

Adjunct Faculty Handbook



2025 - 2026

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AJA - History, Mission, General Organization and Governance

This Handbook was developed with the objective of summarizing the College's Human Resource procedures for all employees into a usable guidebook. Such a guide promotes consistency, continuity and mutual understanding. It should be viewed as an orientation guide by new employees. Please read through it and then retain it for future reference. It is essential that employees understand and follow these guidelines and policies. It is the responsibility of each and every supervisor to administer these guidelines in a consistent and impartial manner.

This Handbook reflects current rules, policies and procedures pertaining to employment and is not a contract or a legal document. In case there is a conflict between the information outlined in this Handbook and legal documents, such legal documents will take precedence over the printed version issued today.

Continued employment is neither promised to the employee nor guaranteed by the College. Employment is "at will" and either the employee or Wilmington College may terminate the employee relationship at any time with or without cause in accordance with policies described herein.

Offers of employment are valid only when appropriate parties, including the President, have approved the employment offer. No supervisor or representative other than the President has the authority to make any promises or commitments regarding changes in conditions of employment.

Wilmington College may modify, amend, suspend or terminate any provision or policy in this Handbook without prior notice or consent. Any changes will supersede previous policies, benefits or provisions described herein.

History

In 1870, the Religious Society of Friends (Quakers) founded Wilmington College. The College has remained on the site of its founding to the present day and the College has remained closely related to the Wilmington Yearly Meeting of Friends. For the first 45 years of its history, Wilmington was a liberal arts college with little indication of a vocational emphasis. Most of the students were from Wilmington and surrounding communities and were primarily Quakers. The Articles of Incorporation were in no way restrictive, describing the purpose of the College as "the promotion of education, religion, morality and the fine arts, and open to all without reference to religious beliefs."

Wilmington College's vocational emphasis appeared during the second 45 years, from 1915 to 1960. By 1923 the College was offering a bachelor's degree in education and by 1927 a School of Education existed with its own dean. Home economics and secretarial science were introduced several years later. Business administration, created as a separate department in 1921, was incorporated into the social sciences division in 1930 and became a separate department again in 1946. Industrial arts started in 1921 and acquired department status also in 1946. Agriculture, originally part of the science program, developed a 3-2 program with Ohio State. In the late 1960s, however, agriculture developed as a separate department and began to offer its own major.

In the late 1940s the College began to attract students from outside the local area. It was a self-help program that first gave the College wider recognition. Under the direction of President Samuel D. Marble, the College constructed several buildings with donated materials and student and faculty labor. At about the same time, the

Randall work-study program began. This program allowed students to earn up to 80% of their College expenses by working in a local factory. At the peak of the program, over half the student body worked at the Randall plant and more than half the Randall labor force was composed of Wilmington College students.

The 1960s witnessed a rapid expansion of the Ohio public higher education system.

Increased competition led Wilmington College to expand its recruiting efforts outside of Ohio. The result was a more diversified student body with an increased emphasis on the humanities and the fine arts. By 1971 enrollment reached 999 students.

During the late 1970s and early 1980s three departments grew rapidly: agriculture, economics and administration (business), and education. Supplemented by new programs such as athletic training and communication arts, the on-campus part of the institution gave renewed attention to the career-oriented aspect of the College's mission. From 1975–1995 the College offered degree programs at three state correctional institutions. These programs were a direct outgrowth of Quaker concerns for prisons and prisoners. While funding for these programs has diminished, the College still provides some College level classes and pre-release programming at these institutions.

Mission, Vision, and Core Values Statements

Mission Statement

The mission of Wilmington College is to educate, inspire and prepare each student for a life of service and success.

To fulfill that mission, Wilmington College provides a high quality undergraduate and graduate educational environment shaped by the traditions of the liberal arts, career preparation and the distinctive practices of the Religious Society of Friends (Quakers). By offering academic programs, practical experience and co-curricular activities in a variety of settings to students from diverse backgrounds, the College leads students to gain an awareness of the world, to acquire knowledge of career and vocation and to seek truth and social justice.

In keeping with the rich heritage of the liberal arts, the College seeks to educate the whole person – intellectual, emotional, physical and spiritual – in ways that foster critical thinking, reflection, the free exchange of ideas, open inquiry, respect for all persons and a desire for lifelong learning. The liberal arts are integrated with career preparation to help students develop the knowledge and skills to succeed in a career or further education.

As an academic community, Wilmington College is rooted in historic Quaker values that include integrity, service, simplicity, equality, peace and social justice and respect for all persons. These values motivate those who learn and work at Wilmington College to make positive contributions to their professions and their communities.

Approved by the Board of Trustees April 24, 2015

Vision Statement

Wilmington College intends to make significant progress in the next decade toward being a model college that melds the liberal arts and career preparation in order to graduate liberally educated professionals. To move towards this vision, Wilmington will:

- integrate career preparation with the traditions and foundational skills of the liberal arts;
- challenge students to live the historic Quaker testimonies of integrity, service, peace and social justice, stewardship and respect for all persons and to practice them in their communities, and workplaces;

- promote every student's participation in hands-on experiences including internships, community service, and international study programs;
- create a caring campus community that embraces civility, respect, and trust; and
- demonstrate a commitment to this vision by placing the needs of students at the center of decision-making.

Approved by the Board of Trustees April 24, 2015

Core Values Statement

The following core values are fundamental to the success of Wilmington College in realizing its mission and vision. These values are drawn from the College's founding faith, The Religious Society of Friends (Quakers), from important traditions of American higher education, and from universally held beliefs that serve to guide the best in human thought and action.

Integrity – This value has been described as the value from which all other values emanate and has importance in this ordered list of values. Integrity as defined by the College community as the fundamental requirement to be fair, honest and ethical in all dealings on campus and requires each of us to assume responsibility for our actions.

Community – This value is defined on campus as the desire to create in partnership a learning and working environment that supports and encourages a shared sense of purpose about the importance and value of broad participation, active engagement, open sharing of information, shared responsibility for decision making, and a culture that emphasizes continuous improvement and growth.

Diversity – This value is purposeful in guiding our willingness to recruit, retain and graduate a student body that reflects the global communities that the College serves and seeks to foster our understanding and appreciation of different people, cultures and ideas.

Excellence – This value requires the College to support and encourage a commitment to the highest standards in all areas of the College's mission.

Peace and Social Justice – This value comes directly from our Quaker heritage and asks all members of the community to seek non-violent resolution of conflict and just treatment of the world's resources, both human and physical.

Respect for All Persons – This value is fundamental to the development of a peaceful and just community that values the dignity and worth of all persons.

Service and Civic Engagement – This value seeks to foster all members of the campus community to serve others and to accept individual responsibility for being an engaged and effective citizen.

Diversity Statement

Wilmington College is committed to achieving and sustaining diversity. It seeks to create a campus culture of inclusion and a learning environment that supports educating students who will work, live, and serve in a diverse nation and world. This statement is consistent with and expands upon the words in the College's mission statement that invoke the historic Quaker commitment to social justice and respect for all persons and that express a desire to provide educational opportunities of high quality to students with varying needs, abilities and backgrounds.

Moreover, this statement is the foundation for all diversity initiatives undertaken at Wilmington College. It defines diversity, delineates our diversity goals, and describes diversity's benefits.

Diversity Defined

The term diversity has many meanings. While the term is used to refer to differences, we intend for diversity to be an inclusive term. Its emphasis at Wilmington College will be inclusion related to racial and ethnic background, religion, gender, sexual orientation, age, disability, and economic class.

Diversity Goals

The following goals will foster increased commitment and align resources to increase diversity and realize more fully the benefits of diversity at Wilmington College:

1. Create a supportive environment for all who work and learn at Wilmington College and build a campus community that respects the inherent dignity of all persons, discourages bigotry and strives to learn from differences in people, ideas and opinions.
2. Recruit and retain individuals who will contribute to making Wilmington College a diverse community.
3. Include within the curriculum and co-curriculum programs of study and activities that explore the experiences, perspectives, and contributions of various cultures, groups, and individuals and prepare students to work, live, and lead in a multicultural world.

Diversity's Benefits

In pursuit of these goals, Wilmington College will enhance and deepen the benefits of diversity for its campus community, especially for its students. We know that diversity

- Enriches the educational and work experience by providing all members of the campus community with the opportunity to learn from individuals who differ from them.
- Promotes personal growth and a healthy society by challenging stereotyped preconceptions and helping students learn to communicate effectively with people from varied backgrounds.
- Strengthens communities and the workplace by preparing students for citizenship in an increasingly complex, pluralistic society and fostering mutual respect and teamwork.
- Enhances the country's economic competitiveness by effectively developing and using the talents of all citizens.

Wilmington College aspires to become more diverse and to extend the benefits of diversity to all members of the campus community.

AJA - Employment Statements and Accommodations

AT-Will Doctrine

The contents of the Handbook are presented as a matter of information. While this Handbook is not intended to be a book of rules and regulations covering all aspects of employment, it does include some important guidelines that you should know. Except for the at-will employment provisions, the Handbook can be amended at any time. The Handbook, the plans, policies and procedures described herein, and the language used herein are not intended to create, nor are they to be construed to constitute, a contract between the College and any or all of its employees. Likewise, neither is this Staff Handbook, the plans, policies, and procedures described herein, nor the language used herein intended to be or is, a guarantee or promise of employment or continuing employment.

Employees are not hired for any definite or specified period of time, even though your wages are paid regularly. Your employment with Wilmington College is at will, which means that it can be terminated by the College or you at any time, with or without cause or prior notice. Wilmington College policy requires all employees to be

hired at-will and this policy cannot be changed except by a written document signed by you and the President. There have been no implied or verbal agreements or promises to you that you will be discharged only under certain circumstances or after certain procedures are followed. There is no implied employment contract created by this Handbook or any other Wilmington College document or written or verbal statement of policy.

Statement of Non-Discrimination

WILMINGTON COLLEGE DOES NOT DISCRIMINATE ON THE BASIS OF AGE, RACE, COLOR, RELIGION, NATIONAL OR ETHNIC ORIGIN, GENDER, SEXUAL ORIENTATION, OR DISABILITY IN THE ADMINISTRATION OF EDUCATION POLICIES, ADMISSION POLICIES, FINANCIAL AID, EMPLOYMENT, OR ANY OTHER COLLEGE PROGRAM OR ACTIVITY.

Inquiries regarding compliance may be directed to:

Director of Human Resources
Pyle Box 1187
1870 Quaker Way
Wilmington College
Wilmington, Ohio 45177
Telephone: (937) 481-2282

or to the

Director of the Office for Civil Rights, Cleveland Office
U.S. Department of Education
600 Superior Avenue East
Bank One Center, Room 750
Cleveland, Ohio 44114-2611
(216) 522-4970

If a student believes discrimination is being practiced, the following procedure should be followed:

1. Contact the officer of the College who is responsible for receiving the complaint, investigating it, and, if need exists, directing it to the appropriate member of the campus community who has responsibility for the specific area in which the infraction is alleged to exist.
 - a. For academic complaints, the Vice President for Academic Affairs
 - b. For student service-related concerns, the Vice President for Student Affairs
 - c. For complaints related to employment, the Director of Human Resources
2. Any appeal of action taken as a result of the original complaint should be directed, in writing, to the President of Wilmington College.
3. Any complaint for which there is no other officially designated route for recourse should be brought to the attention of the administrator under whose jurisdiction an infraction is thought to exist. Appeals from a decision of an administrator in any such case should be made to the President of Wilmington College.
4. NC-SARA Student Complaints Procedure
Wilmington College operates under the approval of "NC-SARA", National Council for State Authorization Reciprocity Agreements <https://www.nc-sara.org/>. As required by the NC-SARA student complaint process, a student must first attempt to resolve their complaint at the institutional level. For complaints not resolved within the institution, a student may file an appeal in one of the following ways (dependent on their state residence):
 1. For Out-of-State students from SARA member states <https://www.nc-sara.org/sara-states-institutions> not residing in Ohio.

2. For non-Ohio residents located in SARA member states with complaints not resolved at the institutional level, they may file a SARA complaint utilizing the Ohio Department of Higher Education's SARA Portal Agency <https://www.ohiohighered.org/students/complaints> .

Employment of Individuals with Disabilities

Wilmington College is committed to the fair treatment of employees and applicants for employment who have non-performance related disabilities.

The College complies with all relevant provisions of the Americans with Disabilities Act and the Americans with Disabilities Amendments Act (ADA/ADAA). Decisions concerning hiring, promotion, transfers, training, benefits, and other employment-related programs will be made without regard to non-performance related disabilities. The College will provide reasonable accommodations to qualified individuals with disabilities who can perform the essential functions of the position, provided the accommodation does not constitute an undue hardship for the College.

Employees or applicants with questions about disability accommodation should contact, or be referred to, the Human Resources office. The College will review and analyze the request, including engaging in a timely, good faith interactive process, to identify if such an accommodation can be made or if other possible accommodations are appropriate. Reasonable accommodation may take many forms, and it will vary from one individual to another and may also change over time. Note that the law does not require the College to provide the exact accommodation desired, and if more than one accommodation is effective, the College may choose which one to provide.

Pregnancy and Lactation Accommodation

Wilmington College will comply with all applicable requirements under the federal Pregnant Workers Fairness Act and applicable state and local laws. Specifically, the College will provide employees with reasonable accommodation for any medical needs that may arise from pregnancy, childbirth, or related medical conditions, as long as it can do so without undue hardship on the College's operations. When an employee requests an accommodation, the College will engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided.

Wilmington College supports breastfeeding employees by providing reasonable accommodation to express breast milk during working hours. The College will provide:

- Reasonable break time for lactation purposes. The frequency and duration of breaks may vary with the employee's needs.
- A private, clean space (other than a bathroom) that is shielded from view and free from intrusion from co-workers and the public for expressing breast milk.
- Access to a refrigerator for storing expressed milk.

Employees needing lactation accommodation should contact their supervisor or the Human Resources Department to arrange suitable space and break times. The College will work with each employee to find solutions that meet their needs while minimizing disruption to work operations.

Religious Accommodation

The College will make reasonable accommodations for the observance of religious holidays and religious practices and sincerely held religious beliefs unless doing so would cause an undue hardship to the College's operations. Employees who desire a religious accommodation should contact Human Resources.

Genetic Information

The federal Genetic Information Nondiscrimination Act (GINA) and some state laws limit the extent to which employers may request or require genetic information of an individual or family member of the individual, as well as what uses and disclosures employers may make with that information. Wilmington College takes its responsibility to comply with these laws seriously and will not request or require employees to provide genetic information except in those circumstances allowed by law.

AJA - Steps to Employment

Employment Process

The recruitment and selection process for employees involves posting of the position on-line on **WC @ Home** and our external website Employment Page, which links to FAHE. The College reserves the right to publicly advertise posted positions concurrent to the internal posting, using any other site it deems acceptable.

Job postings include the job title, department, minimum requirements, and essential job functions.

After interviews, the top candidate is identified and contacted. Selection is based on:

- The applicant's ability to satisfy the minimum requirements of the job description.
- The applicant's ability to meet the goals and mission of the College.
- Results of personal interviews and, in appropriate cases, the results of job-related tests.
- References preferably provided by former employers.
- All offers are contingent upon successful completion of a background investigation, which may include drug screening and motor vehicle record check on some positions.

All Wilmington College employees are encouraged to apply for positions for which they are interested on a promotion or transfer basis. Also, managers must allow employees within their department opportunities to seek transfers to other departments. An atmosphere conducive to exploring promotion or transfer must always be maintained. Employees should advise the Chief of Human Resources if they have concerns regarding applying for any position.

Positions that involve only a change in job title, change in work schedule, or an adjustment to work duties will not be posted.

Background Checks

The College strives to maintain a suitable environment conducive for both learning and working safely. In addition to recruiting qualified employees, the College seeks employees who possess integrity, who are reliable, and who do not present a threat of danger to coworkers or students. In order to preserve such an atmosphere, the College reserves the right to investigate an individual's employment history, driving record, personal references, educational degree verification, and criminal background to ensure a proper match. All prospective employees are required to sign a release that permits these investigations to be conducted.

Orientation

New hires are provided a link to the on-line onboarding process using the College's HR/Payroll HRIS system. New hires complete all of the necessary personal information, emergency contacts, tax elections, direct deposit and I-9 documentation. New hires will meet with Human Resources during their first three days of employment to review benefit enrollment, retirement plan information and complete the I-9 process.

At the time of hire, general employment duties and responsibilities will be outlined. The immediate supervisor will provide specific information during the first few days of employment. Supervisors are vitally interested in being of help to the employees under their supervision and stand ready to provide coaching and answer questions at all times. Any problems or concerns arising in connection with your employment should be discussed promptly with your immediate supervisor.

Nepotism

The College always seeks to employ or promote the best-qualified person for a position. All decisions on selection, salary, promotion/advancement, etc. will be made without regard to the relationship of one employee of the College to another, except that no person in a supervisory position shall hire or supervise an employee who is related by blood, marriage, or domestic partnership.

Relatives include parents and children, husbands, wives and domestic partners, brothers and sisters, in-laws, uncles, aunts, grandparents, nieces and nephews, and step-relatives in the same relationships. Present employees who are currently supervised by a relative will not be affected by this policy.

Employment Records

Human Resources is the primary custodian of the official employment records of all employees of the College both past and present. Academic Affairs maintains faculty academic records.

Every employee must update in the HRIS personal status including name and address changes, so that the records properly reflect the current status of every person employed and so that informational bulletins including earning statements can be sent on a timely basis.

As a matter of policy with regard to employee personal privacy, we will collect and use only that information that is necessary or relevant to the operating needs of the College. Internal access will be limited to those who have legitimate business reasons. Information regarding an employee's home address and telephone number will not be released unless there is an obvious "need to know" or in case of an emergency. Employees' home addresses and telephone numbers will not be given to other employees for use in mailings.

The following information is designated as directory information and will be provided and verified: dates of employment, job title or position, and department. All other information maintained in the personnel file for all employees is considered confidential and is released only after written request and consent of the employee. Information will be released to government agencies when required by federal and state laws. Information may be disclosed in response to summons, judicial order or subpoena or other legal process.

All reference checks by outside employers requesting information on current or former employees and verification of employment must be referred to Human Resources. Departments should not release information about current or former employees. Human Resources is authorized to reply to inquiries by verifying dates of employment and termination and job titles and department.

The employee's personnel file shall be available for examination and review by the employee. Such review or examination shall take place during regular business hours in the Human Resources office in the presence of the record's custodian or his/her designee, and only upon prior notice. Employees will be required to sign a written form requesting access to his/her file and present valid identification.

Identification Cards

All regular employees are issued an identification card that enables them to use the various facilities and services where employee identification is necessary. Identification cards are issued through the Physical Plant office of the Human Resource Department.

AJA - Employment Status

Employee Absences

Unplanned Absences

All employees are required to call their immediate supervisor, or an alternate designated by the supervisor, to report an unplanned absence and to state the reasons for the absence as soon as possible, but not more than one hour after the normal reporting time. Failure to notify the supervisor may be cause for disciplinary action. If the employee is unable to return to work on subsequent days, the supervisor must be kept informed on a daily basis until or unless a formal leave is approved. The supervisor must notify Human Resources when the leave period extends longer than three days.

Any employee who must leave work during scheduled work time, for any reason, must first obtain permission from his/her supervisor or, in the event the supervisor or a designee is not available, the employee should contact next level manager.

Any employee who is absent three consecutive workdays without notifying the supervisor (or being on an approved leave) will be considered to have abandoned their position and their failure to report will be considered a voluntary resignation.

Planned Absences

It is expected that vacation will normally be planned in *advance according to the supervisor expectations*, with a Vacation Request submitted in the HRIS system for approval. Planned absences that may qualify for Family and Medical Leave should follow the FMLA policy. Other personal leaves should also follow the corresponding leave policies.

Medical Documentation/Work Release

The supervisor and the Chief of Human Resources may request a certificate signed by the attending physician for any absence due to illness or injury that extends beyond three consecutive days.

If an *absence for medical reasons is anticipated to be longer than seven days*, you **must** submit your health provider's documentation of medical disability to the Human Resources Office. Notify the Human Resources Office of your anticipated absence and the expected length of the absence as soon as possible so an FMLA (Family Medical Leave Act) form and Short-Term Disability form can be issued in a timely manner. When an employee is eligible for both FMLA and Short-Term Disability, the two will be coordinated and run concurrently. (Supervisors: Please ensure that these procedures as followed by those you supervise...or report an anticipated extended absence to the Human Resources Office yourself for follow-up.)

In instances of hospitalization, extended illnesses, or absences due to on-the-job injury, the employee must **obtain a release from the attending healthcare provider before returning to work.**

Emergency Closings

There may be times when emergencies, such as severe weather, fires, power failures, or a tornado, disrupt normal business operations at Wilmington College and/or its branch locations. The College may even have to close a portion of the campus. If the College decides to close, local radio and/or television stations will be contacted to announce the closing and the details of the closure.

Full policy is available.

AJA - Performance Management

Conduct and Ethics

Wilmington College is committed to upholding the highest standards of honest behavior, ethical conduct and fiduciary responsibility with respect to College funds, resources and property. The College also expects members of the College community to comply with all applicable state, local and federal statutes, rules and regulations.

Courtesy, tact, clean buildings, orderly offices, and well-kept lawns are all essential to creating favorable impressions. Therefore, your cooperation and involvement are extremely important in maintaining community relations. The Quaker values emphasizing concern for the individual, mutuality and equality should always be kept in mind in working relationships and contacts with students and the public.

Common sense, good judgment, and regard for the rights and interests of the College and one's co-workers are necessary to achieve harmony. Habits of punctuality, sharing the workload, and remaining courteous and pleasant will contribute greatly to the success of the College. Conduct should always perpetuate respect and courtesy for one's colleagues and associates. It is expected that no employee will interfere with any other employee's ability to work due to any type of verbal, physical, or emotional abuse; discrimination, harassment; retaliation; or defamatory, malicious, or bullying statements or comments.

AJA - Compensation and Benefits

Payroll Deductions

The following is a list of deductions that either must or may be taken through the payroll process.

Taxes

- The College, as an employer, is required to match employee contributions and to forward the combined amount to the appropriate governmental agency in the employee's name.
- Federal Income Tax is deducted on a regular basis. The amount withheld and forwarded to the Internal Revenue Service is based on the number of exemptions a staff member claimed on the withholding exemption certificate filed at the time of employment or as changed by the employee during employment. The rate of withholding is determined from tables published by the Internal Revenue Service and is based on the gross amount of payment due to an employee on a specific pay date.
- State Withholding Tax is deducted in accordance with the taxing rate established by the state in which the employee works. A separate withholding exemption certificate must be placed on file through the Human Resources office.
- City of Wilmington Income Tax is automatically deducted from payroll checks received by employees assigned to the main campus. Blue Ash and Cincinnati local tax is deducted from employees assigned to those offices respectively. No additional local city tax deductions are taken.
- School District Tax is deducted from payroll checks of employees who reside in school districts that have passed School District Income Tax (SDIT).
- Tax on College Provided Life Insurance – Employer paid life insurance over \$50,000 is considered by the IRS as a taxable benefit. The IRS provides a table based on age, to dictate the cost per \$1,000 of coverage per month, regardless of the actual premium amount the College pays for the insurance benefit. The College is required to report this cost as income to the employee and withhold the appropriate taxes.

Other Deductions

- Salary Advances
- Health care, dental and vision insurance (if enrolled)
- Retirement – TIAA Group Retirement Plan
- College Annual Support – Employees have an opportunity through payroll deduction to contribute to the various fundraising drives sponsored by the College for its continued development.
- Long- and Short-Term Disability Insurance
- Flexible Spending Accounts – Dependent care and medical.
- Health Savings Account
- Supplemental Life Insurance (Self, Dependents)
- Accident and critical plans
- Garnishments (Tax Liens, Child Support) as required by law

AJA - Faculty Contract Policies, Regulations and Processes

*Faculty approved section

In keeping with its mission statement, Wilmington College seeks to employ faculty members who are committed to its ideals and who maintain an active interest in the growth and development of their students as well as in their own academic disciplines. While faculty members must be well-qualified in their field of specialization, it is equally important for them to meet students at their own level of development and to help them grow intellectually both in their own understanding of each faculty member's particular discipline and of the inter-relatedness of academic disciplines. While scholarly research and publication are valued and appreciated, they are not a prerequisite for employment at Wilmington College.

Wilmington College was founded by and is affiliated with the Religious Society of Friends. Friends value community. But a spirit of Quaker community can be maintained only as long as all members participate actively in the life of the College. Formally, faculty members may encourage community by cooperating in the governance of the College and informally they may cultivate an atmosphere of collegiality by resolving disagreements in a friendly manner, by respecting honest differences of opinion and sometimes a willingness to "stand aside" in a consensus process when complete agreement cannot be reached on an issue. Quaker consensus on an issue does not require a complete agreement, but it does require the complete understanding and cooperation of each participant.

Definition of Faculty Status

Full-Time Faculty

Any person hired to teach at least 22 semester hours of coursework or its equivalent during the academic year with the mutual expectation of a continuing appointment is a full-time faculty member. Special assignments, e.g., coaching and play directing, may be written into contracts in lieu of a stated number of hours of classroom teaching or as a percentage of the full-time load. Full-time faculty members may hold tenured, probationary (i.e., tenure-track) or term contracts. All full-time faculty members carry one of the following ranks: Professor, Associate Professor, Assistant Professor or Instructor.

Non-tenured faculty on term contracts are entitled to the rights and are subject to the responsibilities of this handbook, consistent with their status as full members of the faculty. Such faculty are subject to evaluation and supervision by their Area Coordinator and the Academic Dean/Dean of the Faculty

Part-Time Faculty

Any person hired under a single contract to teach at least 12 semester hours, but less than 22 semester hours or its equivalent of coursework during the academic year, is a part-time faculty member. Part-time faculty members are not eligible for tenure, but they carry one of the four faculty ranks listed in 2.1.1. Part-time faculty who teach at least 18 semester hours in the 9-month academic year and perform advising or committee work are eligible for all fringe benefits that full-time faculty receive. Part-time faculty participate fully in all faculty meetings and are considered members of that body. They are also entitled to the rights and are subject to the responsibilities of this Faculty Handbook.

Adjunct Faculty

Any person hired to teach one or more courses on a semester basis is an adjunct faculty member. Adjunct faculty members are hired as the need arises; therefore, they have no expectation of a continuing contract and are neither eligible for tenure nor fringe benefits. Faculty members desiring adjunct teaching responsibilities following retirement may submit proposals for this purpose to the Area Coordinator and the Academic Dean/Dean of the Faculty. Adjunct faculty members are assigned academic rank based on education and experience. An adjunct faculty handbook is available.

Special Appointment Faculty

Emeritus: Faculty members retiring from Wilmington College are eligible for appointment to emeritus status. A faculty member must have had faculty rank at the College for a minimum of ten years to be eligible for emeritus status. Privileges of emeritus faculty include office and mail space when available and participation as feasible in academic ceremonies, including processions at convocations and commencement exercises, and admission to most campus events.

Visiting: Individuals appointed to fill a temporary position, e.g., a vacancy resulting from a leave or an illness of a regular faculty member, are called visiting faculty members. They are assigned one of the four faculty ranks based on educational credentials and experience and the term "visiting" precedes the rank, e.g., Visiting Assistant Professor of History. Visiting faculty members, although possibly full-time with some fringe benefits, are not eligible for tenure and have no expectation of reappointment. However, years spent in a visiting appointment may be counted as years in rank (for promotion) or years of service (for tenure and/or sabbatical) if a visiting appointee is subsequently hired into a regular full-time position.

Administrators with Faculty Rank

Administrators with appropriate academic credentials may be given faculty rank and may be promoted based on teaching, scholarly activities and community service, but they are not eligible for tenure. A tenured faculty member who is assigned to an administrative position, however, may retain that tenure and may return to the faculty for teaching after adequate planning for the return takes place. The Tenure, Promotion and Review Committee recommends these appointments to the President who makes the appointment and submits a report to the faculty.

1. **Librarians:** Professional librarians (holders of the nationally recognized terminal degrees in the field) are classified as administrators and as such are subject to the provisions of the Administrator's Handbook. They may be eligible for faculty rank.
2. **Student Resource Center Personnel:** These individuals are also classified as administrators and as such are under the provisions of the Administrator's Handbook. They are also eligible for faculty rank.
3. **Coaches:** Coaching is an administrative function and coaches who are not full-time faculty members will receive administrative contracts. Coaches who are not faculty members are not eligible for faculty rank.
4. **Laboratory Assistants:** Individuals hired as laboratory assistants are classified either as student workers or as support staff.

Determining Qualified Faculty/Faculty Credentialing Policy

It is the policy of Wilmington College to certify the credentials of all faculty [i.e., full time, part time, adjunct and visiting/ tenured, probationary (tenure-track) or term contracts (non-tenure track)] as defined by the Higher Learning Commission (HLC). Per the HLC, "qualified faculty members are identified primarily by credentials, but other factors, including but not limited to equivalent 'tested' experience, may be considered by the institution in determining whether a faculty member is qualified."

Faculty Credential Guidelines

The institution employs competent faculty members qualified to accomplish the mission and goals of the institution. When determining acceptable qualifications of its faculty, the institution gives primary consideration to the highest earned degree in the discipline or subfield in accordance with the guidelines listed below.

1. Faculty teaching baccalaureate courses must possess an academic degree relevant to what they are teaching, hold a doctor's or master's degree in the teaching discipline or subfield or master's degree with a concentration in the teaching discipline (minimum of 18 graduate semester hours in the teaching discipline).
2. Faculty teaching general education courses at the undergraduate level must hold a doctor's or master's degree in the teaching discipline or subfield. If a faculty member holds a master's degree or higher in a discipline or subfield other than that in which he or she is teaching, the faculty member should have completed a minimum of 18 graduate credit hours in the discipline or subfield in which they teach.
3. Faculty teaching graduate and post-baccalaureate course work should hold the terminal degree determined by the discipline and have a record of research, scholarship or achievement appropriate for the graduate program.

Using Equivalent "Tested" Experience as a Basis for Determining Minimally Qualified Faculty

1. HLC allows "an institution to determine that a faculty member is qualified based on experience that the institution determines is equivalent to the degree it would otherwise require for a faculty position. This experience should be tested experience in that it includes a breadth and depth of experience outside of the classroom in real-world situations relevant to the discipline in which the faculty member would be teaching." The institution considers, as appropriate, related work experiences in the field, professional licensure and certifications, other credentials, ABD without a master's degree, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes.
2. When faculty members are employed based on equivalent experience, the institution defines 3 years of experience working in the industry as the minimum threshold of experience necessary. The faculty will also submit a written statement of their tested experience that will be evaluated by the Academic Dean/Dean of the Faculty and Area Coordinator of their discipline, in addition to the Verification of Faculty Credentials form that is used in the appointment process for all faculty.

Verification and Documentation of Faculty Credentials

Documentation of the credentials of all full-time and part-time faculty and main campus adjunct faculty who are instructors of record for one or more courses will be retained by the Office of Academic Affairs.

Documentation for Branch campus adjunct faculty will be maintained by the Branch campus administration.

Documentation shall include:

1. An official academic transcript of highest degree. Official transcripts for the degree used for credentialing must be on file prior to the beginning of the course(s) to be taught. An official transcript is defined as a

transcript or other academic record that includes notation that it is official. All transcripts submitted from foreign universities or schools must be evaluated for equivalency to United States accredited coursework by a university approved agency.

2. Current Resume/ CV. Demonstration of competence per review of professional and work experience, technical and performance competency, records of publication, certification, and/or other qualifications.
3. The Academic Dean/Dean of the Faculty shall complete a Verification of Faculty Credentials Form for each full time or part time faculty employee at the time of hire. Area Coordinators shall complete the Verification of Faculty Credentials Form for all adjunct faculty with final approval by the Academic Dean/Dean of the Faculty (for main campus adjunct appointments) or the VP of External Programs (for branch adjunct faculty). The form will demonstrate sufficient evidence that the credentials of prospective full time/part time or adjunct hires meet WC policy. The Academic Dean/Dean of the Faculty will complete the form for all full time or part time faculty hires.
4. Faculty employed based upon tested experience will also submit a statement of their experience in addition to the above.

Approved by Faculty 11/9/2015

Approved by the Board of Trustees, April 2016

Qualifications for Initial Appointment to Academic Ranks

It is the policy of Wilmington College to recruit and appoint faculty members who are well qualified and hold the doctorate or other appropriate terminal degree whenever possible. Special attention is given to each candidate's potential for teaching and scholarly excellence and for contributing to the College community. The Academic Dean/Dean of the Faculty and the President, in consultation with the appropriate Area Coordinator, determines the initial academic rank of each faculty member based on the minimum expectations set forth below. All faculty teaching in the graduate program will have joint appointments in the related undergraduate program.

Revision Approved by Faculty Council 11/2017

1. Instructor: Minimum qualifications include a master's degree in the teaching field and some teaching experience, e.g., part-time college-level, graduate teaching assistant and/or supervised teaching practicum.
2. Assistant Professor: Minimum qualifications include completion of a master's degree or substantial completion of work toward the doctorate (ABD) or other appropriate degree as defined by the letter of appointment, and three years of college-level teaching experience or its equivalent. Three years of full-time college-level teaching experience or its equivalent are required of faculty without terminal degrees.
3. Associate Professor: Minimum qualifications include the doctorate and six years of college-level teaching experience or its equivalent. Under certain circumstances individuals without a terminal degree might qualify for associate professor, but their life and career would have to show unusual excellence in teaching, scholarship and service. It is unlikely that one could be initially appointed to this rank.
4. Professor: Minimum qualifications include a doctorate, or other appropriate advanced degree as defined by the letter of appointment, and seven years of teaching experience at the associate professor level or its equivalent, with exceptional attainment in teaching, scholarship and service to profession, College and community.
5. Minimum Qualifications for Part-Time Faculty:
 - Instructor: Master's degree or at least three years of teaching experience or its equivalent.
 - Assistant Professor: Master's degree and more than two years of fulltime college-level teaching experience or its equivalent.
 - Associate Professor: Doctorate degree and more than five years of teaching experience or its equivalent.

- Professor: Only available to individuals having held that rank as a fulltime faculty member at Wilmington College or a similar institution. Part-time faculty who hold faculty appointments in other institutions are employed only with the approval of those institutions. Normally, such faculty are given equivalent rank at Wilmington College.
- Area Coordinators, who make requests in writing to the Academic Dean/Dean of the Faculty, initiate main campus supplemental contracts. Such contracts are usually preceded by a "letter of appointment" detailing the assignment. Contracts are usually mailed within two weeks of the first day of classes, after it has been determined that a class of adequate size exists. Normally the minimum enrollment for a 100- or 200-level course is 10 students and for a 300- or 400-level course is 7 students.

Faculty Grievances

Definition of a Grievance

A grievance is an effort to seek redress from an action or condition caused by one of the following:

1. discrimination based on age, sex, race, religion, national origin, sexual orientation or other basis prohibited by law
2. denial of academic freedom
3. denial of fair procedures in consideration for tenure, renewal of contract or promotion
4. a violation, misinterpretation or inequitable application of the Faculty Handbook
5. manifestly unfair or clearly inequitable treatment

Standards

1. Any member of the College faculty who encounters an action or situation against which s/he wishes to petition for redress (consistent with *Definition of Grievance*) is entitled to access to the grievance procedure established in this section. Ordinarily, a grievance must be filed within six months of the event(s) triggering the grievance or within six months of the first knowledge of the event(s) triggering the grievance, unless another section of this handbook specifies an earlier deadline.
2. In general, a grievance is filed only when administrative correction of the situation or condition has been denied; however, failure to avail oneself of administrative remedies does not restrict access to the grievance procedure, although such perusal may be recommended by the Grievance Committee as the appropriate first step in resolving the matter in some cases.
3. A faculty member availing himself or herself of the grievance procedure is not to be subject to recrimination in any form for having done so; nor, however, is s/he exempt from usual and customary evaluation because a grievance procedure is in progress. To the extent possible and consistent with the necessity of a full and just examination of the matters at issue, those involved in the grievance procedure continue their normal academic activities.

Procedures

1. A Grievance Committee, consisting of nine full-time teaching faculty, elected one-third each year by the faculty at the time of election in the spring, is established to hear grievances. Members of the Grievance Committee may not be Faculty Conveners or members of the Tenure, Promotion and Review Committee at the same time. Note: Membership on the Grievance Committee is a 12-month commitment, and members may need to be available during academic breaks (winter, summer, etc.). Faculty members agreeing to run for election to this committee should be aware of this so that they may consider their break situations and availability.
2. Any grievance should be addressed to the Presiding Clerk of the faculty. Upon receiving notice of the grievance, the Faculty Conveners shall meet informally with the parties in an effort to redress grievances or to otherwise resolve the problem.

For this purpose, Faculty Conveners means persons who have been elected to the offices of Presiding Clerk, Assistant Presiding Clerk, and Recording Clerk in the academic year in which the grievance is filed. If a Faculty Convener has a conflict of interest or is otherwise unable to assist substitutions to the extent necessary shall be made from the following list:

1. Assistant Presiding Clerk-elect (for the following year in which the grievance was filed)
 2. Immediate past Presiding Clerk
 3. Recording Clerk-elect
 4. Immediate past Recording Clerk
 5. Past Presiding Clerks in order of most recent
3. In the event the Faculty Conveners are unable to resolve the problem, the grieving party may request a formal Grievance Committee hearing within seven days of the final informal meeting of the Faculty Conveners. This request should be addressed to the Presiding Clerk.
 4. The Presiding Clerk shall see that each party select one individual from the Grievance Committee to review the grievance. The two individuals selected shall in turn pick a third member of the Grievance Committee for this purpose. The third member will clerk the hearing of the Grievance Committee. Grievance Committee members who are in the same academic area as a party, or who serve as Area Coordinator for a party, or who otherwise have a conflict of interest shall be disqualified from reviewing the grievance.
 5. The following rules shall apply to the hearing:
 1. The grieving party and the named party shall have the right to representation by counsel at all stages of the hearing process.
 2. At least two weeks' notice shall be given to both parties prior to the hearing date. Either party can demand 30 days' notice.
 3. Either party may move in writing for a continuance after setting forth the reasons, therefore. The Grievance Committee may, in its discretion, grant or overrule the motion, as the interest of justice may require.
 4. In hearings involving the dismissal or non-renewal of a non-tenured faculty member, the faculty member bears the burden of proving that the administration's decision to terminate or non-renew was clearly erroneous.
 5. Both parties may present witnesses and other evidence on their own behalf. Although no formal rules of evidence apply during the hearing, the committee may, at its discretion, restrict evidence that is unduly repetitive, misleading, or prejudicial.
 6. Counsel for either party may attend the hearing, but s/he may not participate directly in the proceedings. The Grievance Committee may restrict questioning that does not tend to elicit facts probative of the matters to be determined.
 6. The Grievance Committee shall issue written findings to the President who shall make the final decision. In the event that an act or omission by the President is the subject matter of a grievance, the Executive Committee of the Board of Trustees shall make the final decision. The mere fact that the President issues a judgment concerning a grievance shall not be construed as "an act or omission by the President" for the purposes of exercising review by the Executive Committee of the Board of Trustees.

AJA - Academic Policies, Standards and Services

Classroom Policies

It is the policy of Wilmington College to provide a sufficient range of courses, both upper division and lower division, to meet the needs of Wilmington students, at times convenient to these students, with as few conflicts as possible without overloading faculty members and without costly repetition of courses. Implementation of this policy requires careful planning, coordination and conscientious review on the part of the Area Coordinator, all members of the area and the Academic Dean/Dean of the Faculty or Vice President for External Programs

and careful scheduling by the Registrar. No one office or person is in a position to understand all the problems involved in curricular planning and in scheduling, although the Academic Dean/Dean of the Faculty has the greatest responsibility for effective and efficient scheduling and coordinating schedules on the main campus. The Vice President for External Programs has this responsibility for the external programs. Conferences and cooperation are essential at every step in the process.

Class Size

Classes in the regular program are not offered ordinarily for less than ten students at the 100–200 level or for less than seven students at the 300–400 level. With the consent of the appropriate Dean, exceptions may be made for good reasons, such as the need to offer the course as part of a major program.

It is especially important that classes be held at the stated time immediately before and after vacation periods, and that examinations are administered at the time indicated on the schedule. The examination period is scheduled so that all courses are assigned an examination period. If for some reason the instructor wishes to provide some other activity than that of testing during this period, the instructor has that right. This period is, however, a regular part of the course and must be scheduled for some activity by the instructor. Changing one class or examination for the convenience of either students or faculty frequently complicates the holding of other classes or examinations at their stated times. Permission to move the time of a scheduled final examination must be obtained from the appropriate Dean.

Class Attendance

Faculty Attendance at Classes

Faculty members are expected to meet their classes as scheduled. In case of unavoidable absence, the professor notifies the appropriate Area Coordinator, who will notify the Dean of Faculty if necessary for further coordination. If a faculty member wishes to switch modalities (in person to Zoom or online asynchronous), due to an illness or other unexpected situation that is not noted on the syllabus, this is permissible for up to one week's worth of class sessions over the course of the semester. Specific permission by the Area Coordinator, in consultation with the Dean of Faculty, is necessary for a continuation of the new modality beyond one week. Students should be notified of a change of modality as soon as possible, via email.

Student Attendance at Classes

Each member of the Wilmington College faculty will provide all students enrolled in his/her courses with a written statement on attendance policy for each particular course in the course syllabus. This statement will specify what role, if any, class attendance plays in grading and the specific penalties for excessive absences as the professor defines that term. The College accepts these four categories of excused absences:

- Activities in which the student serves as an official representative of the College (e.g., musical performances, athletic contests, field trips).
- Personal illness, with documentation by the College nurse or a physician, if possible. In relation to students experiencing COVID19 related symptoms or illness, students should be provided an excused absence and should not be penalized for electing not to attend physical classes in these instances.
- Family or personal emergencies.
- When severe weather makes travel to campus dangerous.*

Wilmington College recognizes that reasonable attendance requirements will vary somewhat between disciplines, professors and even an individual's courses. The purpose of this policy is to ensure all concerned are clear about expectations in a given course. Faculty members are expected to accept the College's basic definition of excused absences in their individual policies and monitor attendance, but faculty members may also choose to accept other absences as excused (entirely at the discretion of each faculty member). Students are expected to be responsible for informing faculty members about excused absences (including documentation, if

required) and for arranging to make up all work missed because of absences. An excused absence in no way removes this responsibility or obligates the professor to provide a student with special assignments or opportunities.

Good communication between students and faculty members is essential in cases of excused absences. Students are responsible for initiating this communication and in as timely a manner as possible. Students who will have to miss class to represent the College should provide schedules of these absences to the faculty member as soon in the semester as they are known. In all cases, it is the student's responsibility to discuss excused absences with affected faculty members and to provide documentation of the excused nature of the absence, if the faculty member requires it.

Attendance Policies for Courses with Alternative Modes of Delivery at Main Campus

Hybrid Flex Courses

Attendance Policy for Hybrid Flex Courses

All students enrolled in hybrid flex courses must participate in required classroom sessions, as well as log in to the course(s) on Blackboard and complete or submit any assignment(s) or other academic related activities, to be determined by the instructor.

Attendance is required for all class weeks. In the case of hybrid flex courses, "absences" shall be defined as "non-participation." Non-participation may be defined as but is not limited to:

1. Not attending required physical class sessions.
2. Not following the instructor's participation guidelines as stated in the syllabus;
3. Not submitting required assignments;
4. Not contributing meaningful discussion in required chat rooms, discussion boards, or other online forums;
5. Not participating in scheduled academic activities; or
6. Failure to communicate with the instructor as required. Failure to attend as defined above constitutes an absence.

It should be noted that simply logging into the course does not constitute participation. Students must demonstrate that they are academically engaged and participating in the course by submitting required assignments, attending scheduled classroom sessions, attending synchronous online sessions and contributing to discussion forums, etc. as outlined above.

Note: In addition to including the attendance policy statement above in the hybrid flex syllabus template and in the Start Here section in Blackboard, faculty will specify what role, if any, class attendance plays in grading and the specific penalties for excessive absences as the professor defines in the syllabus. In order to meet USDOE requirements with respect to weekly participation in academic related activities, substantive and regular interaction, and determining students' last date of attendance, faculty will need to record student participation or non-participation each week in Blackboard and be able to provide supporting documentation if required. These records in Blackboard will be archived for federal regulatory purposes.

Hybrid Traditional Courses

Attendance Policy for Hybrid Traditional Courses

Students enrolled in hybrid traditional courses must participate in scheduled classroom and corresponding online synchronous sessions as well as log in to the course(s) on Blackboard and complete any assignment(s) or other academic related activities, to be determined by the instructor.

Attendance is required for all class weeks. In the case of hybrid traditional courses, "absences" shall be defined as "non-participation." Non-participation may be defined as but is not limited to

1. Not attending scheduled physical classroom sessions and online synchronous sessions;
2. Not following the instructor's participation guidelines as stated in the syllabus;
3. Not submitting required assignments;
4. Not contributing meaningful discussion in required chat rooms, discussion boards, or other online forums;
5. Not participating in scheduled activities; or
6. Failure to communicate with the instructor on academic related matters as required. Failure to attend as defined above constitutes an absence.

It should be noted that simply logging into the course does not constitute participation. Students must demonstrate that they are actively participating in the course by submitting required assignments, attending scheduled physical classroom and corresponding synchronous sessions, contributing to discussion forums, etc. as outlined above.

Note: In addition to including the attendance policy statement above in the hybrid traditional syllabus template and in the Start Here section in Blackboard, faculty will specify what role, if any, class attendance plays in grading and the specific penalties for excessive absences as the professor defines in the syllabus. In order to meet USDOE requirements with respect to weekly participation in academic related activities, substantive and regular interaction, and determining students' last date of attendance, faculty will need to record student participation or non-participation each week in Blackboard and be able to provide supporting documentation if required. These records in Blackboard will be archived for federal regulatory purposes.

Online (Asynchronous) Courses

Attendance Policy for Online (Asynchronous) Courses

Wilmington College defines an online course week as one which commences at 6:00 A.M. each Monday and ends at 10:00 P.M. the following Sunday. All students enrolled in Online (asynchronous) courses must log in to the course(s) on Blackboard and complete weekly assignment(s) or other academic related activities, to be determined by the instructor.

Attendance is required for all class weeks. In the case of online courses, "absences" shall be defined as "non-participation." Non-participation may be defined as but is not limited to

1. Not following the instructor's participation guidelines as stated in the syllabus;
2. Not submitting required assignments;
3. Not contributing meaningful discussion in required chat rooms, discussion boards, or other online forums;
4. Not participating in scheduled activities; or
5. Failure to communicate with the instructor on academic related matters as required. Failure to attend as defined above constitutes an absence.

It should be noted that simply logging into the course does not constitute participation. Students must demonstrate that they are actively participating in the course by submitting required assignments, contributing to discussion forums, etc. as outlined above.

Note: In addition to including the attendance policy statement above in the online (asynchronous) syllabus template and in the Start Here section in Blackboard, faculty will specify what role, if any, class attendance plays in grading and the specific penalties for excessive absences as the professor defines in the online syllabus. In order to meet USDOE requirements with respect to weekly participation in academic related activities, substantive and regular interaction, and determining students' last date of attendance, faculty will need to record student participation or non-participation each week in Blackboard and be able to provide supporting documentation if required. These records in Blackboard will be archived for federal regulatory purposes.

Online Synchronous Courses

Attendance Policy for Online Synchronous Courses

Wilmington College defines an online course week as one which commences at 6:00 A.M. each Monday and ends at 10:00 P.M. the following Sunday. Students enrolled in online synchronous courses must participate in scheduled online synchronous sessions as well as log in to the course(s) on Blackboard and complete any assignment(s) or other academic activities, to be determined by the instructor.

Attendance is required for all class weeks. In the case of online courses, "absences" shall be defined as "non-participation." Non-participation may be defined as but is not limited to

1. Not attending scheduled online synchronous sessions;
2. Not following the instructor's participation guidelines as stated in the syllabus;
3. Not submitting required assignments;
4. Not contributing meaningful discussion in required chat rooms, discussion boards, or other online forums;
5. Not participating in scheduled activities; or
6. Failure to communicate with the instructor on academic related matters as required.

Failure to attend as defined above constitutes an absence.

It should be noted that simply logging into the course does not constitute participation. Students must demonstrate that they are actively participating in the course by submitting required assignments, attending scheduled synchronous sessions, contributing to discussion forums, etc. as outlined above.

Note: In addition to including the attendance policy statement above in the online synchronous syllabus template and in the Start Here section in Blackboard, faculty will specify what role, if any, class attendance plays in grading and the specific penalties for excessive absences as the professor defines in the syllabus. In order to meet USDOE requirements with respect to weekly participation in academic related activities, substantive and regular interaction, and determining students' last date of attendance, faculty will need to record student participation or non-participation each week in Blackboard and be able to provide supporting documentation if required. These records in Blackboard will be archived for federal regulatory purposes.

Regular and Substantive Interaction Policy for Online and Hybrid Delivery Formats

Those teaching online or hybrid classes must fulfill two requirements in relation to students weekly participation and engagement in academic related activities: (1) for online (asynchronous) courses they must require students to participate on a weekly basis in online forums where interaction with faculty and other students take place; for those teaching online synchronous classes they must require participation in scheduled synchronous sessions; for those teaching hybrid traditional classes they must require participation in scheduled class sessions and corresponding synchronous sessions, and hybrid flex classes they must require students participation in scheduled class sessions; and (2) they must include at least one other form of weekly academic engagement in which students complete a designated activity or assignment for which some type of graded or ungraded feedback from the faculty member is provided. For this purpose, the "weekly engagement" may include:

- submitting an academic assignment
- taking a quiz or exam, completing an interactive tutorial, receiving computer assisted instruction, or participating in a lab
- attending a faculty assigned study group (led by the faculty member or reporting out on assignment to the faculty member)
- participating in a weekly online discussion board about the course subject
- initiating contact with a faculty member to ask a question about the academic subject

The weekly participation and engagement must be described and entered into Blackboard.

Teaching and Learning

Wilmington College places the highest value on good teaching. It does not specify any particular mode of teaching and encourages experimentation. Given their subject matter, the traditions of the discipline that they profess and the size and level of each class, faculty members should give thought to what procedures are likely to be most effective in promoting student learning.

Alternative Class Modalities

Wilmington College limits independent studies and courses by appointment (courses from the regular curriculum taught on a conference basis) to a total of 12 credit hours out of the 124 hours needed for graduation. The College clearly discourages courses by appointment except as they become necessary to meet special needs of a student who will otherwise be unable to graduate or to meet some other requirement or as they become a means for carrying on in an economical way a course which would otherwise be dropped for inadequate enrollment. Good program planning should make it possible to eliminate nearly all courses by appointment.

Independent studies (defined as courses which deal with subjects which are not in the regular curriculum) can be of great value both to students and to faculty. They are of particular value where students may need to carry out special studies which will give greater depth to their program or which will help them integrate or relate diverse disciplines. They can also be used by a faculty member as an aid to course development, or as a means of pursuing a particular interest in association with a student or students.

Independent studies place heavy responsibilities on the student. Standards should be high, and students are expected to devote the same amount of time as would be expected in a regular course carrying comparable credit. Faculty members should not expect to carry on the usual classroom procedures, but a weekly conference is in order.

Hybrid Flex Courses

In a hybrid flex course, students will have a scheduled day(s) each week where they will be required to meet in their scheduled classroom. They will also have assignments and other participation activities that must be completed and submitted electronically each week through the prescribed manner in Blackboard. Students should pay close attention to the course syllabus and communication from their instructor so they will know when their "group" is scheduled to attend the physical classroom. Participation in the scheduled live class sessions and all weekly course requirements must be completed and submitted electronically in the prescribed manner to the course instructor within the instructors assigned deadlines for assignments and participation that week.

Hybrid Traditional Courses

In a hybrid traditional course students will have scheduled day(s) each week where they will be required to meet in their scheduled classroom and other day(s) they will participate at the scheduled class time by attending the class live online synchronously via Zoom (or other synchronous platforms specified in the course syllabus). The lecture days will consist of lectures, presentations, discussions, an overview of assignments for the week, etc. as determined by the instructor. Students will have assignments that must be completed each week. Students should pay close attention to the syllabus so they will know when they are scheduled to be in the physical classroom and days they will be scheduled to participate in the class via Zoom (or another platform) noted in the syllabus. Participation in the scheduled live classroom and simultaneous, corresponding synchronous sessions is required. Weekly course requirements must be completed and submitted electronically in the prescribed manner to the course instructor within the instructors assigned deadlines for assignments and participation that week.

Online (Asynchronous) Courses

An online course is taught asynchronously. Students will always meet in a virtual contact space through the Blackboard Learning Management System. Each class week will have participation and engagement requirements that must be completed during that week as determined by the instructor. Wilmington College defines an online course week as one which commences at 12:00 a.m. each Monday and ends at 11:59 P.M. the following Sunday. All weekly course requirements must be completed and submitted electronically in the prescribed manner to the course instructor within the instructors assigned deadlines for assignments and participation each week.

Online Synchronous Courses

An online synchronous course will require that you attend the live online synchronous sessions during the scheduled meeting times indicated in your course schedule and in the course syllabus. You will also meet in a virtual contact space through the Blackboard Learning Management System. Each class week will have participation and engagement requirements that must be completed during that week as determined by your instructor. Wilmington College defines an online course week as one that commences at 12:00 a.m. each Monday and ends at 11:59 p.m. the following Sunday. Participation in the scheduled live synchronous sessions and all weekly course requirements must be completed and submitted electronically in the prescribed manner to the course instructor within the instructors assigned deadlines for assignments and participation that week.

Regular and Substantive Interaction Policy for Online and Hybrid Delivery Formats

Those teaching online or hybrid classes must fulfill two requirements in relation to students weekly participation and engagement in academic related activities: (1) for online (asynchronous) courses they must require students to participate on a weekly basis in online forums where interaction with faculty and other students take place; for those teaching online synchronous classes they must require participation in scheduled synchronous sessions; for those teaching hybrid traditional classes they must require participation in scheduled class sessions and corresponding synchronous sessions, and hybrid flex classes they must require students participation in scheduled class sessions; and (2) they must include at least one other form of weekly academic engagement in which students complete a designated activity or assignment for which some type of graded or ungraded feedback from the faculty member is provided. For this purpose, the “weekly engagement” may include:

- submitting an academic assignment
- taking a quiz or exam, completing an interactive tutorial, receiving computer assisted instruction, or participating in a lab
- attending a faculty assigned study group (led by the faculty member or reporting out on assignment to the faculty member)
- participating in a weekly online discussion board about the course subject
- initiating contact with a faculty member to ask a question about the academic Subject

The weekly participation and engagement must be described and entered into Blackboard.

Evaluation of Student Achievement

Evaluation of student achievement is an important instructional responsibility. Instructors are encouraged to use as many evaluative devices as are appropriate to the course, but no particular mode of evaluation is specified.

Students should be told at the beginning of the course what will be expected of them and how their progress will be measured. The role of class attendance should be clear (see [Student Attendance at Class](#)). If participation in class discussion is also considered, this fact should also be stated. And the same applies to all other methods of evaluation. In short, the requirements of the course should be made clear to the students in the first few days of class so that there are no surprises later.

Efforts should also be made to provide early evaluations since a major purpose of evaluation is to help students improve performance. This is especially important with freshmen, who often do not know how well they are doing. Short papers and quizzes, which are returned to the student promptly, will aid early assessment. So that arrangements can be made for counseling or tutorial assistance, a report of those students who are in academic difficulty will be requested by the Associate Vice President of Retention and Student Success at mid-term. Any time during the semester that a student appears to be in need of tutoring, the instructor should suggest that the student contact the Student Resource Center (tutoring center), where arrangements for free tutoring can be made.

Examinations are given during the examination period at the end of each semester. A student may take a final at a different time only if an emergency situation or special circumstances at the time provide the need for a change. Students who think they have special reason to ask for a special examination should pick up a form at the Office of Academic Records, take it to the instructor for approval and have it countersigned by the Associate Vice President of Retention and Student Success. No instructor is authorized to provide a special examination without this form. Students who have three final examinations in one day may petition for relief of one examination.

Meaning of Grades

It is the policy of Wilmington College to strive for fairness in grading and avoid grade inflation. Faculty are encouraged to regard "C-" as a satisfactory grade, which means the student is meeting College standards, and will treat it as such in talking with students, unless otherwise noted in the College Catalog. The grade "A" on the other hand should mean outstanding achievement, with a grade of "B" in between. The grade "D" represents minimally acceptable achievement and the grade "F" indicates failure. The grade of "I" (incomplete) should be given rarely and only when work has not been completed for reasons beyond the student's control. Incompletes from the fall semester must be completed no later than the first Wednesday of February. Incompletes from the spring and summer semesters must be made up no later than the first Wednesday of October. It is the student's responsibility to consult with the professor and complete all work required within the designated time period. If there are extenuating circumstances, students may petition the Academic Standards and Appeals Committee for an extension prior to the "I" deadline.

Beginning with the 2002-2003 academic year, faculty may issue grades of A, A-, B+, B, B-, C+, C, C-, D+, D, or F in courses.

Academic Integrity and Misconduct Policy

Students should assume responsibility for their own work, give appropriate credit when using the work of others and protect the resources of the College for other students. The College believes it is important that students develop high ethical standards and encourage mutual trust and respect among themselves and between themselves and faculty.

While most members of the community accept the responsibility of academic integrity, inevitably some members occasionally adopt behaviors which sacrifice their personal integrity. For general guidance of the faculty here are several principles and ideas to strengthen academic integrity:

1. Before starting a test, if space allows, have students sit in alternate seats or separate the chairs in the room.
2. After a test is distributed, the instructor should remain in the room long enough to make certain that students have no questions about the test. If the instructor leaves the room, and there is no requirement that instructors do so, students should know where s/he is if questions arise.
3. If students request that an examination be proctored, the faculty member should proctor the exam.
4. Inasmuch as possible, do not leave examinations in faculty offices on campus. Carry them home with you overnight.

5. Help students understand the concept of plagiarism within your academic field, particularly if your course involves reports and papers.

If a student reports the possibility of cheating in an examination, or the instructor during an examination or in grading examination papers has reason to believe that cheating has occurred, it is the instructor's responsibility to confront the suspected offender as soon as possible (certainly by the next class period) of coming to a firm suspicion of the offense. If the student cannot be reached in person or by telephone, the instructor should send a written notice to the student's campus mailbox (or if the student does not have a campus mailbox, to the last address on file with the College) within 72 hours of when the offense is first suspected. In any case, the instructor should talk with the student before assigning a grade for the work on which the cheating is suspected.

All faculty members should be familiar with the Academic Misconduct policy.

Judicial Policies and Procedures

The Wilmington College Judicial System for policy violations is described in the Student Handbook.

Office of Academic Records Policies

Class Meeting Times and Places

Throughout the academic year, classes should be held on the day and at the time specified by the Registrar; exceptions must be approved by the Academic Dean/Dean of the Faculty. Therefore, unless an exception is approved, all classes are expected to convene at their regular times. Rooms for class meetings and hours during which the class meets are assigned centrally through the Academic Record's Office for the Wilmington Campus up through the first week of class. Afterwards, rooms are handled by Conference Services, and by the appropriate branch Deans. This office keeps a record of available classrooms and the instructor should consult Conference Services or the appropriate Dean's Office if there is a need to shift a classroom for any purpose (e.g., more space, audio-visual needs). Any change of meeting place or of time for more than one class period, should be made only after consultation with the appropriate Dean's Office, and only with approval.

Class Lists

During the first two weeks of each semester, mandatory attendance checks will be conducted to ensure compliance with Title IV regulations and to provide accurate census reporting. The Office of Academic Records will email instructions to faculty regarding this process. Class lists are available through the data management system, WCPortal, and are always current. Faculty members are expected to make every effort to assist the Registrar's Office in maintaining an accurate class roster.

Reporting Grades

Grades are due in the Office of Academic Records by the date and time published in the Academic Calendar. Grades will be submitted online through the data management system, WCPortal. With the submission of final grades, the instructor will also submit an online form for each student who receives a grade of "D", "F", "N" or "I". These forms are used by members of the Academic Appeals Committee as they deliberate the future status of students reported for academic reasons.

Grades cannot be changed except for a certified error on the part of the College faculty or staff. They should be carefully considered before being submitted. Once recorded, grades are used for a number of purposes, including determining honors, athletic eligibility, probation, or dismissal for academic reasons. Some of these actions are taken immediately and cannot be readily revoked, so it is important that final grades be, in fact, final. Nonetheless, genuine errors should be admitted and corrected.

Faculty submitting grade changes are to fill out a brief form, indicating the nature of the acknowledged error in calculating the grade. The form must be signed by the Associate Vice Principle of Academic Affairs and then submitted to the Records Office. When a student receives the semester grade in a course and questions the accuracy or fairness of the grade, it is their responsibility to ask the faculty member to review the calculation of the grade. If an error is discovered, the faculty member may submit a grade change as indicated above. If the faculty member finds no errors in the grade calculation and the student feels there is a serious problem with the grade, the student may choose to submit a grade appeal. A grade appeal form is filled out, with comments from the student, from the professor and from the Area Coordinator. The regular petition to the Academic Standards and Appeals Committee is filled out at the same time. When completed, these forms are returned to the Records Office for submission to the Academic Standards and Appeals Committee for its consideration. The committee clerk notifies the student, the faculty member, the advisor and the Records Office of the committee's action.

AJA - Administrative and Financial Policies

Emergency Closing Policy

Emergency Closing Policy

It is possible that weather conditions will be such that people will wonder if Wilmington College will have classes. The Wilmington campus will be in operation regardless of weather conditions. The reason for the maintenance of operations is because the College has many students residing on campus. Since these students only have to walk a short distance to classes, and since they will have to be fed, the campus continues to operate.

Off-campus personnel and commuting students should make reasonable attempts to get to classes. If, however, it appears that such attempts may put one's life or health in more than normal danger, it is wise to stay put. If ice, heavy snow (six inches or more), or extreme cold (-10 degrees or lower) prevail, the members of the faculty will understand if off-campus students cannot attend classes. Faculty members who decide not to make the trip to campus should call the Office of Academic Affairs as soon as they know they will not be coming, so classes can be canceled.

Early in the second semester a list of radio stations that will broadcast information on the status of College operations will be available from the Office of Public Relations.

Confidential Information

Many College employees have access to confidential information about the College, employees, students, or other data. Employees must realize that some of their work is of a very confidential nature and should not be discussed with anyone. In the wrong hands, this information could harm students, the College, or others. There are certain business matters to which only members of the office staff should have access. Every employee has an ethical and legal obligation to the College to maintain confidentiality.

Confidential information includes any information the College treats as proprietary or designates as confidential, whether owned or developed by the College. By way of example, this includes:

- Trade secrets;
- Donor and alumni data;
- Student data;
- Statistical data;
- Software programs, computer information, or computer codes;
- Financial information;
- Business/marketing strategies;

- Pending projects and proposals;
- Technological data and prototypes; and
- Employees' personally identifying information (*e.g.*, medical information, Social Security numbers, credit card numbers, *etc.*).

Employees may neither seek to benefit personally nor permit others to benefit through the use of confidential information obtained as a result of their work assignment.

There shall be no disclosure of any confidential information to anyone outside the College without appropriate authorization. Employees may not directly or indirectly reveal, report, publish, disclose, or transfer confidential information without the approval of their supervisor. Employees are encouraged to be cautious with confidential material and to keep it secure at all times, both at work and when off duty.

Employee and/or student information contained in College systems is to be used solely for College business purposes only. Access and/or use of this information for personal use or benefit or for the use or benefit of anyone outside the College is strictly prohibited. Release of employee information is permitted by Human Resources only.

Release of student information is permitted by Academic Affairs only.

Documents or records of any type, or any summaries or copies of any such documents or records, whether in paper, magnetic, digital or electronic format, must not be removed from the office where the employee works, disclosed, or discussed for any purpose without specific authorization from the direct supervisor of an employee. Confidential information must not be distributed, posted, or placed on the Internet, or transmitted via Internet, email, voice mail, fax, cell phone, text message, or any other method without specific authorization from the direct supervisor. None of the physical files in any office may be inspected without the consent of an authorized person. When physical files are taken from an office, permission must be given, and a written receipt placed prominently in the file to show where it temporarily resides.

Any questions regarding the confidential nature of information should be directed to Compliance Office. Employees who violate this policy may be subject to disciplinary action, up to, and including, termination of employment and/or the exercise of any other right or remedy by the College. Pursuant to the federal Defense of Trade Secrets Act, an individual shall not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that (1) is made in confidence to a federal, state, or local government official, either directly or indirectly, or to an attorney; and solely for the purpose of reporting or investigating a suspected violation of law; or (2) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal. An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual files any document containing the trade secret under seal and does not disclose the trade secret, except pursuant to court order.

Dress Code/Workplace Decor

Every employee contributes to the College image. Normally, employees have the right to select their own personal dress and workplace décor. The overall image is expected to be professional, consistent with College policies against discrimination and harassment, and appropriate for a particular function. The College reserves the right to restrict dress or workplace décor in its sole discretion for legitimate reasons relating to professional appearance, safety, hygiene, environmental conditions, or other reasons.

All full-time employees are encouraged to attend baccalaureate, commencement, and opening convocation during first-year student orientation. Academic caps and gowns are required for those who participate in these events, including convocation. Employees may buy or rent regalia at their own expense by contacting the Bookstore.

Mail, Email, and Voicemail

Faculty members are usually assigned mailboxes in the College mailroom located in Pyle Center along with email addresses and voicemail capability. Mail pick-up facilities are also provided in the main office area at the other campuses. Usually, the Dean of Faculty will request that a post office box, email address, and voicemail be assigned to new faculty members, but a new faculty member should check with the mail room, computer services and telephone services shortly after arrival on campus to see if everything has been assigned. If not, the faculty member should inform the Academic Affairs Office. Both external and internal mail is delivered to the mailbox and faculty members will be responsible for checking this location along with the email and voicemail periodically (at least daily during the academic year) in order to be certain that important campus communications get to them. Courier service is provided to the branch campuses as needed.

Telephones

Usually, each faculty office is equipped with a telephone for on-campus and off-campus calls. It is necessary to have a special sequence of numbers to make long-distance telephone calls. Each Academic Area has "codes" available for the use of its members. The College telephones should only be used for College-related business. This is particularly true for long-distance calls. Any misuse of the telephones could result in the loss of an extension. If a telephone malfunctions, Physical Plant should be notified immediately. Do not call the phone company.

AJA - Campus Environment

Security Protection

Campus Safety Officers are provided to assist visitors, protect persons, safeguard property, prevent misuse of College facilities, enforce the safety rules and regulations, and otherwise promote the general well-being of the campus. Those desiring an escort may contact the Campus Safety Office at Ext. 311 or 382-0100.

Violence in the Workplace

It is the intent of Wilmington College to provide a safe and secure environment for College employees, students and visitors by establishing preventative measures and providing assistance and support to victims.

Wilmington College does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person.
- Making threatening remarks.
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging employer property or property of another employee.
- Possessing a weapon while on College property or while on College business in violation of the College's Weapons Policy.
- Committing acts motivated by, or related to, sexual harassment or because of an individual's protected characteristic;
- Acts of domestic violence;
- Any other conduct that is a violation of federal, state, or local law related to violent or threatening behavior.

Reporting Procedures

It is the responsibility of every member of the campus community to take violence or threat of violence seriously and to immediately report workplace violence or threats of violence to the appropriate authorities.

Employees who encounter an armed or dangerous person should not attempt to challenge or disarm the individual. If you become aware of an immediate threat of violence, you should call 911. If you are not sure whether there is an immediate threat of violence, but are concerned that the behavior of any person may lead to violence, you should call 911.

Any potentially dangerous situations must be immediately reported to a supervisor or Human Resources. Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled, and the results of investigations will be discussed with them. Wilmington College will actively intervene at any indication of a possibly hostile or violent situation.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Nonemployees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Weapons

Except as otherwise provided by law, possession of weapons (firearms, handguns, including BB guns and air-soft guns), slingshots, knives (other than utility tools), explosives (including firecrackers), other weapons, dangerous chemicals (outside of a controlled laboratory environment for approved curricular purposes), or any item used in a threatening matter is not permitted on College property or in College buildings. Possession of any antique, replica, "look-alike" item, toy, etc. that resembles a weapon is also prohibited. This policy applies to all persons coming onto the College property or in College buildings, including faculty, staff, students, visitors, vendors, and contractors, except where specifically permitted by, and then only in strict accordance with, Ohio law.

This policy does not apply to law enforcement officers coming on to the College property or in College buildings while engaged in the performance of their official duties or while required to possess a firearm by rules of the officer's employing agency. Persons found to be in violation of this policy are subject to immediate action under College policies applicable to that individual. Such responsive action may include, but is not limited to, removal, expulsion, dismissal, or termination from the College. Persons found to be in violation of this policy may also be subject to criminal prosecution or a no-trespassing directive.

College Internet/Intranet/Network Services

It is expected that access to the Internet will be limited to work-related research/communications. The College network and Internet services provide important resources for your day-to-day responsibilities and special projects. The College has an Intranet (WC @ Home) that has individual pages for most campus departments. Important information of interest to staff members is posted on these pages. Employees are urged to become familiar with the types of materials available on these pages.

The College's electronic communications systems include, but are not limited to, any College technologies used to access, produce, and distribute data and information, as well as any future technologies acquired by the College to do the same: computers, servers, databases, e-mail, internet access, PCs, laptops, telephones, printers, scanners, cell phones, and fax machines.

The College recognizes that use of the Internet has many benefits for the College and its employees. The Internet and email make communication more efficient and effective. Therefore, employees are encouraged to use the Internet appropriately. Unacceptable usage of the Internet can place the College and others at risk.

The College's electronic communications systems and the data transmitted through and contained within it are the College's sole property. Employees should not have any expectation of privacy for any files, documents, or other communications created, stored, or transmitted using these systems. This is true even when a password or other security is placed on the communication, and regardless of whether it is related to personal or business use. By accessing the internet, intranet, and electronic mail services through facilities provided by the College, an employee acknowledges and agrees that the Company (by itself or through its internet service provider) may from time to time audit, monitor, inspect, access, disclose, log, and gather statistics on team member internet activity and may examine all individual connections and communications to the maximum extent permitted by law.

The following guidelines have been established for using the College's electronic communications systems in an appropriate, ethical, and professional manner:

- The College's electronic communications systems may not be used for transmitting, retrieving, or storing of any communications of a defamatory, discriminatory, or harassing nature or materials that are obscene or pornographic. For example, no messages with derogatory or inflammatory remarks about an individual's race, age, sex, disability, religion, national origin, gender identity/expression, or sexual orientation shall be transmitted. Harassment of any kind, including harassment using synthetic content, and image-based abuse is prohibited.
- The College's electronic communications systems may not be used for any illegal activities – including but not limited to piracy, hacking, extortion, blackmail, copyright infringement, or unauthorized access to any computers on the Internet or email.
- Employees may access only files or programs that they have permission to enter. Unauthorized review of files or use of passwords, installation of non-College owned software or hardware, removal of files or programs, or improper use of information contained in the electronic communications systems is prohibited.
- Copyrighted materials belonging to entities other than the College may not be transmitted by employees on the College's network. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Do not use the system in a way that disrupts its use by others. This includes sending or receiving many large files and "spamming" (sending email messages to thousands of users.)
- The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers. Virus-check downloaded files immediately. Instructions on how to check for viruses are available through Information Services. Also, many browser add-on packages (called "plug-ins") are available to download. There is no guarantee that such will be compatible with other programs on the network and such may cause problems; therefore, please refrain from downloading such plug-ins.
- Each employee is responsible for the content of all text, audio, or images they place or send over the College's electronic communications systems. No email or other electronic communications may be sent which hide the identity of the sender or represent the sender as someone else. Also, be aware that the College's name is attached to all messages, so use discretion in formulating messages.
- All electronic communications are College property. Therefore, the College reserves the right to examine, monitor and regulate email messages, directories and files, as well as Internet usage. Also, the Internet is not secure, so don't assume that others cannot read or possibly alter messages.
- Employees must abide by the College's information technology, security policies, and acceptable use policies.

An employee who abuses the privilege of College-facilitated access to the College's electronic communications systems may have their access restricted, revoked, or denied and, if appropriate, be subject to disciplinary action up to and including termination.

College E-Mail

Most employees have access to a College e-mail account. E-mail should be sent to those with a need to know and kept as brief as possible. Use businesslike language and make it clear if you want or need any action from the recipient. E-mail is a business tool and should be used only for College business. E-mail is not guaranteed to be a private or confidential communication and don't assume that an e-mail you have deleted ceases to exist. Employees should not have any expectation of privacy for any e-mails created, stored, or transmitted using the College's e-mail systems. Internal and external email messages are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending email within and outside the College.

- E-mail should not be used for personal communications.
- E-mail should not be used to send confidential highly sensitive information unless the information is sent through authorized, secure means and/or is sent encrypted.
- Do not forward another person's e-mail without permission, especially to a large group of recipients.
- Limit the use of "Reply All" except in instances when it is important that all recipients receive your response.
- Be specific in the Subject
- Only those needing to take action should be in the "To"; utilize the "CC" for those that need to be informed only
- Keep your e-mail messages short and to the point. Focus on one subject per message.
- Be professional and courteous in writing e-mails.
- Do not include offensive topics or use sarcasm, which often does not translate in an e-mail.
- Respect the confidentiality of electronic communications you receive.
- Represent yourself truthfully in all forms of electronic communication.
- Do not mail chain letters or send them on. Do not respond to or instigate a moneymaking scheme online.
- Do not send excessively large files via e-mail, e.g. MP3 files.
- Check your e-mail daily and delete unwanted messages immediately. Move mail and downloads you want to save to the appropriate file in your computer.
- Activate your Out-of-Office message when away from the office for extended periods.

Artificial Intelligence Policy

The College recognizes the value of Artificial Intelligence (AI) tools in enhancing productivity and efficiency and has established guidelines for their responsible use. AI tools may only be used for work-related purposes and must comply with College's policies, values, and applicable laws. Employees are prohibited from inputting sensitive, trade secret, proprietary, or confidential College and student information into AI tools unless explicitly authorized. Outputs must be reviewed for accuracy, appropriateness, and alignment with College standards and legal obligations, and AI tools may not be used to create misleading, offensive, discriminatory, or deceptive content. All employees must complete any required training and receive supervisor approval before using AI tools. Improper use, including unapproved applications or misuse, may result in disciplinary action, up to and including termination. This policy will evolve as AI technology advances, and associates are responsible for adhering to the latest guidelines. Questions regarding AI use should be directed to Human Resources or IT.

Social Media

When using social media to discuss the College, whether as part of an employee's responsibilities at the College or otherwise, please adhere to the following policies:

- When posting on behalf of the College, be truthful, professional, and polite.

- Do not post on behalf of the College, or make any appearance as a spokesperson for the College, if the employee have not been authorized to do so.
- Do not post any personal or private information about an employee or student.
- Do not disclose confidential information of the College.
- Employees who use social media during their time away from work on non-College systems in ways which are inconsistent with the College's policies, violate the law, or adversely affect the employee's job performance or the employee's ability to do their job or to function effectively while working for the College may be subject to disciplinary action up to, and including, termination of employment and/or the exercise of any other right or remedy by the College. For example, employees are prohibited from posting material regarding the College, its employees, or its students that is maliciously false, threatening, or violates the College policies against discrimination, harassment, or retaliation.

Traffic and Parking Regulations

During the academic year, parking in College lots is restricted to those cars bearing a parking permit. Permits are available on-line via Rydin Permit Express. Parking regulations can be found on WC@home or the College's website. During the summer, most restrictions are lifted but the announced policy, which may vary, must be observed.

The College does not assume liability for damage of vehicles or loss due to theft from vehicles on the parking lots. However, individuals are requested to report such losses to the Campus Safety Office.

AJA - Information Technology

Information Technology - Acceptable Use Policy

The Wilmington College information technology resources provide members of the College community with data communications and data processing services for the College's educational, instructional, research, and administrative business ("College IT resources"). These College IT resources include any device connected to the College data infrastructure, domains, servers, file shares, websites, cloud services, and any other technology used to communicate and process data. All users of College IT resources must comply with the Acceptable Use Policy.

Users of College IT resources have access to valuable College resources and legally controlled confidential information. College IT resources remain the property of the College. Members of the College community are individually responsible for appropriate use of all College IT resources assigned to them. Members of the College community must have a valid business or educational need and authorization to access College IT resources.

Acceptable Use

The College IT resources are provided to facilitate the educational process and the administrative efforts in support of research and instruction for faculty, staff, and students of the College. The use of the College IT resources must be consistent with facilitating the exchange of knowledge and information while encouraging resource sharing and collaborative projects in education and research.

In making acceptable use of College IT resources, a user must:

1. Safeguard their own user ID and passwords or other credentials and use them for their intended purposes only. Users are solely responsible for all transactions made under the authorization of their ID, and for activity involving College IT resources that originate from devices owned by or assigned to them.

2. Have appropriate software running on them to ensure a secure environment for all users. This includes, but is not limited to, encrypted wireless connections, anti-malware tools, up-to-date and patched operating systems, and password security or other form of identity protection.
3. Use College IT resources only for authorized purposes and adhere to local, state, and federal laws governing the use of College IT resources.
4. Access only the information they have been authorized to access or that is publicly available using the appropriate and authorized account.
5. Store confidential data only in College-approved and secured locations and protect confidential information in accordance with College policies. Examples of confidential information include, but are not limited to, personally identifiable information (such as Social Security numbers), protected health information, student data, financial aid data, donor records, alumni records, bank account information, payment card data, and other data such as intellectual property and confidential and competition-sensitive information.
6. Protect data that resides on or is transmitted to and from College IT resources.
7. Use only legal versions of copyrighted software in compliance with vendor license requirements and third-party agreements.
8. Comply with the terms of use on internet websites.
9. Revise passwords and other means of authentication and authorization when suspected of compromise.
10. Report immediately any suspicious or unusual activity, unexplained service interruption or degradation, security incident, suspected theft, loss, or compromise of College IT resources.
11. Limit personal use of College IT resources to incidental, intermittent, and minor use that is consistent with College policy. Personal use must not expose the College to risk or liability or interfere with College business or productivity. The College is not responsible for the confidentiality, integrity, or availability of personal content on College IT resources, including, but not limited to, personal files, pictures, videos, sound files, personal software or software licenses, personal emails, eBooks, user credentials that access personal accounts, and other personal electronic files residing on a College-issued asset.
12. Return College IT resources when separating from the College.

Misuse

In making acceptable use of College IT resources, a user must not:

1. Secure unauthorized access to or unauthorized use of College IT resources or facilitate such use or access by another person.
2. Access or attempt to access College IT resources (for example, by hacking) whether on or off the College campus without authority.
3. Act deliberately or recklessly to deny or interfere with the access and use of College IT resources.
4. Represent or imply that personal electronic publications (e.g. web pages, social media, etc.) or personal communications reflect the views or policies of the College unless authorized by the College.
5. State or imply that links provided from web pages hosted on College IT resources constitute or imply the College's endorsement of those sites, their content, or products and services associated with those sites.
6. Use College IT resources in violation of federal, state, or local law or the College's policies, including anti-discrimination, harassment, or retaliation policies, and a school's honor code.
7. Engage in personal communication or use that interferes with the use of College IT resources by other users or that interferes with or indicates neglect of responsibilities.
8. Violate the intellectual property rights of others, such as software theft or piracy, data theft, or copyright violations.
9. Inappropriately access, use, or disclose confidential information.
10. Alter system hardware configurations without authorization; install or delete system software without authorization; or install or remove system hardware without authorization.
11. Use computer programs to decode passwords or access-control information.
12. Attempt to circumvent or subvert system or network security measures.

13. Engage in any activity that is intended to harm College IT resources or any information stored in those resources, including but not limited to, including creating or propagating malware, such as viruses, worms, or "Trojan horse" programs; disrupting services; damaging files; or making unauthorized modifications to College data.
14. Intercept or monitor communications, user dialog, or password input intended for another recipient, except when expressly authorized by the College.
15. Collect or store information about users of College IT resources without authorization.
16. Engage in illegal activity.
17. Use College IT resources for gambling.
18. Engage in business or commercial activity not carried out on behalf of the College.
19. Access or use electronic distribution lists or email accounts created by the College for unauthorized purposes or permit others access to such distribution lists or email accounts for unauthorized purposes.
20. Transmit messages that are threatening, obscene, vulgar, derogatory, defamatory, harassing, retaliatory or that otherwise violate any College policy.
21. Engage in unusual or unexpected computing activity that is illegal or wasteful of College IT resources or that violate the terms of use of the licenses and agreements through which the College obtains or uses College IT resources. This includes, but is not limited to, broadcasting unsolicited messages, repeatedly sending unwanted mail, or using someone else's name or User ID.
22. Send or receive confidential information via the internet without making reasonable accommodations for the security of such information.
23. Use "auto-forward" rules to send business e-mail to a non-College e-mail account if the e-mail contains confidential information.
24. Copy, store, or transmit College data for any use other than uses authorized by the College without the prior, express permission of the Director of IT.
25. Copy, store, or transmit student data that falls under the Federal Education Rights and Privacy Act (FERPA) to a device or service not under complete control of the College. This includes, but is not limited to, external drives of any kind, cloud storage services or applications, email, text message, etc. without prior, express permission of the Director of IT.

Security and Monitoring

The College IT resources and the data transmitted through and contained within it are the College's sole property. Users should not have any expectation of privacy for any files, documents, or other communications created, stored, or transmitted using these systems. This is true even when a password or other security is placed on the communication, and regardless of whether it is related to personal or business use. By accessing College IT resources, a user acknowledges and agrees that the Company (by itself or through its internet service provider) may from time to time audit, monitor, inspect, access, disclose, log, and gather statistics on team member internet activity and may examine all individual connections and communications to the maximum extent permitted by law.

Violations

Direct and indirect use of College IT resources made available to a user is a privilege granted by the College. The privilege is subject to compliance with this policy, other applicable College policies, and applicable state and federal law.

Violations of the Acceptable Use Policy may result in the immediate suspension, restriction, or loss of access or privileges to the College's IT resources.

Violations of this Policy will be delivered to the appropriate College office(s) for disciplinary action up to and including termination of employment.

For students, violations of this Policy will be delivered to the appropriate College office(s) for disciplinary action up to and including expulsion from the College.

In all cases, violations of state or federal laws will be referred to the appropriate legal authorities.

Information Technology - Copyright Violation Policy

Copyright Violation Policy

Scope

This policy applies to all employees, students, and guest granted access to the Wilmington College (college) network. This includes any and all wireless and wired networks belonging to the college and managed by the college's Information Technology Department (IT).

IT Handling of Receipt of Copyright Violation

- Companies filing copyright violation complaints will send a notification detailing copyright violations to the college's internet service provider (ISP) and/or the college directly. These complaints usually contain information regarding the data, and the time violation occurred, the IP address of the device when the violation occurred.
- Once the complaint is received, IT will begin the process of tracking down the violating device noted in the violation and disable its access to the network.
- If the violation is copyright content (content) posted to any website, social media venue or other internet communication media that is owned and/or controlled by the college, the content will immediately be taken down.

Discovery of a Violating Device

- IT will use the information contained in the copyright violation notice to confirm whether the IP address noted in the violation belongs to the college.
 - If the IP address does belong to the college, IT will reply to the complaint and the ISP and inform them that the IP address does not belong to the college, and the copyright violation did not take place on the college's network.
 - If the IP address does belong to the college, IT will then proceed to discover the device that had the noted IP address at the time and date of the violation.
- The IT Department will use all means available to it to identify the violating device.

Disabling Network Access for the Violating Device or Content

- If IT is able to identify the violating device used in the copyright violation, that device's access to the college's network will be immediately denied.
- If the violation is regarding content posted on college-managed internet communication media (website, social media, etc.) then that content will immediately be taken down and prevented from being placed back into violation by the best appropriate means.

Obligation of the Primary User

- Responsibility for the copyright infringement and any legal repercussions belong to the primary user of the violating device or content used in the copyright infringement on the college's network.
- The primary user of the device is considered to be a person who may or may not have purchased the device but did physically bring the device onto the college campus with the intent of using it to connect the college's network. Students or Employees who connect a device to Wilmington College network are considered a primary user of that device even if they do not own the device.

- A primary user of the content is the person who posted the copyrighted content into the public view via various internet methods thereby creating the violation. Students or employees who posted copyright content onto the public view are the primary user of content, regardless of if they own the location or media in which the content was placed.

Contacting the Primary User of the Violating Device

- IT will make reasonable efforts to identify the owner or primary user of the violating device.
- When the primary user is contacted, they will be required to meet with a member of the IT staff. During the meeting, an IT staff member will give the primary user a copy of the copyright infringement notice that was received by IT department and make them aware of the scope of the infringement, whether they be of a legal nature or pertaining to college policies. IT cannot provide legal counsel or advice.

Reinstatement of Access for the Violating Device

- Upon review of the circumstances, IT may choose to reinstate access to the violating device if the violation is resolved.
- If, however, the violation is not resolved or the primary user is not cooperative, IT may choose to continue denying access and may expand the denial of access to include all devices by the primary user until such time as cooperation has been established.

Information Technology - Document Retention and Destruction Policy

Document Retention and Destruction Policy

1. Purpose

This Document Retention and Destruction Policy (Policy) provide for the systematic review, retention and destruction of documents received or created by Wilmington College (College) in connection with the transaction of Wilmington College business. This Policy covers all records and documents, regardless of physical form (including electronic documents), contains guidelines for how long certain documents should be kept and how records should be destroyed. This Policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the College's operations by promoting efficiency and freeing up valuable storage space.

2. Document Retention

Wilmington college follows the document retention procedures outlined below. Documents that are not listed but are substantially similar to those listed in the schedule will be retained for the appropriate length of time.

3. Corporate Records

Annual Reports	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
Bylaws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent

IRS Determination Letter	Permanent
State Sales Tax Exemption Letter	Permanent
Contracts (after expiration)	5 years
Correspondence (general)	3 Years
Accounting and Corporate Tax Records	
Annual Audits and Financial Statements	Permanent
Depreciation Schedules	10 years
General Ledgers	10 Years
IRS 990 Tax Returns	Permanent
Business Expense Records	6 years
IRS 1099s	6 years
Journal Entries	6 years
Invoices	6 years
Petty Cash Vouchers	3 years
Cash Receipts	3 years
Credit Card Receipts	3 years
Bank Records	
Check Registers	10 years
Bank Deposit Slips	7 years
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years
Payroll and Employment Tax Records	
Payroll Registers	Permanent
State Unemployment Tax Records	10 years
Earnings Records	7 years
Garnishment Records	7 years
Payroll Tax Returns	7 years
W-2 Statements	7 years
Student Records	Permanent
Employee Records	
Employment and Termination Agreements	10 years
Retirement and Pension Plan Documents	10 years
Records Relating to Promotions, Demotions or Discharge	7 years after termination
Accident Reports and Worker's Compensation Records	5 years
Salary Schedules	5 years
Employment Applications	3 years
I-9 Forms	3 years after termination
Timecards/Sheets	2 years
Donor Records and Acknowledgement Letters	7 years
Grant Applications and Contracts	5 years after completion
Legal, Insurance and Safety Records	
Appraisals	10 years
Copyright Registrations	Permanent
Environmental Studies	Permanent
Insurance Policies	10 Years

Real Estate Documents	Permanent
Stocks and Bonds Records	10 Years
Trademark Registrations	Permanent
Leases	6 years after expiration
OSHA Documents	5 years
General Contacts	3 years after termination

4. Electronic Documents and Records

Electronic documents will be retained as if they are paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be printed on a hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.

5. Emergency Planning

The College's records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping the College operating in an emergency will be duplicated or backed up at least every week and maintained off site.

6. Document Destruction

The appropriate Business Area is responsible for the ongoing process of identifying its records, which have met the required retention period and the overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

7. Compliance

Failure on the part of the employees or contract staff to follow this policy can result in possible civil and criminal sanctions against the College and its employees or contract staff and possible disciplinary action against responsible individuals.

Information Technology - IT Security Policy

IT Security Policy

1. Purpose

This policy assigns responsibility for the security of Wilmington College (College) data and information systems. Components of Security include confidentiality, availability and integrity.

2. Definitions Critical data

Data supporting critical functions (i.e., business processes identified by the vice presidents that significantly affect service levels to students, affect public safety, impact the budget, and/or are the result of government regulations). This data is so important to the College that its loss or unavailability is unacceptable.

3. Information Security Program

The set of managerial, operational and technical controls insulated to protect the integrity, availability and, if needed, confidentiality of information and the technology resources used to enter, store, process, and communicate electronic information.

4. Information Technology Resources

Specific items such as telecommunications devices, computer systems, media, and other equipment, goods, services and personnel related to the collection, storage or transfer of electronic information.

5. Sensitive Data

Non-public data subject to legal requirements (e.g., Federal or State privacy laws) or other privacy or compliance considerations, which define and regulate its responsible use.

6. Applicability

This policy applies to all information collected and/or processed using university information technology resources.

7. Policy

College data and information technology resources must be recognized as a valuable and worthy of protection. Depending on the scope and nature of the information, constraints and special procedures for access and handling may be required.

One of the fundamental requirements and goals and goals of college information processing, whether manual or automated, is to manage the information resource. This goal drives all others as the college works to protect and deny or allow access. The Individual data elements and their association to the larger process must be protected and managed. Therefore, controls are necessary at the department or service unit, the network, and throughout the various computer systems and services used to collect, process, store and disseminate college data.

It is the policy of the college to maintain security of its data and information technology resources. The college will take appropriate steps to secure information technology resources and sensitive information through the development of an institution-wide information technology security program. All systems must include security safeguards that reflect the importance and sensitivity of the information processes on the system.

All users of college information technology resources are required to adhere to college policies related to information technology.

8. Procedures

In keeping with the responsibilities outlined above, departments, and offices shall develop, manage and review local operating policies and procedures to create the proper security posture for sensitive or critical data

created and stored locally on centrally managed computer systems. Integrity constraints, procedures that ensure correct processing of correct data, shall be written as local procedure. Such procedures shall be reviewed as required.

9. Responsibilities

- Vice presidents, deans, associated/assistant vice president and academic/administrative unit heads shall be responsible for identifying critical functions. In addition, they and their staff are responsible for security, confidentiality, availability, and integrity of data and software stored on individual workshops or local file servers and on shared system resources (whether provided on campus or through third-party systems or services) to the extent that they have access and/or access control. This responsibility includes ensuring the backup of key software systems and data on workstations and local file servers.
- Deans, associated/assistant vice president and academic/administrative unit heads are further required to designate a system administrator for any shared file server or application system under their control and not administered by IT.
- This policy also places responsibility on deans, associate/assistant vice presidents and academic/administrative unit heads to 1) require appropriate computer use as specified in the Acceptable Use Policy, 2) ensure compliance with information technology policies and standards by people and services under their control, and 3) implement and monitor additional procedures as necessary to provide appropriate security of information and technology resources within their area of responsibility.
- IT is responsible for establishing and maintaining the physical security of the central computing facilities (including shared file servers by IT), the college's communications network and data for which IT is the custodian. As part of the university's Information Security Program, IT will maintain the College's computing standards for access to shared system resources.
- As part of the Information Security Program, IT is responsible for monitoring the college's technology environment and addressing potential vulnerabilities. IT is also responsible for information security incident response. Anyone who becomes aware of a potential information security incident should delay investigative action and report the concern immediately to the information security officer, IT information security staff or helpdesk@wilmington.edu or call 937-481-2459.
- Additionally, the Director of IT shall be responsible for the administration of the university's Information Security Program and providing technical support to the college departments and offices in the development of local security procedures. This program shall extend to all information technology resources of the college. Its emphasis will be on risk-based approach to protect the college's information technology resources, with particular focus on sensitive information and critical data and applications.
- All departments, offices and employees that generate, receive or maintain public records under the terms of this policy are also responsible for compliance with the college's Document and Retention Policy.

10. Sanctions

Sanctions will be commensurate with the severity and/or frequency of offense and may include termination of employment or expulsion. In addition, violators may be subject to criminal and/or civil action.

11. Exclusions

None.

12. Interpretation

Authority to interpret this policy rests with the president and is generally delegated to the Assistant Director of IT and the Director of IT.

Information Technology - Hardware and Software Procurement Policy

Wilmington College

IT Hardware and Software Procurement Policy

Purpose:

This document defines the process through which Wilmington College's (college) hardware and software purchases are made. The purpose of this policy is to ensure the safety and reliability of college systems and data.

Scope:

This policy applies to any purchases of computing hardware, software or computing services using college funds.

Policy:

1. IT Involvement:

- a. Software purchases require IT involvement if any of the following are true:

1. Assistance will be required to install or implement the software.
2. Software or data used by the software will be stored on an internal server.
3. Software will use and/or store data that includes any data deemed private or data that must be secured and retained.

4. Software or hardware will require campus credentials (Active Directory or Single Sign On) for authentication.

5. Software or hardware will be made generally available to students and/or employees.

6. Integration with other campus systems is required.

7. Ongoing support from IT is expected.

8. IT involvement is not required for hardware that will change ownership prior to use/activation and will not be used for conducting college business (e.g. a tablet to be given away in a drawing).

2. Purchases of computing hardware and peripherals (hard drives, adapters, mice, keyboards, etc.) that will be paid with college funds require IT involvement and approval before purchase. IT involvement is always recommended to ensure device compatibility and best pricing. These items may not be paid through expense reimbursement to an individual or using a college credit card without prior approval by the IT Department.

3. Purchases of permanently mounted hardware require IT involvement. IT will coordinate installation through the Physical Plant Department.

4. IT generally does not support hardware and software that have been purchased without IT involvement. Support for such systems would be best effort and only as time allows.

Accessibility:

1. Software and non-peripheral hardware purchased by the college should consider accessibility as a factor in purchasing decisions including, but not limited to:

- a. Section 508 of the Rehabilitation Act
- b. W3C Web Content Accessibility Guidelines (WCAG) 2.0

2. The office making the purchase will provide to IT:

- a. Documentation regarding accessibility supplied by the vendor.
- b. A list of any exceptions to the above accessibility standards identified in the vendor documentation.

3. In the event that no suitable product is found that meets minimum accessibility requirements, a description of the reason the product was selected should be submitted to IT for review and approval.

Information Technology - Identity Verification Policy

Purpose

The United States Federal Higher Education Opportunity Act (HEOA) requires that all courses or programs provided by Wilmington College have processes to ensure that a student registering for a course is the student. The HEOA identifies one or more of the following methods as acceptable:

- A secure login and password
- Proctored examinations
- New or other technologies and practices that are effective in verifying student identification

Policy

To comply with HEOA, Wilmington College adheres to the following policy:

- All students are issued unique email addresses with a secure login and password upon admission to Wilmington College. This email is the only official account used for communication between the institution and the student.
- All distance or correspondence courses and programs use Blackboard, Wilmington College's learning management software, as a Service provider using Single Sign-On and Multi-Factor Authentication.
- Students must use their secure login, password, and Multifactor authentication to access their course materials, submit assignments, and see their grades.
- Data transmission of login information to systems containing student grade data is secured using appropriate encryption.
- Course instructors may require proctored examinations or use other technologies to verify student identity.
- Course instructors inform and emphasize the college's Academic Integrity Policy in their course materials. All violations of academic integrity will be submitted to the Office of Academic Affairs and the Office of Student Conduct.

Student Verification Protocol

Wilmington College uses collected personal information as the basis for identity verification while adhering to FERPA requirements. Students who need to reset passwords or to gain access to various systems have their identity verified by at least two means of identification.

Means of Identity verification:

- student ID
- date of birth
- last four digits of their Social Security Number
- other similar information that uniquely verifies the user's identity

The Family Educational Rights and Privacy Act (FERPA) provides the requirements designed to protect the privacy of student and their records. FERPA protects the access and release of educational records and defines student rights concerning their records. The College is following the Family Educational Rights and Privacy Act of 1974 (FERPA) as amended. Under FERPA, students have the right to:

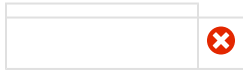
- inspect and review their education records within 45 days of the day that the Official Record Keeper receives a request
- request the amendment of the education record that the student believes is inaccurate or misleading
- consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and

- file a complaint with the U.S. Department of Education concerning alleged failures by Wilmington College to comply with FERPA

The College publishes and distributes to all students a Notification of FERPA Rights that describes College policies in each of the areas above. More information is available in the Registrar's Office.

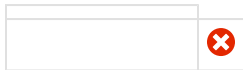
User Responsibilities

Users are responsible for maintaining the security of their own usernames and passwords. Access credentials may not be shared or given to party systems administrators. The college recommends that all users change their passwords regularly. More information is available in the Information Technology Acceptable Use Policy.



Instructor Responsibilities

Distance learning instructors hold important responsibility for ensuring that students comply with the college's identity verification policy. Instructors are encouraged to design assignments and courses that support academic integrity, such as employing assignments and evaluations that deter falsification, plagiarism, and other forms of cheating. Instructors should only accept course assignments and activities that are graded or factored into a grade (e.g., participation) through tools which verify student's identity, such as Blackboard and other sites that require users to log in or have a unique course password.



Responsible Office(s) for Consistent Application of Student Verification Procedures

The Office of Academic Affairs, Registrar's Office, and Information Technology are jointly responsible for ensuring compliance with this policy and to ensure that deans, department chairs, and program coordinators are informed of any changes in the policy in a timely fashion.

For more information, review the Higher Education Opportunity Act.

AJA - Drug & alcohol Usage Policy

Drug & Alcohol Usage

It is the College policy to maintain a safe, healthful and efficient working and educational environment. The College supports and complies with Federal and state laws pertaining to drug and alcohol abuse. The misuse and abuse of drugs and alcohol pose a serious threat to the College, its employees and students.

Selling, buying, manufacturing, transferring, distributing, and/or possessing of illegal drugs, alcohol, drug paraphernalia, or improper or abusive use of legally prescribed drugs and other intoxicating substances on College premises, while conducting College business, or in College-owned, leased, or rented vehicles is prohibited and is cause for immediate termination. Reporting to work or working while under the influence of an illegal drug, alcohol, or in an impaired condition is also prohibited. Providing alcohol or marijuana/cannabis to underage students is also prohibited and cause for immediate termination.

Any employee who comes to work in a condition unfit for work because of alcohol or drug use may be sent home without pay. In addition, that employee is subject to corrective action, which may include termination.

The federal Drug-Free schools and Campuses Act of 1989 requires that, as a condition of receiving funds from the federal government, the College must implement a program to prevent the unlawful possession, use or distribution of illegal drugs and alcohol by students and employees. Each year, we must also distribute our policy on that program. This policy operates in coordination with our Drug-Free Workforce policy notes above. Our Drug Prevention program includes the following:

Drug & Alcohol Definitions

“Under the influence” means (1) the presence of any detectable amount of an illegal drug or its metabolites which equal or exceed established levels demonstrated by a verified positive drug test result; or (2) behavior, appearance, speech, or bodily odors that lead a manager to reasonably suspect that the employee is impaired by illegal drugs or is using illegal drugs during work time or on College property.

“Illegal drugs” includes: (1) controlled substances as defined in the federal Controlled Substances Act; (2) marijuana/cannabis and marijuana/cannabis-infused products, cannabidiol (CDB) products and substances with a concentration of more than 0.3% TETRAHYDROCANNABINOL (THC), cannabis oil with a concentration of more than 0.3% THC, lower-potency hemp edibles, hemp-derived consumer products, other hemp derived intoxicants, synthetic cannabinoids, including but not limited to, delta-8 THC, delta-10 THC, and Spice/K2, and other marijuana/cannabis products as defined under state law; and (3) psilocybin and other psychedelic drugs. These substances are prohibited under this policy regardless of whether state or local law has otherwise legalized, permitted, or decriminalized their use for recreational/adult and/or medical purposes. “Illegal drugs” also include prescription medication not used by the employee for whom it was prescribed in accordance with its instructions.

The unlawful distribution or use of drugs and alcohol on the College’s campus, at College-sponsored events, or in the performance of College-related duties is strictly prohibited. Violations of this policy are considered a serious offense and will be subject to disciplinary actions up to and including immediate termination of employment and/or referral for prosecution.

Legal Drug Use

The use of controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action unless the use is inconsistent with the amount or manner in which it was prescribed by a health care professional or directed for over-the-counter usage. Employees’ drug use may affect their ability to work safely and efficiently, such as by causing dizziness or drowsiness. Over-the-counter medications that warn against operation of vehicles or equipment after use are included in this policy. It is the employee’s responsibility to determine from their health care provider whether a prescribed drug may impair job performances and, if so, to notify the College so that appropriate action may be taken.

Alcohol Use

Drinking of alcohol on College premises is allowed only at selected College-sponsored events where alcohol is served. The President must approve serving alcohol at such an event. Employees are responsible for complying with policies of professional behavior even when consuming alcohol at a College-sponsored event and/or approved event and must never allow underage drinking or provide alcohol to underage students.

Drug and Alcohol Counseling Services

Drug or alcohol counseling is available to staff through the College Employee Assistance Program or the College health insurance plan. Contact Human Resources for information. It is the responsibility of the employee to seek and accept assistance before drug and alcohol problems lead to disciplinary action, including termination. Failure to enter, remain, actively participate in, or successfully complete a prescribed treatment program may result in termination of employment. Confidentiality of records and information will be maintained in accordance with all local, state, and federal laws.

Entrance into a treatment program does not relieve an employee of the obligation to satisfy the College's standards regarding an employee's performance, and participation will not prevent the College from administering discipline for violation of its policies or relieve the employee of their responsibility to perform their job in a satisfactory, safe and efficient manner.

Disciplinary Sanctions

Any employee knowingly distributing illegal drugs or controlled substances on campus or at any College-sponsored activity will be subject to disciplinary action up to and including termination and referral for prosecution. Any employee knowingly distributing alcohol to underage students on campus or at any College-sponsored event will be subject to disciplinary action up to and including termination and may be subject to criminal prosecution.

Any employee under the influence of or using illegal drugs, or other controlled substances (without a medical prescription) or impaired by alcohol while performing College-related duties or attending any College-sponsored activity (on or off campus) where they are representing the College or are performing work, will be subject to disciplinary action up to and including termination of employment depending on the circumstances and severity of the offense. The College reserves the right to escalate the process or use of any part of the disciplinary process that it believes is appropriate for the situation, and if necessary, terminate employment without implementing performance counseling or corrective action.

The College reserves the right to impose disciplinary action, up to and including termination, on any employee who is convicted or sentenced for any offense related to use, possession, distribution, or sale of illegal drugs or controlled substances, whether on or off College premises.

Employees may be ineligible for workers' compensation benefits or unemployment compensation benefits in accordance with Ohio law if they violate this policy, test positive for drugs and/or alcohol, or refuse to submit to, tamper with, or obstruct drug/alcohol testing.

If an employee tests positive for illegal drugs or alcohol, that employee may be eligible to enter into a Last Chance Agreement to retain employment. The Last Chance Agreement will require the employee to regularly counsel with, actively participate in, and satisfactorily complete an approved drug, alcohol, and/or cannabis rehabilitation/counseling/treatment program, and fully comply with the recommendations of any such program, including but not limited to, recommendations, if any, regarding behavior modification and medication(s), and any additional drug testing or alcohol impairment testing required by the program. The employee must sign an acknowledgment letter when entering the Last Chance Agreement, which will outline the program expectations and acknowledge their understanding of the program requirements. Any violation of the requirements as outlined in the Last Chance Agreement will result in separation from the College.

Drug Convictions

As mandated by the Drug-Free Workplace Act of 1988, those employees covered under certain federal grants must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off College premises while conducting College business. A report of a conviction must be made to the Director of Human Resources within 5 days after the conviction.

Confidentiality of Drug & Alcohol Testing

All drug and alcohol test results reported to the College will be considered confidential. Results will only be disclosed within the College, on a need-to-know basis, as allowed by law, and will be retained in a secure location with limited and controlled access. Information about an employee's medical condition or history obtained in connection with a drug and alcohol test will be kept in a file separate and apart from the employee's

personnel file. The release of an individual's drug and alcohol test results and other information gained in the testing process will only be otherwise disclosed in accordance with an individual's written authorization or as otherwise required or permitted by law.

Reservation of Rights

This policy is not an express or implied contract of employment nor is it to be interpreted as such. Additionally, this policy does not in any way affect or change the status of any at-will employee. Nothing in this policy is a promise or guarantee or should be construed as a promise or guarantee that the College will follow in any particular circumstances any particular course of action, disciplinary, rehabilitative or otherwise, unless required by law

Tobacco Usage Policy

In order to comply with Ohio's Smoke-Free Workplace law, Wilmington College has established the following policy

Smoking (including vaping) is prohibited in all College buildings, residence halls, vehicles and within 25 feet of all building and facility entrances. In addition, smoking is prohibited within all athletic complexes and restricted to the parking lots. Hookahs and electronic cigarettes are also prohibited on campus. We ask that all members of the campus community and campus visitors comply with Wilmington College's No-Smoking Policy.

The College reserves the right at any time to inspect and search all areas of its facilities and property, including but not limited to desks, workstation, work areas, cabinets, lockers, and other storage devices. These storage devices are provided for the convenience of employees but remain the sole property of the College. The College also reserves the right under appropriate circumstances to inspect and search items or parcels being brought onto or taken off College premises. Any inspection/search conducted by the College or its designee may occur at any time, with or without notice. Additionally, the College may, in appropriate circumstances, request to search an employee's vehicle, purse, briefcase, or other personal property. An employee's consent to search their personal property is required. However, the employee's refusal to consent may result in disciplinary action, up to and including termination of employment.

Reservation of Rights to Inspect

The College reserves the right at any time to inspect and search all areas of its facilities and property, including but not limited to desks, workstation, work areas, cabinets, lockers, and other storage devices. These storage devices are provided for the convenience of employees, but remain the sole property of the College. The College also reserves the right under appropriate circumstances to inspect and search items or parcels being brought onto or taken off College premises. Any inspection/search conducted by the College or its designee may occur at any time, with or without notice. Additionally, the College may, in appropriate circumstances, request to search an employee's vehicle, purse, briefcase, or other personal property. An employee's consent to search their personal property is required. However, the employee's refusal to consent may result in disciplinary action, up to and including termination of employment.

AJA - Student Life Policies

Student Conduct Code

There is a basic oneness of humanity that says all persons have worth. It is out of respect for ourselves as a part of humanity that we at Wilmington College set forth these principles by which we expect our community to live:

1. The expectation at Wilmington College is that trustees, faculty, administrators, staff and students will treat all persons and all groups with respect.
2. Wilmington College does not condone racial or ethnic epithets, slurs or derogatory remarks or publications by any member of the College community at any College event, and public function, or any educational or institutional activity.
3. The College affirms its belief in the equality of the sexes, and its intent is to bring all policies and practices into harmony with the principle of equality.
4. We expect that all members of the Wilmington campus community who attend athletic or other campus or intercollegiate events will refrain absolutely from harassment of an ethnic or racial nature and will limit personal comments to those which can be reasonably described as good natured. We affirm our belief that sporting events should involve sportsmanlike conduct by participants and spectators alike, and we intend to work with other Colleges and groups with which we share activities, such as intercollegiate athletics, to establish similar codes of conduct.
5. Wilmington College is committed to a Student Code of Conduct that has as its primary objective the solution of problems, and that is so constituted as to minimize the reality or the appearance of conflict of interest.
6. Wilmington intends to go beyond the legal requirements of "equal opportunity" and pledges itself to seek actively members of minority groups, who are qualified for admission as students, for service as trustees and for employment as faculty, administrators and staff. Wilmington seeks to "make riches of its diversity," and to that end will sponsor and support both intercultural and integrated intramural, social, recreational, educational, cultural and service activities.

Records Policy

Wilmington College discloses information in accordance with the provisions of the Family Educational Rights and Privacy Act of 1974, as articulated in the regulations published in the Federal Register, June 17, 1976. Basically, these regulations elevate to the status of law what has long been general policy at Wilmington College; namely, that the information in student records is privileged information and is not to be disclosed without prior consent of the student. These regulations also give the student the legal right to have inaccuracies in the records corrected. The student has the right to a hearing in the event of a disagreement as to the accuracy of the records. A record must be maintained of all disclosures of these files to parties other than the student and designated College personnel.

Students and parents of students who are dependents as defined by the Internal Revenue Service have access to student files upon request and may request photocopies of information therein. Three photocopies may be obtained free of charge and a \$1.00 charge is assessed for each additional copy. Confidential letters of evaluation and recommendation placed in a student's record prior to January 1, 1975 are not available to students, but all such letters written after that date are available, unless the student has signed a waiver of access.

The following exceptions to the policy of "prior consent of the student" should be noted: In accordance with paragraph 36 of part 99 of the Privacy Rights of Parents and Students under the General Education Provisions Act of 1974, Wilmington College officials will disclose personally identifiable information from the education records of a student to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other persons. Under the provisions of paragraph 34 of said part 99, the College reserves the right to disclose information from any of the education records of a student, without his/her consent, to any school in which the student seeks or intends to enroll. A photocopy of such information is available to the student (or parent of a dependent student) upon request. When a student is enrolled simultaneously at Wilmington College and some other institution, e.g., one of the colleges with which Wilmington College has a cross-registration agreement, information in the education records of the student at the two or more institutions involved may be shared by the officials of these institutions with one another without prior consent of the student.

The College maintains the following records or information on the Permanent Academic Record (transcript); the Student Personal File (Office of the Dean of Faculty); the Student Health Record; the Student Accounts Receivable Ledger; the Student Financial Aid File; the Faculty Adviser File; and the Career Center Credentials File (optional). Further information on what is normally released from the student's file, for the institutional directory, for instance, and the student's right to challenge contents in his/her file can be found in the Wilmington College Catalog. (See Records Policy, under Academic Regulations section).

Students' Rights

Student's rights are described in the Judicial Policies and Procedures section of the Student Handbook.

AJA - Sex Discrimination and Sexual Harassment Policy

Sexual Harassment Policy and Complaint Procedures

As an institution of higher education affiliated with the Religious Society of Friends, Wilmington College seeks to provide an academic and co-curricular environment based on mutual respect, individual dignity, and equality. Consistent with these principles, the College regards the intimidation, harassment, or abuse of any member of the campus community on the basis of gender or sexual orientation as an inappropriate use of power that violates its fundamental values.

The College prohibits any acts of sexual intimidation, harassment, or abuse or retaliation for reporting such acts or for participating in an investigation concerning such acts. Such acts also may constitute a violation of federal and state law.

Refer to the full policy

Statement of Policy

Consistent with Wilmington College's testimony, "I will respect the dignity of all persons," Wilmington College (or the "College") is committed to providing a learning, working, and living environment free of discrimination, including discrimination on the basis of sex and gender by employees, students, and third parties.

Pursuant to Title IX of the Education Amendments of 1972 (Title IX), Wilmington College prohibits discrimination based on sex (including gender identity, gender expression, and sexual orientation) in its educational, extracurricular, athletic, or other programs or activities that it operates, or in the context of admissions or employment. Specifically, Title IX provides, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Wilmington College considers sex and gender discrimination in all its forms, including sexual harassment, to be a serious offense. Consistent with Wilmington College's commitment to compliance with Title IX, the College will promptly and equitably respond to all reports and formal complaints under this Sex Discrimination & Sexual Harassment Policy (the "Policy") in order to end the conduct, prevent its recurrence, and address its effects on individuals and the community.

Inquiries regarding the application of this Policy may be directed to the Title IX Coordinator, the Assistant Secretary of the Office for Civil Rights of the Department of Education, or both.

Policy Scope

This Policy applies to sexual harassment in the College's education programs or activities—i.e., on campus or at locations or events, or under circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by the College. It applies to face-to-face encounters, social media, and other forms of electronic communication.

This Policy applies to allegations of sexual harassment made against any person in the United States, including any member of the College community, by a member of the College community in connection with any education program or activity, including any person participating in or attempting to participate in the College's education programs or activities.

Any person may report sex discrimination and sexual harassment in accordance with this Policy (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment—i.e., the complainant). Any person participating in or attempting to participate in the College's education programs or activities may file a formal complaint of sexual harassment in accordance with this Policy. This Policy applies regardless of gender or sexual orientation, as complainants and respondents—i.e., the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment—may be female, male, non-binary, straight, gay, lesbian, bisexual or transgendered students.¹ For example, both male and female students can be complainants of sexual harassment, and the complainant and respondent can be of the same sex.

Definitions

Sex Discrimination:

Conduct that denies or limits an individual's ability to benefit from or fully participate in educational programs, activities, co-curricular programs including athletics, or employment opportunities because of an individual's sex, gender, gender identity, gender expression or sexual orientation, and discrimination based on an individual's pregnancy.

Sexual Harassment:

Sexual harassment is a form of sex discrimination and means conduct on the basis of sex that satisfies one or more of the following:

- a. An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct—i.e., quid pro quo sexual harassment;
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
- c. Sexual assault, dating violence, domestic violence, or stalking.

Sexual Conduct:

Examples of sexual conduct include, but are not limited to:

- a. Making sexual propositions or pressuring an individual for sexual favors;
- b. Touching of a sexual nature;
- c. Writing graffiti of a sexual nature;
- d. Displaying or distributing sexually explicit drawings, pictures, or written materials;
- e. Performing sexual gestures or touching oneself sexually in front of others;
- f. Telling sexual or dirty jokes;
- g. Spreading sexual rumors or rating other students as to sexual activity or performance; or
- h. Circulating or showing e-mails or websites of a sexual nature.

Not all physical contact is sexual in nature. Legitimate nonsexual touching or conduct generally will not be considered sexual harassment. However, it may rise to that level if it takes on sexual connotations.

Sexual harassment encompasses both unwelcome conduct of a sexual nature, as well as other forms of unwelcome conduct on the basis of sex.

Unwelcome Conduct v. Consent:

The “conditioning” or “bargain” proposed in quid pro quo harassment may be express or implied from the circumstances. The inquiry into whether sexual conduct is unwelcome does not equate to whether an individual consented to the sexual conduct. When a complainant acquiesces to unwelcome conduct to avoid potential negative consequences, such “consent” does not necessarily mean that the sexual conduct was not “unwelcome” or that quid pro quo harassment did not occur. Whether conduct is considered to be “unwelcome” is a subjective inquiry (i.e., whether the complainant viewed the conduct as unwelcome).

Consent:

For purposes of this Policy, consent is defined as the act of knowingly and willingly agreeing verbally or non-verbally to engage in sexual activity. An individual cannot consent if he/she/they

- a. Is incapacitated;
- b. Is impaired by any drug or intoxicant;
- c. Has been purposely compelled by force, including threats,
- d. intimidation, or coercion;
- e. Is unaware that the act is being committed;
- f. Is impaired because of a mental or physical condition; or
- g. Pursuant to Ohio law, is under the age of sixteen (16).

Consent must exist throughout a sexual encounter and can be withdrawn at any time.

Incapacity:

Incapacity means a state in which rational or reasonable decision-making and the ability to consent is rendered impossible because of a person’s temporary or permanent physical or mental impairment including, but not limited to, physical or mental impairment resulting from drugs or alcohol, disability, sleep, unconsciousness, involuntary physical restraint, or illness.

- a. An incapacitated person cannot give consent.
- b. Sexual activity with someone who one knows or should know to be incapacitated is not consented sexual activity and, therefore, is a violation of this policy.
- c. Incapacitation may result from taking “rape drugs.” A rape drug is any drug intentionally used to incapacitate another victim to assist in the execution of drug-facilitated sexual assault. Possession, use and/or distribution of any so-called “rape drug” is prohibited, and administering these drugs to another person is a violation of this policy.
- d. Being under the influence of alcohol or other drugs will not excuse behavior that violates this policy.

Force:

Force means the use of physical violence or physical imposition to gain sexual access, including the use of threat, intimidation (implied threats), or coercion to overcome a person’s free will or resistance.

Threat or intimidation:

Threat or intimidation mean actual or implied declarations to inflict physical or psychological harm, to cause damage, or to commit other hostile actions to obtain sexual activity from an unwilling participant.

Coercion:

Coercion means unreasonable pressure for sexual activity from an unwilling participant.

Severe, Pervasive, and Objectively Offensive:

Elements of severity, pervasiveness, and objective offensiveness are evaluated in light of the known circumstances and depend upon the facts of each situation and are determined from the perspective of a reasonable person standing in the shoes of the complainant. Whether conduct is so severe, pervasive, and objectively offensive depends upon the surrounding circumstances, expectations, and relationships, including, but not limited to, the ages, number, disability status, and positions of authority of the individuals involved, among other factors.

Sexual Assault:

Sexual assault is defined under the Clery Act as an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation ("UCR").

UCR defines a forcible sex offense as a sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and includes the following:

Forcible Rape

The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her/their temporary or permanent mental or physical incapacity.

Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.

Sexual Assault with an Object

To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.

Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.

UCR defines a nonforcible sex offense as unlawful, nonforcible sexual intercourse and includes the following:

Incest

Nonforcible sexual intercourse between two persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory rape

Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Dating Violence:

Dating Violence is defined under the Violence Against Women Act ("VAWA") as:

- a. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim/survivor; and
 - i. Where the existence of such a relationship shall be determined based on consideration of the following factors: the length of the relationship;
 - ii. the type of relationship; and
 - iii. the frequency of interaction between the persons involved in the relationship.

Domestic Violence:

Domestic violence is defined under VAWA as: Felony or misdemeanor crimes of violence committed:

- a. by a current or former spouse or intimate partner of the victim/survivor;
- b. by a person with whom the victim/survivor shares a child in common;
- c. by a person who is cohabitating with or has cohabitated with the victim/survivor as a spouse or intimate partner;
- d. by a person similarly situated to a spouse of the victim/survivor;
- e. by any other person against an adult or youth victim/survivor who is protected from that person's acts under the state's domestic or family violence laws.

Stalking:

Stalking is defined under VAWA as:

- a. Engaging in a course of conduct,
- b. Directed at a specific person,
- c. That would cause a reasonable person to
 - i. fear for his or her safety or the safety of others, or
 - ii. to suffer substantial emotional distress.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Sexual assault, dating violence, domestic violence, or stalking are inherently serious sex-based offenses. However, stalking may not always be "on the basis of sex"—e.g., when a student stalks an athlete due to celebrity worship rather than sex. When stalking is "on the basis of sex"—e.g., when the stalker desires to date the victim—stalking constitutes sexual harassment. Stalking that does not constitute sexual harassment may still be prohibited under the College's student code of conduct.

Reports & Formal Complaints of Sex Discrimination and Sexual Harassment

Individuals who have questions about Title IX or this Policy or feel that they have been discriminated against based on sex, sexually harassed, or retaliated against for their involvement in such a report or adjudication, are strongly encouraged to directly contact the Title IX Coordinator or the Alternate Title IX Coordinator.

The College's duty to respond under this Policy is triggered upon the College's actual knowledge of sexual harassment or alleged sexual harassment that occurred within its education program or activity against a person within the United States. Actual knowledge is notice of sexual harassment or allegations of sexual harassment to the College's Title IX Coordinator or any College official with authority to institute corrective measures on behalf of the College.

A formal complaint, as defined in Section 7.4.6 below, is not required to make a report of sexual harassment and initiate a response by the College, including the offering and providing of supportive measures, as defined in Section 7.4.4 below. However, only a formal complaint of sexual harassment will prompt an investigation and grievance process outlined in Section 7.5 below.

Officials with Authority:

An official with authority is a College official who has authority to institute corrective measures on behalf of the College.

For reports involving only students, the College has designated the following individuals as officials who have authority to institute corrective measures on behalf of the College:

- a. President
- b. Vice President of Student Affairs/Dean of Students
- c. Vice President for Academic Affairs/Dean of Faculty
- d. Vice President for Community and Business Development (where the complainant or respondent participates in the College's online programs)
- e. Senior Director of Diversity and Inclusion

For reports involving an employee, the College has designated the following individuals as officials with authority who have authority to institute corrective measures on behalf of the College:

- a. President
- b. Director of Human Resources
- c. Vice President for Academic Affairs/Dean of the Faculty
- d. Vice President for Community and Business Development (where the complainant or respondent participates in the College's online programs)

Officials with authority who receives notice of sexual harassment or allegations of sexual harassment in one of the College's education programs or activities, directly or indirectly, are required to promptly report such sexual harassment or allegations of sexual harassment to the Title IX Coordinator or Alternate Title IX Coordinator. Reporting allows complainants to receive supportive measures and helps to maintain a safe campus environment.

Reporting Sex Discrimination and Sexual Harassment:

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report, including reporting to the Alternate Title IX Coordinator listed in Section 7.4.3 below. A report may be made at any time (including during nonbusiness hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.³

Officials with authority are required to promptly report incidents or allegations of sexual harassment to the College's Title IX Coordinator or Alternate Title IX Coordinator. Where an official with authority is the complainant, you are strongly encouraged to report the misconduct to the College's Title IX Coordinator or Alternate Title IX Coordinator.

Any person who is not an official with authority, including students and members of the College community, are strongly encouraged to promptly report incidents or allegations of sex discrimination and sexual harassment to the College's Title IX Coordinator or Alternate Title IX Coordinator.

Title IX Coordinators:

The Title IX Coordinator is the designated agent of the College with primary responsibility for receiving reports and formal complaints of sexual harassment, signing formal complaints, and generally coordinating the College's compliance with Title IX. The Title IX Coordinator's responsibilities include overseeing the College's response to reports and formal complaints of sexual harassment, including supportive measures, as well as overseeing the College's documentation and recordkeeping set forth in Section 7.7. The Title IX coordinator provides educational materials and training on Title IX, and generally provides guidance and ensures a fair process for individuals involved in Title IX complaints. Below is the contact information for the Title IX Coordinator:

Brittany Chrisman – Acting Title IX Coordinator
Asst. Dir. of the Annual Fund – Galvin Alumni House, 2nd floor
1870 Quaker Way Pyle Center Box 1307
Wilmington, Ohio 45177
Tel: (937) 481-2401 (Ext. 401)
E-mail: brittany.v.chrisman@wilmington.edu

If the Title IX Coordinator has a conflict of interest or is otherwise unable to handle the Title IX matter at issue, an alternate Title IX Coordinator will be appointed.

Offering and Providing Supportive Measures:

Where the Title IX Coordinator receives a report of an incident or allegation of sexual harassment from any individual, including an official with authority or complainant, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures and inform the complainant of the availability of such supportive measures with or without filing of a formal complaint. The Title IX Coordinator will also provide to the complainant a copy of this Policy and explain to the complainant their right to file a formal complaint and the process for filing a formal complaint, as outlined in Section 7.4.6 below.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, the following:

- a. Extensions of deadlines or other course-related adjustments;
- b. Modifications of work or class schedules;
- c. Campus escort services;
- d. Mutual restrictions on contact between parties—e.g., a no-contact order;
- e. Changes in work or housing locations;
- f. Leaves of absence;
- g. Increased security and monitoring of certain areas of campus; and
- h. Other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures and will consider the complainant's wishes with respect to supportive measures.

The College will maintain the confidentiality of any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. To the extent an individual chooses to report an incident or allegation of sexual harassment anonymously or without disclosing the identity of the complainant and/or the respondent, the College will be unable to provide supportive measures to the complainant and/or consider whether to initiate the grievance process against a respondent in response.

Emergency Removal & Administrative Leave:

In addition to implementing supportive measures set forth in Section 7.4.4 above, in emergency situations that arise out of allegations of conduct that could constitute sexual harassment, the College may elect to remove the respondent from the College's education programs or activities. Removal may be made only after the College conducts an individualized safety and risk analysis and concludes that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. Removal may take place before an investigation into sexual harassment allegations concludes or where no grievance process is pending. The Title IX Coordinator may make removal decisions on behalf of the College and may periodically reassess whether an immediate threat to physical health or safety is ongoing or has dissipated such that removal is no longer warranted.

Where the College elects to remove a respondent from its education programs or activities, it will provide the respondent with notice and an opportunity to challenge the decision immediately following removal. The respondent must make any challenge to the Title IX Coordinator.

Where a respondent is a non-student employee, the College may also elect to place the respondent on administrative leave during the pendency of a grievance process under Section 7.5. The Director of Human Resources may make administrative leave decisions on behalf of the College and may periodically reassess whether administrative leave is warranted during the grievance process.

Formal Complaints of Sex Discrimination and Sexual Harassment:

While the College will promptly and meaningfully respond to reports of sexual harassment as outlined in Section 7.4.4 above, only a formal complaint of sexual harassment will prompt an investigation and grievance process outlined in Section 7.5.0 below.⁴ A formal complaint is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. A document filed by a complainant is a document or electronic submission—i.e., electronic mail—that contains the complainant's physical or digital signature, or otherwise indicated that the complainant is the person filing the formal complaint.

Third parties are not permitted to file formal complaints and formal complaints cannot be filed anonymously. However, where the complainant's identity is unknown—e.g., where a third party has made a report—the grievance process may proceed if the Title IX Coordinator determines it is necessary to sign a formal complaint.⁶ Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. Where the Title IX Coordinator signs a formal complaint knowing that the complainant did not wish to do so, the College will respect the complainant's wishes regarding whether to participate or not in the grievance process.

Filing of a formal complaint with the Title IX Coordinator may be accomplished in person, by mail, or by electronic mail, by using the contact information of the Title IX Coordinator listed in Section 7.4.3 above.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an educational program or activity of the College.

Confidentiality of Reports and Formal Complaints:

The College will keep confidential the identity of any individual who has made a report or formal complaint of sex discrimination or sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination or sexual harassment, any respondent, and any witness, except under the following circumstances:

- As may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99;
- As required by law; or

- To carry out the purposes of the Title IX regulations, 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

While consent from a complainant is not required, the Title IX Coordinator or alternate Title IX Coordinator will seek consent from the complainant before the Title IX Coordinator signs a formal complaint and pursues the grievance process. To the extent possible and consistent with the above exceptions, disclosure of any information relating to a formal complaint will be limited to the individuals conducting the College's investigation or resolving the complaint.

If the complainant requests confidentiality or asks that the complaint not be pursued or that the College stop the investigation process, the College will inform the complainant that its ability to respond may be limited as a result, but that it will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation. The College will also inform the complainant that Title IX prohibits retaliation and that it will take actions to prevent retaliation and take strong action against anyone who engages in retaliation, as well as the complainant's right not to participate in the grievance process.

The College must weigh requests for confidentiality and/or requests that no action be taken against the College's obligation to provide a safe, non-discriminatory environment for all members of the College community, including the complainant. The College may not be deliberately indifferent to known sexual harassment. The College will likely be unable to honor a request for confidentiality or a request that no action be taken in cases indicating pattern, predation, weapons, violence, or if a minor is involved.

There are some sources to whom students may report sexual harassment who may maintain complete confidentiality. These sources include:

- Professional Counselor. A professional counselor is an individual employed or contacted by the College who is responsible for providing mental health counseling to members of the College's community and acting within the scope of his or her license or certification. This includes professional counselors at the Wilmington College Health Center, which can be reached at 937-481-2272 (x272).
- Pastoral Counselor. A pastoral counselor is an individual associated with a religious order or denomination and recognized as someone who provides confidential counseling by such religious order or denomination. This person must function within the scope of that recognition in order to keep confidentiality.
- Doctors and Nurses. A doctor or nurse is an individual employed or contracted by the College who is responsible for providing medical health services to members of the College's community and acting within the scope of his or her license or certification. This includes doctors and nurses at the Wilmington College Health Center, which can be reached at 937-481-2217 (x217).
- Victim or Survivor Advocates. A victim or survivor advocate is an individual employed or contracted with the College's Victim Services, WeCare, including those individuals employed or contracted with the College through the Victims of Crime Act (VOCA) grant program. WeCare can be reached through its 24hour support line at 937-356-9778.

Nothing in this Policy prohibits or restricts the ability of either party to discuss the allegations under investigation.

Grievance Process for Formal Complaints of Sexual Harassment

Equity in the Grievance Process

The grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent and by

following the grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures. Respondents are presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

The Title IX Coordinator, Alternate Title IX Coordinator, investigator(s), any decision-maker(s), including any Adjudicator and the Appeal Board member, and any person designated to facilitate an information resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Written Notice of Allegations

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to known parties that includes the following:

- a. notice of this grievance process;
- b. notice of the allegations of sexual harassment with sufficient details known at the time, including,
 - i. the identities of the known parties involved in the incident,
 - ii. the conduct allegedly constituting sexual harassment, and
 - iii. the date and location of the alleged incident, if known;
- c. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- d. notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney consistent with Section 7.5.7.2 below;
- e. notice that the parties may inspect, and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint consistent with Section 7.5.7.5 below;
- f. notice of any provision in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and
- g. notice that making a good faith formal complaint that is not later substantiated does not constitute providing false or misleading information.

Written notice will be provided with sufficient time to prepare a response before any initial interview.

If, in the course of the investigation, the College decides to investigate allegations about the complainant or respondent that were not included in the written notice provided above, the Title IX Coordinator will provide written notice of the additional allegations to known parties.

Dismissal of Formal Complaint

While the College will investigate the allegations in formal complaints of sexual harassment, it will dismiss a formal complaint where the conduct alleged:

- a. would not constitute sexual harassment, even if proved;
- b. did not occur in the College's education program or activity—i.e., locations or events, or under circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the College; or
- c. did not occur against a person in the United States.
Such mandatory dismissal, however, does not preclude action under another provision of the College's code of conduct.

The College may dismiss a formal complaint or any allegation therein, if at any time during the investigation or hearing:

- a. a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

- b. the respondent is no longer enrolled or employed by the College; or
- c. specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

For example, where the identity of a complainant is not disclosed, the College may not be able to gather evidence necessary to establish the elements of sexual harassment, such as whether the alleged conduct was unwelcome or without consent. In such instances, discretionary dismissal may be appropriate.

The Title IX Coordinator will make determinations regarding dismissal and will promptly notify the parties in writing of any dismissal and the reasons, therefore.

Time Frame and Temporary Delays

Upon receipt of a sexual harassment complaint, the College will exercise good faith to investigate and conclude the grievance process in a reasonably prompt time frame.

- a. Once a formal complaint of sexual harassment has been made, an investigation into the complaint will be conducted by the investigator(s) within sixty (60) days of the complaint being made.
- b. Consistent with Section 7.5.7.5, prior to the completion of the investigative report (see Section 7.5.7.6), the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in electronic format or hard copy, with any redactions required by the Family Educational Rights and Privacy Act ("FERPA"). The parties will have ten (10) days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report.
- c. Consistent with Section 7.5.7.6, the investigator(s) will create an investigative report that fairly summarizes relevant evidence within ninety (90) days of the complaint being made.
- d. The Title IX Coordinator will send to each party and the party's advisor, if any, a copy of the final investigative report, in electronic format or hard copy, with any redactions required by FERPA, for their review and written response within three (3) days of completing the investigative report and at least ten (10) days prior to the hearing.
- e. A hearing before the Adjudicator will be held within one hundred and twenty (120) days of the complaint being made.
- f. The Adjudicator will issue a written determination regarding responsibility within fourteen (14) days of the hearing.

Temporary delay of the grievance process or a limited extension of time frames may be permitted for good cause. Good cause may include, but is not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Title IX Coordinator will provide written notice to the complainant and the respondent of any temporary delay or limited extension and the reasons for such action.

Evidentiary Standard & Evidence

Determinations regarding responsibility for all formal complaints of sexual harassment, whether against a student or employee, will be made using the preponderance of the evidence standard.

Parties are provided an equal opportunity to participate fully and robustly in the investigation process by gathering and presenting evidence, including fact and expert witnesses and other evidence, reviewing the evidence gathered, responding to the investigative report that summarizes relevant evidence, and asking questions of other parties and witnesses before the Adjudicator has reached a determination regarding responsibility.

However, while not a party to the proceedings, the College bears the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility provided that the College cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or

paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that party's voluntary, written consent to do so.

This Policy also does not require, allow, rely upon or otherwise use questions or evidence that constitute or seek disclosure of information protected under legally recognized privilege, such as the attorney-client privilege or the doctor-patient privilege, unless the person holding such privilege waives it.

Investigator(s) must objectively and impartially gather and present any relevant evidence to the Adjudicator in an investigative report, who, in turn, must objectively and impartially evaluate relevant evidence and reach a determination regarding responsibility.

All relevant evidence discovered during this grievance process, including inculpatory and exculpatory evidence, will be evaluated on an objective basis. All credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

Consolidation of Formal Complaints

The College may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one complainant or more than one respondent, references in this Policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

Investigation of a Formal Complaint

Investigators

Following the receipt of a formal complaint of sexual harassment, the Title IX Coordinator will designate one or more investigators to conduct the investigation. Eligible investigators include faculty or staff who have been trained in this Policy and the role of an investigator. When the complaint is made against an employee, at least one of the designated investigators will be a member of the Office of Human Resources.

Investigators are responsible for objectively and impartially gathering evidence and presenting any relevant evidence to the Adjudicator in an investigative report as set forth in Section 7.5.7.6 below.

Choice of Advisor

In any related meeting or grievance proceeding, the parties have an equal opportunity to be accompanied by the advisor of their choice, who may be, but is not required to be, an attorney. An advisor may be a member of the College community, an attorney, or another individual not affiliated with the College. During any related meeting or proceeding, however, an advisor's role is limited. Except as permitted during hearings as set forth in Section 7.5.8 below, an advisor is not permitted to engage in the grievance process on the party's behalf or participate directly in any related meeting or proceeding. An advisor may quietly consult with his or her advisee during a related meeting or proceeding in a manner that does not disrupt or interfere with the meeting or proceeding. If an advisor fails to act in accordance with these procedures, he/she/they may be asked to leave the meeting or proceeding.

Gathering of Evidence

During the investigation, both the complainant and the respondent may present written and oral statements, names of witnesses, and other evidence to the investigators. The complainant, respondent, and witnesses may be interviewed as part of the investigation. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. Follow-up interviews will be conducted by the investigators as needed.

All parties and witnesses are expected to provide truthful information. Knowingly providing false or misleading information is a violation of the College's policy and can subject a student or employee to disciplinary action. Making a good faith report to the College that is not later substantiated does not constitute providing false or misleading information.

Any employee respondent is expected to participate and cooperate in the investigation, including submitting to any requested interview by the investigators. If an employee refuses to participate or cooperate in the investigation, that person will be subject to discipline, up to and including termination. Consistent with Section 7.4.7, the investigation may still go forward if a respondent, whether an employee or a student, refuses to participate or cooperate.

Notice of Interviews and Hearings

The College will provide written notice of the date, time, location, participants, and purposes of all investigative interviews, hearings, or other meetings, to a party whose participation is invited or expected. Such notice will be provided with sufficient time for the party to prepare to participate.

Inspection and Review of Evidence

All parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report set forth in Section 7.5.7.6 below, the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, with any redactions required by FERPA. The parties will have at least ten (10) days to submit a written response, which the investigator(s) will consider prior to completion of the investigative report.

The College shall make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Investigative Report

The investigator(s) will create an investigative report that fairly summarizes relevant evidence. Within three (3) days of the completion of the final investigative report and at least ten (10) days prior to the hearing or other time of determination regarding responsibility, the Title IX Coordinator will send to each party and the party's advisor, if any, the final investigative report in electronic format or hard copy, with any redactions required by FERPA, for their review and written response.

The final investigative report will include all the written responses provided by the parties involved, with any redactions required by FERPA.

Decision Making of Formal Complaints

Adjudicator

Prior to the finalization of the investigative report, the Title IX Coordinator will designate a third-party decision-maker trained in this Policy ("Adjudicator") to conduct the live hearing and make a determination regarding responsibility.

The Title IX Coordinator shall provide the investigative report to the Adjudicator. The Adjudicator is responsible for reviewing the investigative report, conducting the live hearings set forth in Section 7.5.8.2, making a determination regarding responsibility, and determining remedies and sanctions. In reaching a determination, the Adjudicator will apply the preponderance of the evidence standard as set forth in Section 7.5.5. The

Adjudicator will determine, based on the complete record and applying a preponderance of the evidence standard, whether or not the evidence is sufficient to support a conclusion that the conduct occurred and that there was a violation of this Policy. Following the close of the hearing, if the Adjudicator determines that there was a violation, the Adjudicator will also determine the appropriate remedies and sanctions that should be imposed consistent with Section 7.5.12. In doing so, the Adjudicator may consult with the Title IX Coordinator to obtain information about College precedent for such remedies and sanctions.

Live Hearing

Consistent with Section 7.5.4, a live hearing before the Adjudicator will be held within one hundred and twenty (120) days of the formal complaint being made.

The reporting party and the accused are entitled to the same opportunities to have others present during the hearing, including the opportunity to be accompanied by an advisor pursuant to Section 7.5.7.2.

Cross Examination

Both parties have an equal opportunity to cross examine the other party and any witnesses—i.e., to ask relevant questions and followup questions, including those challenging credibility—through his/her/their advisor. Cross examination must be conducted directly, orally, and in real time by the party's advisor. A party may never personally cross examine another party or witnesses. If a party does not have an advisor present at the live hearing, the College will provide an advisor of the College's choice, who may or may not be an attorney, without fee or charge, to conduct cross examination on behalf of the party.

Only relevant cross examination and other questions may be asked of a party or witness. As such, before a party or witness answers a cross examination or other question, the Adjudicator must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Where a party or witness does not submit to cross examination at the live hearing, the Adjudicator must not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the Adjudicator cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

Cross-examination that may reveal faulty memory, mistaken beliefs, or inaccurate facts about allegations does not mean that the party answering questions is necessarily lying or making intentionally false statements. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the Adjudicator, after having the opportunity to ask questions of parties and witnesses, and to observe how parties and witnesses answer the questions posed by the other party.

Virtual and Remote Hearings

Live hearings may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

At the request of either party, the College will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Adjudicator and parties to simultaneously see and hear the party or the witness answering questions.

Record of Hearing

All live hearings, whether they occur in person or virtually, will be recorded via audio or audiovisual recording or transcribed. The record shall be the property of the College. Such recording or transcript will be made available to the parties for inspection and review.

Informal Resolution

Use of Informal Resolution

Where a formal complaint is filed, and at any time prior to reaching a determination regarding responsibility, the College may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. An informal resolution process may not be utilized unless:

- a. The parties are provided written notice that discloses the following:
 - the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and
 - any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- b. The parties provide voluntary, written consent to the informal resolution process.
An informal resolution process may not be utilized to resolve allegations that an employee sexually harassed a student.

Informal Resolution Process

Where an informal resolution process may be utilized in accordance with Section 7.5.9.1 above, such process will be overseen by The Title IX Coordinator or Alternate Title IX Coordinator. The complainant and respondent have the right to an advisor as set forth in Section 7.5.7.2 above.

At any time prior to agreeing to a resolution under this process, any party may withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. In addition, any party can resume the grievance process where the party is dissatisfied with a proposed informal resolution.

As described in Section 7.4.7 above, the College may elect to pursue a formal resolution process even if the complainant does not wish to pursue a formal resolution.

Determination Regarding Responsibility

Written Determination Regarding Responsibility

The Adjudicator must issue a written determination regarding responsibility to be provided simultaneously to the parties that must include the following:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the College's code of conduct to the facts;
- e. A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant; and
- f. The College's procedures and permissible bases for the complainant and respondent to appeal.

The Title IX Coordinator is responsible for effective implementation of any remedies herein.

The Adjudicator will issue the written determination regarding responsibility, which will be provided simultaneously to the parties by the Title IX Coordinator within fourteen (14) days of the hearing. The complainant will be informed of any specific sanctions imposed on respondent directly relating to the complainant in a manner consistent with the requirements of FERPA. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Appeal to the Appeal Board

Either the complainant or the respondent may appeal any determination and/or sanction of the Adjudicator or any dismissal of a formal complaint or any allegations therein to the Appeal Board on any of the following bases:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c. The Title IX Coordinator, Alternate Title IX Coordinator, investigator(s), or the decision-maker, including the Adjudicator, had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeal Board

Upon receipt of a written request for appeal under Section 7.5.11.2, the Title IX Coordinator will designate an Appeal Board to conduct an appeal. The Appeal Board shall include three (3) members comprised of faculty and administration/support staff, all of whom have received training on this Policy. The Appeal Board may not include the investigator(s), the Title IX Coordinator, or the Adjudicator involved in the grievance process at issue.

The Appeal Board is responsible for reviewing the complete record of the investigation, the live hearing, and the determination of the Adjudicator.

Filing the Appeal

The appeal must be made in writing to the Title IX Coordinator within ten (10) days from when the party receives the written decision of the Adjudicator, including the day on which the party receives the written decision. The written appeal must include the bases for the appeal, as set forth in Section 7.5.11 above, and all relevant information and arguments in support. The Title IX Coordinator will promptly notify the other party in writing when an appeal is filed.

If an appeal is not filed within this time frame, the right to appeal is waived and the determination and/or sanction of the Adjudicator or any dismissal of a formal complaint or any allegations therein becomes final.

Review and Approval of Appeal

The Appeal Board will review the written appeal for scope and determine permissibility of the appeal, which will be limited to the bases set forth in Section 7.5.11 above, and notify the parties regarding whether the appeal is permitted or denied within ten (10) days of the written appeal.

Appeal Procedure

Upon notification that an appeal is permitted, the appellee will be provided with the written appeal and shall have ten (10) days, including the date of receipt, to respond in writing to the statement of the appellant.

The Appeal Board will determine the merit of the appeal, based on its review of the complete record and applying a preponderance of the evidence standard. Such determination shall be made by a majority vote of the Appeal Board. The Appeal Board may affirm, reverse, or modify the determination and/or sanction of the Adjudicator, or remand the matter for further investigation and/or analysis. If the matter is remanded, the process will repeat, generally beginning at the appropriate stage of the investigation or grievance process as indicated by the Appeal Board's remand.

The written decision of the Appeal Board describing the result of the appeal and the rationale for the result will be sent simultaneously to both parties, typically within five (5) days following the Appeal Board's determination and no more than thirty (30) days after approval of the written appeal under Section 7.5.11.3. The complainant will be informed of any specific sanctions imposed on respondent directly relating to the complainant in a manner consistent with the requirements of FERPA.

Remedies and Disciplinary Sanctions

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process prior to the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The College is committed to taking action to eliminate all sex discrimination and sexual harassment. Where a determination of responsibility for sexual harassment has been made against the respondent, remedies are designed to restore or preserve equal access to the College's education programs or activities, to stop the conduct, prevent its recurrence, and address its effects. Such remedies may include the same individualized services that constitute supportive measures in Section 7.4.4 above but may also be disciplinary or punitive and need not avoid burdening the respondent. To that end, when determining the appropriate remedies or sanctions to be imposed, consideration shall be given to the principle that the sanctions should be proportionate to the offense and seek to provide a remedy to the complainant and to prevent recurrence of the offense for the protection of the campus community. Any student or employee determined to be responsible for violation of this Policy should expect the imposition of remedies and/or sanctions.

Remedies and sanctions for students may include any of those set forth in the Student Handbook and Student Code of Conduct, including modification of living arrangements, dismissal, suspension, reporting to the local police, and other remedies and sanctions determined by the College to be appropriate.

Remedies and sanctions for employees may include any of those set forth in the Faculty Handbook or Staff Handbook, including termination, suspension, removal from campus, cancellation of contract, written reprimand, oral reprimand, and other remedies and sanctions determined by the College to be appropriate.

Retaliation

The College strictly prohibits retaliation—i.e., intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for Code of Conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy, constitutes retaliation.

Retaliation does not include the exercise of First Amendment rights or a code of conduct violation charge for making a materially false statement in bad faith in the course of a grievance proceeding. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or dismissal if they are a student.

Documentation and Recordkeeping

Where the Title IX Coordinator receives a report of an incident or allegation of sexual harassment or a formal complaint is filed, the College will create records of any actions, including any supportive measures, taken in response to a report or formal complaint. In each instance, the College will document the basis for its conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to the College's education program or activity. Deliberate indifference occurs only where a response to sexual harassment is clearly unreasonable in light of the known circumstances. Where supportive measures are not provided to a complainant, the College will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The foregoing documentation, as well as the following, will be maintained by the College for a period of seven years:

- a. Each sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript;
- b. Any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the College's education program or activity;
- c. Any appeal and the result therefrom;
- d. Any informal resolution and the result therefrom; and
- e. All materials used to train Title IX Coordinators, investigators, decision-makers, including Adjudicators and Appeal Board members, and any person who facilitates an informal resolution process. The College will make these training materials publicly available on its website.

Education and Training

Wilmington College is committed to taking steps to prevent discrimination based on sex, including all forms of sex discrimination and sexual harassment, and to address its impact upon any victims. Efforts to address these issues are made by a variety of programs, departments and services available on campus. For example, the College provides new student orientation and employee training programs addressing topics such as (1) the provisions of this Policy; safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual harassment; and (3) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks. The College also provides education on these topics on an ongoing basis for students and faculty.

Title IX Coordinators, investigators, any person who facilitates an informal resolution process, Adjudicators, and Appeal Board members will receive training on this Policy and the proper handling of cases of sexual harassment, including, but not limited to the following:

- a. the definition of sexual harassment,
- b. the scope of the College's education programs and activities,
- c. how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, and
- d. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Adjudicators will also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in Section 7.5.8.1 above.

Investigators and Adjudicators will also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth Section 7.5.7.6 above, and make relevancy determinations during live hearings, as set forth in Section 7.5.8.3 above.

Training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

Guidance on Taking Immediate Action in Cases of Sexual Harassment

In the event that a sex offense (including sexual assault or stalking) has occurred, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. (The decision to press charges does not have to be made at this time. However, following these procedures will help preserve this option for the future and will help in obtaining a protective order, if necessary.) Victims/survivors should not bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed, but if they are bringing all original clothing to the hospital in a paper bag. (Plastic bags damage evidence.)

When necessary seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.

In addition to the above College resources, there are also independent resources available to victims of sexual assault. The Alternatives to Violence Center serves any person who is a survivor of sexual assault, including providing court advocacy, counseling, support groups, temporary shelter, education, and a 24-hour crisis line. The Center is located at 94 N South St, 3rd Floor Suite D, Wilmington, OH 45177. The telephone number for the Center is (937) 383-3285 and the crisis line number is (888) 816-1146.

Though the College will undertake its own investigation of any report of sexual harassment, you may also: (1) notify law enforcement authorities, including the Wilmington Police Department; (2) be assisted by campus authorities in notifying law enforcement; or (3) decline to notify such authorities.

Additional Resources

College Resources:

As listed in Section 7.10 above, students (including the reporting party or accused) may contact the Title IX Coordinator for information on the College's process for responding to reports and formal complaints of sexual harassment and for assistance through that process. In addition, students may contact the following, all of whom have been trained on the College's sex discrimination policies and procedures and who are available 24 hours per day. The following College resources may be able to provide assistance, but do not necessarily constitute officials with authority under this Policy:

Wilmington College Counseling Center

Tel: (937) 481-2272

Email: kazi_mcdowell@wilmington.edu

Housing and Professional Staff 1870 Quaker Way Pyle Center Box 1226

Wilmington, OH 45177

Business Hours Tel: (937) 481-2369

After Hours Tel: (937) 283-5158 E-mail: housing@wilmington.edu

Campus Safety

1870 Quaker Way

Pyle Center Box 2029 Wilmington, OH 45177

Tel: (937) 382-0100

E-mail: campussafety@wilmington.edu

Local Law Enforcement:

The city of Wilmington, Ohio is served by two local law enforcement agencies: the Wilmington Police Department and the Clinton County Sheriff's Office.

Wilmington Police Department
69 North South Street
Wilmington, OH 45177
Tel: (937) 382-3833

Clinton County Sheriff's Office
1645 Davids Drive
Wilmington, OH 45177
Tel: (937) 382-1611
Hours: 8:00 am – 4:00 pm

Options Outside the College for Resolution of Discrimination Based on Sex

Students may file complaints under Title IX with the Office for Civil Rights, U.S. Department of Education, or with the State Department of Fair Employment and Housing. Contact the campus Title IX Coordinator or the U.S. Department of Education, Office for Civil Rights for current information. The Office for Civil Rights is not a party to the College's internal grievance process and a complaint may be filed with the Office of Civil Rights at any time.

Staff and faculty may file complaints under Title IX under certain conditions, as outlined above; under Title VII, with the Equal Employment Opportunity Commission; or with the State Department of Fair Employment and Housing.

The time limits for filing complaints with State or Federal agencies vary. Contact the relevant State or Federal agency for further information.

Accommodations for Disabilities

The Office of Disability Services works with students and faculty to ensure that a disability will not be a barrier to equal opportunity and access to educational programs and services. If a reporting party, accused, or witness needs an accommodation for a disability in order to participate in the investigation and/or grievance procedure, he/she/they should make the request for an accommodation to the Academic Services Director, whose contact information is below:

Disability Services Director
Robinson Communication Center 111
(937) 481-2444 (Ext. 444)

The Disability Services Handbook provides additional information about policies, procedures, and resources available at Wilmington College for students with disabilities.

Endnotes

1. The terms complainant and respondent apply where a report has been made or formal complaint filed and include situations in which a parent or guardian has the legal right to act on behalf of the individual.
2. See Ohio Revised Code 2919.25 and Ohio Revised Code 3113.31 for the state law definition of Domestic Violence.

3. For students, reports and complaints of sex discrimination that do not constitute sexual harassment under this Policy will follow the grievance procedure contained in the Student Code of Conduct in the Student Handbook. For faculty, reports and complaints of sex discrimination that do not constitute sexual harassment under this Policy will follow the procedure for grievances contained in the Faculty Handbook. For staff, reports and complaints of sex discrimination that do not constitute sexual harassment under this Policy will follow the procedure for grievances contained in the Administrative and Support Staff Handbook.
4. For students, reports and complaints of sex discrimination that do not constitute sexual harassment under this Policy will follow the grievance procedure contained in the Student Code of Conduct in the Student Handbook. For faculty, reports and complaints of sex discrimination that do not constitute sexual harassment under this Policy will follow the procedure for grievances contained in the Faculty Handbook. For staff, reports and complaints of sex discrimination that do not constitute sexual harassment under this Policy will follow the procedure for grievances contained in the Administrative and Support Staff Handbook.
5. Parents or legal guardians may also act on behalf of a complainant, respondent, or other party, including with respect to filing formal complaints.
6. The Title IX Coordinator may sign a formal complaint and a formal complaint may proceed without the consent of the complainant in order to initiate an investigation and adjudication of sexual harassment in order to protect the College community or otherwise avoid being deliberately indifferent to known sexual harassment.
7. A determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.