

VI – 1.30 - Policy on Sexual Assault

I. Purpose and Applicability

As a constituent institution in the University System of Maryland, Salisbury University has adopted this policy on sexual assault, consistent with the requirements of (I) Section 484 (f) of the Higher Education Act of 1965, as amended by Section 486 (c) (2) of the Higher Education Amendments of 1992, and (ii) Section 11-601 of the Education Article of the Annotated Code of Maryland. This policy applies to all students and employees, both faculty and non-faculty, of the University System of Maryland or its constituent institutions.

II. Definitions

The following policy recognizes two levels of sexual assault.

Sexual Assault I.

By stranger or acquaintance, rape, forcible sodomy, or forcible sexual penetration, however slight, of another person's anal or genital opening with any object. These acts must be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware.

Sexual Assault II.

By stranger or acquaintance, the touch of an unwilling person's intimate parts (defined as genitalia, groin, breast, or buttocks, or clothing covering them) or forcing an unwilling person to touch another's intimate parts. These acts must be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware.

III. Responsibilities of the Chief Executive Officer

Each chief executive officer of a constituent institution shall have the following responsibilities pursuant to this policy: (i) identification of the person responsible for coordinating the constituent institution's educational program to promote awareness of sexual assault; (ii) identification of the person who will serve as the initial contact after an alleged sexual assault has occurred; and (iii) adoption of procedures to be followed should a sexual assault occur, including the importance of preserving evidence as may be necessary to the proof of criminal sexual assault, and to whom the alleged offense should be reported.

IV. Educational Programs to Promote Awareness of Sexual Assault

Each institution in the University System of Maryland shall make available to its students, faculty and employees programs to promote awareness of what constitutes sexual assault, how to prevent it, and what the institution's procedures are for handling reports of alleged sexual assault. In addition to general educational programs for the campus community, each institution shall provide specialized training on the topic of sexual assault and the provisions of sexual assault procedures to those individuals who might be involved in providing services to or interacting with alleged victims so as to ensure timely, accurate and sensitive assistance to all concerned. The USM policy, together with the institution's procedures concerning sexual assault, shall be distributed to all students, faculty members and employees and shall be posted in appropriate locations at the institution and published in appropriate institution and System publications.

V. **Off-Campus Reporting of Sexual Assaults**

When a report of sexual assault is made to the institution's initial contact, that person will encourage the alleged victim to contact law enforcement and medical personnel as soon as possible following the incident to receive guidance in the preservation of evidence needed for proof of criminal assaults and the apprehension and prosecution of assailants. Campus authorities will assist in notification of off-campus authorities at the request of the alleged victim. Additionally, campus personnel will retain the right to contact law enforcement personnel directly where an issue of campus security is involved. Campus personnel will also assist the alleged victim in obtaining medical attention, if the victim chooses, including providing transportation to the hospital or other emergency medical facility. Each institution shall designate one or more nearby hospitals which are equipped with the Maryland State Police sexual assault evidence collection kit.

VI. **Campus Disciplinary Procedures**

A. **Student Disciplinary Procedures**

1. In addition to any criminal or civil remedies available under law, any act of sexual assault is a violation of this University System of Maryland Policy on Sexual Assault and is subject to disciplinary proceedings under the institution's judicial system. The range of judicial system penalties for students shall include, but not be limited to, one or more of the following: alteration of class schedule, disciplinary reprimand, loss of privilege, restitution, disciplinary probation, disciplinary suspension, disciplinary dismissal, and disciplinary expulsion.
2. The on-campus procedures shall provide that (1) the accuser and the accused are afforded the same opportunities to have others present during a campus disciplinary proceeding; (2) both the accuser and the accused are informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault; and (3) the offense must be reported according to federal reporting mandates and Maryland State law.

B. **Faculty and Employee Disciplinary Procedures**

In addition to any criminal or civil procedures available under law, any act of sexual assault is a violation of the University System of Maryland Policy on Sexual Assault and is subject to appropriate faculty and employee disciplinary procedures. The range of employment penalties for faculty and employees shall include, but not be limited to, one or more of the following: counseling, reprimand, suspension, or termination of employment.

VII. **Services for Victims**

Faculty, employees and students who are victims of sexual assault shall be offered access to counseling through mental health services available at the institution, other victim service entities in the surrounding community, or the nearest state designated rape crisis program. Each institution shall designate existing counseling, mental health and student services, both on campus and in the community, which are available to victims of sexual assault.

After a sexual assault has been reported at the institution, and upon the request of the alleged victim, the victim shall be offered an alternative academic, living or employment situation if such alternative is available, feasible, and appropriate to the facts of the sexual assault reported.

VIII. Implementation and Reporting Procedures

Each chief executive officer shall identify his/her designee(s) as appropriate for this policy; shall develop procedures as necessary to implement this policy; shall communicate this policy and applicable procedures to his/her institutional community; and shall forward a copy of such designations and procedures and any subsequent changes in such designations and procedures to the chancellor.

Institutional procedures that are part of this policy are on file in the Office of the Chancellor.

Approved by BOR December 1, 1995
Amended by BOR December 4, 1999

(BOR VI - 1.30)

VI – SU - Policy on Inclusive Language

As an institution that stands for equality of educational and employment opportunity, Salisbury University affirms its commitment to creating a campus environment free of arbitrary discrimination and bias, both subtle and overt. All personnel, when representing the university to its public, are urged to use language that indicates respect for human diversity.

In accordance with that aim, those preparing official university publications or written communications shall avoid biased language of two kinds: 1) using generic masculine words or titles to refer to all persons; and 2) using terms or expressions that reinforce demeaning attitudes or assumptions about persons or groups on the basis of race, color, religion, national origin, sex, age, marital status or handicap.

When illustrations are included in publications, they shall be chosen to reflect diversity according to guidelines suggested in style sheets of appropriate academic professional organizations. Care shall be taken to ensure that women, minorities and disabled persons are portrayed in non-stereotypical ways.

1. This policy is mandatory with respect to the public documents of the university. That is, the university is obligated to ensure that the form of the following documents reflects inclusive language.
 - a. The Faculty Handbook
 - b. The Advising Handbook
 - c. The Academic Administrators' Handbook
 - d. The Undergraduate Catalogue
 - e. The Graduate Catalogue
 - f. Recruitment and Admissions Materials
 - g. Student Financial Aid Materials
 - h. Brochures with Campus wide Distribution
 - i. Publications of Career Services
 - j. Publications of Counseling Services
 - k. Press Releases
 - l. Publications for Alumni
 - m. Fund-raising Materials

2. This policy is suggested and encouraged with respect to the content of individual documents related to instruction and collegial communication that faculty and administrators prepare and use. That is, faculty and administrators are asked to exercise their own judgment and to practice the spirit of inclusiveness in the language they use with students and their colleagues. Individual documents of instruction and collegial communication include but are not limited to:
 - a. Course Syllabi
 - b. Problems and Exercises
 - c. Cases and Case Studies
 - d. Drills and Quizzes
 - e. Tests and Examinations
 - f. Lab Manuals and Handbooks
 - g. Simulations and Games
 - h. Lectures and Speeches

3. Deans, department chairs and administrators will review their unit's contributions to the public documents of the University for the use of inclusive language and a balance of illustrations. The University Curriculum Committee will review and if necessary offer editorial suggestions for all

new course titles and course descriptions which appear in public documents. It is the responsibility of the Public Relations Office to ensure that the changes decided upon by the appropriate university committees or by university authorities are integrated into the public documents of the university.

4. All those involved in making changes should follow the guidelines set forth in the following documents:
 - a. The Style Sheet of the Salisbury University Public Relations Office.
 - b. Guidelines for Nonsexist Language of the American Psychological Association (APA).
 - c. Guidelines for Nonsexist Use of Language of the National Council of Teachers of English (NCTE) (revised, 1985).

VI – 3.00 - Policy on Advertising

1. State appropriations may be used for paid advertisement in commercial media only for the purposes of faculty or staff recruitment and for the dissemination of information concerning programs, activities, events, and services.
2. School endowment funds may be used for paid advertisement in commercial media only in accordance with the stipulations or the endowments. Details of school particular endowment stipulations are available from deans of endowed schools and from the Office of Institutional Advancement.
3. Grant award funds may be used for paid advertisement in commercial media only in accord with grant stipulations.

(BOR VI - 3.00)

**VI – 4.10 -Policy on the Use of
the Physical Facilities of the University for Public Meetings**

1. The physical facilities of the university may be used for public meetings, including political meetings, if proper safeguards are observed to assure their orderly use.
2. Persons wishing to use a facility must apply to the office of the director of the university center or to the office of the director of conference planning to obtain procedures for using campus facilities.
3. These offices may make reasonable charges for the use of the facilities to cover costs including utilities, police protection, janitorial services and other necessary expenses.
4. Permission to use a facility does not imply endorsement by the university of the view or programs of the user.

(BOR VI - 4.10)

**VI – SU - Policy on the Role of Alcohol at Events
Sponsored by the University and University-related Organizations**

The University seeks to foster a culture of conversation where meaningful experiences are shared and bonds of community are formed. If the inclusion of alcohol is deemed appropriate at any on- or off-campus event sponsored by any university department or student organization, it should be included in a way that is compatible with the kind of culture the university strives to promote. It should not be included in a way that encourages underage drinking or inhibits the participation of either underage students or those who choose not to drink.

The members of any university department or student organization who are contemplating the inclusion of alcohol at a sponsored event should discuss the issue among themselves and, if alcohol is to be included, should discuss the concrete steps to be taken to ensure that considerations described above are addressed.

The distribution and use of alcohol must be in compliance with state law and university policy (**see SU Student Handbook**). Faculty/staff advisors and student leaders are especially encouraged to consult the *Faculty Handbook* and the *Guide to Policies and Procedures for Registered Student Organizations* for additional information on state alcohol laws and the potential for criminal or civil liability.

VI – 5.00 - Policy on Inspection of Public Records

In the matter of inspection of public records, Salisbury University operates under **BOR VI - 5.00 UNIVERSITY SYSTEM OF MARYLAND POLICY ON INSPECTION OF PUBLIC RECORDS**, which is reproduced in full below.

Public records regarding the affairs of the University System and the official acts of the Board of Regents, its officers, and employees shall be made available for inspection in accordance with the Maryland Access to Public Records Act (**Annotated Code of Maryland, Section 10-611 et seq.**) and related system or institutional procedures.

The chancellor is authorized to establish regulations for the officers of System Administration governing the inspection of public records. Each president and unit head is authorized to establish rules for the institution or unit so long as they are consistent with state law.

(BOR VI - 5.00)

VI – 8.00 - Policy on the Use of Alcoholic Beverages

In the matter of the use of alcoholic beverages by faculty and staff, Salisbury University operates under the **Executive Order 01.01.1985.05 STATE OF MARYLAND SUBSTANCE ABUSE POLICY**. That policy is reproduced in full below.

The State of Maryland Executive Department

EXECUTIVE ORDER 01.01.1991.16 **State of Maryland Substance Abuse Policy**

WHEREAS, Substance abuse is a serious national crisis which has had a detrimental effect on the lives of many of our citizens, and has exerted a negative impact on the operation of business and government; and

WHEREAS, Surveys indicate that nationally, 65 percent of the 18-25 year-old adult working population have used illicit drugs; and

WHEREAS, It is estimated that at least 15 percent of the American workforce works under the influence of drugs or alcohol daily; and

WHEREAS, Every employer, including the State of Maryland, experiences a loss in productivity due to drug related absenteeism, injuries on the job, decreased work quality, and wasted dollars; and

WHEREAS, Substance abusing employees function below established standards, may make impaired decisions, may have negative effects on their co-workers, and are not as alert as non-using employees; and

WHEREAS, The illegal use of the workplace as a drug market endangers the health, safety, and welfare of State employees; and

WHEREAS, In order to serve the citizens of Maryland properly, the state must maintain a work environment which is free of drugs; and

WHEREAS, The Federal Omnibus Drug Abuse Act of 1988 requires that any state which is a recipient of federal funds must establish a Drug-Free Workplace, including a policy on the use of substances, an employee drug awareness program, and a procedure for employees to report their own convictions; and

WHEREAS, A drug-free workplace is fundamental to efficient, effective, and responsible government.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.1989.05 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

1. Definitions. In this Executive Order the following words have the meanings indicated.
 - a. "Substance" means alcohol or drugs.
 - b. "Alcohol" means ethyl alcohol or ethanol.
 - c. "Drug" means:
 - 1) A controlled dangerous substance;
 - 2) Any other substance which must be dispensed by a licensed health care professional; or
 - 3) An over-the-counter drug.

- d. "Abuse" means:
 - 1) The use of an illegal drug;
 - 2) The intentional misuse of an over-the-counter drug, if the misuse impairs the job performance of the state employee or could impair the job performance of an applicant for state employment;
 - 3) The intentional use of any prescription drug in a manner inconsistent with its medically prescribed intended use, or under circumstances where its use is not permitted, if it impairs the job performance of a state employee or could impair the job performance of an applicant for state employment; or
 - 4) The use of alcohol if it impairs job performance of the state employee or could impair the job performance of an applicant for state employment.
 - e. "Workplace" means any place where an employee is performing work for the State of Maryland.
 - f. "Employee" means:
 - 1) A classified, unclassified, contractual, key employee, or other employee or official in the Executive Branch;
 - 2) A volunteer who provides a service to or for a unit in the Executive Branch; or
 - 3) A member of a board or commission in the Executive Branch.
 - g. "Sensitive Employee" means an employee whose classification or position has been designated sensitive by the employee's appointing authority or personnel system.
 - h. "Conviction" means:
 - 1) A judgment of conviction, whether entered upon a finding of guilt or acceptance of a plea of *nolo contendere*, and the imposition of sentence; or
 - 2) The staying of the entry of judgment and the placing of the defendant on probation after a finding of guilty or the acceptance of a plea of *nolo contendere*.
 - i. "Alcohol Driving Offense" means:
 - 1) Driving or attempting to drive while:
 - a) Intoxicated; or
 - b) Under the influence of alcohol; or
 - 2) Operating or attempting to operate a vessel while:
 - a) Intoxicated; or
 - b) Under the influence of alcohol.
 - j. "Controlled Dangerous Substance Offense" means:
 - 1) A controlled dangerous substance violation, under Article 27 of the Annotated Code of Maryland;
 - 2) An offense of the law of any other jurisdiction if the prohibited conduct would be a controlled dangerous substance violation if committed in this State;
 - 3) Driving or attempting to drive while:
 - a) Under the influence of drugs or drugs and alcohol; or
 - b) Under the influence of a controlled dangerous substance; or
 - 4) Operating or attempting to operate a vessel while:
 - a) Under the influence of drugs or drugs and alcohol; or
 - b) Under the influence of a controlled dangerous substance.
2. General Policy. The State of Maryland establishes and adopts the following substance abuse policy for the Executive Branch of State Government.
- a. The State of Maryland is committed to making good faith efforts to insure a safe, secure, and drug-free workplace for its employees consistent with the Drug-Free Workplace Act as enacted by Congress.
 - b. All employees in the workplace must be capable of performing their duties.

- c. Employees experiencing substance abuse problems are encouraged to seek assistance through:
 - 1) Their employer;
 - 2) Self referral to the employer's Employee Assistance Program; or
 - 3) Self referral to an alternative certified rehabilitation program.
 - d. An appointing authority may not hire anyone whom it knows currently abuses drugs or alcohol.
 - e. Employees are prohibited from:
 - 1) Abusing alcohol or drugs;
 - 2) Committing a controlled dangerous substance offense; or
 - 3) Committing an alcohol driving offense.
3. Alcohol Abuse Policy.
- a. Working under the influence of alcohol is a violation of this policy and shall subject the employee to disciplinary action.
 - b. An employee charged with an alcohol driving offense must report a finding of guilty, an acceptance of a plea of *nolo contendere*, or a probation before judgment to the employee's appointing authority within five (5) work days.
 - c. A sensitive employee shall be suspended for 15 days and required to successfully participate in an alcohol treatment program designated by an employee assistance program the first time the employee is:
 - 1) Convicted of an at-the-workplace alcohol driving offense; or
 - 2) Found under the influence of alcohol while at-the-workplace.
 - d. A sensitive employee convicted of an off-the-workplace alcohol driving offense, and a non-sensitive employee convicted of any alcohol driving offense shall:
 - 1) On the first conviction be referred to an employee assistance program, and in addition, be subject to any other appropriate disciplinary actions;
 - 2) On the second conviction, at a minimum, be suspended for at least five (5) days, be referred to an employee assistance program, be required to participate successfully in a treatment program, and in addition, be subject to any other appropriate disciplinary actions, up to and including termination;
 - 3) On the third conviction, be terminated.
4. Drug Abuse Policy.
- a. Working under the inappropriate influence of prescription drugs or over-the-counter drugs is a violation of this policy and shall subject the employee to disciplinary action.
 - b. Working under the influence of a controlled dangerous substance is a violation of this policy and shall subject the employee to disciplinary action.
 - c. An employee charged with a controlled dangerous substance offense shall report a finding of guilty, an acceptance of a plea of *nolo contendere*, or a probation before judgment to the appointing authority within five (5) work days.
 - d. A sensitive employee convicted of any controlled dangerous substance offense shall be terminated.
 - e. A sensitive employee who tests positive for a controlled dangerous substance as a result of a random drug test shall be suspended for 15 work days and be required to successfully participate in a drug treatment program designated by an employee assistance program, as provided for by the appointing authority's drug testing protocol.
 - f. A sensitive employee who abuses a legally prescribed drug or an over-the-counter drug shall, on the first offense:
 - 1) Be suspended for five (5) work days; and
 - 2) Be required to participate successfully in a drug treatment program designated by an employee assistance program.
5. General Sanctions. Any employee otherwise in violation of this Executive Order shall be subject to appropriate progressive disciplinary actions up to and including termination.

6. Law Enforcement.
 - a. When an appointing authority learns or, based on observation or reliable information suspects, that an employee has committed a controlled dangerous substance or alcohol offense at the workplace, the appointing authority shall refer the matter to an appropriate law enforcement authority for further investigation and prosecution.
 - b. All employees shall cooperate fully with law enforcement authorities in the investigation and prosecution of suspected criminal violations.
7. Employee Education. All appointing authorities shall educate and inform their employees about:
 - a. The dangers of drug and alcohol abuse in the workplace and the community at large;
 - b. The State of Maryland's policy of maintaining a drug-free workplace;
 - c. Any drug and alcohol abuse counseling, rehabilitation, and employee assistance program that is available; and
 - d. The penalties that may be imposed upon employees for violations of this Executive Order.
8. Implementation.
 - a. The Secretary of Personnel and the head of every other personnel system in the Executive Branch shall adopt such policies and regulations as are necessary or desirable for the implementation of this Executive Order.
 - b. All appointing authorities are responsible for implementing and enforcing and monitoring compliance with the requirements of this Executive Order.
 - c. All employees are required to acknowledge receipt of a copy of this Executive Order by returning an acknowledgment of receipt to their supervisor for insertion in their personnel file.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 1st day of April, 1991.

(BOR VI - 8.00)

VI – SU - Policy on Smoking in Campus Buildings and Fleet Vehicles

In accordance with Executive Order 01.01.1992.20, smoking or carrying any lighted tobacco product is prohibited in all university buildings and facilities and in all space rented or leased by the university. Further, smoking in residence halls is prohibited by law.

Smoking in Fleet Vehicles

University policy prohibits smoking in all fleet vehicles.

Smokeless Tobacco in Campus Buildings

Students, faculty, staff and campus visitors are prohibited from using or discarding smokeless tobacco products or tobacco waste in classrooms, restrooms, hallways, lounges, labs, study, and work areas, or any other common area of campus buildings.

Persons violating this policy may be asked to discontinue use or leave the facility. This request may be made by any university official, faculty or staff member. Persons not responding to requests to abide by this policy will be subject to judicial action.

Revised 9/03

VI – 11.00 - Policy on Aids

- A. In all matters relating to persons who have AIDS or who are infected with HIV, Salisbury University will observe requirements of applicable federal and state laws.
- B. Salisbury University will observe confidentiality as to information about individuals who know or suspect that they have AIDS or HIV infection unless an exception is granted by the affected person, a report of infection is required by law or a report of possible infection of others is required by law or infection control policy. However, such information will be shared among institution officials and the university's legal counsel on a need-to-know basis.
- C. The university provides AIDS and HIV education to all students through the required, general education course PHEC 106. AIDS and HIV education is also provided to all new students through the New Student Seminar. The Students Affairs Office conducts regular AIDS and HIV education programs in cooperation with academic departments and these programs are open to all. The University Health Center makes AIDS and HIV education materials available to all employees of the university upon request.
- D. The university has established the position of environmental safety specialist within the Department of Public Safety. This position has responsibility for developing and implementing infection control policies campus-wide. The university has also established an ad hoc committee on AIDS to evaluate campus needs with respect to AIDS and HIV protection and education.
- E. The Department of Nursing and Health Sciences has developed policies for the disposal of hazardous bio-medical waste. These policies are posted in the medical technology laboratory, are available on all material safety sheets in the laboratory and are distributed to every student who uses the laboratory.
- F. The University Health Center maintains a current list of agencies and organizations to which persons seeking further information about AIDS, including persons concerned that they may have AIDS or are infected with HIV, may be referred for counseling and other related services.
- G. Faculty members, employees or students with any form of HIV infection will be permitted to continue their activities at the university without change as follows:
 - 1. Regular activities can continue unchanged to the extent permitted by an individual's health status, including their risk of contraction of infectious diseases from others.
 - 2. Regular activities can continue unchanged to the extent consistent with the university's interest in preventing infection of others.
- H. Salisbury University subscribes to the current medical position that there is no health risk from living-quarter contact with persons with AIDS or HIV infection, but will consider requests to change living arrangements to minimize contact with persons with AIDS or to minimize contact of the HIV-infected with others persons who have infectious diseases.

(BOR VI - 11.00)

**VI – 12.00 - Internal Policy for Emergency Conditions:
Cancellation of Classes and Release of Employees**

I. PURPOSE AND APPLICABILITY

This policy governs work and the use of leave in the event of an emergency condition. This policy applies to all Salisbury University regular and contractual employees and to all Salisbury University students.

II. TERMS AND CONDITIONS

- A. Higher education institutions within the University System of Maryland are exempt from the State governed policy for emergency conditions. The institutions, at the discretion of the President or his/her designee(s), define the institution's policy. Additionally, declaration of states of emergency by the Governor do not dictate emergency closings for the University System of Maryland.
- B. Emergency conditions are determined by the campus President and/or designee(s) to be serious enough to warrant the cancellation of classes or the release of employees. Such conditions may arise because of inclement weather, fire, power failure, or other unusual circumstances, which may endanger students and employees.
- C. This policy supplements USM policy VI – 12.00 "Policy on Emergency conditions: Cancellation of Classes and Release of Employees."

III. DETERMINATION OF OPEN/CLOSED STATUS

- A. All University employees are expected to work as scheduled, unless employees have been notified through established campus procedures not to report.
- B. Decisions to close the University will be made by the President and/or his/her designee(s) in conjunction with local officials and any appropriate weather/traffic officials.
- C. Any employee who does not report to work as scheduled while the University remains open is considered to be on personal or annual leave. Notification and/or request for leave must be approved by employee's supervisor or designee before the start of regularly scheduled work day/shift.
- D. In the event of University closing, notification to employees and students will be made via local radio, television, the SU Gull Line and the SU website.

IV. UNIVERSITY CLOSING

- A. When the University closes prior to the start of classes and/or an employee's work day/shift, non-essential employees, except those on previously approved leave, are considered to be on administrative leave.
- B. If the University closes after the start of classes and/or an employee's work day/shift, non-essential employees, except those on previously approved leave, will be placed on administrative leave. Non-essential employees who have not reported to work and are not on previously approved paid leave must be given the option to use accrued paid leave or to be placed in a no-pay status for the full day/shift during which they did not report. (Administrative leave would not be given.)

V. ESSENTIAL EMPLOYEES

- A. Essential employees are those in positions that have been designated as vital to the operation of the facility, whose presence is required regardless of the existence of an emergency condition, and whose absence from duty could endanger the safety and well being of the campus population and/or physical plant.
- B. Employees whose positions are previously designated as “essential” are required to perform duties after an emergency condition has been declared. Only extenuating circumstances of a most serious nature will warrant the exemption of an essential employee from the requirement to report for duty in a timely manner.
- C. In addition to their regular pay, essential employees shall be compensated with compensatory leave or cash payment equivalent to the Administrative Leave granted to non-essential employees.
- D. Positions identified as “essential” should be determined in advance and must be approved by the respective University Vice President(s). While some positions are considered essential year-round, designation of additional essential employees will be determined primarily by whether or not students are in residence.
 - 1. Year-round position:
 - a. Public Safety
 - b. Physical Plant
 - 2. Essential positions – students in residence: (Note: managers for respective areas may previously designate specific employees/positions within each area instead of entire functional area)
 - a. All positions in (1)
 - b. Dining Services
 - c. Health Center
 - d. Residence Life
 - e. Library
 - f. Information Technology
 - g. Maggs Gymnasium
 - h. Guerrieri University Center

VI. LIBERAL LEAVE

The president or designee may declare a policy of liberal leave in which case non-essential employees who fail to report to work, or who report late, or choose to leave early, because of dangerous traffic or highway conditions, hazardous weather, civil disorder or other circumstance not yet declared as an emergency, shall be excused. Such excused absence must be charged to appropriate paid or unpaid leave.

University closing will be communicated via: 1) campus switchboard (410-543-6000), 2) Gull Line (410-543-6426), 3) SU website and 4) local radio and television. Decisions to close will be communicated by 6 a.m.

(BOR VI – 12.00)

Approved: February 2000 by the Cabinet Committee

VI – SU - Policy on Closing Due to Inclement Weather

1. Should inclement weather result in classes being canceled information will be given to all local radio and television stations. Students can receive information concerning cancellations by listening to local stations or by calling the Gull Line at 546-6426.
2. The institutional policy with regard to closing is that unless there are the most dire circumstances the institution will remain open for business. Students, staff and faculty members must exercise their best judgment about whether they attend class or report to work. Different conditions prevail for each individual under inclement weather situations so the decision should be essentially an independent one.
3. If you do not hear an announcement about cancellation of classes, then classes and events will be held as scheduled. Please do not call the Public Safety Office about cancellation notices so that office can assist with emergency needs.

Revisions approved on July 19, 2001

G. Section VII: Personnel

VII – 1.10 -Policy on a Drug-Free Workplace

Salisbury University, as an employer, strives to maintain a workplace free from the illegal use, possession, or distribution of controlled substances.¹⁶ Unlawful manufacture, distribution, dispensation, possession or use of controlled substances by University employees in the workplace is prohibited under university policy.

In addition to any legal penalties under federal and state law, employees found to be in violation of this policy may be subject to corrective action under applicable university personnel policies. Sanctions shall be considered and imposed on a case-by-case basis and may range from required counseling to termination of employment. It is a condition of employment at Salisbury University that all employees, including classified, contractual, faculty and administration whether full or part time, abide by the provisions of this notice and policy and notify the employer of any drug statute conviction for a workplace violation no later than five (5) days after such conviction. The university shall in the event of such conviction impose a sanction upon the employee and/or require treatment for the employee.

The university supports programs aimed at the prevention of substance abuse by university employees. Employees are encouraged to seek assistance for substance-dependency problems. Employee-assistance counseling and leaves of absence to attend rehabilitation programs are appropriate means for dealing with these problems. To determine the availability of such prevention programs including counseling, inquiries should be directed to the university's Human Resources Office or the Counseling Services Office.

Approved February 14, 1989

(BOR VII - 1.10)

VII – 4.10 - Policy on Tuition Remission for Faculty and Staff

Salisbury University Regular Faculty and Staff employees on Regular or Retired Status may enroll in academic courses to improve their skills or for personal development purposes with tuition costs associated with such courses remitted in whole or in part.

Tuition Remission at University system or Maryland Institutions

1. Tuition remission is extended to Regular Faculty and Staff employees. A Regular Faculty or Staff employee is one who works in a position that has been approved through the budgetary and pertinent appointment classification processes and that is intended to last six months or more regardless of the nature of the source of funds or who has retired from such a position. This definition applies to both fulltime and part-time Faculty and Staff employees. For the purposes of acceptance of tuition remission requests, a Retiree must be receiving State of Maryland retirement checks and/or Optional Retirement Plan (ORP) retirement checks, and have earned at least five years of total service credit at one or more institution(s) of the USM. Verification of Retiree Status may be obtained by contacting the Human Resources Office of the institution from which the employee has retired.
2. Tuition remission shall be subject to the individual's admissibility to the institution and to the program in which the courses are to be taken and to the other academic regulations of the institution governing student enrollment (for example, course prerequisites and registration deadlines).
3. Full-time Regular and Retiree Faculty and staff employees shall be permitted to register for courses not to exceed eight (8) credits per semester with remission of tuition. Regular part-time Faculty and Staff employees who are employed at fifty percent or more time in the USM or retirees from such positions shall be permitted tuition remission for credits proportional to their percentage of service. Tuition remission does not include mandatory fees, which remain the responsibility of the Regular or Retiree Faculty or Staff employee. Courses taken under this policy shall not interfere with the assigned responsibilities of any Faculty or Staff employee and shall require the approval of the Chief Executive Officer (CEO) or designee.
4. The Regular Faculty or Staff employee may register for the desired course(s) at any institution in the USM. Regular Faculty and staff employees employed by any USM institution, who otherwise meet admissibility and registration criteria, shall be granted tuition remission at any USM institution on the same basis as Faculty and Staff employees who are employed by the host institution.
5. Programs of study to be exempted from this policy shall include the M.D. and D.D.S. programs at the University of Maryland, Baltimore and such other programs as may be recommended by the CEO of the institution offering the program and approved by the Chancellor. Availability of tuition remission for self-support programs and courses shall be recommended by the CEO of the institution offering the program and approved by the Chancellor. The host institution shall apply the exempted status equally to all applicants who wish to participate in the tuition remission program, whether from the host institution or other institutions.
6. The procedures for implementing this policy are detailed in **VII - 4.10 BOR: UNIVERSITY SYSTEM OF MARYLAND POLICY ON TUITION REMISSION FOR FACULTY AND STAFF.**

Revised 9/03

Tuition Remission at Salisbury University

1. Tenured faculty who are terminated because of retrenchment in the university may continue to receive tuition waivers for up to six hours per semester for one year from the date of termination as long as the terminated faculty member is not employed full-time.
2. The USM's "*Request for Tuition Waiver*" form can be obtained from the Human Resources (HR) Office and must be submitted to the department chair or designee and HR Office for approval prior to registering for classes.
3. An exception to the tuition remission policy will be made for SU faculty interested in taking advantage of the Ph.D. program in Organizational Leadership offered at UMES, when offered in the Cohort week-end format. With this exception SU faculty will be able to register for up to three courses/nine credit hours per term provided the courses do not interfere with regular university duties.

Tuition Remission for Full-time Contractual Faculty

Full-time non-tenure track faculty working full-time may register for up to eight (8) credits per semester at SU at both the undergraduate and graduate level with 100% tuition remission. Spouses and dependent children of full-time non-tenure track faculty with more than two years of continuous service are eligible for 100% tuition remission only on course work applied toward a first undergraduate degree at SU. Tuition remission may be available for Winter Term or Summer School on a space available basis.

Approved September 1996

Amended by USM June 2003

Approved by Human Resources and Faculty Senate September 2003

(BOR VII - 4.10)

Revised 9/03

VII – 4.20 - Policy on Tuition Remission for Spouses and Dependent Children of Faculty and Staff

Permanent faculty and permanent staff may enroll in academic courses to improve their skills or for personal development purposes with tuition costs associated with such courses remitted in whole or in part.

A. Tuition Remission at University System of Maryland Institutions

1. Tuition remission is extended to the spouses and dependent children of all classes of permanent faculty and permanent staff. A "permanent" faculty member or staff is one who works in a position approved through the budgetary and pertinent appointment classification processes and that is intended to last six months or more regardless of the nature of the source of funds or who has retired from such a position, provided that his or her period of employment began before January 1, 1990. For purposes of acceptance of requests for tuition remission, a "University System of Maryland retiree" must be receiving State of Maryland retirement checks and/or TIAA-CREF retirement checks and have earned at least five (5) years of University System of Maryland service credit, inclusive of the former University of Maryland and the former Board of Trustees of State Universities and Colleges. Verification of retiree status may be obtained by contacting the Human Resources Office of the institution from which the employee has retired. The term "spouse" shall mean one with whom the employee has entered a legally effective marriage, provided that it shall not include an estranged spouse who maintains a separate domicile. The term "child" shall include a son, daughter, stepson, stepdaughter, legally adopted son, and legally adopted daughter. A "dependent child" is a child who is "financially dependent," as that term is defined by the Internal Revenue Service. For spouses and dependent children of permanent part-time faculty and permanent part-time staff who are employed at 50 percent or more time, the percentage of tuition remitted shall be proportional to the percentage of service of the faculty member's or staff's employment. Tuition remission does not include mandatory fees, which remain the responsibility of the individual student.
2. The exercise of the benefit of tuition remission shall be subject to the individual's admissibility to the institution and to the program in which the courses are offered and to the other academic regulations of the institution governing student enrollment.
3. Programs of study to be exempted from this benefit shall include the M.D. and D.D.S. programs at the University of Maryland at Baltimore and such other programs as are recommended by the president of the institution offering the program and approved by the chancellor. The availability of tuition remission for self-support programs and courses at each institution shall be recommended by the president and approved by the chancellor. The president of the institution offering the program shall apply the exempted status equally to all spouses and dependent children who desire tuition remission, whether from the host institution or other institutions.
4. Subject to the provisions in **paragraphs 1 through 3** above, spouses and dependent children of full-time faculty and full-time staff of the University System of Maryland or its predecessors who die in service shall be permitted to register for courses with tuition remission for a period of time determined by the duration of full-time employment of the faculty member or staff, as follows: if the length of time of employment of the deceased faculty member or staff was less than three years, the spouse or dependent is eligible for tuition remission for one academic year; if at least three but less than five years, two academic years; if at least five but less than seven years, three academic years; if at least seven but less than nine years, four academic years; and if more than nine years, five academic years. Eligibility for tuition remission for spouses will expire at the end of seven years following the death of the full-time faculty or staff, and on the twenty-second birthday for dependent children. For spouses and dependent children of deceased permanent part-time faculty members or permanent part-time staff who were employed at 50

percent time or more, the percentage of tuition remission shall be proportional to the percentage of service of the faculty member's or staff's employment, averaged for the three years immediately preceding his or her death. The length of time for which tuition remission will be available for such surviving spouses and dependent children shall follow the formula described in this paragraph.

5. This benefit shall be extended, for a period not to exceed four years from the date of approval of this policy, to the spouses and dependent children of faculty and staff of Morgan State University who are currently enrolled in courses at institutions of the former Board of Trustees with remission of tuition, under policies of the former Board of Trustees of the State Universities and Colleges. This provision is dependent upon reciprocity being extended by Morgan State University to spouses and dependent children of faculty and staff at such institutions who are enrolled at that institution under the same policies.
6. The procedures for implementing this policy are detailed in **VII - 4.20 BOR: UNIVERSITY SYSTEM OF MARYLAND POLICY ON TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF FACULTY AND STAFF**. These procedures require that tuition remission benefits for spouses and dependent children of permanent faculty and permanent staff whose period of employment began on or after July 1, 1992 shall, in addition to restrictions outlined in BOR VII - 4.20, be available only after the faculty or staff employee has been in the university service for two years prior to the anticipated date of registration for course work.

B. Tuition Remission at Salisbury University for Spouses and Dependent Children of Faculty and Staff

1. Spouses and children of regular, full-time faculty and staff may enroll either as part-time or full-time students and receive tuition waivers on a space available basis.
2. Dependent children of retrenchment-terminated, full-time faculty who are enrolled full-time in the undergraduate program of a State University at the time of the parent's termination may continue to receive a tuition waiver for one year from the date of the termination.
3. Spouses and dependent children of full-time faculty who have been employed full-time by the university for at least seven of the previous ten (10) years may take courses at Salisbury University without payment of tuition, during an eight-year period after the death of the faculty member if there is space available in the courses and the president of the university approves. Spouses of full-time faculty members who die, are not eligible for tuition waivers if they remarry after the death.
4. Only tuition is waived and all other applicable fees must be paid by the individual. Admission requirements are not waived and admission to undergraduate and graduate courses will be determined by the appropriate administrators.
5. The form "*Request for Tuition Waiver*" can be obtained from the Human Resources Office and must be submitted to the department chair or supervisor, the provost, the appropriate vice president or director, and finally to the president for approval, prior to registering for classes.

(BOR VII - 4.20)

VII – 4.30 - Policy on Salary Advances

1. Where appropriate, the president of Salisbury University may authorize salary against unearned income to faculty.
2. Authorized salary advances shall not exceed 90% of the expected bi-weekly salary. **(For procedures see Appendix M).**

(BOR VII - 4.30)

VII – 4.40 - Policy on Reimbursement of Moving Expenses for New Employees

1. The president of the university may authorized the payment of moving expenses of normal household goods including reasonable packing and unpacking charges when it's deemed to be in the interest of the university. Moving expenses are authorized only when the distances between the former residence and the university exceeds 35 miles one way. Exceptions to the 35-mile limitation may be made for payment of relocation expenses when the relocation is for the convenience of the institution or component. Nothing in this policy requires the payment of moving expenses.
2. It is the policy of Salisbury University that moving expenses may be reimbursed to a new employee if the following criteria are met:
 - a. The payment of moving expenses follows the general guidelines as approved by the Board of Regents under policy **VII-4.40**;
 - b. Reimbursement has been approved by both the dean and vice president's office in advance of employment;
 - c. Moving expenses become a part of the initial faculty employment contract or letter of offering for administrative staff and;
 - d. A designated fund source is available, indicated and approved (i.e. ...department account code).
3. Procedures for Reimbursement are as follows:

The new employee should submit to the Accounts Payable office:

- a. A **completed, signed, and authorized** expense account form;
- b. A copy of the faculty contract or the letter of offering and;
- c. **Original** moving receipts.

Please note: The Accounts Payable office will forward a copy of the expense account to the Salisbury University Payroll office, which will complete an *Employee Moving Expenses Report*. This report indicates any qualified Moving Expense reimbursement paid directly to the employee and/or all non-qualified Moving Expense reimbursements. Upon completion, the *Employee Moving Expense Report* will be sent to the State of Maryland, Comptroller of the Treasury's Central Payroll Bureau. Qualified moving expense reimbursements will be shown on the employee's W-2 in Box 13 with a Code "P". Non-qualified moving expense reimbursements will increase Federal, State and FICA wages and are subject to tax withholding.

Internal Revenue Service *Publication 521* categorizes moving expenses as follows:

Deductible (Qualified) Moving Expenses

- Moving your household goods and personal effects (including in-transit storage expenses), and
- Traveling (including lodging) to your new home.

Nondeductible (Nonqualified) Moving Expenses

- Meal expenses,
- Car tags,
- Pre-move house-hunting expenses,
- Temporary living expenses,
- Expenses of buying or selling a home,

- Expenses of getting or breaking a lease,
- Security deposits (including any given up due to the move),
- Home improvements to help sell your house,
- Loss on the sale of your home,
- Mortgage penalties,
- Losses from disposing of memberships in clubs,
- Any part of the purchase price of your new home,
- Real estate taxes,
- Driver's license,
- Storage charges (except those incurred in transit).

For more information obtain *Publication 521, Moving Expenses*, by phoning 1-800-829-3676 or by downloading from www.irs.gov.

Approved July 2000 by SU Administration and Finance Office

(BOR VII - 4.40)

VII – 4.50 - Policy, Procedures and Regulations on Graduate Assistantships and Fellowships

1. Applications Forms

Salisbury University offers each year a limited number of graduate assistantships and fellowships on a competitive basis. Application forms may be obtained from either the Admissions Office, Registrar's Office, deans or graduate program directors. Completed forms, including required supporting documents, should be returned to the appropriate dean(s) or graduate program director(s) as early as possible preceding the academic year or semester for which the appointment is sought.

2. Eligibility

To be eligible for appointment as a graduate assistant or fellow, the student must be formally admitted to the university for graduate study. Students receiving appointments must have the recommendation of the appropriate dean, department chair or graduate program director and show evidence of academic ability and promise based on their previous academic records and recommendations submitted in their behalf. It is the responsibility of the student to see that at least two recommendation forms are completed and returned to the appropriate dean(s) or graduate program director(s).

3. Appointment of Assistantships and Fellowships

Appointments are made by the appropriate dean(s) or graduate program director(s) based on recommendations and in accordance with funds available. Upon written notification from the appropriate dean(s) or graduate program director(s), letters of appointment to successful applications are mailed from the Office of the Registrar immediately after the selections are made.

4. Terms of Appointment

Graduate assistantships and fellowships are generally awarded for one semester commencing with the fall semester and may be continued--based on the recommendation of the appropriate dean, department chair or graduate program director--through the succeeding spring semester. In special cases, an appointment may be awarded for longer or shorter periods.

The usual stipend is \$2,200 per semester, paid in bi-weekly installments. Each graduate assistant or fellow is assigned a work load within a department or division of the university for approximately 20 clock-hours per week. Such work loads include a list of specified duties carried out under direction of a designed supervisor to whom the graduate student is responsible. Graduate students are prohibited from unsupervised teaching. Normally, a graduate assistant or fellow is expected to register for a course load, approved by the faculty advisor, of six to nine hours of credit toward degree requirements each semester, and to maintain a cumulative average of B or better, with no grade below C, during the period of the assistantship or fellowship. In cases where the stipend offered is less than \$2,200 per semester, the course load for which tuition waiver is available may be similarly reduced. Upon completion of *Tuition Waiver Forms* by the appropriate deadlines, a waiver of tuition for the course loads, as indicated above, will be granted. The total tuition waived, however, shall be for no more than 30 credit hours during any twelve-month period, or 24 credit hours during any combined fall and spring semester period, and that not tuition waiver shall be granted for private lessons. The *Tuition Waiver* forms may be obtained from the Human Resources Office. These forms should be completed and submitted to the appropriate dean(s) or graduate program director(s) not later than the day on which the course registration form, indicating courses for which the waiver of tuition is requested, is submitted to the Office of the Registrar. Tuition will be waived only for courses applicable toward master's degree requirements.

A graduate assistant or fellow shall not be considered as a “faculty member,” “administrative officer,” or “employee” of the university.

5. Termination of Appointments

The student may terminate the assistantship or fellowship at any time by giving 30 days notice in writing to the appropriate dean(s) or graduate program director(s). All salary earned to the date of termination will be paid to the graduate student.

The dean, chair of the department or graduate program director to which a graduate student is assigned may terminate the appointment for cause after warning has been issued in writing to the student. Cause for terminating an appointment arises typically from reasons such as excessive absenteeism, inferior quality of work in performance of assigned duties, extended illness, or the like.

In all cases where an appointment is terminated prior to the end of a term in which the student is registered, whether termination is by the student or by the supervisor, the waiver of tuition for that term shall be canceled. The student will be duly notified and will be charged tuition for courses registered for in that term. The amount of the tuition will be pro-rated to cover that part of the semester remaining after the student has resigned or has been dismissed.

(BOR VII - 4.50)

VII – 7.45 - Policy on Sick Leave

Salisbury University will utilize the following procedures in implementing this policy.

1. The University will no longer tabulate each occurrence of the use of sick leave, or routinely require sick slips for the medical provider for absences due to illness, injury doctor's appointments, etc. This does not, however, relieve employees of the responsibility to notify their supervisor at regular and reasonable intervals in the event of a prolonged absence. The Human Resources Office will be reviewing the usage of sick leave on a periodic basis and following up with the supervisor and the employee if it appears that the arrangement is being abused. There may be then be situations where, in order to assure medical attention for an employee or to prevent the abuse of sick leave, the University may require certification from a medical provider authenticating the need for the employee to use accrued sick leave. Such certification may be required in accordance with the Sick Leave Monitoring Program.

NOTE: In the interest of maintaining good health, the University highly recommends that employees seek medical attention if the illness persists for more than three (3) days and subsequently provide documentation of the visit upon their return to work.

2. Employees will be permitted to use up to fifteen (15) days of accrued sick leave during any one calendar year for medical care of a family member. The University may require an employee to provide certification authenticating the need for the employee to use sick leave to care for the ill family member.
3. Employees may use up to 30 days of accrued sick leave to care for a child immediately following birth or placement of the child with the employee for adoption. It is expected that the employee would provide written notification to the department as soon as the expected delivery date or adoption date becomes known.
4. Employees who sustain temporary, recoverable illnesses but are unable to return to work after using up all other types of accrued leave may continue to request, subject to the conditions outlined in the policy, both Advance and Extended sick Leave. Forms for this purpose may be obtained from the Human Resources Office.
5. In the vent that Advanced Sick Leave is borrowed by the employee, both sick leave and annual leave will be used to pay it back. This will be done by taking back 50% of the amount of sick and annual leave that would otherwise be available to the employee each pay period, and applying it to the outstanding balance.

If you have any questions about the above procedures, please contact the Human Resources Office. A complete copy of the sick leave policy is listed below for your convenience.

Policy on Sick Leave

I. Purpose and Applicability

This policy governs the accrual and use of sick leave, and applies to all regular Nonexempt and Exempt employees of the University System of Maryland.

II. General

- A. Sick leave is paid leave granted to employees in an effort to provide some protection against the loss of earnings due to absences for health and allied reasons.
- B. A full-time employee shall earn sick leave at the rate of 15 workdays per year. Employees who are appointed at least 50% time shall earn sick leave on a pro rata basis. Sick leave is accumulated and carried forward from year to year without limit.
- C. An employee may use on a continuous basis earned leave (sick, annual and personal leave), advanced sick leave, extended sick leave, leave granted through the leave reserve fund, or unpaid family medical leave, as needed for personal illness.
- D. An employee may request that his/her illness, injury, or disability occurring during a period of annual or personal leave be charged to sick leave. Verification of such illness, injury, or disability may be required by the Chief Executive Officer or designee as provided in Section IV. of this policy.
- E. Sick leave shall be granted by the Chief Executive Officer or designee when an employee is absent because of:
 - 1. Illness, injury, or disability of the employee.
 - 2. A pre-scheduled and approved, or emergency medical appointment, examination, or treatment for the employee with an accredited, licensed or certified medical provider listed in Section IV.C of this policy that cannot be scheduled during non-work hours.
 - 3. Illness or injury in the employee's immediate family and medical appointments, examinations or treatments for the immediate family member with an accredited, licensed or certified medical provider listed in Section IV.C of this policy that cannot be scheduled during non-work hours.
 - a. Immediate family as used in this section of the policy shall mean a spouse, child, step-child, grandchild, mother, father, mother-in-law, father-in-law, brother, sister, grandparent, brother-in-law, sister-in-law, or legal dependent of the employee irrespective of residence. Use of sick leave shall also be granted to care for any other relative who permanently resides in the employee's household for whom the employee has an obligation to provide care. The Chief Executive Officer or designee may require an employee to provide certification by a medical provider listed in Section IV.C of this policy to demonstrate this obligation or to authenticate the need for the employee to care for the ill family member.
 - b. Up to fifteen (15) days of accrued sick leave shall be granted by the Chief Executive Officer or designee during any one (1) calendar year for medical care of a family member.
 - 4. Death of a relative
 - a. For the death of a close relative, the Chief Executive Officer or designee shall grant the use of up to three (3) days of accrued sick leave. If the death of a close relative requires an employee to travel requiring staying away from home overnight, upon request the Chief Executive Officer or designee shall grant the use of up to a maximum of five (5) days of accrued sick leave for this purpose.

- b. Close relative as used in this section of this policy shall mean a spouse, child, step-child, mother, father (or someone who took the place of a parent), mother-in-law, father-in-law, grandparent of the employee or spouse, grandchild, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, or other relative who permanently resided in the employee's household.
 - c. The Chief Executive Officer or designee shall grant the use of up to a maximum of one (1) day of sick leave for reasons related to the death of the employee's or his/her spouse's aunt, uncle, niece, nephew.
 - 5. Pregnancy-related disabilities, childbirth, and immediate recovery therefrom
 - a. A female employee may request the use of accrued sick leave for any period of time related to temporary disability during pregnancy or related to childbirth and immediate physical recovery therefrom.
 - b. A female employee planning to request the use of sick leave for the purposes listed in this subsection shall be governed by the provisions of this policy.
 - c. The employee shall keep the Chief Executive Officer or designee informed of any changes to her condition, which affect the length of time, that she will need to be away from work.
 - 6. Birth of a child or placement of a child with the employee for adoption
 - a. Up to a maximum of 30 days of accrued sick leave may be used to care for a child immediately following the birth of a child or placement of the child with the employee for adoption. In the case of an adopted child, sick leave is only available in connection with a formal adoption and shall be granted only if the employee making the request is the person having primary responsibility for furnishing the care and nurture of the adoptee. In the event that both parents are USM employees, sick leave to care for the child, as provided under this section, is available to only one parent.
 - b. The Chief Executive Officer or designee shall grant the employee's request if the employee has furnished satisfactory documentation of the birth of the employee's child or an agreement of placement for adoption.
- F. An employee who returns to regular USM service within two years of separation shall have the unused sick leave earned during the prior service restored, provided the employee returns to a position eligible to earn sick leave.

III. Directed Use of Sick Leave/Medical Examinations

- A. The Chief Executive Officer or designee, in accordance with the institution's policy on Family and Medical Leave, may direct an employee to use accrued sick leave if he/she determines that an employee is unable to perform the responsibilities of his/her position due to illness, injury or disability.
- B. While in either active work status or on any type of employee-related sick leave, an employee may be required to undergo a medical examination(s) and evaluation(s), and may be required to provide verification of fitness for duty, as directed by the Chief Executive Officer or designee to ascertain whether the employee is able to regularly and routinely perform the responsibilities of his/her position.

1. If the examination is conducted by a physician selected by the USM institution, the institution shall bear the costs of such medical examination. The employee may, however, see his/her own physician at the employee's own cost.
2. If the examination(s) reveal that an employee is unable to regularly and routinely perform the responsibilities of his/her position, action may be taken by the Chief Executive Officer or designee in accordance with policies on voluntary separation, termination, reasonable accommodation, modified duty or disability retirement, if applicable.
3. In cases where there is a conflict between the evaluation, prognosis, diagnosis or recommendation of the employee's personal health care provider and the physician selected by the USM institution, the Chief Executive Officer or designee may choose which health care provider's report to follow; or may require subsequent medical examinations and evaluations in deciding what steps should be taken regarding the employee's sick leave status or continued employment. If subsequent medical examinations and evaluations are required, the expense of such shall be borne by the USM institution. The decision of the CEO or designee is final.

IV. Verification of Absences Charged to Sick Leave

- A. In order to assure medical attention for an employee or to prevent the abuse of sick leave usage, the Chief Executive Officer or designee may require an employee to submit verification of the use of accrued sick leave, advanced or extended sick leave.
- B. Verification may include but may not be limited to:
 1. A written statement from the medical provider (as listed in Section IV.C of this Policy) indicating that the employee is required to be absent from work due to illness;
 2. The duration of absence from work;
 3. Prognosis of employee's ability to return to work;
 4. Title and original signature of an accredited, licensed or certified medical provider; and
 5. Any other information necessary to verify that the employee's use of sick leave is in accordance with this policy;
- C. Medical verification as outlined in this Policy may be obtained by an accredited Christian Sciences practitioner, or by the appropriate of any of the following licensed or certified medical providers:
 1. Physician;
 2. Physical Therapist;
 3. Clinical Psychologist;
 4. Dentist;
 5. Oral Surgeon;
 6. Chiropractor;

7. Podiatrist;
8. Certified Nurse Practitioner;
9. Certified Nurse-Midwife; or
10. Licensed Certified Social Worker-Clinical

V. Advanced Sick Leave

- A. An employee who sustains a temporary, recoverable illness, injury or serious disability may request advance use of sick leave subject to the following four conditions:
- The employee shall:
1. have completed six months of continuous USM service;
 2. have completed an original probation period, if applicable;
 3. have exhausted all other types of accrued leave; and
 4. have a satisfactory record of sick leave usage and work performance.
- B. Advanced sick leave is not an entitlement. The granting of requests for advanced sick leave shall be at the discretion of the Chief Executive Officer or designee.
- C. Advanced sick leave shall not be granted in instances where the illness or injury or disability occurred on the job, and the employee has been granted accident leave or temporary total disability benefits by the Workers' Compensation Commission.
- D. Written requests for advanced sick leave shall be submitted to the Chief Executive Officer or designee and shall be supported by written verification by an accredited, licensed, or certified medical provider as outlined in Sections IV.B and IV.C of this policy.
- E. Sick leave may be advanced at the rate of fifteen (15) working days per year of service to a maximum of sixty (60) working days in any one calendar year.
- F. The use of advanced sick leave constitutes a debt for which payment shall be enforceable upon the employee's return to work or upon the employee's separation from employment, whichever is earlier. Upon return to work the minimum rate of payback for advanced sick leave shall be at one-half the rate that sick leave and annual leave is earned. An employee may elect to pay back advanced sick leave by applying any earned leave or by reimbursing the USM with cash.
- G. Annual, sick and holiday leave earned, and personal leave credited while on advanced sick leave shall be applied as earned/credited.
- H. Additional requests for advanced sick leave will not be granted until all previously granted advanced sick leave has been repaid. The only exception to this provision is in cases where the maximum amount of advanced sick leave had not been requested originally and additional advanced sick leave, consecutive to that already granted, is needed to cover the employee's continued absence arising from the original illness, injury or disability.

- I. The CEO or designee may refer an employee who is on advanced sick leave as follows:
 1. The employee may be referred to an USM institution-named physician for periodic examinations to determine the nature and extent of the illness, the employee's progress toward recovery, the length of time necessary for recovery, and an estimated date of return to work.
 2. If there is a conflict between the employee's physician and the USM institution-named physician, the provisions of Section III.B.3 shall apply.

VI. Extended Sick Leave

- A. An employee who sustains a temporary, recoverable illness, injury or serious disability may request extended sick leave, subject to the three following conditions:

The employee shall:

1. have been in USM and/or State service for at least five years;
 2. have exhausted all types of accrued leave and advanced sick leave; and
 3. have a satisfactory record of sick leave usage and work performance.
- B. Extended sick leave is not an entitlement. The granting of requests for extended sick leave shall be at the discretion of the Chief Executive Officer or designee.
 - C. The maximum cumulative total of extended sick leave available to an employee while in USM or State service is 12 work months (52 work weeks).
 - D. Annual, sick and holiday leave earned, and personal leave credited while on extended sick leave shall be applied as earned/credited.
 - E. Written requests for extended leave shall be submitted to the Chief Executive Officer or designee and shall be supported by written verification by an accredited, licensed or certified medical provider as outlined in Sections IV.B. and IV.C. of this Policy.
 - F. The CEO or designee may refer an employee who is on extended sick leave as follows:
 1. The employee may be referred to an institution-named physician for periodic examinations to determine the nature and extent of the illness, the employee's progress toward recovery, the length of time necessary for recovery, and an estimated date of return to work.
 2. If there is a conflict between the employee's physician and the institution-named physician, the provisions of Section III.B.3 shall apply.

VII. Other

For other related policies, please see Policy on Leave Without Pay, Policy on Leave Reserve Fund, Policy on Family and Medical Leave, and Policy on Accident Leave.

Implementation Procedures

Each Chief Executive Officer shall identify his/her designee(s) as appropriate for this policy; shall develop procedures as necessary to implement this policy; shall communicate this policy and applicable procedures to his/her institutional community; and shall forward a copy of such designations and procedures to the chancellor.

Replacement for:

UM-BOR III - 11.00, Sick Leave Policy for Full-Time Faculty Members and for Administrators of Academic Programs. (Note: USM II - 2.30 approved by BOR to cover faculty only.)

Approved December 5, 1997

(BOR VII - 7.45)

H. Section VIII: Fiscal and Business Affairs

VIII – 2.30 - Policy on Waiver of Tuition and Granting of Other Privileges for Senior Citizens of the State of Maryland

Salisbury University extends special privileges, where practicable, to senior citizens who are residents of the State of Maryland. The term "senior citizen" includes any individual who is 60 years of age or older, who is retired and whose chief income is derived from retirement benefits, and who is not employed full time. Privileges include, subject to certain conditions, waiver of tuition for undergraduate and graduate courses and use of the library.

I. Waiver of Tuition

- A. Tuition waivers are available at Salisbury on a space available basis, and the university determines space availability. A senior citizen shall not be entitled to a waiver of tuition for more than three courses in a single academic semester or term.
- B. Tuition is defined as the basic instructional charge for courses and does not include fees, such as those for application, registration, or other mandatory fees.
- C. Senior citizens may enroll in a degree granting program under this policy only if they are admissible to that program.
- D. The Human Resources Office, administers the senior citizen tuition waiver program and distributes and authorizes the necessary forms.

II. Golden Identification Card Program

- A. Eligible senior citizens may apply for a Golden Identification Card from any institution in the University System, which shall be honored throughout the System. This card shall serve to identify the individual as eligible for any privileges (for example, use of the libraries) that an institution determines to be available to senior citizens. Holders of the Golden Identification Card may be entitled to admission to student events, as determined by the institution.
- B. Except for emergencies, the health care facilities at institutions where they exist shall not be available to holders of the Golden Identification Card unless they are enrolled as regular full-time students and have paid the health fee.

(BOR VIII - 2.30)

VIII – 2.60 - Policy on Tuition Fellowships for Graduate Students

1. The Office of Financial Aid distributes Other Race Grant Funds as fellowships to black graduate students.
2. These fellowships are provided for meeting graduate student's University expenses and students who receive them are not require to perform graduate assistantship services.

(BOR VIII - 2.60)

VIII – 2.61 - Policy on Off-Campus Programs

In the matters of off-campus programs, Salisbury University operates under **BOR VIII - 2.61 UNIVERSITY SYSTEM OF MARYLAND POLICY ON OFF-CAMPUS PROGRAMS**, which is reproduced in full below.

I. Preamble

The University System of Maryland is committed to providing access for all citizens to high-quality undergraduate and graduate programs. This entails extending its academic programs, as need and demand require and as resources permit, to serve students in all regions of the State. In many instances, program offerings will be extended beyond the bounds of what is traditionally thought of as the campus.

The following principles will guide the decision of an institution to offer both an off-campus program and/or individual courses for credit.

- A. Off-campus programs will be consistent with the approved mission of the institution.
- B. An institution may only offer off campus a program leading to a degree or certificate that is authorized for that campus.
- C. Standards of program quality and student performance will be comparable to those of the on-campus program.
- D. The institution will determine the method of program delivery that is best suited to the educational backgrounds, experience, and learning styles of the students.

II. Institutional Responsibilities

Institutions that offer off-campus programs have the following responsibilities:

- A. To provide necessary services at the off-campus site at times convenient to students.
- B. For degree/certificate seeking students, to schedule courses to permit completion of the degree or certificate in a reasonable amount of time.
- C. To keep students fully informed of program requirements and/or changes, program costs, and financial aid information.
- D. To provide learning resources for off-campus students that are comparable to those provided to on-campus students.
- E. To ensure that guidelines for the selection and assignment for faculty teaching at the off-campus site are comparable to those used on campus.

III. Definitions

Program: A sequence of courses that leads to the awarding of an approved degree or certificate.

On-Campus Program: Any program offered in any format by a USM institution at its own main campus.

Off-Campus Program: Any program delivered in any format to a site other than that of the main campus of the institution offering the program.

Closed Site: A program offered for a particular organization or constituency that is not open to the general public, e.g. military base, hospital, or business organization.

Open Site: A program site that is open to the general public, i.e. access to program offered at an open site is not restricted to members of any particular group or organization.

Tuition: The price students pay for their education, including those mandatory fees that do not fund auxiliary enterprises or other self-funded activities.

IV. **Tuition and Fees for Off-Campus Programs**

- A. **Applicability:** This policy applies to all degree-granting institutions of the University System of Maryland. It applies to all courses and programs offered at open sites only. It does not apply to non-credit courses or to credit courses or programs offered under a contract for which there may be a different negotiated tuition.
- B. **Tuition Levels**
 - 1. Tuition for both in-state and out-of-state UNDERGRADUATE students who are enrolled either full- or part-time in an off-campus program will be the same as that for the on-campus program (see **BOR Policy VIII - 2.01, A**).
 - 2. Tuition for both in-state and out-of-state GRADUATE students who are enrolled either full- or part-time in an off-campus program will be the same as that for the on-campus program as defined by **BOR Policy VIII - 2.01, B**.
 - 3. The total cost (tuition and mandatory fees) to the student enrolled in an off-campus program will not exceed that for the student enrolled in the on-campus program, unless a waiver is granted. Where an institution can demonstrate that to deliver a quality off-campus program necessitates an additional delivery or specific program fee, such a fee may be requested. Off-campus programs for which a differential fee is requested will be approved by the chancellor and reported to the Regents in the annual report on tuition.

V. **Policy Implementation**

- A. Each president will submit tuition and fee recommendations for off-campus programs and related data in accordance with the schedule and format set by the chancellor. Supporting documentation will be provided for policy exceptions requested under **section IV (Tuition and Fees for Off-Campus Programs)** above.
- B. The chancellor will recommend to the Board of Regents a tuition and fee schedule for off-campus programs offered by each institution as part of the annual operating budget request. Should the chancellor's recommendation differ from that of the presidents, the chancellor will make both recommendations available to the Committee on Finance of the Board of Regents.

(BOR VIII - 2.61)

VIII – SU - Policy on Reimbursement of Expenses for Work-Related Travel

1. Out-State and Out-of-Country Travel Requests must be submitted to the President's Office for approval at least 30 days in advance of scheduled travel. An expense account must be filed within three (3) working days after travel has been completed. All forms related to out-of-state and out-of-country travel are available in the Financial Services Office.
2. Faculty who have had out-of-state or out-of-country travel requests approved may request advance funds for conference registration and fees, lodging and food, and travel. If a faculty member receives an advance and does not spend the entire advance, must return any remaining funds upon filing a travel expense account three (3) working days after travel has been completed.
3. The university's reimbursement rates for meals, mileage, porter fees and tips are detailed in the USM/SU Travel Regulations and Pertinent Information Regarding Personal Reimbursements, published by the Financial Services Office and available from deans and chairs.
4. Faculty are encouraged to apply for the personal "American Express Corporate Card," and to use the card for charging travel-related expenses and applying for reimbursement upon return from a trip. Use of the card reduces the risk of carrying cash. The card may be used for business and any other expenses as well. Each card holder is billed monthly by American Express, and there is no yearly membership fee for holding the card. Applications for the card are available in the Financial Services office Monday through Friday from 8:00 a.m. - 5:00 p.m.

VIII – 11.10 - Policy on Schedule of Reimbursement Rates

Rates for Hotels

Cost of hotel accommodations are reimbursed on the basis of receipts for single-room rate, in accordance with institution policy to establish that the room rate is appropriate.

Rates for Meal Expenses

The standard per diem rate for domestic travel is \$39 (breakfast, \$8.00; lunch, \$10.00; dinner, \$21.00) per day; the high-cost diem rate is \$43 per day. In the absence of receipts, travelers will be reimbursed for domestic travel at the standard per diem rate, as appropriate. Foreign travel is reimbursed at actual cost with receipts or at the applicable U.S. Department of State Meal and Incidental Rate (M&IE) without receipts.

Mileage Rate for Use of Personal Vehicle

Personal vehicle usage will be reimbursed at the rate of \$.34 per mile if a state vehicle is not available for use; reimbursement of \$.17 per mile will be paid if a state car is available and you choose not to use it (this reimbursement will require your department head's budget approval).

Designation of High-cost Locations for Travel

Check the *Financial Services Policies and Procedures Handbook* for travel to find out which metropolitan areas are designated as "high-cost" for domestic travel.

Note: Cost for meals and mileage for the use of a personal vehicle may change. Contact the Financial Services Office for correct rates.

Approved by the USM's BOR, July 19, 2002, July 1, 2003

(BOR VIII - 11.10)

Revised 10/7/02, 9/03

VIII – SU - Policy on Use of State Owned Vehicles

1. Faculty using university owned vehicles are responsible for knowing and following all policies and procedures. The rules for use of University owned vehicles are published on the following University web sites:
<http://www.salisbury.edu/admin/motorpool/>
<http://www.salisbury.edu/admin/ap/travel.htm>
1. University vehicles may be driven only by authorized employees of the University who have been certified by the Salisbury University Motor Pool.
 - A student may drive when employed by the University if he/she is at least 18 years old and has been assigned as a driver in his/her work responsibility.
 - Campus departments/clubs/sport teams may, in addition, designate in writing, several qualified students or volunteers to serve as non-employee volunteer drivers when the need for such is justified. These volunteers must be certified by the SU Motor Pool as well.
 - Volunteers are subject to a driving record review by the SU Motor Pool and their participation is limited to the specific pre-approved needs.
2. Any person planning to drive a State vehicle must be certified through the Salisbury University Motor Pool.
 - All drivers must possess a driver's license that is valid in the State of Maryland
 - An employee who has an accumulation of six (6) or more points for moving violations is prohibited from operating University owned vehicles.
 - Motor Pool will maintain a list of certified drivers.
3. University owned vehicles are to be used exclusively for official University business. Personal business or pleasure use is prohibited.
 - University vehicles driven and used by students, non-employees, and volunteers are subject to the following limitations:
 - Travel must be directly related to the curricula activities and business functions of the University.
 - For teams/clubs/organizations, travel must be directly related to University activities (e.g., Ruby, Frisbee, SGA, etc.).
4. Passengers are limited to those persons who are properly authorized to participate in a University function with an employee traveling on official business. The traveling employee is responsible for appropriate authorization of passengers.
 - Where properly authorized, this includes the employee's spouse, students, or guests of the University whose presence as a passenger is directly related to the employee's official business trip.
 - Children of faculty or staff members are not permitted to accompany the member in a University vehicle unless they are officially participating in the business of the University.
5. It is the driver's responsibility to ensure the use of passenger restraining devices by all vehicle occupants.
6. University policy prohibits smoking in all fleet vehicles.
7. All traffic and parking laws are to be obeyed. All violation fines are the responsibility of the driver.

Revised 9/03

8. The use of University owned credit cards is restricted to the specific vehicle or vehicles to which it is assigned. Under no circumstances are these credit cards to be used otherwise.
9. University vehicles may not be rented or loaned to outside groups, individuals, or organizations.
10. Priority in assignments of vehicles is as follows:
 - Admissions have priority over anyone or any group at any time.
 - Academics and athletics have priority over a student club/organization from a vehicle not less than two weeks before the trip is to take place.
11. The University Police Office conducts driver refresher courses for all new employees and student employees annually or as needed. New drivers are to contact University Police to schedule the course.
 - The refresher course covers the basic driving rules. At this time all drivers will receive a copy of the rules and regulations for operating state vehicles. The course is mandatory and must be completed before being allowed to operate a state vehicle.
 - These sessions cover how to hook up the large trailer, how to turn and pass with a trailer, and how to back the trailer up. Each session group consists of five people. This course is mandatory and must be completed before being allowed to pull a trailer.
 - Please note: University trailers are insure ONLY when being towed by a fleet vehicle. All school canoes, kayaks, and equipment must be transported by school trailers behind school vehicles.

Revised September 2003 by the Provost's Office

Revised 9/03