IX. General Administrative Policies

Affirmative Action Policy

NorthWest Arkansas Community College, as an institution of higher learning, is dedicated to the highest ideals of citizenship in a free society. The College seeks to set a proper example by complying fully with all relevant laws enacted at every level of government. Consistent with the American ideal of equality of citizens and the dignity and worth of each person, the College hereby states that equal employment opportunity and advancement are guaranteed consistent with appropriate laws without regard to race, religion, color, national origin, sex, or any other such factor. All members of the faculty, staff, and student body are expected to assist in making this policy a practical reality. The President of the College is required to implement this policy through appropriate personnel and by use of effective guidelines.

While compliance with this philosophy rests with each area of the College, the Director of Human Resources will be directly responsible for monitoring and reporting on the affirmative action activities. Such activities as recruitment of students and staff, hiring, training, promotion, salaries, benefits, layoffs and social and recreational programs are covered by this policy.

Alcohol and Drug Policy

It is the policy of NorthWest Arkansas Community College to maintain an educational and working environment which is free from the influence of unlawful drugs. Therefore, to comply with the Drug-Free Workplace Act of 1988, U.S.C.A. Title 41, Section 701 et seq., and the State of Arkansas *EO-89-2, it is the policy of NorthWest Arkansas Community College that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on college premises or at any college function is prohibited. NorthWest Arkansas Community College's alcohol and drug policy is consistent with The Drug Free Schools and Communities Act Amendment of 1989 (Public Law 101-226). Any student or employee violating this policy will be subject to discipline up to and including termination. (See Section 2-7-3)

Individuals who violate this policy will be subject to a number of sanctions imposed both by the College and by the state and federal criminal justice systems.

The specifics of NWACC's Alcohol and Drug Policy are:

NorthWest Arkansas Community College will not differentiate between drug users and drug sellers. Any student or employee who possesses or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the college premises will be subject to discipline up to and including termination or expulsion.

The term "controlled substance" includes any drug listed in 21 U.S.C.A. Section 352 (d) and 812 and other federal or state regulations. Generally, these are drugs which have a high potential for abuse including, but not limited to, heroin, marijuana, cocaine, "crack" amphetamines, barbiturates, LSD, PCP, and "designer drugs" such as "Ecstasy" and "Ice". They also include "legal drugs" which are not prescribed by a licensed physician.

Each employee is required by law to inform NorthWest Arkansas Community College if convicted for violation of any federal or state criminal drug statute when such violation occurred on the college premises. Each employee is required to report such conviction within five days of the conviction. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction.

In the case of an employee, NorthWest Arkansas Community College must notify the U.S. government agency with which any contract has been made or from which any grant has been received within ten days after receiving notice from the employee or otherwise receives actual notice of such a conviction.

If a student or employee is convicted of violating any criminal drug statute while engaged at NorthWest Arkansas Community College, he/she will be subject to discipline up to and including termination or expulsion. Alternatively, the College may require the employee or student to successfully finish a drug abuse program sponsored by an approved private or governmental institution.

6. Alcoholic beverages shall not be used in any College educational or recreational building.

7. There shall be no use of alcoholic beverages at any and all College functions.

   An all-college function is defined as a function that any student or employee may freely attend.

9. Alcoholic beverages shall not be used at any College-sponsored student social function. A social function is defined as any event given by or for a College-affiliated organization.

10. As a condition of further employment on any federal government contract, the law requires all employees to abide by this policy.

11. A copy of this NorthWest Arkansas Community College Alcohol and Drug policy is made available in the College catalog to students.

12 .All employees of the College are encouraged to attend a Drug-Free Workplace in-service presentation on an annual basis, per federal law. If unable to attend, employees will be mailed a copy of material presented.

*The Personnel Handbook details the State Criminal Penalties for drug and alcohol related offenses, as do the legal references listed below:

Legal Reference: U.S.C.A. Title 41 – Section 701 et seq.; 21 U.S.C.A. 352 (d);
812 21 U.S.C. 844 (a); 853 (a); 881 (a); 18 U.S.C. 922 (g)
Public Law 101-226 (Drug Free Schools and Communities)
Revised: July, 2005

Smoking/Tobacco Use Policy

NorthWest Arkansas Community College is dedicated to providing a healthy, comfortable, and productive environment for students, faculty, and staff. In that endeavor the college voluntarily complies with the State of Arkansas Governor's Directive 15 dated May 18, 2004 to limit smoking and the use of tobacco products on its campuses and to restrict smoking within 25 feet of all college facility entrances. Therefore, the following Smoking/Tobacco Use Policy is adopted and supersedes any and all other previous policies:

NorthWest Arkansas Community College is considered a tobacco-free workplace and the use of any tobacco products is permitted outdoors only. A person shall not smoke or use tobacco products in any college owned or leased buildings or parts of such buildings.

Outside smoking and use of tobacco products is permitted on college campuses only if done at least 25 feet from public entrances, exits, or air supply to a college owned or leased building and in designated "Tobacco Use Areas" outside these buildings.

Buses, vans, and all other college vehicles are considered non-smoking and no-tobacco-use areas.

Littering the campus with remains of tobacco products or any other disposable products is prohibited. In addition, smokers are required to dispose of the remains of tobacco products in receptacles supplied for that purpose at the designated tobacco use areas.

The authority for enforcement of this policy resides with the Associate Vice President of Learner Support Services and the college Public Safety Office. Violators will be fined after two warnings and may be subject to disciplinary action for repeated violations.

Adopted: September, 2000
Revised: November, 2004
Legal References: Act 462 of 1987
Office of Personnel Management Manual (OPM), Section 155.0.0
Governor's Policy Directive - 15, May 18, 2004

Harassment Policy

1. **Purpose**

This policy is established to prevent harassment of the employees and the students of NorthWest Arkansas Community College.

2. **Policy**

NorthWest Arkansas Community College does not tolerate any form of harassment related to a person's race, color, sex, religion, national origin, age, or disability, whether it is harassment of:

an employee by another employee,
a student by another student,
an employee by a student,
a student by an employee,
an employee by a non-employee/non-student, or
a student by a non-employee/non-student.

It is the goal of this policy to stop harassment before it becomes actionable harassment. Therefore, all unwanted, unwelcome, or offensive conduct related to a person's race, color, sex, religion, national origin, age, or disability is prohibited even though the conduct does not arise to the level of creating a tangible job detriment for an employee being harassed or a tangible educational detriment for a student being harassed.

The College shall take all reasonable steps to stop all forms of harassment brought to the College's attention and to protect the person being harassed from further harassment or retaliation. If an employee or student engages in harassment, he/she will be subject to discipline up to and including termination. If a non-employee/non-student engages in harassment, then the right of such non-employee/non-student to come onto College property may be limited or terminated.

It is the express duty of all supervisory employees of the College to report all observed conduct that appears to constitute harassment of an employee or student. However, any employee or student may report harassment. No supervisory employee of the College may have a dating or romantic relationship with any College employee over whom he/she has direct or indirect supervision without first doing the following:

A. Reporting such intention to have a dating or romantic relationship to his/her supervisor. Signing the Dating and Romantic Relationship Statement by both the supervisor and the subordinate that they are voluntarily entering into the dating or romantic relationship, which agreement shall be a form agreement prepared by the College administration for such purposes.

3. **Definition**

Harassment is generally defined as any unwanted, unwelcome, or offensive conduct related to a person's race, color, sex, religion, national origin, age, or disability that is offensive, disparaging, or degrading to the person or which makes the person's work or education environment hostile.

Sexual harassment may include a wide range of behaviors from the actual coercing of sexual relations or favors to the forcing of sexual attention, such as sexist comments or jokes, including verbal, written or physical conduct, on an unwilling person, whether male or female. Harassment does not have to be sexual in nature in order to be sexual harassment if the harassment is based on the person's gender.

Harassment on the basis of race, color, religion, national origin, age, or disability (i.e. all forms of harassment other than sexual harassment) may include, but is not limited to, slurs, jokes, and other verbal, written, or physical conduct.

It is the express policy of NorthWest Arkansas Community College that no person may use internal College mail, U.S. Postal Service mail, any form of express mail, facsimile transmission, e-mail, telephones, College bulletin boards, or the walls of any College office or classroom to communicate, disseminate, or display any form of harassing communication or harassing material.

Students who are enrolled in classes offered through NorthWest Arkansas Community College may be expected to participate and cooperate in classroom, laboratory, clinical, or tutorial situations requiring close proximity or physical contact with other students or instructors. Physical contact may occur in a variety of learning environments such as laboratory or clinical settings that require a student physically to come in contact with an instructor or another student as part of the teaching/learning process. Such required activities will not be considered sexual harassment. Students who may be uncomfortable with specific learning situations are urged to consider which programs or classes they wish to take.

Administrators, counselors and faculty are available for any questions a student may have about a specific learning situation.

4. **Information and Training About Harassment**

The College shall make information about this Harassment Policy available to employees and students by publishing the policy in the employee handbook and student handbook and by posting notices throughout the College. Employees and students may also seek advice about whether particular conduct is prohibited by this Policy by posing questions to the Director of Human Resources or the Associate Vice President for Learner Support Services.

In addition, the College shall hold periodic training sessions with the employees and cover this Harassment Policy in such sessions. Furthermore, the College shall provide specialized training for all supervisory employees on identifying and handling harassment situations.

5. **Procedure To Resolve Harassment**

A. Introductory Matters

One purpose of this procedure is to try to solve minor problems before they become serious problems. Therefore, persons who are subjected to unwanted, unwelcome, or offensive behavior which does not rise to the level of harassment as defined above or by law may still use this procedure to get the behavior stopped.

The purpose of this procedure is to determine if the behavior has occurred and, if it has occurred, to arrange for the behavior to stop. However, information obtained from this procedure may be used in a disciplinary proceeding.

For purposes of convenience, the person who complains about harassment shall hereafter be referred to as the "Complainant", and the person about whom the complaint is made shall hereafter be referred to as the "Respondent".

B. Reporting Harassment

Any form of harassment or suspected harassment may be reported to the office of the Director of Human Resources or to the office of the Vice President for Learner Support Services or employees who experience an event of harassment at a time other than standard business hours may report the harassment by phone or in person to the college Public Safety Officer on duty in Burns Hall on the college campus. The college Public Safety Officer who receives such a report shall (1) record information about the event and the identities of the persons involved, (2) take action to stop the event if it is ongoing, and (3) prepare a report for delivery to the office of the Director of Human Resources or to the office of the Associate Vice President for Learner Support Services on the next business day.

In order to assure that action is taken quickly to resolve any harassment, the harassment should be reported as soon as possible. A delay in reporting harassment may make it difficult for the College to investigate or resolve the harassment.

C. Informal Procedure

Confronting the Harasser: Anyone who is subjected to harassment or to unwanted, unwelcome, or offensive behavior should (but is not required to) first try to resolve the problem with the person engaging in the harassment or behavior by informing such person that the harassment or behavior is not wanted. If the harassment or behavior continues, then the Complainant should submit a complaint as provided below.

Mediation Meeting: After receiving a Complaint as provided below, the Associate Vice President for Learner Support Services or the Director of Human Resources, as the case may be, shall, before beginning an investigation, determine if both the Complainant and the Respondent are willing to engage in mediation. This determination should be made as quickly as possible, and a failure by either party to agree to mediation within one (1) working day of first being contacted about mediation shall be deemed an election not to participate in mediation. If either party is not willing to engage in mediation, then the investigation shall be undertaken.

On the other hand, if both the Complainant and the Respondent are willing to use mediation, the Associate Vice President for Learner Support Services or Director of Human Resources should, within ten (10) working days of receiving the complaint, hold a mediation meeting attended by both the Complainant and the Respondent. The Associate Vice President for Learner Support Services or Director of Human Resources shall assist both parties in reaching an understanding, which resolves the problem with a focus on changing current and future behavior. College counselors and staff trained to help with such problems may be called on to assist with the mediation. The mediation meeting may be adjourned from time to time by the Associate Vice President for Learner Support Services or Director of Human

Resources if progress, in the opinion of the Associate Vice President for Learner Support Services or Director of Human Resources, is being made. If the Complainant and the Respondent agree to a resolution of the matter with the concurrence of the Associate Vice President for Learner Support Services or Director of Human Resources, then the procedure ends. If not, then the Associate Vice President for Learner Support Services or Director of Human Resources shall undertake the required investigation.

D. **Formal Procedure**

Complaint: A Complainant should submit in writing any complaint of harassment or of unwanted, unwelcome, or offensive behavior, which complaint shall be expressed in reasonable terms and shall contain:

a. The cause for the complaint (i.e. the time, date, possible witnesses, and detailed description of the event).
b. A reasonable corrective action desired.
c. Sufficient information upon which to base a decision.

In extenuating circumstances or if the Complainant prefers, the complaint may be verbal, not written. In case of a verbal complaint, the person receiving the complaint shall create a document detailing the complaint.

Submitting Complaint: A student Complainant should submit his/her complaint to the Office of the Associate Vice President for Learner Support Services. An employee Complainant should submit his/her complaint to the Office of the Director of Personnel. A Complainant who is both a student and an employee may submit his/her complaint to either office. In addition, a student or an employee may submit his/her complaint to any supervisory employee of the College, who shall thereafter submit the complaint to the office of the Associate Vice President for Learner Support Services, or the office of the Director of Human Resources, whichever is appropriate. The submitting of a harassment complaint shall not be considered a violation of the chain of command procedure.

Instruction to Respondent: Upon the Associate Vice President for Learner Support Services or Director of Human Resources' first contact with the Respondent, the Respondent shall be instructed (1) that if any of the alleged conduct or behavior is ongoing, then it is to end immediately and (2) that no retaliatory action may be taken against the Complainant for filing the complaint.

Report of Proceedings: The Associate Vice President for Learner Support Services or Director of Human Resources shall within one (1) working day of receiving a complaint report that fact to the College President. The Associate Vice President for Learner Support Services or Director of Human Resources shall, until a written report on the investigation is submitted, advise the College President every ten (10) working days about the status of the mediation or investigation.

Investigation: The Director of Human Resources or the Associate Vice President for Learner Support Services shall act as an investigator unless his/her objectivity is impaired, in which case, the College President may appoint an alternate investigator. The investigator shall interview the Complainant, the Respondent, any witnesses identified by the Complainant and Respondent, and any other persons deemed appropriate by the investigator. The investigator's written report, with appropriate documentation and recommendations, shall be submitted to the College President and shall address the following issues:

a Whether the Complainant has been subjected to harassment or unwanted, unwelcome, or offensive conduct or behavior.
b If the conduct or behavior is ongoing, how the conduct or behavior can be stopped.
c If the conduct or behavior has stopped, whether the conduct or behavior can be expected to reoccur.
d How the conduct or behavior can be prevented in the future.

e Whether the matter should be referred to the appropriate person for possible disciplinary action.
f Anything else that is relevant to the particular case.

President's Decision:

Within ten days after receiving the investigator's report, the President shall review the findings as provided herein or designate a Vice President of the College to perform the review. The President or Vice President shall prepare a written statement relating to the investigation and recommendations containing her/his decision and the reasons for the decision. The President's or Vice President's decision shall be considered final.

6. **Disciplinary Action**

If any disciplinary action is taken, it will be taken in accordance with relevant Administrative Procedures. Those are Procedure 2-7-3 for employees and the appropriate procedure in Section 4 for students.

7. **Unfounded Accusations**

The College will not retaliate against any Complainant in a bona fide harassment case even though the accusations are subsequently determined to be unfounded.

Legal Reference: Civil Rights Act of 1991
29CFR Section 1604 11(a)-(f)

NorthWest Arkansas Community College
Dating or Romantic Relationship Statement

The undersigned (a supervisor and a person under the supervisor's direct or indirect supervision) hereby state the following:

1. They intend to enter into a dating or romantic relationship.

2. This intent is voluntary on the part of both of the undersigned.

3. Neither of the undersigned have been forced, coerced, pressured, or threatened to enter into the dating or romantic relationship.

4. Both of the undersigned are familiar with the College's Harassment Policy.

5. Both of the undersigned acknowledge that a copy of this Statement will be filed in each of their personnel files.

Date	Supervisor
Date	Non-Supervisor

OWNERSHIP OF MATERIALS PRODUCED BY COLLEGE PERSONNEL

Policy:

The President is responsible for implementing administrative procedures regarding ownership of materials produced by college personnel. These procedures should comply with existing copyright laws, should be fair to the employee, and should provide for responsible use of college resources and the professional integrity of the institution.

The administration of NorthWest Arkansas Community College is committed to assisting the efforts of its personnel in being innovative, creative, and effective in guiding students in the learning process. The College attempts to allocate its resources in a manner that will provide full support of efforts to improve instruction.

It is the desire of the College to protect the interests of its personnel and students in relation to original ideas and works which may have monetary value. At the same time, it is important that public funds and property not be used for personal gain.

It is also important the College personnel and students adhere to current laws relating to the use and reproduction of copyrighted materials. This includes digitally stored and/or transmitted materials.

Procedures:

To achieve these ends, the College has drawn up procedures to guide the production and dissemination of instructional and student materials.

Instructional Materials

1. Instructional materials and associated copyrights/patents are the property of the College if they are produced on College time by College personnel whose primary duties include such work. Permission for subsequent use of these materials in off-campus publications must be obtained from NorthWest Arkansas Community College.

2. Instructional materials and associated copyrights/patents which are developed by College personnel acting in the scope of their employment, but in addition to the performance of their primary duties, shall be jointly owned by the College and said developer(s). The College, in return for unrestricted clearance to use and reproduce original materials without further cost, shall transfer to said developer(s) full ownership of copyright/patents in accordance with conditions prescribed in #3 just below.

3. In the event that materials are sold to entities outside the College, all income will go to the College until all departmental expenditures incurred by the College, including prorated salaries of support staff, supplies and other elated expenses are recovered. Reimbursement to the College may be amortized based upon a predetermined schedule reflecting value accrued to the institution. Thereafter, all profits will go to the developers of the materials.

4. Any materials developed by College personnel on their own time, at their own expense, utilizing outside resources, are the sole property of those individuals.

5. No member of the instructional staff shall realize a profit from materials sold solely to NorthWest Arkansas Community College students.

6. In developing materials, College personnel will adhere to all copyright laws.

Student Materials

1. All production expenses incurred by the College in the development of student projects will be properly reimbursed. If the College and student agree, the College may reproduce these materials for use within the College, at its own expense. The College will not have the right to sell the materials to sources outside the College.

2. Any material developed by the student, at his/her own expense, are sole property of the student along with all copyrights.

3. If the College agrees initially to fund or later to purchase the student project, College ownership will include all rights for usage and copyright privileges. In this case, the student may retain a copy of his/her project for personal use only and not for sale or distribution.

4. Classroom production, including paintings, sculpture, original musical compositions, and literary works are the sole property of the student and will not be retained by the College unless mutually acceptable arrangements are made.

5. In order to support academic freedom for the faculty, create opportunities for student expression, and insure administrative accountability, it will be the normal practice for the student and the teacher to decide on these activities. However, in the event it is appropriate under applicable law, these activities may be reviewed by the administration to insure that the content and subject matter are acceptable under factors such as contemporary community standards.

6. In developing materials, students will adhere to all copyright laws.

Legal Reference: United State Code Annotated (U.S.C.A.), Title 17 Copyrights
A.C.A. 19-11-701 et seq.
September, 2000

Copyright and Fair Use Overview

Please jump to this website from Stanford University by clicking on the link
http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/index.html

Below is a nonlinked page showing the organization and types of information shown on the Stanford site.

Copyright FAQs
Fair Use
The Public Domain
Introduction to the Permissions Process
Website Permissions
Academic and Educational Permissions
Releases
Copyright Research

Copyright FAQs
Copyright Basics FAQ
What types of creative work does copyright protect?
Does copyright protect an author's creative ideas?
How long does a copyright last?
Copyright Protection: What It Is, How It Works
What role does a copyright notice play?
What is a valid copyright notice?
When can I use a work without the author's permission?
Copyright Ownership: Who Owns What?
What are the exceptions to the rule that the creator of a work owns the copyright?
Who owns the copyright in a joint work?
Can two or more authors provide contributions to a single work without being considered a joint authors for copyright purposes?
What rights do copyright owners have under the Copyright Act?
Can a copyright owner transfer some or all of his specific rights?
Copyright Registration and Enforcement
Why should I register my work with the U.S. Copyright Office?
How do I register a copyright?
How are copyrights enforced? Is going to court necessary?
Videotaping for the Classroom
Copyrighting Your Software
Copyright Law Changes That May Affect You

Website Permissions
Websites: Five Ways to Stay Out of Trouble
Assume It's Protected
Read Click-Wrap Agreements
Remove Unauthorized Material
Investigate Claims Promptly
When in Doubt, Seek Permission
Transferring Information to and From a Website
Posting Information on a Website
Taking Information From a Website
Connecting to Other Websites
Linking and Framing
Linking Agreements

Academic and Educational Permissions
Academic Coursepacks
Coursepacks and Copyright
Obtaining Clearance for Coursepacks
Using a Clearance Service
Assembling Your Own Coursepack
Educational Uses of Non-Coursepack Materials
Educational Fair Use Guidelines
Rules for Reproducing Text Materials for Use in Class
Rules for Reproducing Music
Rules for Recording and Showing Television Programs
Proposed Educational Guidelines on Fair Use
Proposed Guidelines for Digital Copying
Proposed Guidelines for Using Digitized Images

Fair Use
What Is Fair Use?
Comment and Criticism
Parody
Measuring Fair Use: The Four Factors
The Transformative Factor: The Purpose and Character of Your Use
The Nature of the Copyrighted Work
The Amount and Substantiality of the Portion Taken
The Effect of the Use Upon the Potential Market
The "Fifth" Fair Use Factor: Are You Good or Bad?
Summaries of Fair Use Cases
Cases Involving Text
Artwork and Audiovisual Cases
Internet Cases
Music Cases
Summaries of Parody Cases
Disagreements Over Fair Use: When Are You Likely to Get Sued?
The Public Domain
Welcome to the Public Domain
Expired Copyright
The Renewal Trapdoor
Dedicated Works
Copyright Does Not Protect Certain Works
Public Domain Trouble Spots
Multi-Layered Works
Public Domain Works That are Modified
Works Protected by Trademark Law
Works Protected in Other Countries
Compilations
Works First Published Outside the U.S.

Introduction to the Permissions Process
Permission: What Is It and Why Do I Need It?
The Basics of Getting Permission
Determine If Permission Is Needed
Identify the Owner
Identify the Rights You Need
Plan Ahead for Permissions
Negotiate Whether Payment Is Required
Get It in Writing
Overview of Intellectual Property Laws
Permission Tools: Licenses and Releases
Licenses, Permissions and Clearances
Releases
How to Use This Book
Whether Permission Is Necessary
What Types of Work You Are Using
How You Plan to Use the Work
in Lectures, Scholarly Presentations or Publications
Proposed Guidelines for Students or Instructors
Preparing Multimedia Works
Library Photocopying
Academic Permission Resources
Coursepack Resources
Educational Fair Use Guidelines

Releases
What Is a Release?
Invasion of Privacy
Right of Publicity
Defamation
When to Use a Release
Informational Uses
Commercial Uses
Is Your Use Commercial or Informational?
Websites: Informational or Commercial?
Free Speech May Obviate Need for Release
Personal Release Agreements
General Rules for Releases
Unlimited Personal Release Agreement
Limited Personal Release Agreement
Explanation for Limited and Unlimited Personal Releases
Interview and Property Releases
Interview Releases
Property Releases

Copyright Research
Copyright Ownership and Transfers FAQ
What Is a Work Made for Hire?
What Is a Transfer of Title?
What Is a Termination of a Transfer?
What If More Than One Person Owns a Copyright?
Are There Any Situations Where You Must Get Multiple Permissions?
Is There a Difference Between an Author and a Copyright Owner?
What If a Work Does Not Contain a Copyright Notice?
What If There Is a Copyright Notice for an Entire Magazine but Not for the Specific Article You Want to Use?
Starting Your Copyright Research
Searching the Copyright Office and Library of Congress Records
Define Your Search
Searching Copyright Office Records
Searching Copyright Office Records Online: Welcome to LOCIS
Searching Library of Congress Records

College Ethics Policy

College Vision Statement

NorthWest Arkansas Community College intends to be a nationally recognized two-year comprehensive institution that excels in providing community, transfer, and workplace education in a learning-centered environment.

Code of Conduct

NorthWest Arkansas Community College is committed to compliance with the laws and regulations to which it is subject and to the policies and procedures established by the College. In order to encourage ethical conduct and strengthen and promote ethical practices among College employees, members of the greater College community and those who conduct business with the College, NorthWest Arkansas Community College hereby adopts this code of Conduct. This Code of Conduct is an integral part of the College Ethics Policy and Procedures, which includes the College vision statement. NorthWest Arkansas Community College believes that a shared statement of ethical values will strengthen the overall quality of the College community, promote proper conduct among College employees and is vital to the pursuit of the College Vision.

As an employee of a learning-centered College and in pursuit of its Vision, NorthWest Arkansas Community College employees shall:

Act with academic, professional and personal integrity.

Act in a way that promotes healthy working relationships based on mutual trust and support among one's fellow employees.

Perform one's responsibilities with integrity; avoiding conflicts of interest and disclosing those that occur.

Act so as to value human beings over other assets of the College.

Be honest and fair in the practice of employee responsibilities at the College.

Use one's position at the College for the benefit of the entire College and not to benefit oneself or any other individual or agency.

Respect differences of opinion and approaches to issues and problems and view them as strengths

Always keep in mind the legal limitations of the authority one has as a College employee and conduct one's relationships with other employees, citizens of the community, media and those doing business with the College based on those limitations.

Education and Training

NorthWest Arkansas Community College shall initiate and maintain an ethics education and training program for all employees. This program shall be tailored to the needs of College employees and shall be planned and carried out in cooperation with the office of professional development and other appropriate departments at the College. This program shall be evaluated at least annually to assure that it is meeting the needs of the College employees and the College.

Reporting Possible Violations

NorthWest Arkansas Community College shall establish and maintain procedures for employees to report possible violations of the Code of Conduct. These procedures shall provide a means for reporting possible violations through normal management channels and through other channels whereby anonymity and confidentiality may be maintained.

College Response

NorthWest Arkansas Community College shall establish and maintain procedures to be used in responding to, investigating and resolving each possible violation of the Code of Conduct that is reported through management or the other reporting options.

Reporting Possible Violations Procedure

To report possible violations of the Code of Conduct, employees are encouraged to do one of the following:

Report to Management – Possible violations may be reported initially through standard management channels, beginning with one's immediate supervisor. If for any reason it is not appropriate to report possible violations to the immediate supervisor, individuals may go to a higher level of management within their department or division.

Other Report Options – To the extent that reporting possible violations through standard management channels is not feasible or appropriate or if a College employees desires to use a different reporting option, employees may use two additional reporting methods to report possible violations and maintain confidentiality and anonymity, if desired.

Possible violations may be reported via the Web to a Helpline web site established by the College but operated independently of the college by a third party organization.

Possible violations may be reported via the College's ethics reporting telephonic Helpline operated independently of the College by a third party organization.

College Response Procedures

All possible violations will be confidentially forwarded from College management or the third party organization to the College Ethics Compliance Officer who will screen the information for legitimacy and, if found legitimate, then will assign it to an appropriate Subject Matter Expert at the College for investigation.

In order to protect the integrity of the investigative process, in no instance will a College employee who is specifically named in the complaint serve as Ethics Compliance Officer or Subject Matter Expert for that particular complaint.

If the report is deemed by the ethics Compliance Officer not to be legitimate, that information will be forwarded to the person reporting the possible violation. If the report is legitimate and an investigation is undertaken the following guidelines and principles will be followed:

Protection for Persons Making Report. Retaliation for raising a good faith concern of a law, policy or Code of Conduct violations is prohibited. The College will make reasonable efforts to assure that this protection is provided.

Protection for Subjects of a Report. Individuals who are subjects of a report shall be treated fairly, respectfully, and consistent with all protections set out in College policy or law. To assure fair treatment,

those accused in a report should be notified about the nature of the allegations by the Subject Matter Expert responsible for the investigation. Reasonable efforts will be made to maintain the confidentiality of the reporting party unless the reporting party agrees to disclosure. The Subject shall be kept informed of the progress of the investigation.
Maintain Confidentiality. All individuals who become aware of allegations as a part of the investigation of a report shall respect the confidentiality of the person raising the allegations, individuals who are the subjects of the allegations, other persons named in the report or involved in the investigation, and any confidential or private data disclosed in the report.

The Subject Matter Expert assigned to investigate the report shall promptly and thoroughly investigate the issues raised in the report, collecting as much information as possible related to the report and attempting to determine the validity of the report's allegations. As part of the investigation, the Subject Matter Expert shall contact the Subject of the report, and other College employees or other persons who may have information related to the report.

Subject Matter Experts investigating reports shall communicate the progress of their investigations to their respective College Cabinet member as the investigation progresses If the respective College Cabinet member is a party to the report, this communication should take place with the College Compliance Officer.

Upon the completion of the investigation, the Subject Matter Expert shall report the findings to the Ethics Compliance Officer, who shall forward the case and the findings to the appropriate College Cabinet member for review. The College Cabinet member may direct that additional investigation be done and/or shall recommend to the College President, or designee at the time, appropriate action based on current College Policy, State or Federal law or regulations or other appropriate criteria. Such action may include but is not limited to discipline of College employees or corrective actions including evaluation of whether there is a systemic problem and whether programs, education, policies, or oversight activities should be modified to prevent similar incidents.

The College President, or designee at the time, shall receive the recommendation of the Cabinet member and shall make the final decision in each case. The President's, or designee's at the time, decision shall be considered final.

The Cabinet member shall ensure the decision of the President is implemented, the rights of parties involved are protected, and other appropriate senior management within the college or department involved is notified of the issue and resolution, and that proper documentation is maintained.

All findings that required to be reported to any outside agency or entity will be timely reported. The College President shall inform the College Board of Trustees of concerns about any widespread or serious violations or law or College policy, significant accounting concerns, or other matters that in his or her judgment represent a particularly significant compliance concern.