

STANDARDS OF CONDUCT

Alcohol, Tobacco and Drug Use

Purpose

The purpose of the alcohol, tobacco and drug use policy is to support the educational mission of the University with standards of personal health, moral integrity, and social consciousness, as well as to ensure that the provisions of the Drug Free Workplace Act are fully implemented.

Restrictions

1. The University prohibits in its workplace the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance. A "controlled substance" means any drug or substance the use, distribution, dispensation or possession of which is controlled by criminal statute or regulation (including, but not limited to, marijuana, cocaine, heroin, morphine or valium). However, proper use of medication prescribed by a licensed physician shall not constitute a violation of this policy.
2. The University does not permit staff to use alcohol or tobacco at any time on University property, or as part of any of its activities, or while the staff member is at work on behalf of the University. Furthermore, staff must not use alcohol or tobacco in any situation where Seattle Pacific University students are present or expected to be present.
3. The University strongly encourages faculty and staff to use discretion and sound judgment in the use of alcohol or tobacco while off campus and not engaged in work on behalf of the University.

Enforcement

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by staff will be grounds for immediate disciplinary action, up to and including termination and referral for criminal prosecution.

Any other violation of this policy will be grounds for immediate disciplinary action, up to and including termination.

Supervisors should not attempt to diagnose alcoholism, drug dependency, or any other complex physical, mental, or emotional problem, but they should identify, document, and attempt to correct all employee job performance and/or work behavior problems, if appropriate.

An employee who reports to work exhibiting specific, objective signs of being under the influence of or having consumed alcohol or controlled substances, or of abusing prescription medications, will generally be placed on suspension for the remainder of the work day. If the abnormal behavior resulted from prescription drug use in compliance with a physician's instructions, the University's sick pay policy applies. If the behavior is a result of drug abuse or alcohol use, the employee will be subject to further disciplinary action, up to and including termination and referral for prosecution if appropriate. If the behavior results in a conviction of a violation of criminal drug laws involving the workplace, the disciplinary actions will be dictated by the Drug-Free Workplace regulations. All employees must notify the University of any criminal drug statute conviction for a violation occurring in the workplace or other violation of this policy. The University must be notified at least five days after such violation. Notice should be given to the director of human resources.

The supervisor should immediately document any violation of this policy. The documentation should be forwarded the same day to the area vice president, with copies to the President's Office and Office of Human Resources.

If an employee is required to complete a drug treatment and rehabilitation program as part of the disciplinary action resulting from a violation of this policy, official records of the diagnosis or treatment will be kept for three years, separately from the standard personnel file, by the director of human resources. The file will be held in the strictest confidence and will only be used as evidence to governmental and granting agencies that the University did in fact take steps toward correcting the problem.

Drug-Free Workplace and Drug-Free Schools and Community Regulations

Seattle Pacific University is subject to the requirements of the federal Drug-Free Workplace Act of 1988, and the Drug-Free Schools and Communities Act of 1989. The University annually distributes information regarding the restrictions and consequences of violations of each Act. The University strongly supports each Act and consistently ensures compliance with them. Any employee who has not received copies of the statements should contact the Office of Human Resources.

Computer Usage Policy

Purpose

The purpose of the computer usage policy is to outline faculty, staff and student responsibilities in the legal and ethical use of University computers in an effort to maintain confidentiality of stored data, files, computers and networks as well as protecting the proprietary rights of third parties and of the University in commercial software. This policy also provides the general guidelines on how computer and electronic resources may be used.

Computer System User Responsibilities

All faculty, staff and students must participate in assuring legal and ethical use of University computers and user accounts. Specific responsibilities include the following:

- Limit user access to computers, data and programs for which the individual user is authorized. Abide by existing channels of authorization and security provisions.
- Prohibit any unauthorized access to others' data or programs, including unauthorized access with the intent to read, browse, modify or delete files and directories.
- Prohibit illegal copying of commercial software on or off campus.
- Prohibit use of University computers or networks to compromise other computers or networks, or to commit crimes or other unethical acts.
- Keep passwords and accounts confidential. Your access to computer resources is for your personal use only. It is not to be shared with others. Take the appropriate safety measures with regard to account access, including the following:
 - -choose difficult to guess passwords;
 - -change passwords often;
 - -do not leave terminals unattended without logging out.
- Handle confidential data responsibility in an effort to protect the privacy of individuals.
- Prohibit the introduction of public-domain or bulletin-board software on any University computer without the prior approval of Computer & Information Systems.

General Use Guidelines

The following general guidelines describe how computer resources at SPU may be used.

- The University encourages sharing of information, comprehensive access to local and national facilities to create and disseminate information, and free expression of ideas. There is an obligation on the part of all those who use these facilities to respect the intellectual and access-rights of others who use the resources. It is critical that computer use be performed in an ethical manner which ensures that the use of these resources fosters the goals and objectives of Seattle Pacific University.
- Computing and network resources, and user accounts are owned by the University and are to be used for university-related activities only. Computer equipment and accounts at Seattle Pacific University should be used for legitimate instructional, research, administrative, or other approved purposes.
- Electronic Mail (e-mail) facilities, Web pages, news groups and other electronic resources are for university related activities. Fraudulent, harassing or obscene messages and/or materials are not to be sent or stored. E-mail should not be used for advertising, broadcasting unsolicited messages or annoying other users.
- No one should deliberately attempt to degrade the performance of any of the University computer systems. Be considerate in your use of shared resources. Refrain from monopolizing systems, overloading networks with excessive data, wasting computer time, connect time, disk space, printed paper or other resources.
- Individuals should not use any network access provided by the University to affect other computers or the network in any harmful or malicious way.
- No one should create, modify, execute or retransmit any computer program or instructions intended to gain unauthorized access to, or make unauthorized use of any computer facilities or software.
- All computer and electronic files belong to somebody. They should be assumed to be private and confidential unless the owner has explicitly made them available to others.
- Check e-mail messages daily and remain within your limited disk quota. Delete unwanted messages immediately since they take up disk space. Never send any messages or keep anything that you would not mind seeing on the evening news.

Any violation of the stated responsibilities regarding system access, security or use should be reported to Computer and Information Systems. Violations of this policy may result in disciplinary action up to and including termination of employment.

Conflict of Interest

Each trustee, officer, and employee of Seattle Pacific University occupies a fiduciary relationship with the University based on loyalty, trust, good faith, and candor in the performance of job-related duties.

The University asks that each employee covered by this policy use good judgment, high ethical standards, and honesty in all job-related business dealings. The employee should avoid any conflict of interest or appearance of conflict of interest. Every employee of the University shall advise the President of any situation he or she is involved in which may give rise to a conflict of interest or appearance of conflict of interest. The President will review any perceived conflicts of interest and decide on the disposition of the situation.

Disciplinary Action

Purpose

As a matter of general policy, and not as a promise of specific treatment to any employee, the University seeks to ensure fair and equitable treatment of staff. This means the University may

provide a period of time, when appropriate, for the correction of performance or behavior that does not meet University standards.

Disciplinary procedures may be initiated at any time and for various reasons, as deemed appropriate by the University. The severity of the action will generally depend on the nature of the problem and on the employee's past performance, and may range from verbal counseling to immediate dismissal.

Disciplinary procedures may consist of any or all of the following steps:

- Verbal counseling
- Written warning
- Withholding salary increases
- Suspension with or without pay
- Demotion
- Dismissal

As a general policy, and not as a promise of specific treatment, disciplinary action is often times progressive in nature, with a verbal warning preceding a written warning, and a written warning preceding dismissal. However, exceptions to or deviations from the normal procedure may occur whenever the University (in its sole discretion) deems appropriate. The University reserves its right to terminate any employee, at any time, at will, with or without cause.

The above disciplinary procedures would not apply during the first 90 days of employment.

Employee Lifestyle Expectations

Employees of Seattle Pacific University are members of a community. All communities expect their members to uphold certain standards of behavior and contribute to the welfare of the group in specific ways. The community expectations of SPU are standards of behavior which reflect the University's commitment to providing higher education in the context of an evangelical Christian and Wesleyan heritage. Employees serve as both ambassadors of SPU to the external community and role models for students.

Therefore, as members of this academic and faith community, SPU employees are asked to make behavioral and lifestyles choices consistent with biblical standards of moral integrity, social consciousness, and effective Christian witness. In keeping with these expectations and to ensure a spirit of Christian community, University employees are expected to refrain from:

- illegal or unethical acts of any kind
- sexually immoral behavior which is inconsistent with Biblical standards*
- use of any alcohol and/or tobacco products on campus or at any University sponsored activity**

Employees who engage in any of these activities may face disciplinary action up to and including termination of employment with the University.

* For more information, see the University's official statement on human sexuality (copies available in the Office of Human Resources).

** For more information, see the University's policy on alcohol, tobacco and drug use (policy available in the Staff handbook).

Grievance Procedure

Purpose

As a matter of general policy, and not as a promise of specific treatment to any employee, the University seeks to provide an avenue for staff who believe they have been unfairly treated by their supervisors. This policy does not apply to: (1) alleged sexual harassment (which is covered in the Sexual Harassment Policy), (2) alleged violations of the Policy of Nondiscrimination (which complaints are handled through the University's Discrimination Grievance Procedures), or (3) decisions to terminate an employee.

Eligibility Requirements

This policy is applicable to regular full-time and regular part-time staff of the University who have been employed by the University longer than 90 days. Temporary employees may not access the grievance procedure.

Definition of Terms

Grievance Board

The President may appoint a board consisting of at least three employees of the University, at any job level below the rank of area manager/Vice President, who have no vested interest in the outcome. Generally, one member of the board will be a peer of the individual who has requested a grievance hearing.

Independent Reviewer

The President may appoint any individual, independent of the grievance and the supervisor, to hear the grievance and recommend an action to the President.

Description of Process

If a staff member has a grievance regarding an action or behavior of a supervisor or fellow employee they must first seek correction or resolution directly with their supervisor. If resolution is not achieved then the employee, if wanting to pursue a grievance, should contact their area vice president and present their grievance (in written form) for mediation and resolution. The vice president is expected to study the problem and attempt to resolve the differences. If no resolution can be reached:

1. The area vice president will inform the director of human resources of the lack of resolution and the need to initiate the following grievance procedure.
2. The director of human resources will notify the president in writing, with a copy to the vice president involved. The notice will include any background information the president may need to determine a course of action.
3. The president will appoint a grievance board or an independent reviewer if determined necessary. If the president determines that a grievance board or an independent reviewer is not necessary, the president may make a decision based on the evidence already collected and presented.

If a grievance board is convened or an independent reviewer is appointed, the following steps will apply:

1. The director of human resources will establish the initial meeting time and place for the board or the independent reviewer.
2. The board or the independent reviewer will communicate with the grievant and the supervisor in order to establish a time when both can present written and oral arguments.
3. The board or the independent reviewer will investigate the grievance through the examination of the submitted documents, and may request any other documentation it feels necessary and interview any other employees it feels might have knowledge bearing on the case. The president, at the president's sole discretion, may direct that privileged or confidential information may not be released to the grievance board or the independent reviewer.
4. At the conclusion of the hearing, the grievance board or the independent reviewer will make its recommendation to the President or his designate.

The final decision will be communicated in writing by the president or his designate to the grievance and to the vice president involved.

Limitations/Exclusions

This procedure is available only to those individuals who meet the eligibility requirements defined above. Employees who feel they have been treated unfairly for having complained about unsafe conditions or illegal activity at the University should immediately inform the director of human resources or the president's office if the unsafe conditions or illegal activity involves the director of human resources. Please see the purpose section above for other restrictions.

The grievance procedure must be initiated within 30 days of the incident being protested.

Legal Notices

If an employee is served with or receives a legal summons, complaint, subpoena for trial or deposition testimony, or other notice of legal proceedings involving the employee because of his or her employment by the University or in any way related to or arising from the University's activities or activities conducted on its behalf, the employee must immediately notify and provide a complete set of the legal documents to the President's Office so that the University can consult legal counsel and make a timely response.

Reporting Suspected Abuse

State law requires certain professionals to make an immediate oral report to law enforcement authorities (for example, to Child Protective Services or Adult Protective Services or local police) whenever they have a reasonable cause to believe that a child (person under 18 years of age), adult dependent, or developmentally disabled person has suffered abuse or neglect.

Staff required to report generally include those who, in the regular course of their employment, are involved in teaching, counseling, nursing, or administration. When such staff have reasonable cause to believe that such abuse or neglect has occurred, the staff person shall report the incident to the appropriate law enforcement agency by telephone at the first opportunity, but in no case longer than 48 hours after there is reasonable cause to believe the child or adult has suffered abuse or neglect. This reporting requirement does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is a reasonable cause to believe other children, dependent adults, or developmentally disabled persons are or may be at risk of abuse or neglect by the accused, then the reporting requirement still applies. For additional information or for consultation, contact Counseling and Health Services.

For purposes of this mandatory reporting law, "abuse or neglect" means injury, sexual abuse, sexual exploitation (allowing prostitution or obscene filming of a child), negligent treatment, or maltreatment by a person that indicates harm to serious disregard that endangers the victim's health, welfare and safety.

The report should be on the form provided in the appendix to this handbook and should include the name, address and age of the suspected victim; name and address of the victim's parents or persons having custody of the victim; the nature and extent of the suspected injuries, neglect or sexual abuse; evidence of any suspected previous injuries; and any other information that may be helpful in establishing the cause of a victim's injuries and the identity of the alleged perpetrators. Additional forms are available in the Counseling Center, the Office of Student Life, and the Office of Human Resources.

Any person who in good faith makes a report or testifies to the alleged abuse in a judicial proceeding is immune from liability arising out of such reporting or testifying under any state law.

Sexual Harassment

Purpose

Seattle Pacific University is committed to maintaining an environment free of sexual harassment. Members of our community have the right to work, study, and communicate with each other in an atmosphere free from unsolicited and unwelcome communication of a sexual nature. The sexual harassment policy and procedures are intended to provide fair and equitable treatment for both the complainant and the alleged harasser. If you believe you have been sexually harassed, you should immediately report the incident to a grievance officer.

Position of the University

Sexual harassment is in violation of Title VII of the Civil Rights Act of 1964, as well as of University policy. The University will not permit such harassment, and will promptly and aggressively investigate and pursue the resolution of any complaint of such conduct.

Definitions

Sexual Harassment is defined under the guidelines of the Equal Employment Opportunity Commission as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment are:

1. Making acceptance of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature a condition (expressed or implied) of the employee's continued employment or the student's academic matriculation, or

2. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee, or for academic, employment, or financial decisions affecting the student, or
3. Stating or implying that a particular employee's advances in employment, or a particular student's grades, academic awards, financial aid, scholarships, or other assistance, evaluations, or recognition received from the University, have resulted from the granting of sexual favors or the establishment or continuance of a sexual relationship, or
4. Stating or implying that a particular employee's or student's performance is attributable in whole or in part to the gender of the person, or
5. Commenting on particular characteristics associated with a particular sex (e.g., an employee's legs or physique), or
6. Creating an intimidating, hostile, or offensive working, academic, or living environment by such conduct or comments.

Grievance Officers

The professionals who have been designated by the University as grievance officers are the Associate Provost and Dean of Student Life, a representative from the faculty, and the director of human resources. Grievance officers do not serve as legal consultants or advocates for either party. The role of the grievance officer is to collect information about complaints of sexual harassment and to facilitate a fair and equitable investigation process.

Procedures

Need to Report Sexual Harassment:

Any student or employee who believes he or she has been the subject of sexual harassment or has concerns about the appropriateness of the behavior of a student or employee should report the behavior immediately to one of the University's grievance officers.

Process

If the complainant wishes to proceed, a prompt investigation should take place according to the following procedure. The grievance officer should interview the complainant and request that the complainant prepare a written complaint. Additionally, the officer will make any appropriate referrals (e.g., to counseling, rape relief, etc.). The grievance officer may begin the investigation prior to the receipt of a written complaint or receipt of the alleged harasser's response.

Consultation with Director of Human Resources

If the alleged harasser is an employee and the grievance officer approached by the complainant is not the director of human resources, the grievance officer will consult with the director of human resources before proceeding further.

Presentation of Complaint

If the alleged harasser is a student, the written complaint will be submitted to the alleged harasser by the student discipline officer (as designated by Associate Provost and Dean of Student Life) and the grievance officer.

If the alleged harasser is an employee, the written complaint will be submitted to the alleged harasser by the grievance officer and the area vice president (or designate) of the alleged harasser.

Response to Complaint

If the alleged harasser is a student, the alleged harasser must provide a written response to the student discipline officer within five working days of receipt of the written complaint. If appropriate, other investigation will be conducted by the student discipline officer and the grievance officer, and may involve personal interviews and research.

If the alleged harasser is an employee, the alleged harasser must provide a written response to the grievance officer within five working days of receipt of the written complaint. If appropriate investigation will be conducted by the grievance officer and the area vice president (or designate) of the alleged harasser, and may include personal interviews and research.

Recommendation

If the alleged harasser is a student, then after all pertinent information has been collected, and in consultation with the vice president for student life and the grievance officer, the student discipline officer will recommend a resolution of the complaint to the President.

If the alleged harasser is an employee, the grievance officer will, in consultation with the vice president (or designate), make a recommendation to the President for resolution of the complaint.

Corrective Action

When appropriate, corrective action will be taken up to and including expulsion/dismissal.

The grievance officer or student discipline officer will relate the approved corrective action to the complainant and to the alleged harasser.

Faculty and Supervisor Responsibilities

Any faculty member or supervisor who has knowledge of an incident or alleged incident of sexual harassment is required to contact one of the three grievance officers immediately, whether or not a formal complaint will be filed. Since failure to act could be interpreted as condoning the prohibited behavior, faculty and supervisors must act promptly.

Employee and Student Responsibilities

All employees and students are to participate in assuring that the workplace is free from sexual harassment. Their responsibility is to avoid any behavior which could be perceived by another as sexual harassment. Also, any employee or student who has been sexually harassed by a co-worker, supervisor, student, or faculty/staff member should bring the complaint to the attention of one of the grievance officers. Additionally, any employee or student who has knowledge of an incident or alleged incident of sexual harassment should strongly encourage the complainant to seek the counsel of one of the grievance officers or should personally report the incident to a grievance officer if the complainant is reluctant to do so.

Protections

Confidentiality:

Special safeguards will be applied in handling sexual harassment complaints to protect (as far as is reasonably possible in the circumstances) the privacy of the complainant and the alleged

harasser. However, in order to act on behalf of all its students and employees, the University cannot guarantee the anonymity of an individual making or filing a formal or informal complaint.

False Claims:

Given the nature of this type of harassment, the University recognizes that false allegations of sexual harassment can have serious effects on innocent men and women. Therefore, the University may take disciplinary action in cases where frivolous or vexatious complaints are submitted.

Retaliation:

The University not only prohibits harassment but also strictly prohibits any retaliation, intimidation, or coercion directed against an employee or student who, in good faith, has registered a complaint or reported an incident, or who intends to do so. Any employee or student who, after appropriate investigation, has been determined to have retaliated against an employee or student for using, or expressing an intent to use, the complaint procedure in this policy will be subject to disciplinary action, up to and including immediate dismissal/expulsion. If any employee or student believes he or she has been retaliated against for exercising the procedures under this policy, the employee or student should directly and immediately contact one of the grievance officers or the Office of the President.

This policy and procedure statement does not interfere with the right of an individual to seek legal counsel or representation.

Any deviation from or modification of this policy must be approved by the Office of the President.

Statements on University Matters or Policies

Employees should refer any requests from outside persons for interviews, testimony, or statements on University matters or policies to the Office of University Communications. For example, staff should decline to give statements to the press ("on" or "off the record") or statements to insurance company claims adjusters or representatives (regarding accidents on campus or involving University employees or students), and instead refer them to the Office of University Communications. The Office of University Communications must be notified promptly of any such requests or contacts from outside parties.

While employees must of course comply with any order of a court or law enforcement officer, if an employee has knowledge of an event such that his or her testimony is needed, the employee must give prompt prior notice of the request to the president, provost, or vice president for business and planning so that legal counsel may be present if appropriate.

Wage Garnishment

Notifications regarding garnishment of wages will be processed pursuant to state law. If garnishments on three or more separate debts are served on the University with respect to any employee within a 12-month period, disciplinary action (up to and including termination of employment) may be taken against that employee.