringling College has established and maintains records of the procedures for the effective planning, organization, control, monitoring, and review of its preventative measures including:

- a) The appointment of appropriate staff including a Director of Environmental Health and Safety and a Director of Public Safety.
- b) Regular meetings of the Environmental Health and Safety Committee.
- c) Regular meetings of appropriate sub-committees.

The roles and responsibilities of key personnel with regard to environmental health and safety are as follows:

President

The Board of Trustees has overall oversight of policies that maintain a healthy and safe environment for employees, students and visitors to Ringling College. The Board of Trustees delegates the administration and the implementation of policy to the President. The President assigns duties and defined accountabilities to specific staff, in particular the Director of Environmental Health and Safety. The President charges and appoints the Environmental Health and Safety Committee and appoints the Vice President for Finance and Administration as chair. The President takes steps to provide sufficient personnel and resources dedicated to the implementation of the EHS Policy.

Vice Presidents

The Vice Presidents report directly to the President. They are responsible for equipment and facilities that meet the requirements for a safe and healthy work and learning environment.

Director of Environmental Health and Safety

The Director of Environmental Health and Safety has the administrative responsibility for the development, management and enforcement of occupational, academic and environmental health and safety programs for Ringling College. The Director reports to the Vice President for Academic Affairs and has the authority to stop any activity which puts people at risk of serious injury.

Director of Public Safety

The Director of Public Safety shall maintain the safety and wellbeing of the campus community including fire safety and first aid. The Director reports to the Vice President for Finance and Administration.

Department Heads

Department Heads maintain the environmental health and safety for their academic areas. They have the authority to stop any work that puts people at risk of injury. The Department Heads report to the Vice President for Academic Affairs.

Managers and Supervisors

Managers and supervisors maintain the environmental health and safety of their staff and report through the normal hierarchy.

Employees (Faculty and Staff)

Employees should take reasonable care for their own health and safety and that of others who may be affected by their acts or omissions at work. They should use all work items correctly and in accordance with their training. Employees also have a duty to inform the employer (supervisor or appropriate person, e.g. Director of EHS) of any work situation that represents an immediate danger in their work environment.

Students

Ringling College implements environmental health and safety procedures to fulfill its duty of care to its students. Ringling College will train and inform students about those aspects of environmental health and safety relating to their study. Students using the buildings and facilities provided by Ringling College have a responsibility to ensure that protection given to them is not misused. Misuse may lead to disciplinary action as specified under the student code of conduct.

Arrangements and Procedures for Environmental Health and Safety

General Arrangements

The Environmental Health and Safety Policy outlines the general arrangements in place throughout Ringling College for providing a safe and healthy working environment. It is available to all employees, both full-time and part-time, students, and visitors.

Safety Procedures

The safety procedures have been produced to supplement the information contained in this policy. They are available on Ringling College’s EHS website or from the department or program area. The safety procedures provide details of specific environmental, health or safety procedures. These are produced in consultation with Department Heads, Technical staff, and Administrative departments and are submitted for approval to the Health and Safety Subcommittee.

Ringling College has an emergency response plan that details the arrangements for events including accidents and incidents, hazardous spills and first aid treatment. The campus is inspected regularly by various departments including Environmental Health and Safety, Public Safety, and Residence Life. This is one of the methods used to monitor implementation of Ringling College's EHS Policy.

Environmental Health and Safety Training

The department develops and provides EHS training based upon job specific requirements. This includes general orientation training, and instruction on specific topics such as hazard communication and machine guarding. The EHS website provides a full list of available training for employees.

Training for students, which is specific to the activities occurring in the department or program areas, will be provided by faculty members.

Committees

The Environmental Health and Safety Committee will meet to review and/or recommend the adoption of policies and procedures for EHS issues. The Committee will also consider campus wide issues relating to industrial health and hygiene, security, and the campus facilities. The Health and Safety Subcommittee and Environmental Compliance Subcommittee report to Environmental Health and Safety Committee. The purpose of these committees is to assist Ringling College in achieving the objectives set by this policy. The membership and charge for the committees are available on the Human Resources website.

Enforcement of the Policy

Ringling College will take seriously any violation of the EHS Policy by employees or students. A breach of this Policy will be investigated and where appropriate, action will be considered under the disciplinary code for employees / students.

Access to the Policy

This Policy will be available in the Library and posted on the Human Resources and EHS websites.

3.10.2. Bloodborne Pathogen Exposure Control Policy

Introduction

Some employees have jobs that require them to work in areas or to perform duties that can cause them to be exposed to blood or other potentially infectious materials.

The Occupational Safety and Health Administration (OSHA) has issued a Standard to protect employees from bloodborne pathogens. This standard applies to all occupational exposure to blood and other potentially infectious materials. Hepatitis B and AIDS are two of the most widely publicized diseases that are caused by bloodborne pathogens.

Purpose and Scope

Ringling College of Art and Design is committed to protecting its community from risks associated with exposure to bloodborne pathogens through implementation of a Bloodborne Pathogen Exposure Control Plan. Ringling has established this policy to minimize or eliminate exposure to bloodborne pathogens. This policy will provide information and training to protect employees from the health hazards associated with bloodborne pathogens and ensure compliance with OSHA Standard 29 CFR 1910.1030.

References

1. 29 CFR 1910.1030, OSHA Bloodborne Pathogens Standard
2. State of Florida, Department of Health and Rehabilitative Services (HRS) Chapter 10D-104, Florida Administrative Code on Bio-hazardous Waste
3. Ringling College of Art and Design, Ad-Hoc Committee on Bloodborne Pathogens, Policy and Recommendations, December 1996

Responsibilities

The Safety Committee shall review and update the Bloodborne Pathogen Exposure Control Plan at least annually. Additional meetings will be conducted as deemed necessary by the Safety Committee or the Director of Public Safety. The Safety Committee shall be responsible for the following:

1. Develop, review, revise and implement the Bloodborne Pathogen Exposure Control Plan as new or revised job descriptions are developed and/or as new or modified tasks and procedures are developed which affect positions with possible occupational exposure.
2. Review, revise, and implement the specific policy/procedure components of the Bloodborne Pathogen Exposure Control Plan as the need arises, but no less frequently than annually.
3. Review the circumstances surrounding exposure incidents with the goal of identifying and correcting problems in order to prevent the recurrence of similar incidents.
4. Maintain written minutes of meetings in sufficient detail to document all pertinent proceedings.
5. Ensure that a copy of the Bloodborne Pathogen Exposure Control Plan is accessible to employees.
6. Assure that all components of the Bloodborne Pathogen Exposure Control Plan are made available to for examination and copying upon request.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Health and Safety Policies
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 310
Page: 6 of 16

The College shall:

1. Adopt the Bloodborne Pathogen Exposure Control Plan for the College.
2. Know and understand all elements of the Bloodborne Pathogen Exposure Control Plan.
3. Ensure financial and administrative support is available to implement the Exposure Control Policy.
4. Encourage and support supervisory staff efforts to implement the policy.

Director of Public Safety shall:

1. Develop and initiate implementation of the campus Bloodborne Pathogen Exposure Control Plan.
2. Know and understand all elements of the Bloodborne Pathogen Exposure Control Plan.
3. Advise personnel at all levels of responsibility on all aspects of the standard.
4. Investigate all accidents involving blood or other potentially infectious materials.
5. Maintain all records relating to accident investigations.
6. Act as liaison between the College and regulatory agencies concerning compliance with the Bloodborne Pathogens Standard.
7. Conduct periodic inspections of departments to ensure compliance with the Bloodborne Pathogen Exposure Control Plan.

Office of Human Resources shall:

1. Complete OSHA record keeping requirements and maintain employee medical records related to the Bloodborne Pathogen Exposure Control Plan.
2. Maintain training and exposure determination records.
3. Coordinate scheduling of hepatitis B vaccinations, post-exposure evaluations and follow-ups with private or contract health care professionals.

Supervisory Staff shall:

1. Know and understand all aspects of the Bloodborne Pathogen Exposure Control Plan.
2. Designate an individual, if not themselves, to coordinate the program for their staff.
3. Train and arrange for the training of staff.
4. Assure proper implementation of the plan within their department.
5. Provide necessary resources to staff to implement relevant aspects of the plan. When necessary resources are not available to the supervisor, it shall be the supervisor's responsibility to inform the appropriate administrator of the program need.

Faculty shall:

1. Know and understand all of the Bloodborne Pathogen Exposure Control Plan.
2. Identify courses or majors in their respective programs that may be influenced by the Bloodborne Pathogens Standard. Where such courses or majors are identified, faculty shall inform students of all relevant aspects of the standard and prepare them to safely perform their work at the College.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Health and Safety Policies
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 310
Page: 7 of 16

Employees shall:

1. Know, understand, and comply with all aspects of the Bloodborne Pathogen Exposure Control Plan.

Key Definitions

Appropriately labeled or **color-coded** means the following: "Label" refers to the universal biohazard symbol, printed in fluorescent orange or orange-red color, with the word "Biohazard" printed in contrasting color. "Color-coded" refers to bags or containers that are red.

Bloodborne pathogens means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Contaminated means the presence or the reasonably anticipated presence of human blood or other potentially infectious materials on an item or surface.

Contaminated laundry means laundry which has been soiled with blood or other potentially infectious materials.

Contaminated sharps means any contaminated object that can penetrate the skin including, but not limited to needles, broken glass and Exacto knife blades.

Decontamination means the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

Engineering controls means controls (e.g., sharps containers) that isolate or remove the bloodborne pathogens hazard from the work place.

Exposure incident means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employees duties.

Hand washing facilities means a facility providing an adequate supply of running potable water, soap and single-use towel or hot air drying machines.

HBV means hepatitis B virus.

HIV means human immunodeficiency virus.

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Health and Safety Policies
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 310
Page: 8 of 16

Other potentially infectious materials (OPIM) means (1) The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; and (2) any unfixed tissue or organ (other than intact skin) from a human (living or dead).

Parenteral means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts and abrasions.

Personal protective equipment (PPE) is specialized clothing or equipment worn by an employee for protection against hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard and are not considered personal protective equipment.

Regulated waste means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials capable of releasing these materials during handling; contaminated sharps, pathological and microbiological wastes containing blood or other potentially infectious materials.

Source individual means any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, trauma victims.

Universal precautions are an approach to infection control. The approach treats all human blood and certain human body fluids as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

Work practice controls mean controls that reduce the likelihood of exposure by altering the manner in which a task is performed.

Exposure Determination

All Ringling College of Art and Design employees in the following job classifications have occupational exposure:

1. Public Safety Officers
2. Physical Plant Personnel

Specific exposure tasks are:

1. Any first-aid or cardio-pulmonary resuscitation (CPR). Trained personnel who have been specifically authorized through a written job description to respond to emergencies that may involve blood or other potentially infectious materials.
2. All personnel involved in handling or transporting regulated infectious waste.
3. Personnel who work on effluent plumbing systems or other equipment which may be contaminated with blood or other potentially infectious materials.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Health and Safety Policies
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 310
Page: 9 of 16

Personnel required to perform these activities as part of their assigned job duties have occupational exposure and are affected by the standard.

Personnel included in this list are required to comply with all requirements of the Bloodborne Pathogen Exposure Control Plan. The list of personnel affected by this standard will be retained by the Office of Human Resources.

Students are not affected by this standard unless they are employed and receive monetary payment from Ringling College of Art and Design in one of the above listed job classifications or job class specific tasks. However, Ringling College of Art and Design will take action to minimize or eliminate students' exposure to blood and other potentially infectious materials in courses and other college-sponsored activities.

Methods of Compliance

Universal Precautions shall be observed throughout all areas of Ringling College where reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious material may result.

All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

Engineering and work practice controls shall be utilized where practical to eliminate or minimize exposure to employees on campus.

Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used.

Engineering Controls and work practice controls shall be used to minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used. Engineering controls shall be examined at least weekly and shall be serviced as necessary for proper operation. Supervisory staff shall be responsible for inspections.

Departments shall provide hand-washing facilities that are readily accessible to employees receiving occupational exposure. Where this is not feasible, antiseptic hand cleanser and paper towel or antiseptic towelettes shall be provided. If the latter method is used, hands should be washed with soap and running water as soon as feasible.

Hands shall also be immediately washed after personal protective equipment is removed, or upon any contact with blood or related products. If blood contacts mucous membranes, they should be rinsed with water. Soap and running water should be used for other washing.

Sharps disposal containers shall be used when appropriate. Sharps collection containers shall be made of rigid, leak-proof material and shall be puncture resistant.

Supervisors or their designee, in those areas utilizing engineering controls, shall conduct weekly examinations of the containers or other engineering controls to ensure their effectiveness.

Personal Protective Equipment. Where occupational exposure remains after institution of engineering work controls, personal protective equipment (PPE) shall be used. *Forms of personal protective equipment that may be used are gloves, masks, CPR masks, protective clothing such as aprons and eye protection devices such as goggles and face shields.*

Gloves shall be worn when it can be reasonably anticipated that the employees may have hand contact with blood, Other Potentially Infectious Materials, mucous membranes, and non-intact skin; and when handling or touching contaminated items or surfaces.

Disposable gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when the ability to function as a barrier is compromised. Disposable gloves shall not be washed or decontaminated for re-use.

Hypoallergenic gloves, glove liners, powder-less gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided.

Masks, in combination with eye protection devices, such as goggles or glasses with solid side shields, or chin-length face shields, shall be worn whenever splashes, spray, spatter, or droplets of blood or OPIM may be generated and eye, nose or mouth contamination can be reasonably anticipated (i.e. physical plant personnel cleaning a clogged toilet).

Appropriate protective clothing shall be worn in occupational exposure situations. The types and characteristics shall depend upon the tasks, location, and degree of exposure anticipated.

Work Area Restrictions. In work areas where there is a reasonable likelihood of exposure to blood or OPIM, personnel are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses.

All procedures involving blood or OPIM shall be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances.

Hepatitis B Vaccination Post Exposure Evaluation and Follow-Up

Ringling College of Art and Design has made available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure, post-exposure evaluation and follow-up to all employees who have had an exposure incident.

Ringling has ensured that all medical evaluations and procedures including the hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, including prophylaxis are:

1. Available at no cost to employees.
2. Available at a reasonable time and place to employees.
3. Performed by or under the supervision of a licensed physician or licensed health care professional.
4. Provided according to the current recommendations for the U.S. Public Health Services.
5. And that all laboratory tests are conducted by an accredited laboratory at no cost to the employee

The hepatitis B vaccination program will meet the following requirements:

1. The vaccination series is available to employees after the required employee training and within 10 working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete hepatitis B vaccination series, or that the vaccine is contraindicated for medical reason.
2. Any employee who has declined to accept the hepatitis B vaccination has signed the waiver statement.
3. Any employee who has initially declined the hepatitis B vaccination, but at a later date while still covered under the standard decides to accept the vaccination, this facility shall make available the hepatitis B vaccination at that time.
4. If a routine booster dose(s) of hepatitis B vaccine is recommended by U.S. Public Health Service at a future date, such booster dose(s) shall be made available.

Following a report of an exposure incident, Ringling College of Art and Design shall make immediately available to the exposed employee a confidential medical evaluation and follow-up. All exposure incidents should be reported to the Office of Human Resources.

The following elements will be included in the evaluation and follow-up:

1. Documentation of the route(s) of exposure and the exposure incident circumstances.
2. Documentation and identification of source individual, if possible, and if possible the status of the source individual.
3. The blood of the source individual will be tested and documented for HIV/HBV infectivity as the law allows.
4. Results of testing of the source individual will be made available to the exposure employee and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
5. The employee will be offered the option of having their blood collected for testing of the employee's HIV/HBV serological status.
6. The blood sample will be preserved for up to 90 days to allow the employee time to decide if the blood should be tested for HIV serological status.
7. The exposed employee will be offered post-exposure prophylaxis in accordance with the current recommended actions of the U.S. Public Health Service.
8. The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee also will be given information on what potential illness to be alerted for and to report any related experiences to appropriate personnel.

The following person has been designated to assure that the evaluation and follow-up policy outlined here is effectively carried out, as well as, to maintain records related to this policy:

Director of Human Resources

Ringling College of Art and Design shall provide an employee after an exposure the following:

1. A copy of the regulation.
2. A description of the exposed employees duties as they relate to the exposure incident.
3. Documentation of the route(s) of exposure and circumstances under which the exposure occurred.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Health and Safety Policies
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 310
Page: 12 of 16

4. Results of the source individual's blood testing, if available.
5. All medical records relevant to the appropriate treatment of the employee, including vaccination status which is Ringling's responsibility to maintain.

Ringling College of Art and Design shall obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation.

The following shall apply to the written opinion:

1. The health care professional's written opinion for hepatitis B vaccination shall be limited to whether hepatitis B vaccination is indicated for an employee, and if the employee had received such vaccination.
2. The health care professional's written opinion for post-exposure evaluation and follow-up shall be limited to the following information:
 - (a) that the employee has been informed of the results of the evaluation; and
 - (b) that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
 - (c) all other findings or diagnoses shall remain confidential.

Communication of Hazards Labels and Signs

Ringling College of Art and Design shall ensure that warning labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material; and other containers used to store, transport, or ship blood or other potentially infectious materials:

1. The labels shall include the biohazard legend.
2. These labels shall be affixed as close as feasible to the container by string, wire, adhesive, or other method that prevents their loss or unintentional removal.
3. Contaminated equipment also shall be required to have appropriate biohazard labeling.

Information and Training

Ringling College of Art and Design will train all employees with occupational exposure to bloodborne pathogens. This training will be provided at no cost to the employee and during working hours.

The training for all employees will be conducted prior to initial assignment to tasks where occupational exposure may occur.

The training shall be annual and within one year of previous training. The training program shall contain at minimum the following elements:

1. An explanation of the regulatory text of the OSHA Bloodborne Pathogen Standard.
2. A general explanation of the epidemiology and symptoms of bloodborne diseases.
3. An explanation of the modes of transportation of bloodborne pathogens.

4. An explanation of the Bloodborne Pathogen Exposure Control Plan and how the employee can obtain a copy of the written plan.
5. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials.
6. An explanation of the use and limitations of methods that will prevent or reduce exposure including appropriate engineering controls, work practices, and personal protective equipment.
7. An explanation on the use, decontamination, and disposal of personal protective equipment.
8. An explanation of the hepatitis B vaccination program available at Ringling College.
9. An explanation of the evaluation and follow-up program if an exposure incident occurs.
10. An explanation of the signs and labels and/or color coding required.
11. An opportunity for interactive question and answers with the person conducting the training session.

Recordkeeping

Ringling College of Art and Design shall establish and maintain an accurate record for each employee with occupational exposure. This record shall include:

1. The name and Social Security number of the employee.
2. A copy of the employee's hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccinations.
3. A copy of all results of examinations, medical testing, and follow-up procedures.
4. A copy of the health care professional's written opinion.
5. A copy of the information provided to health care professionals.

The medical records shall be kept confidential and shall not be disclosed or reported without the employee's express written consent to any person within or outside of the workplace, except as required by law. The records shall be maintained for the duration of employment plus 30 years.

The training records shall include the following:

1. The dates of the training session.
2. The contents or summary of the training session.
3. The names and qualifications of persons conducting the sessions.
4. The names and job titles of all persons attending the training session.
5. Training records shall be maintained for three years from the date of training.

Good Samaritan Policy

Good Samaritan acts performed by undesignated employees are not covered by the bloodborne pathogens standard, but undesignated first aid responders may want to know exposure controls anyway, to protect themselves if they voluntarily respond in the event of an emergency.

The following information is offered to help protect both designated first responders and Good Samaritans performing first aid in the workplace. These practices will help you avoid bloodborne pathogens when performing first aid.

Use Universal Precautions

Human blood and body fluids are potentially infectious materials. Precautions must be taken when dealing with any situation where these fluids may be present and may or may not be avoidable.

These precautions are referred to as *universal precautions* because you should treat *all* first aid situations where blood or other body fluids are present as situations in which you might be exposed, and take the appropriate precautions every single time you are in such a situation.

These precautions should be taken for all people, even if they are not sick or do not appear to have an apparent disease.

Universal precautions include the following:

1. Use a mouth-to-mask (oral guard or oral condom) when performing CPR.
2. Wash hands immediately after removing gloves or other protective equipment, and after any hand contact with blood or potentially infectious fluids. If a sink is not available for hand washing, wash with soap and water as soon as possible.
3. Do not blend, shear, break, remove or recap any used needle or sharp. Dispose of used sharps in the proper containers. These containers must be puncture resistant, be properly labeled, and have leak proof sides and bottoms.
4. Wear impermeable gloves when touching body substances.
5. Wear any necessary personal protective equipment (gowns, gloves, masks, goggles, etc.).
6. Perform proper clean-up with chemical germ killers (commercial germicide or bleach/water solution at 1:10 ratio).

Important Notice to Undesignated Good Samaritan First Aid Responders

Good Samaritan first aid providers may not have access to all of the recommended personal protective equipment. As a Good Samaritan, you must decide what level of care you feel comfortable in providing, knowing that bloodborne pathogens are a potential hazard of providing emergency care.

Student Policy

Students who are not employees are not covered by the bloodborne pathogen standard. However, faculty shall not allow a student to engage in a hazardous activity without first communicating the pertinent aspects of this standard or other relevant standards. Faculty should document such communication and forward a copy to the Office of Human Resources.

3.10.3. Work Related Injuries and Illnesses

Regardless of the nature or severity, all employees must report injuries and illnesses incurred while on College property and/or on the job to the Office of Human Resources. The College insures all employees against accidental injuries and illnesses under the Workers Compensation Act of the State of Florida.

In accordance with Florida law, Ringling College uses a Preferred Care Network. Treatment will be directed within the Network by the insurance company's Claims Administrator. By law, treatment not authorized by the Claims Administrator or Ringling College will not be compensable. Referrals to medical providers must be authorized by the Claims Administrator prior to the treatment date. If you have any questions, please contact the Office of Human Resources at 359-7619.

Please follow these procedures if you are injured on the job:

1. Report the injury immediately to Public Safety by called 359-7500, no matter how minor.
2. Report the injury to Human Resources by calling 359-7619 and inform your supervisor.
3. Seek medical treatment, if necessary, at one of the approved posted initial treatment sites.
4. In EMERGENCY situations call 911 and Public Safety at 359-7500. Treatment should be provided at the nearest qualified medical facility or provider. Report the injury the next business day to Human Resources and your supervisor.
5. Report back to your supervisor and Human Resources with written doctor's instructions.
6. If you must lose work, keep your supervisor and Human Resources informed of your status at least weekly.
7. Return to work as soon as medically possible. The College will make every effort to accommodate any light duty restrictions.

3.10.4. Smoking Policy

Ringling College of Art and Design is committed to providing a safe and healthful environment for its students, faculty, staff, and visitors. Research findings show that tobacco use in general, including smoking and breathing secondhand smoke, constitute a significant health hazard. In addition to causing direct health hazards, smoking contributes to institutional costs in other ways, including fire damage, cleaning and maintenance costs, and costs associated with employee absenteeism.

Ringling College of Art and Design therefore has set the following policy regarding tobacco use:

Smoking is prohibited on the Ringling College campus except in outdoor designated smoking areas. Smoking is also prohibited in all Ringling College vehicles including golf carts. For the purposes of this policy, smoking is defined as burning any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos and pipes, and additionally includes e-cigarettes and their associated products. Smoking materials will not be sold or dispensed within any property owned, leased, or controlled by Ringling College.

This policy applies to all persons including students, faculty, staff, visitors, contractors, subcontractors, and others on Ringling College property. Designated smoking areas are identified by signage and contain receptacles for the proper disposal of cigarette butts. All students, faculty, staff, and visitors are expected to observe these designated smoking areas and to dispose of cigarette butts safely and only in the receptacles provided.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Health and Safety Policies
Approved By: Administrative Update
Effective Date: December 17, 2014

Index: 310
Page: 16 of 16

Organizers and attendees at public events, such as conferences, meetings, public lectures, social events and cultural events that use Ringling College facilities are required to abide by this policy. Organizers of such events are responsible for communicating this policy to attendees and for enforcing this policy.

Effective enforcement of this policy depends upon the courtesy, respect, and cooperation of all members of the Ringling College community.

Information about smoking cessation programs and resources is available from the Office of Student Life or the Office of Human Resources.

3.10.5. Communicable Diseases Policy

Ringling College of Art and Design's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to a student, employee, or job applicant with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis. Ringling College of Art and Design may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

Ringling College of Art and Design will not discriminate against any student, employee, or job applicant based on the individual having a communicable disease. Students, employees, and job applicants shall not be denied access to the College solely on the grounds that they have a communicable disease. Ringling College of Art and Design reserves the right to exclude a person with a communicable disease from facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the College.

Ringling College of Art and Design will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.

Any concerns about communicable diseases related to a student should be referred to the Dean of Students. Any concerns about communicable diseases related to an employee or job applicant should be referred to the Office of Human Resources.

3.11. Sexual Misconduct Policy

Ringling College of Art and Design will not tolerate and will seek to eradicate any behavior by its employees, students, or volunteers which constitutes Sexual Misconduct. Such behavior is prohibited both by law and by College policy. The College is committed to fostering a community that promotes prompt reporting of all types of sexual misconduct and ensures timely and fair resolution of sexual misconduct complaints. It is the intention of the College to take appropriate action to end the misconduct, prevent its reoccurrence and address its effect.

The purpose of the policy is to

- define the forms of sexual misconduct that violate the policy;
- identify resources and support for members of the Ringling College community;
- identify the Title IX Coordinators and their responsibilities related to the policy;
- provide information as to where a member of the Ringling College community can obtain support or access resources confidentially;
- provide information on how a member of the Ringling College community can make a report;
- provide information on how a report against a member of the Ringling College community will be investigated and adjudicated.

This policy applies to all members of the Ringling College community, including faculty, staff and students. All faculty, staff and students are responsible for their actions and behavior, whether the conduct in question occurs on campus or in a different location. As such, this policy applies to both on-campus conduct and relevant off-campus conduct that affects the Ringling College community.

Vendors, independent contractors, volunteers, visitors and others who conduct business with Ringling College or on College owned or controlled property are also expected to comply with this policy. The College will take timely action in all allegations of sexual misconduct to ensure the safety of the community and to provide an environment free from gender and sex discrimination.

Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in a report of sexual misconduct, and will balance individual privacy with its obligation to conduct a thorough review of allegations to protect the parties and the broader community and maintain an environment free from sexual misconduct.

Faculty, staff and students wishing to obtain confidential assistance without making a report to the College may do so by speaking with a confidential resource listed below. A **confidential** resource for students is the College counseling staff in the Peterson Counseling Center (941) 893-2855 and the Campus Chaplain (941) 309-0200. A **confidential** resource for faculty and staff is the Employee Assistance Program (EAP). The toll-free phone number of the Employee Assistance Program is (877) 240-6863. When a victim seeks medical treatment for sexual assault, medical personnel are required to report to the police, but victims are not required to file formal charges unless desired.

Note that limitations of confidentiality may exist for individuals under the age of 18.

The College will respect, to the greatest extent possible, the privacy of individuals who choose to report to any other employee of the College. Except for the confidential resources identified in this policy, all other College staff and faculty who receive a report of sexual misconduct are required to elevate the report to the Title IX Coordinator or the Deputy Title IX Coordinator for investigation and response.

Information related to a report of sexual misconduct will be shared with those College employees who “need to know” to assist in the investigation and/or the resolution of the complaint.

Where the College has received a report of sexual misconduct but the complainant requests that he or she remain unidentified, and/or requests that the College not pursue an investigation, the College must balance this request with its responsibility to provide a safe and non-discriminatory environment for all members of the community. The College is required to take all reasonable steps to investigate and respond to a complaint, but its ability to do so may be limited by the complainant's request. However, under compelling circumstances - including evidence of a pattern of repetitive behavior, the use of force or threat of force, or the use of a weapon by the respondent - the College may conduct further investigation or take another appropriate measure without the complainant's consent.

If a report of misconduct poses an immediate threat to the community when timely notice must be given to protect the health or safety of the community, the College may not be able to maintain the same level of privacy. Immediate threatening circumstances include, but are not limited to, reported incidents of misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to the community.

A complainant will be informed whenever possible of any action the College takes to resolve the complaint, including further investigation and correction or disciplinary steps.

Under Florida law, the College is mandated to report any abuse of a minor (under the age of 18) to the Florida Abuse Hotline at 1-(800) 962-2873.

All resolution proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, the Violence Against Women Reauthorization Act (VAWA) and College policy. No information shall be released from these proceedings except as required or permitted by law and College policy.

Prohibited Conduct and Definitions

This policy addresses a broad spectrum of behavior, all of which fall under the broad definition of Sexual Misconduct. The term Sexual Misconduct includes: sexual assault, sexual contact, sex-based communication and sexual exploitation. Sexual Misconduct also includes means actual, attempted or alleged criminal sexual abuse as defined by the State of Florida. Complete definitions, under College policy, including what it means to give effective "consent" can be found below and in the *Student Code of Conduct*.

Sexual Misconduct does not include "Sexual Harassment" which is addressed under the College's *Non-Harassment Policy* and the *Student Code of Conduct*. In compliance with the *Violence Against Women Reauthorization Act (VAWA)*, sexual harassment, including stalking, cyber-stalking, domestic violence and dating violence as defined by the VAWA are prohibited under the *Non-Harassment Policy*, the *Sexual Misconduct Policy* and the *Student Code of Conduct*. See *VAWA Compliance* and the *Student Code of Conduct* in the *Student Handbook* for definitions. Procedures to report and resolve complaints are found in the disciplinary procedures, the *Non-Harassment Policy* and the *Sexual Misconduct Policy*, in the *Student Handbook*.

Definitions:

Sexual Assault is having or attempting to have sexual intercourse or sexual contact with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

Sexual Contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth or any other part of the body that is touched in a sexual manner.

Sexual-based Communication is speaking to, or directing any kind of communication, words or images of a sexual nature at another person that is not welcomed by the receiving party. If the communication is unwelcome; that is, if it occurs without the other person's consent or participation, it may create a hostile learning and living environment. Sexual-based communication can include interactions in person, by phone, electronic messages and photos, written words or images such as graffiti and social media postings.

Sexual Exploitation is when an individual takes non-consensual or abusive sexual advantage of another, for his/her own benefit; or to benefit anyone other than the one being exploited; and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Prostituting another person (i.e. personally gaining money, privilege, or power from the sexual activities of another person)
- Non-consensual video, photography, audiotaping, or any other form of recording, of sexual activity;
- Non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
- Allowing others to observe a personal act of consensual sex without knowledge or consent of the partner;
- Engaging in voyeurism (being a "peeping tom");
- Knowingly or recklessly transmitting an STD or HIV to another person;

Consent is the conscious affirmative agreement to voluntarily engage in sexual activity with another person. Consent cannot be given if it results from the use or threat of physical force, intimidation, or any other factor that would eliminate an individual's ability to exercise his/her own free will to choose whether or not to have sexual contact. Consent cannot be given if an individual is incapacitated, under the influence of drugs or alcohol, mentally incompetent or in an altered state of consciousness. Consent may be withdrawn by either party at any time. Previous consent does not automatically provide consent for a current sexual activity. Failure of an individual to say "no" does not imply consent.

Retaliation

Any retaliation committed by the accused abuser by way of irresponsible, malicious or unfounded complaints will be investigated. Ringling College will discipline any individual who retaliates against any person who reports alleged Sexual Misconduct or who retaliates against any person who testifies, assists, or participates in an investigation, a proceeding, or a hearing relating to a Sexual Misconduct complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Definition of Retaliation: Acts or attempts to retaliate or seek retribution against the complainant, respondent, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of Sexual Misconduct. Retaliation can be committed by any individual or group of individuals, not just a respondent or complainant. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Sexual Misconduct Policy
Approved By: Administrative Update
Effective Date: October 22, 2014

Index: 311
Page: 4 of 7

False Complaints

Submitting a good faith complaint, concern or report of harassment will not affect the complainant's employment, grades, academic standing, or work assignments. However, an individual found to have made a false complaint or to have knowingly and willingly given false information during an investigation will be subject to disciplinary action.

Title IX Coordinators

Title IX Coordinator (Faculty and Staff):

Christine DeGeorge – Vice President for Human and Organizational Development

Office location: Joutras 1, First Floor

(941) 359-7619 ccarnegi@ringling.edu

Deputy Title IX Coordinator (Students):

Dr. Tammy S. Walsh - Vice President for Student Life and Dean of Students

Office location: Ulla Searing Student Center, Second Floor

(941) 359-7510 twalsh@ringling.edu

The Title IX Coordinator and Deputy Title IX Coordinator are knowledgeable and trained in the College's policies and procedures, state and federal laws, that apply to Sexual Misconduct and Harassment, and the dynamics of sexual misconduct and Harassment. The Title IX Coordinator and Deputy Title IX Coordinator are available to meet with any individual to discuss the options for resolving a report under this policy.

The College provides resources to both the complainant and respondent in making decision, obtaining information about options under this policy, and assisting both parties in the event that a report of sexual misconduct is made.

Reporting and Investigating Procedures

Reports will be addressed according to the status of the respondent as follows:

If the respondent is a student, the Office of Student Life will utilize the student disciplinary process in the *Student Handbook* to address the report. If the respondent is a faculty or staff member, or other individual, the Office of Human Resources will utilize the procedure below to address the report.

Employees and volunteers are required to report immediately any case of known or suspected Sexual Misconduct in compliance with Florida law. They must also report incidents to the Title IX Coordinator.

As required by Florida law, upon notification of known or suspected sexual abuse, abandonment or neglect of a child under age 18, employees, students and volunteers should report as described in the Ringling College of Art and Design *Child Protection Policy*. This policy can be found in the student and employee handbooks.

Time Frames For Responding To Reports

The College will promptly investigate and respond to all reports of Sexual Misconduct. The time frames are guides and may be extended because of extraordinary circumstances. Each case is unique and the process for handling the incident will be impacted by factors such as: the complexity of the investigation, the scope of the allegation, the parties' schedules and availability, and the academic calendar. Parties will be notified in writing of the final outcomes of the hearing or other action which concludes the complaint process. The College will provide parties with periodic status updates as needed or requested.

Procedures for a Complaint

1. Student to Student Sexual Misconduct

Student to student sexual misconduct complaints are to be processed under the disciplinary procedure established and operated by the Office of Student Life. All other sexual misconduct complaints are to be processed by the procedures outlined in this policy.

2. Student complaints against faculty or staff and all other complaints

Procedures:

The Vice President for Human and Organizational Development or designee, or the contact person on the Human Rights Committee*, will prepare a written record of the individual's factual allegations which the complainant will then have the opportunity to review before signing. Complaints should be brought as soon as possible. Although the College recognizes that the sensitivity involved in certain situations may cause individuals to delay taking action, all complaints should be brought within six months if at all possible because a delay in reporting impedes the investigation.

A grievant may elect to utilize the informal process, to facilitate a solution without making a formal complaint. The informal process helps parties to reach a mutually agreed upon solution. Participation in the informal process does not mean that an individual gives up any rights to file a formal complaint, and both parties must agree to a resolution. The informal process is not an available option if the complaint is related to sexual assault. The informal process does not preclude the College from conducting an investigation of a complaint or taking disciplinary action.

Once the initial complaint is prepared, the Vice President for Human and Organizational Development will investigate the complaint, engage a third party investigator, and/or convene the Human Rights Committee to conduct an appropriate investigation of the allegations. Complaints will be given an impartial and timely investigation. The Vice President for Human and Organizational Development, the investigator, or a designated member of the Human Rights Committee will prepare a report of the investigation. Should there be a conflict, or for any reason the Vice President or a member of the committee is unable to carry out their responsibilities under this policy in an impartial manner, the College may designate an alternate official to preside over the investigation.

Both the complainant and Respondent shall have the option of assistance by an advisor of their choice from the College faculty, staff, student body or parent (students only), provided the individual is willing to participate in the process. The advisor's role is to provide support and assistance during the process but not to speak on behalf of the complainant or respondent or in any way interfere with the process.

When a complaint is filed, the Vice President for Human and Organizational Development will notify the respondent and provide him/her with the information regarding the complaint. The respondent may submit a written response to the Vice President for Human and Organizational Development within seven (7) working days.

Upon conclusion of the investigation, the Committee will make a recommendation for resolution to the Vice President over the respondent's department, or their designee, for resolution. The Vice President will consider the findings and recommendations of the investigator(s) and render a decision. The Vice President will not reopen a completed investigation unless it can be shown that the investigating individuals made specific errors in reviewing the facts or if additional credible information comes to light. The Vice President will render a decision within 20 working days. Time limits may be extended at the discretion of the Vice President for Human and Organizational Development.

Decisions will be made using the preponderance of evidence standard (i.e. it is more likely than not that the alleged conduct occurred).

If the Committee determination is not acceptable to either the Complainant or Respondent, the decision may be appealed with seven (7) working days to the College's Vice Presidents, or their designees, who will serve as the appeals committee. The Appeals Committee will review the complaint, any response, any documents provided by the Complainant or Respondent, and any other documents. The Appeals Committee also has the option, but not the obligation, to schedule a hearing and/or take testimony from the parties and other witnesses. Upon conclusion of its review and/or investigation, the appeals Committee will deliberate and make a written report, including its conclusions and recommendations to the Vice President. The Vice President will then have the option of amending his/her determination based on the recommendations of the Appeals Committee. The Vice President determination will then be final.

* The Human Rights Committee is a fact-finding committee whose purpose is to respond to reports of Harassment and Sexual Misconduct. The Committee is a standing committee appointed by the President and comprised of three faculty members, two staff members, and two students. The student members of the Committee will participate only in those cases where other students are involved. The Vice President for Human and Organizational Development or designee will serve as coordinator without vote. If the complaint should be against the Vice President for Human and Organizational Development, one of the committee members is to serve as the coordinator, with vote.

Any employee or volunteer who is accused in a reported incident of sexual misconduct may be immediately relieved of responsibilities, suspended, or the College may take other actions as it determines. Reinstatement of relieved or suspended employees or volunteers shall occur at the sole discretion of Ringling College.

Disciplinary Proceedings/Action:

Students accused of sexual misconduct/sexual assault are subject to disciplinary action in accordance with the provisions of the *Code of Conduct* as contained in the Ringling College of Art and Design *Student Handbook*, whether or not formal criminal charges are filed by the victim.

Disciplinary proceedings will be conducted by College officials who receive training.

The Department of Education's Office of Civil Rights has interpreted Title IX to require schools to evaluate evidence of alleged sexual misconduct under a "preponderance of the evidence" standard, and that is the standard of evidence that is used, meaning it is more likely than not that said violation occurred.

Both the complainant and the respondent are entitled to the same opportunities to:

- a) have an advisor of their choosing accompany them during any related meeting or during any campus disciplinary proceedings – the advisor may not participate or speak for the complainant or respondent.
- b) bring witness;
- c) be notified simultaneously and in writing of the outcome of the proceeding and of appeal procedures;

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Sexual Misconduct Policy
Approved By: Administrative Update
Effective Date: October 22, 2014

Index: 311
Page: 7 of 7

- d) be notified of any change to the result before it becomes final, and when the result becomes final;
- e) have disciplinary proceedings completed within a reasonable timeframe.

A student found in violation of the *Sexual Misconduct Policy* is subject to disciplinary action, which may include suspension and/or expulsion from the College.

Any employee who is determined, after an investigation, to have engaged in sexual misconduct in violation of this policy will be subject to disciplinary action. The College will take whatever corrective action and/or disciplinary measures it considers appropriate under the circumstances, up to and including, but not limited to, probation, suspension, transfer or immediate termination of an employee in accordance with the policies and procedures outlined in the Faculty or Staff *Handbook*.

Maintenance of Records and Documents

Ringling College shall maintain all records and documentation required by law. The College will take great care with confidentiality of the victim including publicly available record-keeping (i.e. Clery Reporting) that excludes personally-identifiable information on the victims to the extent permissible by law.

3.12. Child Protection Policy

It is Ringling College of Art and Design's policy to take all appropriate steps to protect the health and welfare of the children who come to the Ringling College campus and of children with whom our employees, volunteers and students interact in other locations. Ringling College of Art and Design will comply with all applicable reporting laws.

Under Florida law, all faculty and staff are required to report suspected abuse, abandonment, or neglect of a child under age 18 by any individual, regardless of if the person is a parent, legal guardian, or unknown individual to include but not limited to a parent, legal custodian, caregiver or other person responsible for the child's welfare which includes a person who has permanent or temporary care or custody or responsibility for the supervision of such child (including any employee of the College) or any household or family member of the child. Additionally, faculty and staff are further required to report if a child is in need of supervision and care and has no parent, legal custodian, or other person responsible for the child's welfare.

Abuse, abandonment, or neglect includes:

1. Physical injury, whether visible or not, under circumstances that indicate that a child's health or welfare is harmed or at substantial risk of being harmed;
2. Mental injury, meaning the observable, identifiable and substantial impairment of a child's mental or psychological ability to function, under circumstances that indicate that a child's health or welfare is harmed or at substantial risk of being harmed;
3. The failure to provide essential care and attention to a child (e.g., leaving a child unattended), under circumstances that indicate that the child's health or welfare is harmed or there is a substantial risk of harm, or that there is mental injury to the child or a substantial risk of such injury; and
4. Any act that involved sexual molestation or exploitation of a child (e.g. any sexual contact or conduct with a child), regardless of whether physical injuries are present.

This policy applies to all faculty, staff, volunteers and students of Ringling College of Art and Design. Additional individuals or organizations doing business at or with the College may also be required to acknowledge and comply with provisions of this policy, as determined by the College. The policy applies to the Ringling College of Art and Design campus, all properties owned or leased by the College, and all off-campus sites at which students, faculty, staff and volunteers participate in college-sponsored activities.

Please also refer to the Ringling College of Art and Design *Sexual Misconduct Policy*, which prohibits sexual misconduct and requires reporting of known or suspected incidents of sexual misconduct of any person, regardless of age. This policy can be found in the student and employee handbooks.

Ringling College sponsors a number of programs for children. The College requires that children in these programs be appropriately supervised by adults with the proper training and credentials, and subject to criminal background check clearances as required by Florida state law and the College. All program adults (paid staff or volunteers) must receive appropriate information in maintaining professional boundaries at all times when working with children in the program (See Appendix A below).

REPORTING REQUIREMENTS

- A. Florida Law mandates the reporting of any suspected child abuse, abandonment or neglect. Anyone who has reason to believe that a child has been subjected to abuse, abandonment or neglect must immediately report to the Florida Department of Children and Families by one of the following methods: (1) call the Florida Abuse Hotline at 1-800-962-2873, (2) via fax at 800-914-0004, or (3) online at <https://reportabuse.dcf.state.fl.us> . Instructors and other personnel will be required to provide their names to the DCF hotline staff. All other reporters may remain anonymous, but a record that a report was made will be maintained by the College. If you see a child in immediate danger, call 911. Colleges and Universities that “knowingly and willfully” fail to report suspected child abuse, abandonment or neglect or prevent another person from doing so now face fines of up to \$1 million for each incident, and the penalty has been increased from a misdemeanor to a felony. Individual employees face personal criminal liability as well. A person who is required to report known or suspected child abuse, abandonment or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, is guilty of a felony of the third degree. The personal criminal penalties include a fine of up to \$5,000 and up to 5 years imprisonment for each incident not reported.
- B. In addition to making the reports required by Florida law, any employee or student of Ringling College of Art and Design who has reason to believe that a child has been subjected to abuse, abandonment or neglect on the Ringling College campus, any properties owned or leased by the College, or during an event/function sponsored by the College must notify Public Safety (941-359-7500), the Vice President for Human and Organizational Development in the Office of Human Resources or the Vice President for Student Life as soon as possible. Public Safety or the Vice President will immediately notify the President. Any employee or student who has reason to believe that a child has been subjected to neglect or abuse at any off-campus sites at which students, faculty, or staff participate in college-sponsored activities must immediately notify the director of the off-campus site and the Ringling College program director. The Ringling College director will notify the Vice President for Human and Organizational Development as soon as possible.
- C. Any faculty or staff member who has reasonable cause to suspect that a child died as a result of child abuse, abandonment, or neglect must report his or her suspicion to the appropriate medical examiner.
- D. “Mandatory Reporters” in Florida are defined as: social workers, teachers and other school personnel, physicians and other health-care workers, mental health professionals, child care providers, medical examiners, coroners, and law enforcement officers.

CONFIDENTIALITY

All matters pertaining to a report of abuse, abandonment or neglect must be held in the strictest confidence. A person who knowingly and willfully makes public or discloses any confidential information commits a misdemeanor of the second degree, and may be punishable by Florida law.

FALSE REPORTING

All good faith reporting of any instance of suspected child abuse, abandonment or neglect provides immunity and protection from adverse civil liability and/or employment discrimination. Under Florida law, a person who knowingly and willfully makes a false report of child abuse, abandonment, or neglect, or who advises another to make a false report, is guilty of a felony.

Appendix A

Guidelines for Those Working With or Around Children

Child abuse is a difficult and emotionally-charged subject. These guidelines are intended to provide information about your conduct in order to prevent abuse or unfounded allegations of abuse; and explain how to respond to abuse or suspicions of abuse.

Code of Conduct for Working with Minors

You have a duty to the children with whom you work, to the college and to yourself to prevent any abuse or improper behavior. You also have a duty to prevent unfounded accusations of abuse, by adhering to a proper code of conduct when working with minors.

- Never use any form of physical or emotional punishment to discipline children participating in the program
- Never engage in rough or sexually provocative games, including horseplay
- Do not allow children to sit on your lap
- Do not allow any inappropriate touching, including between children
- Be aware of the impact of your words and language on young children
- Do not swear, or use or respond to sexual innuendo, never make a sexually suggestive comment, even in fun
- Do not allow children to use inappropriate language unchallenged
- Be aware of situations in which actions can be misconstrued or manipulated by others (for example, being alone with the last child to leave a class); conduct all dealings with children in a public environment as much as possible, in order that all behavior can be readily observed
- Do not spend time alone with a child away from others; try to avoid being alone with a child, particularly in a restroom, changing area, or shower area (follow the “rule of three” and always make sure there is another person with you). Should you need to be alone with a minor in a changing or shower area, by no means should you be unclothed with a minor, and showering or bathing with minors. Even when you are not alone with one child, is never acceptable.
- Children should use a buddy system or otherwise be encouraged to stay together when going to the bathroom, on field trips or when leaving the classroom area
- Do not give any child a ride in a car or van unless you have express permission from the parents
- Do not appear to favor one child more than another, do not give gifts to any one child in a program, do not accept expensive gifts from any child in the program
- Be professional and maintain the highest standards of personal behavior at all times; do not drink alcohol or smoke when working with minors
- Do not tell children “this is just between us” or use similar language that encourages children to keep secrets from their parent/guardian

What if a Child Tells Me He or She is Being Abused?

- Stay calm; ensure that the child is safe and feels safe
- Assure the child that you are taking what he/she says seriously
- Be honest; explain you will have to tell someone else. Avoid making promises you cannot keep
- Make a note of what the child has said as soon as possible
- Do not confront the alleged abuser
- Do not investigate on your own
- Report the situation to the Title IX Coordinator, Christine DeGeorge, Vice President for Human and Organizational Development at 941-359-7619, or the Deputy Title IX Coordinator, Dr. Tammy Walsh, Vice President for Student Life and Dean of Students at 941-359-7510.

3.13 Violence Against Women Act (VAWA) Compliance

The Violence Against Women Act (VAWA) was implemented in 1994 in recognition of the severity of the crimes associated with domestic violence, sexual assault, and stalking, as part of the Violent Crime Control and Law Enforcement Act of 1994. VAWA was reauthorized in 2000, 2005, and 2013 to strengthen the law.

The Violence Against Women Act provides protection to women against crimes of sexual violence. The act was amended on several occasions and placed new obligations on colleges and institutions to report and conduct educational programs under its Campus Sexual Violence Act (**Campus SaVE Act**), which amended the Clery Act.

The 2013 VAWA Reauthorization added a non-discrimination provision that prohibits discrimination on the basis of sex by organizations that receive funding under the Act and allows an exception for "sex segregation or sex-specific programming" when it is deemed to be "necessary to the essential operations of a program".

Ringling College does not discriminate on the basis of sex in its education programs and activities, or in the context of employment. Sexual harassment, including sexual misconduct as defined in the Ringling College *Non-Harassment Policy* and the Ringling College *Sexual Misconduct Policy*, and sexual violence is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. (See Ringling College of Art and Design *Title IX Compliance*).

Definitions:

Domestic Violence – Violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a current or former cohabitant with the victim; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship based on a consideration of the following factors:

- Length of relationship
- Type of relationship
- Frequency of interactions between the persons involved in the relationship

Stalking – A course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm or place that individual in fear of physical, emotional or psychological harm or injury. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, GPS or other similar devices or forms of contact are used to pursue, harass or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

3.14. Student Exhibitions and Installations Policies

The Ringling College of Art and Design respects and supports the freedom of expression of artists and therefore does not restrict the contents of student, faculty or alumni professional work exhibited at the Ringling College of Art and Design campus.

All work represents the views of the individual artists and authors who created them, and are not those of the Ringling College.

The institution acknowledges the difference between public spaces and formal exhibitions spaces, such as Selby Gallery and Crossley Gallery where individuals make a decision to enter for the purpose of viewing art. Public spaces include the grounds, library, offices, building entrances and residence halls. Since a variety of individuals use these public spaces for purposes other than viewing art, students should be aware that some work might not be suitable for display in these public spaces. All exhibition displays and installations are subject to legal and safety considerations. If there are questions about content or safety considerations, consultation with the Director of Selby Gallery is advised.

Selby Gallery

The annual Best of Ringling Exhibitions takes place in Selby Gallery at the end of the spring semester. Students from the second, third and fourth year programs are eligible to submit work to their departments for jurying. The process of selection varies from department to department. When possible, a Foundations Studies exhibition is also held in Selby Gallery following the Best of Ringling exhibition.

Richard and Virginia Crossley Student Gallery

The Crossley Student Gallery represents an institutional acknowledgement of the professional nature of a BFA in Fine arts at the Ringling College of Art and Design. Fine artists are primarily involved in the business of exhibitions, installation and performance-based work. The Crossley Student Gallery is a state-of-the-art facility that has been designed to facilitate the professional aspirations and creative problem-solving.

The Crossley Student Gallery is primarily intended for use by the Department of Fine Arts, its students and its prospective spring graduates and alumni. Students from majors other than fine arts are encouraged to submit proposals for exhibitions to the student Crossley Gallery Director.

Keating Center

During the academic year, student work produced in classes is shown in the Keating Center Lobby by faculty who reserve wall space. Faculty may also sponsor individual or small group exhibitions in the Keating Center. Keating Center is not a formal gallery space, but is a public space used for offices and residence halls. Content is therefore a consideration in this space. Exhibitions in the Keating Center space are on display for one week.

Outdoor Installations and Performances

Outdoor art installations and performances by students are encouraged. The approval procedures are described in more detail below. An approval form with the signatures of the faculty sponsor and the Director of Selby Gallery is required to exhibit work or conduct performances in public areas of the campus. This does not apply to studios or the spaces behind the Stanley Glen Building and the Nations Bank/Brandenburg Complex. These two outdoor areas are considered extensions of classroom space and require only the verbal approval of the relevant studio teacher.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Exhibition Policy
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 314
Page: 2 of 2

Procedures for Outdoor Installations and Performances

Installations and performances in public areas must observe the following guidelines:

1. Faculty members or students may request permission to install works or conduct performance pieces in outdoor public spaces. Students must have a faculty sponsor. Proposal forms are available from the Selby Gallery, Student Life and the Academic Affairs Office.
2. Completed proposals are submitted to the Director of Selby Gallery, and must include the following: dates of installation or performance, duration of installation or performance, exact date of removal and a drawing of the installation on the site, including sidewalks and adjacent buildings. Student requests must include the signature of the faculty sponsor.
3. Included in the request should be an assurance that the installation or performance will not be a safety hazard, that the individual artist will assume responsibility for the care, maintenance and de-installation of the work and that the site will be returned to its original condition. Consultation with Facilities is required if installation involves digging or site work.
4. All written proposals must be submitted and approved by the Director of Selby Gallery prior to an installation or performance. Failure to follow these procedures may result in the removal of the installation without consent of the student or faculty sponsor.

3.15. Drug Free Policy

Drug-Free Colleges and Communities Act Drug and Alcohol Abuse Prevention Policy

Ringling College considers the abuse of drugs or alcohol by its faculty, staff and students to be unsafe and counterproductive to the educational process and the work environment. It is Ringling College's policy that the illegal possession, use, consumption, sale, purchase, or distribution of alcohol, illegal drugs, or illegally possessed drugs by any employee, while in the workplace, on campus, or in the conduct of Ringling College-related work off campus, is strictly prohibited.

For purposes of this policy, campus is defined as any area used for work, recreation, residence hall or parking purposes, including sidewalks and exterior areas. The College permits persons of legal drinking age or older to possess and consume alcoholic beverages within the confines or private units within the Bayou village and Palmer Quadrangle, subject to all federal, state, and local laws, and the guidelines which have been established by the College (see "Guidelines for Legal Use of Alcohol in Private Student Residences" in the Student Handbook.)

This policy is not designed to interfere with the appropriate use of prescription drugs. Employees should notify their supervisors if the proper use of prescribed medication will affect work or academic performance. Abuse of prescription drugs will be treated as a violation of this policy.

Disciplinary Actions to Prevent Drug Abuse

Penalties or sanctions will be imposed by the college in accordance with procedures for disciplinary actions against employees and students as found in the Student Handbook, the Staff Handbook, the Faculty Handbook and other applicable documents. Sanctions and penalties may range from referral to rehabilitation programs, written warnings with probationary status, to dismissal from academic programs and termination of employment.

Distribution and Review of Policy

A copy of this policy will be given annually to each employee and to all new employees at the start of employment. Each student registered during an academic year in any degree program will receive a copy of this policy.

The President will ensure that a biennial review of this policy will be conducted to determine its effectiveness and to implement any necessary changes.

Legal Sanctions

In addition to the disciplinary sanctions Ringling College imposes for violations of this policy, employees and students are subject to state and/or Federal sanctions. Employees who work off-site are subject to the appropriate state and/or local sanctions for their work location.

Florida state law prohibits the possession of alcoholic beverages by persons under age 21, punishable for the first offense by a definite term of imprisonment not exceeding 60 days and/or a \$500 fine, and for a subsequent offense by a definite term of imprisonment not exceeding 1 year and a fine of \$1,000. It is similarly prohibited and punishable to distribute alcohol to minors.

State law makes it a crime for any person to possess or distribute illicit drugs (controlled substances as described in Section 893.03, Florida Statutes) under Section 893.13, Florida Statutes. Law provides certain limited exceptions. The crimes range from second-degree misdemeanors (up to 60 days imprisonment and up to a \$500 fine) to first-degree felonies (up to 30 years imprisonment and up to \$10,000 fine).

Trafficking (distributing specified large quantities of various controlled substances under Section 893.03, Florida Statutes) under Section 893.135, Florida Statutes is punishable, depending on the particular illicit drug, quantity involved and location, by a minimum term of imprisonment of 3 to 30 years and a fine of \$25,000 to \$500,000.

Federal trafficking penalties for first offenses, depending upon the illicit drug involved, range from not more than 1 year imprisonment and a fine of not more than \$100,000 for an individual to 40 years to life imprisonment and a fine of not more than \$200,000 for an individual to not less than life imprisonment and a fine of not more than 8 million dollars for an individual.

Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

Illicit drugs and the health risks involved in using them include, but are not necessarily limited to:

- A. ***Cannabis (Marijuana)***
Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Marijuana can also produce paranoia and psychosis.
- B. ***Inhalants (Gases or Volatile Liquids)***
Immediate negative effects may include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays may also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long term use may result in hepatitis or brain damage.
- C. ***Cocaine***
Use causes the immediate effects of dilated pupils, elevated blood pressure, increased heart rate, and elevated body temperature. Chronic use can cause ulceration of the mucous membrane in the nose and produce psychological dependency. Crack or freebase rock, a concentrated form of cocaine, produces effects within ten seconds of administration. In addition to the above, additional effects include loss of appetite, tactile hallucinations, paranoia, and seizures. Cocaine in any form may lead to death through disruption of the brain's control of heart and respiration.
- D. ***Other Stimulants***
These include amphetamines and methamphetamines. Users may perspire, experience headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause physical collapse, very high fever, stroke, or heart failure.
- E. ***Depressants***
Included are barbituates, methaqualone, and tranquilizers. Effects can cause slurred speech, staggering gait, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can be devastating. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs. Some show birth defects and/or behavioral problems.

- F. **Hallucinogens**
Effects of hallucinogens vary depending upon the type of drug. Chronic users may experience mood disorders, paranoia, violent behavior, hallucinations, panic, confusion, loss of control, and death.
- G. **Narcotics (including heroin)**
Overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and death. Tolerance to narcotics develops rapidly, and dependence is likely. Addiction in pregnant women can lead to premature, stillborn, or addicted infants.
- H. **Designer Drugs**
These drugs have had their molecular structure changed chemically to produce analogs such as synthetic heroin and hallucinogens. These analogs can be hundreds of times stronger than the original drug which they are designed to imitate. One dose can cause uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage.

Abuse of Alcohol:

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including murder, rape, armed robbery, vandalism, spouse and child abuse, and drunk driving. Moderate to high doses of alcohol can cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Heavy use may cause chronic depression and suicide, and is also greatly associated with the abuse of other drugs. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described. The use of even small amounts of alcohol by pregnant women can damage their fetus.

Long-term heavy alcohol use can cause digestive disorders, cirrhosis of the liver, circulatory system disorders and impairment of the central nervous system, all of which may lead to an early death.

Repeated use of alcohol can lead to dependence, particularly in persons with one or more parents or grandparents who were problem drinkers. At least 15-20% of heavy users will eventually become problem drinkers or alcoholics if they continue drinking. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions, which can be life threatening.

Resources: Counseling, Treatment, and Rehabilitation

Any employee or student who believes he or she has a problem with drug and/or alcohol abuse is urged, for his or her own benefit as well as the benefit of fellow employees and students, to seek counseling and treatment through a treatment program of his or her choice. Options for assistance and referral include:

- On campus referral sources. Employees may contact the Office of Human Resources and students may contact the Office of Student Life for assistance in locating a treatment program. All requests for counseling and treatment sessions, as well as referrals, will be handled in a confidential manner.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Drug Free Policy
Approved By: Administrative Update
Effective Date: October 16, 2003

Index: 315
Page: 4 of 4

- The Office of Student Life has two professional mental health counselors on staff to assist members of the Ringling College community. In addition, the Dean of Student, Assistant Dean of Students, Coordinator of Residence Life and the residence life staff are trained in crisis intervention and may provide assistance an/or implement the necessary conduct procedures regarding student behavior.
- Clinics and programs that provide counseling and/or treatment in this area. Listings can be found in the yellow pages of the local telephone directory under the heading of Drug Abuse & Addiction Information & Treatment.

3.16. Procedures for Events with Alcohol

Ringling College considers the abuse of alcohol by its faculty, staff and students to be unsafe and counterproductive to the educational process and the work environment. We do not encourage the presence and use of alcohol at College sponsored events. The College may, however, permit the legal purchase and use of alcoholic beverages at College related events that are properly organized and scheduled only when the event will not interfere with scheduled academic activities or the normal operations of the College. If such a program will involve students, permission to provide service must be acquired from the Vice-President Dean of Students and the Vice-President for Academic Affairs (in cases where a faculty member is the sponsor).

Requests for permission to serve alcohol will only be considered if a third party vendor properly licensed by appropriate state and local authorities has been contracted to serve alcohol. A copy of the appropriate license must be submitted with the request. Requests from the faculty or staff sponsor must be made in writing by completing the

Alcohol Policy Exemption Form that is available online:
<https://www.ringling.edu/index.php?id=1802>

at least two weeks prior to the proposed event. Furthermore, only events where the majority of the intended Ringling College attendees will be of legal drinking age will be considered for approval.

ADDITIONALLY, THE FOLLOWING ARE SPECIFIC POLICIES AND PROCEDURES THAT MUST BE FOLLOWED FOR THE USE OF ALCOHOL AT COLLEGE EVENTS:

1. The only alcoholic beverages that can be served at College functions that are student-oriented are beer and wine.
2. One quarter hour prior to the approved ending time listed on the Alcohol Exemption Form, service/sales will stop.
3. College funds will not be used to pay for or sponsor a party, meal or event where alcoholic beverages are consumed, served or sold in violation of Florida law.
4. Any advertisements for the event (including leaflets, invitations, posters, letters, and all other forms of advertisements) cannot advertise alcohol. These advertisements can display the following information: Beverages will be available. Must have valid state-issued picture identification for verification of age.
5. An adequate amount of food and alternative beverages (such as: water, juice, assorted sodas, coffee, and teas) must be available throughout the entire event. The amount of the food and beverages appropriate for the size and duration of the event will be determined by the Vice-President/Dean of Students.
6. The sponsor is responsible for ensuring that all College policies and procedures are strictly obeyed.

7. Appropriate precautionary measures must be in place to ensure that beer and wine are not served to individuals under the legal drinking age (21 in the State of Florida). These measures include having a designated non-student individual, screening persons entering the event. At any time during the event, the individual screening has the option to decline identification provided by an individual. The entire staff working the event has the right to refuse service to individuals deemed as having enough alcohol prior to or during the event.
8. Under no circumstances should anyone be coerced to drink alcohol. This means no drinking games, contests, or events to encourage excessive drinking. Additionally, alcohol cannot be given as a prize.
9. No kegs, or other common source alcohol containers (such as punch, party balls, etc.) are permitted.
10. Public intoxication at any College sponsored event, in any College facility or area, including common or outdoor areas in College owned residential facilities is prohibited and will be subject to disciplinary action.
11. An approved staff or faculty supervisor must be present at the event for the entire duration. The Vice-President/Dean of Students may require more than one supervisor depending on the size and nature of the event.
12. Depending on the size and nature of the event, the Vice-President/Dean of Students may require the presence of Public Safety and/or Police. This will be at the expense of the sponsor.
13. Violations of these guidelines during the event may result in the closing of the event. All individual violations will be referred to the Vice-President/Dean of Students for review. The College can take disciplinary action as a result of violations of these policies and procedures.
14. Adherence to these policies and procedures applies to any College sponsored program or activity (including field trips, gallery events, etc.) whether on or off-campus.

For further information and guidance on the policies and procedures related to events with alcohol, please contact the Vice-President/Dean of Students.

3.17. Business Affairs Policies

3.17.1. Business Expense Reimbursements

The College provides reimbursement for business related expenditures according to policies and procedures established by the Office of Business Affairs. Requests for business expense reimbursements, including travel expenses, should be made on the approved form obtained from the Office of Business Affairs. Applicable receipts must accompany the request. Undocumented business expenses may be included in income for taxation purposes.

Travel Expense Policy

All requests for reimbursement of travel expenses shall be made on a Travel Expense Report from available in the Faculty Center. Applicable receipts must be attached. Requests totaling greater than \$500 require Dean of Faculty approval.

Mileage is reimbursed at the Internal Revenue Service approved rate for the use of a personal automobile in the conduct of College business. In addition to mileage, travels are reimbursed for parking fees, road tolls and any other expenses directly related to the trip. Travelers are not reimbursed for car repairs, parking tickets, traffic violations or insurance claims.

Anyone using a personal vehicle at any time for College related travel must have a valid driver's license and carry insurance coverage on their personal vehicles. Since the employee has primary responsibility in case of accident, the employee may wish to review coverage options and consider having higher liability limits with a broad form deductible. Ringling maintains only secondary coverage to protect the College in case of accidents involving faculty and staff members traveling on college business.

Ringling faculty of age twenty-one or older with a valid driver's license and good driving records are eligible to rent or hire vehicles for Ringling business purposes. The College's insurance policy includes liability, comprehensive and collision coverage for 1993 or newer vehicles rented within the United States, its possessions, territories and Canada.

Meals are reimbursed at a per diem rate of \$40 per full day or prorated as follows for partial days of travel:

Breakfast	\$ 8.00
Lunch	\$ 9.00
Dinner	\$ 20.00
Incidentals	\$ 3.00

Receipts for personal meals are not required when per diem is issued. However, when guests are provided with food and beverage, the total charge shall be placed on a credit card, with a deduction of the above-mentioned rates made on the report. Reimbursement for entertainment requires the completion and submission of the credit card customer copy attached to the report.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Business Affairs Policies
Approved By: Administrative Update
Effective Date: November 23, 2001

Index: 317
Page: 2 of 2

Travel Advances

Permanent travel advances, not to exceed seven days of travel, are provided all personnel who are required to do extensive travel on behalf of the institution. Upon termination of employment, said travel advances are deducted from the final compensation check.

3.17.2. Cash Advances

Cash Advances for conferences, travel or visiting artist expenses may be requested by submitting a check request form with department head approval to the Dean of Faculty along with a signed letter stating the purpose of the request.

Employees must complete a Cash Advance Agreement in the Office of Business Affairs and supply original receipts for expenses to the Office of Business Affairs within 30 days of the date of activity or travel. Any balance not substantiated by receipt must be returned to the Office of Business Affairs. If the employee does not provide the receipts, the Office of Human Resources will arrange with the employee to recover the amount through payroll deduction. Procedures for processing Cash Advances are available in the Faculty Manual.

3.17.3. Purchasing Policies

Purchases Greater than \$500

Purchase Orders are required for purchases greater than \$500. To order the goods or services, contact the vendor, confirm that purchase orders are accepted and complete a purchase requisition. If a vendor does not accept purchase orders, a check requisition form may be used. Department Head and Dean of Faculty approval signatures must be on the form in order for the Business Office to process the request. The College requires an original invoice to process payment. Detailed procedures are outlined in the Faculty Manual.

A check request is used in instances when a purchase order is not appropriate or possible. A check request is not complete without attached backup (original invoice, receipt, letter of intent, etc.) Do not submit a check request for reimbursements of \$10.00 or less. Reimbursements of under \$10.00 will be processed directly through petty cash. For reimbursement through petty cash, have Department Head or Supervisor sign receipt(s), indicate account number on receipt(s), complete and attach petty cash slip.

Purchases of \$500 and less Purchases of \$500 and less do not require a College Purchase Order. Detailed procedures are outlined in the Faculty Manual. It is important to protect your relationship with the vendor and insure the invoice is processed correctly. Purchases of less than \$500 require the approval of the immediate supervisor only.

Purchases may not be split to avoid the use of a Purchase Order.

3.18. Payroll Policies

3.18.1. Payroll Deductions

There are two types of payroll deductions that are made from employee pay.

Involuntary Deductions

Included are deductions for federal withholding tax, Social Security/Medicare taxes, and wage attachments or garnishments.

Voluntary Deductions

Included are deductions for dependent health and dental coverage, the retirement program, the United Way, or other programs sponsored by the College. Only deductions for programs sponsored by the College will be taken and require a written authorization by the employee.

All amounts deducted will be described on the employee's direct deposit voucher.

3.18.2. Garnishments or Wage Attachments

Ringling College, by law, must honor wage attachments or garnishments by government agencies and other creditors as they present a legal order to withhold and pay out a specified amount of an employee's earnings. Employees will be notified as soon as possible if their wages are attached or garnished. It is the employee's responsibility to secure a prompt release of the court order to prevent deductions from being made.

3.18.3. Direct Deposit

Employees may elect to receive their pay electronically via direct deposit by choosing one of the following two options or a combination of the two:

- Pay Card (default method if no choice is made) – pay can be directly deposited to a debit card for employees without a traditional checking or savings account or who do not want to have their pay deposited into their existing bank account. Additional information about the features and benefits of the pay card is available on the Human Resources website or in the Office of Human Resources.
- Existing Bank Account – pay can be directly deposited into an existing checking or savings account with a bank or credit union. Portions may be distributed among up to three different accounts.

Direct deposit vouchers itemizing current and year-to-date earnings, deductions, and deposits are available online for viewing and printing through Self-service. Employees may set up direct deposit through Self-service or by completing a direct deposit authorization form in the Office of Human Resources. Paper checks will be available in limited circumstances only.

3.18.4. Payroll Advances

Due to the nature of our business and the expectation that employees will handle their financial affairs in a responsible manner, it is our policy not to provide salary advances under any circumstances, and not to permit deductions from your payroll check for any type of time payments other than those required by federal, state, or local law.

3.18.5. Pay Distribution Dates and Pay Periods

Employees are paid semi-monthly as defined below:

Semi-monthly

Pay is issued 24 times per year on the 15th and the last day of each month. Semi-monthly pay periods are as follows:

- First day of the month through the 15th day of the month
- 16th day of the month through the last day of the month

All Full-time and Visiting Faculty will receive their agreed upon salary in equal installments on the applicable payroll dates over the twelve month period beginning September 1 and ending on August 31 regardless of the service requirements of the position (9 or 10 months). In the event that such an employee is hired in the middle of such period, payment of the agreed salary, prorated for the shorter period, shall be made over the remainder of the twelve month period on the applicable payroll dates. In the event that such an employee separates from employment in the middle of such period, any earned compensation due will be calculated and paid on the next regular pay date following the pay period during which the separation occurs. Notwithstanding the foregoing, additional payment that is provided for special assignments and projects shall be paid on the applicable payroll dates occurring during the time the services for such assignments and projects are provided.

All Adjunct and Long-term Part-time faculty will receive their agreed upon salary in equal installments on the applicable payroll dates occurring from September through December for services that are provided during the Fall semester, and on the applicable payroll dates occurring from January through April for services that are provided during the Spring semester.

Notwithstanding the foregoing, additional payment that is provided for special assignments and projects shall be paid on the applicable payroll dates occurring during the time the services for such assignments and projects are provided.

There are no elections for other terms of payment.

The schedule of pay periods and pay dates may be obtained in the Office of Human Resources. If the regular pay date falls on a Saturday or Sunday, the pay date will be the preceding Friday. If the regular pay date falls on a holiday, the pay date will be the last weekday worked immediately preceding the regular pay date.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Payroll Policies
Approved By: Board of Trustees
Effective Date: November 4, 1987

Index: 318
Page: 3 of 3

3.18.6. Supplemental Payments

All supplemental payments made to full or part time faculty must be processed through payroll (not as a check request to accounts payable) and are subject to Federal Income Tax withholding and FICA tax. Such payments include special projects completed by faculty employees outside their normal duties for which they have been contracted by an instructor or manager. All supplemental payments must be approved in advance by the Vice President for Human and Organizational Development. Forms are available in the Office of Human Resources.

3.19 Substantive Change Policy

Policy Statement

This policy defines substantive change in accordance with the guidelines established by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the National Association of Schools of Art and Design (NASAD), and the Council for Interior Design Accreditation (CIDA). This policy outlines institutional responsibilities for notification of substantive change to SACSCOC, NASAD, or CIDA.

Those Affected by the Policy

All Units of the College

Definitions

As defined by the SACSCOC policy statement on Substantive Change for Accredited Institutions of the Commission on Colleges and SACSCOC Comprehensive Standard 3.12.1, substantive change "is a significant modification or expansion of the nature and scope of an accredited institution." In general, this principle is mirrored by NASAD and CIDA

The following chart details institutional activities that may trigger an analysis of substantive change for each accrediting body.

Action	SACSCOC	NASAD	CIDA
Any change in the established mission or objectives of the institution	X	X	X
Any change in legal status, form of control, or ownership of the institution.	X	X	X
The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated.	X	X	X
The addition of courses or programs of study at a degree or credential level different from which is included in the institution's current accreditation or reaffirmation.	X	X	X
A substantial increase in the number of clock or credit hours awarded for successful completion of a program.	X	X	X
A change from clock to credit hours.	X	X	
The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50% of an educational program.	X	X	
The establishment of a branch campus.	X	X	
Closing a program, off-campus site, branch campus, or institution.	X	X	
Acquiring another institution or program or location of another institution.	X	X	
Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution.	X	X	
Entering into a contract by which an entity not eligible for Title IV funding offers 25% of one or more of the accredited institution's programs.	X	X	
A change in the program head.			X
Substantive changes in the program's faculty			X
A substantive change in the status with the institutional accrediting body.			X
Significant changes in curriculum, budget, or enrollment.			X
A change in the program affiliation within the institution, such as reassignment to another department.			X

Policy

College administrators, including department heads, program directors, and coordinators are responsible for understanding the various substantive change policies and immediately notifying their respective campus-based SACSCOC, NASAD, and CIDA accreditation liaisons of any potential or proposed substantive changes.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Substantive Change Policy
Approved By: Administrative Update
Effective Date: February 4, 2015

Index: 319
Page: 2 of 2

Cross Reference and Related Materials*

Southern Association of Colleges and Schools Policy Statement on Substantive Change for Accredited Institutions of the Commission on Colleges

SACSCOC Principle 1.1

SACSCOC Comprehensive Standard 3.12.1

SACSCOC Comprehensive Standard 3.13.1

NASAD Substantive Change Criteria

CIDA Significant Program Changes under "Maintaining Accredited Status" section of CIDA's "Policies and Procedures"

3.20. Advancement, Public Relations and External Affairs Policies

3.20.1. Use of College Facilities

Ringling College of Art and Design facilities may be used by faculty members in connection with academic or scholarly activities without being subject to the requirements of reimbursement. However, prior approval must be sought in advance from proper authority in order to avoid conflict with other scheduled activities.

College facilities (including, without limitation, computers and other equipment) may be used by faculty members in connection with "outside activities" and "outside professional activities" only after written approval by the Head of the faculty member's department, the Vice President for Academic Affairs, and the person responsible for operating the facility or equipment. In all cases, the faculty member or his/her outside employer or sponsor will pay the rate established by the College for the use of the facility, equipment, materials or services.

3.20.2. Use of College Name and Logo

The College's name and logo symbol are the exclusive property of the College and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the Vice President for Institutional Advancement or the Director of Communications

College stationery shall be used only for official business of the institution. Official College stationery may not be used in connection with "outside activities" except with respect to those academic and scholarly activities described in 3.11.1. No report or statement relating to outside activities may use the name of Ringling College of Art and Design or be attributed to it. The use of official College titles for personal gain or publicity is prohibited without the written approval of the President.

All stationery and other printed materials using the College's name must be developed in conformity with guidelines established by the Office of Communications.

3.20.3. Political Activities

Faculty members, as citizens, are free to engage in political activities. Any faculty member who wishes to engage in direct political activity which will involve a substantial amount of time away from the performance of his/her responsibilities at Ringling College of Art and Design (e.g., holding or running for political office, managing a campaign, directing group action on behalf of a political candidate or issue) is expected to work out a mutual agreement for leave of absence with the appropriate Vice President before undertaking such activity.

The terms of such leave of absence will be set forth in writing, and the leave will not affect unfavorably the status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Advancement, Public Relations and External Affairs Policies
Approved By: Board of Trustees
Effective Date: November 4, 1987; Administrative Update February 12, 2015

Index: 320
Page: 2 of 2

3.20.4. Communications

Media Policy

The Special Assistant to the President for Media Relations is charged with coordinating all public information provided by the College to the media and others seeking information and comment.

Publicity/Media Relations

To present consistent and accurate information about Ringling College of Art and Design, all external publicity about Ringling College, its programs and events should be coordinated through the Special Assistant to the President for Media Relations. This includes articles about Ringling College or its programs written by faculty members who use their own byline.

Publications and Promotional materials

To ensure consistency, accuracy and effectiveness, the development of all materials using the College's name, including brochures, catalogs, ads, signage, banners, announcements, invitations, etc. must be coordinated in consultation with the Special Assistant to the President for Media Relations prior to printing or final production.

3.21. Other Administrative Policies

3.21.1. Stationery

College stationery shall be used **only** for official business of the institution. The College cannot assume any responsibility in an act of misuse of the mails by any employee.

3.21.2. Telephones

Faculty members are not to make personal long distance calls. If in an emergency it is necessary to make such a call his/her telephone bill should be given to the Office for Business Affairs for reimbursement.

The toll-free number is for the use of incoming calls to the Office of Admissions. It should not be given out for personal or business reasons.

3.21.3. Parking and Vehicle Registration

All motorized vehicles using College property shall be registered by the College and shall display the current Vehicle Registration Sticker.

Bicycle parking is provided in a specially designed bicycle parking rack located by the residence life halls.

The College provides and maintains reserved parking facilities for the use of its faculty and staff.

The College assumes no responsibility for damage to vehicles or theft of articles from vehicles while on College property.

3.21.4. College-Owned Vehicles

Authorized College personnel, who have been cleared by the insurance carrier, are permitted to operate College-owned vehicles.

Motor vehicle registrations are ordered from the State of Florida once every two years for all authorized personnel who operate College-owned vehicles.

Copies of the driving records, operator's licenses of authorized personnel and a signed Drivers Safety Policy are kept on file in the Office of Business Affairs.

3.21.5. Personal Property

The College assumes no responsibility for loss or damage to the personal property of a faculty or staff member.

3.21.6. Solicitation and Distribution Policy

Solicitation by employees on College property during working time, which in any way interferes with work, is prohibited. Solicitation by non-employees on College property is prohibited at any time.

Distribution of literature by employees on College property in working areas at any time or non working areas during working times is prohibited. Distribution of literature by non-employees on College property is prohibited at any time.

3.21.7. Bicycle Policy

Ringling College of Art and Design (College) supports the use of bicycles by students, faculty and staff for traveling to and around the College campus. The use of bicycles has benefit to individual health and (when replacing cars) reduces vehicle emissions that are harmful to human health, has a positive effect on traffic and parking on campus and reduces emission of greenhouse gases to the atmosphere.

In order to ensure a safe and productive bicycle environment, this Bicycle Policy has been established for our community.

Registration

All bicycles owned by students, faculty and staff and used on campus must be registered with the Office of Public Safety. Registration forms can be completed at the Public Safety Communication Center in Harmon Hall at any time. Forms may be obtained at that office or printed from this link ([link here](#)) and returned to the Office of Public Safety. Bike permits will be issued when the completed form is turned in to the Office of Public Safety. The registration decal is valid for four (4) years. There is no charge for bicycle registration or the permit sticker.

- a. For students, registrations will expire after four (4) years or upon completion or withdrawal from the College.
- b. For faculty and staff, registrations will expire after four (4) years or at end of employment with the College, if sooner.
- c. Any student, faculty or staff member who has a bicycle with an expired registration must re-register the bicycle.
- d. Registration information may be shared with the Sarasota Police Department in cases of theft for the purpose of assisting with criminal investigations, arrest and prosecution of any person arrested in connection with the theft and/or recovery of the bicycle.

Registration Decal

The reflective registration decal must be affixed to the vertical part of the frame facing forward.

Parking and Storage

All bicycles on campus must be parked or stored in a bicycle rack or in an area otherwise authorized. Bicycles may not be secured to fire hydrants, trees, parking signs, fences, posts, benches, stairwells and railings, ramps (handicap and/or other), or in the egress path of any building. Bicycles may be stored in student rooms or in office spaces as long as they are in a safe place not blocking egress, doorways, hallways, walkways or exits. Bicycles may not be stored in common areas such as hallways, lobbies, stairwells, restrooms, etc.

Summer storage for student bicycles is not available. Bicycles may not be left on racks over the summer break. Bicycles left on racks over the summer break will be removed by maintenance and, if not claimed by the owner within 30 days, become the property of the Ringling College of Art and Design to be used, donated, destroyed or otherwise disposed of at the discretion of the College.

Bicycle racks will be available for students who are assigned housing over the summer, have summer jobs on campus and for faculty and staff working the summer months.

Violation of Policy

Any bicycle in violation of the College's bicycle policy (unregistered, showing an expired registration decal or improperly parked or stored) will be removed. If removal requires the cutting of a chain, cable or lock, the College will not be responsible for replacing that chain, cable or lock. To be reclaimed, a storage fee of \$1 per day will be charged (maximum fee not to exceed \$20). Any bicycle not claimed within 30 days from the date of removal will become the property of Ringling College of Art and Design and may be used, donated, destroyed or otherwise disposed of at the discretion of the College.

A student who repeatedly violates this policy is subject to disciplinary action and, if found in violation of the Ringling College Student Code of Conduct, could lose bicycle privileges, along with additional sanctions.

The College's Health and Safety Committee will review the bicycle policy on an annual basis.

3.21.8. Animals and Pets on Campus

I. Summary.

Ringling College prohibits animals in any College-controlled buildings, except for those animals that are specifically exempted by this policy. In addition, while on College-controlled property, animals must be attended and restrained at all times.

II. Purpose.

While Ringling College appreciates the special nature of the owner-pet relationship, the College is a workplace and residence for many people and the welfare of the entire community must be considered paramount. The College recognizes that animals have the potential to impose on the safety, health, personal well-being and comfort of faculty, staff, students, and visitors as well as the sanitation, housekeeping and physical condition of the College-controlled buildings and property. Animals are restricted on College-controlled property to provide a safe and healthful environment for members of the Ringling College community to study, work, and live; to preserve the integrity of its grounds, buildings, and other property; and to comply with all applicable laws and regulations.

III. Policy Statement.

The College prohibits individuals from bringing dogs, cats, or other pets and animals inside any College-controlled buildings, except for those animals that are exempted from this policy. In addition, while on College-controlled property, animals must be attended and restrained at all times.

This policy applies to all College-controlled buildings, grounds, and spaces. This includes, but is not limited to, such facilities as classrooms, libraries, studios, food service areas, private offices, administrative spaces, or public access areas.

The College may require any person with an animal to remove the animal from College-controlled property. In the event a visitor who is not a regular member of the Ringling College community brings an animal or pet onto College-controlled property, these animals are prohibited from College-controlled buildings, unless exempted by this policy. Any dog, cat, or other animal brought to College-controlled property must be licensed and fully inoculated in accordance with local regulations, with the burden of proof on the owner to demonstrate their compliance. Fecal matter deposited by any dog, cat, or other animal brought to College-controlled property must be removed immediately and disposed of properly by the owner. If the owner is personally unable to perform this task, the burden is on the animal owner to arrange for removal of fecal matter. Animal owners are responsible for any damage caused by their pets.

When Public Safety observes or is made aware of an unrestrained or unattended animal, a reasonable attempt will be made to locate the animal's owner. Public Safety will remind pet owners of the policy and ask that the animal be taken home. If attempts to locate the owner are unsuccessful, the office will arrange to have the animal removed from College property. Whenever possible, Public Safety will use a no-kill pet shelter for relocating stray animals.

Faculty, staff, and students who fail to comply or who interfere with the implementation of this policy, will be subject to disciplinary action in accordance with the appropriate disciplinary procedures for employees and students.

To report a violation of this policy, contact the Office of Public Safety at (941) 359-7500.

SECTION: ADMINISTRATIVE POLICIES
SUBJECT: Other Administrative Policies
Approved By: Administrative Update
Effective Date: August 16, 2017

Index: 321
Page: 5 of 6

IV. Exemptions.

- Animals used for approved educational purposes. Approval by the Vice President for Academic Affairs is required according to the procedures below.
- Service Animals performing their duties (see definition) (procedures can be found in Procedures for Service Animals and ESAs, in the *Student Handbook*.)
- Service Animals-in-training participating in Ringling College's approved programs (see definition) (procedures can be found in Procedures for Service Animals and ESAs, in the *Student Handbook*.)
- Emotional Support Animals (procedures can be found in Procedures for Service Animals and ESAs, in the *Student Handbook*.)
- One-Time events involving animals. Approval by the Vice President for Student Life is required, according to the procedures below.

V. Procedures for Requesting an Exemption for Educational Purposes.

Exemptions must be registered by the requestor with the Office of Public Safety. Owners of animals approved for an exemption will be required to provide a Veterinarian Verification showing proof of up-to-date inoculations. To be granted such an exemption, an individual must make a specific request by filling out a *Request for Animal On Campus Form*.

One-time exemptions may be granted by the Vice President for Student Life for events involving animals.

Individuals seeking permission to have an animal for educational purposes in the degree program or the non-degree programs should contact the Office of Academic Affairs for approval by the Vice President for Academic Affairs.

Other inquiries should be directed to the Vice President for Student Life.

Exemptions must be approved by the Vice President of Student Life or the Vice President of Academic Affairs, and registered with the Office of Public Safety.

Procedures for Service Animal or Emotional Support Animal owners/handlers seeking exemption as a reasonable accommodation for a disability can be found in the Service Animal and Emotional Support Animal Procedures, in the *Student Handbook*.

VI. Appendix of Definitions

1. College-controlled buildings and property: building or property that is owned, operated, or maintained by Ringling College.
2. Attended and Restrained: in the immediate vicinity of the owner or handler, and either on a leash of six feet or shorter, in a cage, or in the case of a service animal, voice or signal controlled. To be attended, an animal may not be left fastened to a stationary object.
3. College Residential Housing: College housing provided for students including: Goldstein; Appleton, Idelson & Harmon; Keating; Ulla Searing Student Center; The Cove; Roy & Susan Palmer Quadrangle; Bayou Village Apartments; 2409 Bradenton Road; Near Campus Houses.

4. Service Animal: as defined by the ADA, any dog (or miniature horse), individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, pulling a wheelchair, fetching dropped items, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, or performing other duties. Crime deterrence, emotional support and/or companionship are not “work” or “tasks” that qualify an animal as a “service animal.” A miniature horse may be a service animal under this policy if (1) the miniature horse is housebroken; (2) is under the owner’s control; (3) the premises or facility can accommodate its type, size, and weight; and (4) it’s presence will not compromise legitimate safety requirements necessary for safe operation of the facility or the program.
5. Service Animal In-Training: a dog (or in some cases a miniature horse) that is being trained to serve as a service animal. Service animals in training must already be obedience trained, and undergoing specific training related to the tasks that they will provide. The animal must be housebroken and controlled.
6. Emotional Support Animal: animals that provide a sense of safety, companionship, and comfort to those with documented disabilities, and the animal is necessary to afford the person with a disability an equal opportunity to use and enjoy the residential facility.