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Employee Acknowledgment Form

I, the undersigned employee of the Uintah Basin Applied Technology College: A Utah College of Applied Technology Campus, hereby acknowledge that I have (please initial):

____________  Received instruction on how to electronically access the College Campus’ Personnel Policy and Procedures manual and that I have access to computer equipment which I may use to electronically access the manual.

I understand that it is my responsibility to read the Personnel Policies and Procedures Manual and to comply with the policies, practices and rules of employment of the College Campus.

I understand that these policies and procedures may be updated and modified from time to time. Notice of updated or modified personnel policies and procedures will be provided to employees through e-mail or other written notice.

Name  _____________________________________

(please print)
Uintah Basin Applied Technology College: A UCAT Campus

Immigration Law Compliance

Effective Date: 4/27/05
Executive Administrative Team Approval: 4/4/05
Policy Committee Approval: 4/8/05
Board of Directors Approval: 4/27/05

1. Purpose

To provide guidelines for the hiring of United States Citizens and aliens who are authorized to work in the United States at the Uintah Basin Applied Technology College.

2. References

2.1 Immigration Reform and Control Act of 1986

3. Policy

3.1 UBATC is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

3.2 In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with UBATC within the past three years or if their previous I-9 is no longer retained or valid.
Uintah Basin Applied Technology College: A UCAT Campus

Conflict of Interest

1. Purpose

To provide policy and procedures for employees on conflict of interest at the Uintah Basin Applied Technology College: A UCAT Campus.

2. References

2.1 Uintah Basin Applied Technology College General Purchasing Policy
2.2 Utah Code -- Title 67 -- Chapter 16 -- Utah Public Officers' and Employees' Ethics Act

3. Policy

3.1 Business Dealing With the College.

3.1.1 Private business interests. Whenever a College employee or board member owns a substantial interest in a commercial or other private organization that does business with the College:

3.1.1.1 The employee should not represent or influence the College in its dealing with the organization.
3.1.1.2 The employee's position should be disclosed in writing to his supervisor and the Vice President of Finance.
3.1.1.3 Special precautions should be taken to insure that the terms of any business dealing are not influenced by such relationships.
3.1.1.4 Documentation for any purchase should provide evidence that the terms of the transaction are equivalent to what could be obtained from independent parties.

3.2 Surplus Property

3.2.1 Neither an employee nor persons or organizations through whom the employee may benefit personally should purchase surplus property from the College if such employee participated in the College's decision to sell such property.

3.3 Holding public office.

3.3.1 UBATC employees may serve as members of the governing bodies of school districts, cities, towns or other local governmental districts as long as such service is not deemed to be in conflict with UBATC objectives or does not unduly take time away from UBATC job commitments. Employees may not serve on UBATC’s Board of Directors. The Vice President of Finance will determine what constitutes a conflict of interest.

3.4 Disclosing private information. UBATC employees may not:

3.4.1 Accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce him or her to improperly disclose controlled information which he or she has gained by reason of the employee’s position.
3.4.2 Improperly disclose controlled private or protected information or educational records acquired by reason of the employee’s official position nor use such information or educational records for the employee’s or another’s private gain or benefit.
3.4.3 Use or attempt to use the employee’s position with the UBATC to secure special privileges or exemptions for the employee or others.
3.4.4 Accept or initiate other employment or engage in other activities which the employee might expect would interfere with the ethical performance of the employee’s duties.

3.5 Accepting gifts, compensation or loan

3.5.1 No UBATC employee shall knowingly receive, accept, take, see, or solicit, directly or indirectly, any gift, compensation or loan for the employee or another if:

3.5.1.1 It tends to influence the employee in the discharge of employment duties

3.5.1.2 The employee recently has been or is now or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift, compensation or loan and other relevant information has been made in the manner provided below.

3.5.2 This section does not apply to the following:

3.5.2.1 An occasional non-pecuniary gift having a value of not in excess of $50

3.5.2.2 An award publicly presented in recognition of public services

3.5.2.3 Any bona fide loan made in the ordinary course of business by an institution authorized by the laws of this state or any other state to engage in making such loan

3.5.2.4 A political campaign contribution if the contribution is actually used in a political campaign of the recipient College employee.

3.6 Outside Employment or Activities

3.6.1 Each employee is expected to understand the terms of his or her employment by the College and to give the full measure of time, talent, and loyalty to the College. Any activity or work pattern outside of UBATC employment that lowers productivity is in conflict with this basic obligation; thus, any reduction in productivity attributable to other activities may itself suggest a conflict of interest.

3.6.2 An employee of UBATC may not be employed as a independent contractor or as an employee by another company which will engage the employee in activities competes with the mission of UBATC unless approved by the Vice President of Finance.

3.6.3 Employees may hold outside jobs and participate in outside activities as long as they meet the performance standards of their job with UBATC. All employees will be judged by the same performance standards and will be subject to UBATC’s scheduling demands, regardless of any existing outside work/activity requirements.

3.6.4 If UBATC determines that an employee’s outside work/activities interferes with performance or the ability to meet the requirements of UBATC as they are modified from time to time, the employee may be asked to terminate the outside employment/activities if he or she wishes to remain with the UBATC.

3.6.5 Employees may not receive any income or material gain from individuals outside UBATC for materials produced or services rendered with UBATC equipment, facilities or supplies.

3.7 UBATC retains all the rights and privileges for any intellectual properties developed for UBATC.

3.8 The Disclosure of Conflict of Interest shall be filed with the Vice President of Finance before the effective date of any agreement between the College employee and the person or business entity being assisted or the receipt of compensation, whichever is earlier.

3.8.1 The office of the Vice President of Finance reviews all conflict of interest disclosures, and determines whether a conflict exists and, if so, determines what actions should be taken by the institution to manage, reduce or eliminate such conflict of interest.

3.9 It is the responsibility of the College, not the discloser, to determine if the disclosed interests could directly and significantly affect the performance of college responsibilities and to require the management,
reduction or elimination of the conflict. The designated college office for determination of conflict of interest matters is the office of the Vice President of Finance.
Uintah Basin Applied Technology College: A UCAT Campus

Nepotism

1. Purpose

To comply with state law.

2. Reference

Utah Code Section 52-3-1, Employment of relative prohibited -- Exceptions

2. Definition

Relative – A father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

3. Policy

3.1 In compliance with Utah State Law, no supervisor may employ, appoint, or recommend the appointment of a relative in or to any position or employment, when the salary, wages, pay, or compensation of the appointee will be paid from public funds and the appointee will be directly supervised by a relative, except as follows:

3.1.1 The appointee will be employed for 12 weeks or less;
3.1.2 The appointee is the only person available or qualified for the job; or
3.1.3 The President of the UBATC determines that the supervisor is the only or best qualified person to perform the supervisory functions.

3.2 No supervisor may directly supervise an appointee who is a relative when the salary, wages, pay, or compensation of the relative will be paid from public funds, except as follows:

3.1.1 The relative was appointed or employed before the supervisor assumed his/her position, if the relative’s appointment did not violate the provisions (Utah Code Annotated 52-3-1) in effect at the time of appointment;
3.1.2 The appointee will be employed for 12 weeks or less;
3.1.3 The appointee is the only person available, qualified or eligible for the job; or
3.1.4 The President of the UBATC determines that the supervisor is the only person available or best qualified to perform the supervisory functions.

3.3 When a supervisor directly supervises a relative as permitted under section 3.2.:

3.3.1 The supervisor shall make a complete written disclosure of the relationship to the Campus President of UBATC.
3.3.2 The supervisor who exercises authority over a relative may not evaluate a relative’s job performance or recommend salary increases for the relative.

3.4 Compliance with this policy of nepotism is the responsibility of every UBATC employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.
3.5 This policy is not enacted to specifically prevent the employment of any person, but rather to safeguard against the abuse of public funds.

3.6 Trading

3.7.1 It is illegal to evade the provisions of this policy by trading. An example of trading is if the Board employed the relative of a person subject to the nepotism statute, in return for which that person employed a relative of a Board member, given the fact that neither employer could legally employ his or her own relative.
Uintah Basin Applied Technology College: A UCAT Campus

Employees with Disabilities

1. Purpose

The provide policy and procedures to accommodate employees with disabilities at the Uintah Basin Applied Technology College: A UCAT Campus.

2. References

2.1 American with Disabilities Act, 42 U.S.C. § 12101 et seq.

2.2 Rehabilitation Act of 1973, § 504

2.3 29 C.F.R. 1630 et seq.

2.4 Individual Disability Educational Act

3. Definitions

3.1 Disabled individual – An employee or student who has a physical or mental impairment that substantially limits one or more of the major life activities of the individual; has a record of impairment, or is regarded as having such an impairment.

3.2 Physical Impairment – Any physiological disorder or condition, cosmetic disfigurements or anatomical loss affecting one or more of the neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and/or endocrine systems.

3.3 Mental Impairment – Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities, including major depression, bipolar disorder, anxiety disorders (such as panic disorder, obsessive-compulsive disorder and post-traumatic stress disorder), schizophrenia and personality disorders.

3.4 Substantially Limits -

3.4.1 Unable to perform a major life function that the general population can perform

3.4.2 Significantly restricted as to condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which the average person in the general population can perform the same major life activity.

3.5 Major Life Activities/Functions – Functions such as caring for ones self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting and reaching.

3.6 Qualified Individual with a Disability – An individual with a disability who, with or without a reasonable accommodation, can perform the essential functions of the employment positions that such individual holds or desires.
3.7 Essential Job Tasks – Those job tasks that are fundamental and not marginal as evidenced by the Board’s judgment, written job descriptions (if any), time spent on the job performing the function, the consequences of not requiring performance of that function, the terms of any applicable collective bargaining agreements and the work experience of incumbents in the same or similar positions.

3.8 Accommodations – A change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities, including:

3.8.1 Accommodations required to ensure equal opportunities in the application process

3.8.2 Accommodations that enable employees with disabilities to perform the essential functions of the position held or desires.

3.8.3 Accommodations that enable the employees with disabilities to enjoy equal benefits and privileges of employment as are enjoyed by employees without disability.

3.9 Direct Threat – A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.

4. Policy

4.1 UBATC is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

4.2 Reasonable accommodation is available to all disabled employees, where their disability affects the major life function. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

4.3 Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

4.4 UBATC is committed to taking all other actions necessary to ensure equal employment, opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

5. Procedures

5.1 Employment procedures for persons with disabilities

5.1.1 Duty of Employee to Notify Employer – An employee who is disabled has the obligation to inform UBATC of known or diagnosed disabilities, how the disability affects the employee’s ability to perform essential job function and to identify any reasonable accommodations requested to permit the employee to maintain employment status as a qualified individual with a disability.

5.1.2 Requests For Accommodation – An individual who is disabled may request reasonable accommodations by making a written request for specific accommodations or by describing the disability in writing and requesting the UBATC to explore ways in which the employee may be reasonably accommodated. The written request shall be delivered to a member of the Administrative Team.

5.1.3 Threats to Health and Safety – Any employee or student whose disability poses a direct threat to the health or safety of other individuals may be excluded from employment or
training. To determine whether any individual would pose a direct threat to safety or health, the factors to be considered include:

5.1.3.1 Duration of the risk

5.1.3.2 Nature and severity of the potential harm

5.1.3.3 Likelihood that the potential harm will occur

5.1.3.4 Imminence of the potential harm

5.1.4 Examinations – The UBATC may request any employee to undergo an examination for a physical and/or mental impairment provided that the inquiry is job related and addresses the ability to perform essential job functions.

5.1.5 Nondiscrimination – The UBATC shall not discriminate against a qualified individual with a disability on the basis of the disability.

5.2 IDEA (Individual Disability Educational Act) Requirements

5.2.1 The UBATC is not a local educational unit (“LEU”) for purposes of implementing individual education programs (“IEP”). UBATC enters into contracts with Duchesne, Daggett and Uintah School Districts to provide education services pursuant to an IEP. The LEU is responsible to draft and implement the IEP.

5.2.2 UBATC will make a teacher and/or administrator available to be a part of the LEU’s IEP team.

5.2.3 UBATC will not suspend any student without coordinating the decision and an alternative education program(“AEP”) with the LEU.

5.2.3.1 UBATC reserves the right to notify an LEU of conduct of a student warranting discipline. The LEU shall have the sole responsibility to conduct a manifestation determination by the IEP team and to determine the appropriate AEP.

5.2.3.2 The LEU shall have the sole responsibility to determine any change in placement or educational services.

5.2.3.3 UBATC reserves the right to revoke educational services to any student for disciplinary reasons.

5.2.4 All notices required by IDEA shall be given by the LEU with copies to UBATC.
Uintah Basin Applied Technology College: A UCAT Campus

Smoking

1. Purpose

To provide policy and guidelines in order to provide a safe and healthful work environment at the Uintah Basin Applied Technology College.

2. Policy

2.1 In keeping with UBATC’s intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace and on school property except in designated areas.

2.2 This policy applies equally to all employees, clients/consumers and visitors.
Uintah Basin Applied Technology College: A UCAT Campus
Drug and Alcohol-Free Workplace; Drug and Alcohol Testing; Tobacco Policy

Effective Date: 3/26/08
Executive Administrative Team Approval: 3/10/08
Policy Committee Approval: 3/10/08
Board of Directors Approval: 3/26/08

1. Purpose

To maintain and reinforce the Uintah Basin Applied Technology College: A UCAT Campus continuing goal of establishing, maintaining, and supporting a work environment that is free from the effects of alcohol and controlled substance abuse.

2. References

2.1 Utah Code §34-41-103. Policy requirements.

2.2 Utah Code §34-41-104. Requirements for identification, collection, and testing of samples.

2.3 Utah Code Title 63, Chapter 2, Government Records Access and Management Act (GRAMA)

2.4 Americans with Disabilities Act of 1990, 42 U.S.C. 12101 through 12213

2.5 Uintah Basin Applied Technology College Disciplinary Sanctions and Dismissal of Personnel Policy

2.6 Uintah Basin Applied Technology College Employee Grievance Policy

3. Definitions

3.1 Alcoholic Beverages. Beverages intended for human consumption that contains alcohol, and/or a substance that has alcohol content other than prescribed medication.

3.2 College Campus Sponsored Activity. Any event, activity, or endeavor that has the official sanction of the College Campus or any activity on or off campus initiated, aided, authorized or supervised by the College Campus administrative entities of organizations. This does not include off campus business meals, travel, entertainment, conferences and association meetings, or other appropriate social settings where alcohol is not expressly forbidden, except when students are being chaperoned.

3.3 Employee. Any person in a salaried, hourly, adjunct, clinical, volunteer, contract, or other position that directly relates to work being performed for the College Campus purposes.

3.4 Reasonable Suspicion. Knowledge sufficient to induce an ordinary, prudent, and cautious supervisor, to believe that a prohibited activity has occurred or is occurring.

3.5 Refusal to Submit to Testing. Failure to provide an adequate breath or urine sample (without a valid and verified medical explanation) after the employee has received notice that a breath or urine sample is required; or engaging in conduct that clearly obstructs the testing process.

3.6 Tobacco. Tobacco is defined to include any lit or unlit cigarette, cigar, pipe, blunt, bidi, clove cigarette and any other tobacco product, and spit tobacco, also known as smokeless tobacco, dip, chew and snuff, in any form.
3.7 **Tobacco use.** Tobacco use includes lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off smoke – and chewing spit tobacco – also known as smokeless tobacco, dip, chew and snuff, in any form.

4. **Policy**

4.1 The College Campus expects employees to report to all work assignments unimpaired and in a condition ready to perform their duties safely and efficiently.

4.2 The College Campus strictly prohibits the unlawful manufacture, distribution, dispensing, sale, possession, or use of controlled or illegal substances, possession of paraphernalia associated with the use, being under the influence on the College Campus or at any College Campus sponsored activity, unsatisfactory job performance and poor attendance or conduct caused by alcohol or drug use. The College Campus will reasonably accommodate employees who are attempting to treat an alcohol dependency but reserves the right to maintain acceptable job standards and behavior of all employees regardless of their dependency status.

4.3 Smoking and/or the use of tobacco is not permitted anywhere on the College Campus property except in designated locations. The definition of College Campus property for the purpose of this policy includes all land, buildings, structures, parking lots and means of transportation owned by or leased to the College Campus and any area, including customer property, where a staff member is engaged in College Campus business.

4.4 All employees of the College Campus are subject to the terms of this policy. Violations of this policy will lead to disciplinary sanctions under the Uintah Basin Applied Technology College Disciplinary Sanctions and Dismissal of Personnel Policy.

4.5 Any employee convicted of a criminal drug statute violation occurring on the College Campus or at any College Campus sponsored activity, must notify the responsible supervising administrator within five days of conviction. Failure to do so could result in immediate dismissal of the employee.

4.5.1 Within 30 days of learning of such a conviction, a disciplinary sanction will be imposed against the employee found in violation of this policy. The minimum sanctions that will be imposed on an employee convicted include but may not be limited to, mandatory participation in an education/rehabilitation program and mandatory probation for at least ninety days, with weekly reviews, as a condition of continued employment.

4.5.2 The employee is responsible for all costs associated with a drug abuse assistance rehabilitation program.

4.6 In addition to the sanctions imposed, the College Campus reserves the right to refer all matters in violation of its substance and alcohol abuse policy to the appropriate law enforcement agencies.

4.7 Consistent with federal and state law, drug/alcohol testing may be required of any employee if there is sufficient evidence to suggest that an employee is under the influence while at work or at a College Campus sponsored activity. Any employee that is reasonably suspected of being under the influence, shall be removed from the workplace to a safe, non-threatening environment. Refusal to leave the workplace will be considered insubordination and may result in immediate dismissal.

4.7.1 Without making specific diagnosis, the immediate supervisor should meet with the employee and others as needed as soon as possible to determine whether there is sufficient evidence to support a violation of this policy. If sufficient evidence suggests that an employee is under the influence of alcohol or drugs while at work, the employee will be required to submit to a drug/alcohol test at a site designated by the College Campus, at the College Campus expense. Any drug testing shall
occur during or immediately after the regular work period and shall be considered work time for purposes of compensation and benefits. Failure to submit to a drug test will be grounds for immediate dismissal.

4.7.2 The collection and testing of samples shall be conducted in accordance with Utah Code §34-41-104 (1953) as amended and in accordance with Utah Code §34-41-103.

4.7.3 The use and disposition of all drug test results are subject to the limitations of the Government Records Access and Management Act and Americans with Disabilities Act of 1990, 42 U.S.C. 12101 through 12213.

4.8 Successful candidates for safety sensitive positions at the College Campus will be require to submit to, and pass, a drug and blood alcohol test. A position offer will be rescinded if a candidate refuses to take the required drug and blood alcohol test, test positive for a controlled substance, or the test detects a blood alcohol content equal to or greater than the upper limit designated by the Department of Transportation regulations.
Uintah Basin Applied Technology College: A UCAT Campus

Sexual Harassment

1. Purpose

To assure an educational and working environment that is free from sexual harassment, a form of sex discrimination, at the Uintah Basin Applied Technology College: A UCAT Campus. As a place of work and study, the College must be free of sexual harassment and all forms of sexual intimidation and exploitation. All students, staff, and faculty must be assured that the College will take action to prevent such misconduct and that anyone who engages in such behavior shall be subject to disciplinary procedures up to and including termination. All employees are responsible for assuring that sexual harassment does not take place, and that the working and educational environment of the College is not sexually intimidating, hostile, or offensive to individuals on campus.

2. References

2.1 Civil Rights Act of 1964, Section 703 of Title VII, as amended, 42 U.S.C. 2000 (e) et seq.
2.2 Utah Anti-discrimination Act 34-35-2 et seq.
2.3 USBR Policy R954
2.4 UBATC Employee Grievance Policy
2.5 UBATC Student Code of Conduct
2.6 Disciplinary Sanctions and Dismissal of Personnel

3. Definitions

3.1 Sexual harassment – Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical communication of a sexual nature. Any form of advances, request for sexual favors and other verbal or physical conduct of a sexual nature is unacceptable when:

3.1.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, education, academic pursuits, or participation in a College activity; or
3.1.2 Such conduct affects or has the purpose of unreasonably interfering with an individual’s employment, education, living environment, or participation in a College activity by creating an intimidating, hostile, or offensive working or learning environment.
3.1.3 Sexual harassment complaints involving employees will be treated as sexual harassment under this policy. Complaints from students against students will be handled according to the UBATC Student Code of Conduct.
3.1.4 Sexual harassment may include, but is not limited to

3.1.4.1 Verbal harassment or abuse
3.1.4.2 Subtle pressure for sexual activity
3.1.4.3 Any unwelcome sexually motivated touching, including hugs, shoulder rubs, patting, pinching, groping and/or purposely brushing against someone;
3.1.4.4 Discussion about one’s sex life, sexual experiences, or desires;

3.1.4.5 Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regards to an individual’s employment or educational status;

3.1.4.6 Continuing to express sexual or romantic interest after being informed the interest is not welcomed.

3.2 Complainant – A complainant is an individual or group of individuals making a complaint; the individual(s) alleged to be harmed must be identified to the Respondent and Investigators in order for a formal investigation to occur.

3.3 Complaint – A complaint is a claim by an aggrieved party or an administrator acting on behalf of the College that an individual has violated a college policy against discrimination or sexual harassment.

3.4 Respondent – A Respondent is the person against whom the claim is made.

3.5 Investigators – The investigators are the appropriate supervising vice president, and one other person who could be another vice president, department head or executive assistant to the president who will investigate the complaint. If the supervising vice president is the respondent, the Campus President will designate the persons who will serve as the investigators. If the Campus President is the respondent, then the Personnel Committee of the Board will be the investigators.

3.6 Retaliation – Retaliation is harm directed at an employee who has already made some type of complaint regarding illegal discrimination.

4. Policy

4.1 Sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, as amended, and the Utah Anti-discrimination Act of 1965, as amended. It is the policy of the Uintah Basin Applied Technology College to prohibit such conduct in compliance with these laws. Sexual harassment will not be tolerated at UBATC.

4.2 All employees are responsible for assuring that sexual harassment does not take place and that the working and educational environment of the College is not sexually threatening, hostile, or offensive to individuals on our campuses and centers.

4.3 The College will make affirmative efforts toward education and support to prevent such misconduct. When violations of this policy occur, employees who engage in such behavior may be subject to various forms of disciplinary actions including, but not limited to verbal warning, written warning, reprimand, probation, demotion, suspension or termination or other sanctions as may be determined to be appropriate by UBATC.

4.4 Retaliation against any person who has filed a legitimate complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy is also prohibited.

4.5 The UBATC will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and to discipline any student or employee who sexually harasses a student or employee of the UBATC.

4.5.1 Sexual harassment can be a very serious matter having far-reaching effects on the lives and careers of individuals. Thus the charge of sexual harassment is not to be taken lightly by a charging party, an accused party, or any member of UBATC's staff. Complaints which are frivolous or fail to state facts that raise an issue of illegal discrimination or harassment may be dismissed by the investigators.
4.5.2 A person who knowingly and intentionally files a false complaint will be subject to disciplinary actions.

4.6 Student sexual harassment complaints will be handled according to the student harassment procedures outline in the College’s official catalog and should be directed to the Vice President of Student Services.

5. Reporting Procedures

5.1 Any person who believes he or she is the victim of sexual harassment or who has knowledge of such conduct should report the alleged acts immediately to their supervisor, instructor and/or department head. In the event that the immediate supervisor is involved in the harassment, the complaint should be made to the Campus President or his/her Executive Assistant, department head or Vice President. Any person that feels sexual harassment has occurred is encouraged to make a written complaint whenever possible to the above designated officials.

5.2 A formal complaint must be filed within 90 days of the date of the most recent incident.

5.3 The confidentiality of all participants in complaint proceedings and investigations should be respected insofar as it does not interfere with the College’s obligation and the necessity to investigate allegations of misconduct and to take corrective action. Those who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process. Records of all discrimination or harassment complaints will be maintained and stored for a minimum of three years in designate files controlled by the Executive Assistant to the Campus President.

6. Complaint Notification and Investigation

6.1 Upon receipt of a report or complaint alleging sexual harassment, the immediate supervisor or the person to whom the complaint has been made shall immediately report the complaint to a member of the Executive Administrative Team in timely manner.

6.2 The supervising vice president will serve as the lead investigator with another person. The second person will be selected by the supervising vice president. If the supervising vice president is the respondent, the Campus President will designate the persons who will serve as the investigators. If the Campus President is the respondent, then the Personnel Committee of the Board will be the investigators.

6.3 All College personnel are required to cooperate in all proceedings conducted pursuant to this policy. Failure or refusal to cooperate in, or interference with, any investigation or proceedings conducted pursuant to this policy will result in disciplinary action up to and including termination.

6.4 In determining whether alleged conduct constitutes sexual harassment, the investigators shall consider the surrounding circumstances, the nature of the sexual advances, relationships between the parties involved and the context in which the alleged incident(s) occurred.

6.5 The investigation may consist of personal interviews with the complainant, the respondent and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods (including a face-to-face meeting in a secure environment between the complainant and respondent) and documents deemed pertinent by the investigator.

6.6 Complaints reported to the UBATC shall be handled in a timely, confidential manner.

6.7 In addition, UBATC may take immediate steps within its discretion, to protect the complainant and employees involved pending completion of an investigation of alleged sexual harassment.
6.8 Sexual harassment issues can take the form of either concerns or complaints and can be handled on either a formal or informal basis with the concurrence of the complainant. Informal procedures may include many approaches including advising and mediation.

6.9 In the event of multiple allegations that include claims of sexual harassment, those unrelated claims will be investigated and resolved through established College procedures. The sexual harassment claims will be handled pursuant to this procedure.

7. Resolution

7.1 It shall be the responsibility of the investigators to promptly investigate claims of sexual harassment, using the procedures recommended by UBATC’s legal counsel in appropriate cases.

7.1.1 Upon completion of the investigation, it shall be the responsibility of the Investigators, who may consider consultation with legal counsel, to determine what further action should be taken.

7.1.2 The result of the formal investigation of each complaint filed under these procedures will be reported in writing to the complainant and respondents by the Investigators. The report will document any disciplinary action taken as a result of the complaint.

8. Retaliation

8.1 UBATC will discipline, up to and including termination, any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

9. Non-Harassment

9.1 UBATC recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is a personal, social relationship which is not unwelcome or is without a discriminatory employment effect, requires a determination based upon all the facts and surrounding circumstances. Each case is unique and shall be considered on its own merits. False accusations of sexual harassment can have serious detrimental effect on innocent parties and may result in disciplinary action against the person making the report.

10. Appeal of the Decision

10.1 Either party may request that UBATC review the decision made by the Investigators. Such request for review must be made within fifteen (15) days of the decision by providing a written request to the Executive Assistant to the Campus President stating the reasons for the appeal. Appeals will be handled according to the College’s Employee Grievance Policy.

10.2 Both Salaried and Non-Salaried Employees will have access to the Employee Grievance Policy for purposes of appealing decisions made under this policy.
Uintah Basin Applied Technology College: A UCAT Campus
Internet/Nnetwork Access

Effective Date: 12/3/14
Executive Administrative Team Approval: 11/5/14
Policy Committee Approval: 11/14/14
Board of Directors Approval: 12/3/14

1. Purpose

1.1 To provide guidelines for Internet/Network access so that students and staff can have the technology and resources that will provide the most effective educational experiences possible at the Uintah Basin Applied Technology College.

1.2 To prevent user access over the computer network of inappropriate material or transmission of, vis Internet, electronic mail, or other forms of direct electronic communications.

1.3 To prevent unauthorized access and other unlawful online activity.

1.4 To prevent unauthorized online disclosure, use, or dissemination of personal identification of minors.

1.5 To comply with the Children’s Internet Protection Act (Pub. L. No. 106-554 and 47 USC 254(h)).

2. Definitions

2.1 The Online Computer Network includes, but is not limited to, the use of local area networks, wide area networks, Internet, Online Commercial Communications, Chat Lines and all other computer communications provided by the Uintah Basin Applied Technology College.

2.2 Technology Protection Measure is a specific technology that blocks or filters Internet access to visual depictions that are defined by the Children’s Internet Protection Act as obscene, child pornography, or harmful to minors.

3. Policy

3.1 To the extent practical, technology protection measures (or “Internet filter”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

3.2 Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

3.3 To the extent practical, steps shall be taken to promote the safety and security of users of the College’s online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes:

3.3.1 Unauthorized access, including so-called “hacking” and other unlawful activities

3.3.2 Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

3.4 It shall be the responsibility of all members of the College staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children’s Internet Protection Act.
3.5 Procedures for disabling or otherwise modifying any technology protection measures shall be the responsibility of the Chief Information Officer.

3.6 Computers, computer files, the e-mail system and software furnished to employees are UBATC property intended for business use. Employees should not use a password, access a file or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

3.7 The Uintah Basin Applied Technology College is committed to providing students and staff with access to technology and resources that provide the most effective educational experiences possible. The Technology College firmly believes that the valuable information and interactions available through computer network communications is fundamental to these experiences and far outweigh the small percentage of materials that are not consistent with educational goals.

3.8 As global communication tools become available, it is imperative that individual users understand the benefits and responsibilities of accessing a growing collection of resources. Although the Technology College takes precautions to restrict access to controversial materials, it is impossible on a global network to control all access.

3.9 Internet access will be provided to the students and staff in accordance with the terms of this policy. Internet access from school computers is reserved solely for educational purposes. Use by outside groups is prohibited without supervision by a UBATC instructor. Use by student clubs and organizations is limited to those times when the Internet access points are not in use for instruction and shall be limited to educational purposes and governed by this policy. Access to the Internet will be under the direction and supervision of the staff assigned to the Internet access area.

3.10 All account information maintained by any student or employee is the property of the Uintah Basin Applied Technology College. Neither any staff member nor a student has any expectation of privacy in such account or information maintained in any such account. The information shall be maintained confidential except with respect to any investigation or random review of such account information by UBATC. The staff and students are hereby informed that the account may be randomly investigated or checked at any time. The Uintah Basin Applied Technology College reserves the right to monitor all Internet activity including transmission and receipt of e-mail.

3.11 Before any student will be given access to the Technology College’s computer resources, the student must present the “User Application and Waiver” form, properly signed by the student, a parent or guardian and teacher. Staff members are required to sign the “Staff Application Section.” These Waiver Forms acknowledge that the Technology College is not responsible for unauthorized or improper access of use of the Computer Network Communications services. To maximize the benefits of these resources and to avoid abuse or access to inappropriate information and services, the Uintah Basin Applied Technology College Board of Directors has adopted the following “Acceptable Use” policy.

3.12 Conditions of Acceptable use – The following conditions are imposed on the use of the computer network and violation of these conditions is cause for revoking the privilege of access to the network for staff, students, visitors or anyone using UBATC computers. These conditions apply whether the user accesses the network during school time and on school property or at a remote location via modem.

3.12.1 Computer networks are to be used for the educational purposes stated above

3.12.2 Computer network use in the Technology College is a privilege and not a right

3.12.3 Use of computer networks to support illegal, inappropriate or obscene purposes, is expressly prohibited and is grounds for disciplinary or legal action, up to and including termination.
3.12.3.1 Illegal activities are defined as violations of local, state or federal law.

3.12.3.2 Inappropriate use is defined as violation of the intended use or purpose of the network such as the use of recreational games or chain letters, attempts to gain unauthorized access, harassment, threats, racial slurs or epithets directed to any racial, ethnic or religious group or any other actions that are disruptive to the network or network users.

3.12.3.3 Obscene activities are defined as violations of generally accepted social standards for use of a publicly owned and operated communication system for educational purposes alone. “Obscene” does not mean generally accepted community standards; rather, it means those standards within the educational community of the State of Utah. Such obscene activities include, but are not limited to, the receipt, storage, downloading or distribution of profanity or other offensive language and sexually oriented materials including nudity or graphic or textual depictions of sexual activities.

3.12.4 Commercial use, product advertisement or political lobbying activities on computer networks are prohibited without administration approval.

3.12.5 Each user is ultimately responsible for all activity in the use of the account and will keep their password confidential.

3.12.6 Computer network users shall be committed to the efficient use of computer networks and use all practical measures to conserve time and storage space in their use of these resources.

3.12.7 Users who connect with other computer networks may also be subject to the acceptable use policies of those networks.

3.12.8 Copyright law is strictly adhered to within the UBATC. Any violation of copyright law is prohibited.

3.12.9 Resources obtained through computer network communications shall be treated as confidential and private and reasonable measures will be taken to protect the privacy rights of users. However, the Technology College cautions users that no computer network communications should ever be considered as completely private and are subject to monitoring by UBATC.

3.12.10 UBATC will take reasonable precautions to insure the security and appropriate use of the computer networks. However, it accepts no responsibility for harm caused directly or indirectly through its use.

3.12.11 No one will be permitted to access, transmit or retransmit material which promotes violence or advocates destruction of property, including, but not limited to, access to information concerning to manufacture of destructive devices, such as explosives, fireworks, smoke bombs, incendiary devices or the like.

3.12.12 The commitment or attempt to commit any willful act involving the use of the network which disrupts the operation of the network within the UBATC or any network connected to the Internet, including the use or attempted use or possession of computer viruses will not be allowed.

3.12.13 The Campus President or designee of the UBATC is the final authority on the acceptable use of the networks and accounts under its jurisdiction.
3.13 UBATC is not liable for and disclaims any liability arising from any injury or damage caused by or stemming from unauthorized access to the network or inappropriate use of authorized access to the network.

3.14 The Internet contains information pertaining to a variety of subjects. Not all information is accurate or reliable, particularly where the advice of medical, legal, accounting or other professionals would be appropriate. Users are advised not to rely on advice found on the Internet. The UBATC is not responsible for such advice.

3.15 UBATC does not guarantee or imply that access to the Network/Internet will always be available when students want access or that the software provided by UBATC will always work as intended. UBATC is not responsible for failures in the operation or technical functioning of the Internet or the computers or software used to access the Internet.

3.16 A student and the student’s parents or guardians, by submitting the User Application and Waiver Form with their respective signatures in order to gain access to the computer network, agree to release the UBATC from any liability for physical or emotional harm or damage resulting to the student that is caused by or related to the inappropriate use of the computer Network/Internet.
1. **Purpose**

To define prohibited consensual relationships between employees and students and to state the actions which should be taken to resolve such situations.

2. **Definitions**

2.1. **Consensual relationship**: A romantic or sexual relationship

3. **References**

3.1. UBATC Disciplinary Sanctions and Dismissal of Personnel policy

3.2. UBATC Nepotism policy

3.3. Employee Grievance policy

3.4. Student Grievance Procedure (Found in Catalog - Student Services section)

4. **Policy**

4.1. It is the policy of the College to prohibit consensual relationships when an employee has any direct professional responsibility for counseling, evaluating, or fostering a student’s academic performance or professional future. Examples of professional responsibility include but are not limited to assigning grades, evaluating clinical performance, refunding money, collecting tuition, or awarding scholarships.

Unless the prohibited consensual relationship is remedied by reassigning performance evaluations, reporting responsibilities, or grade assignments to other qualified individuals, and by notifying the employee’s supervisor, it is considered a violation of this policy and cause for discipline. Employees who engage in such consensual relationships and do not take steps to resolve the conflict of interest may be subject to disciplinary action.

4.1.1. **Consensual Relationships in the Instructional Context** -

4.1.1.1. No faculty member, or instructional assistant, shall have a consensual relationship with a student if any of the following conditions apply:

- The student is under legal age of consent or lacks the ability to consent,
- Student is in a course that the faculty member or instructional assistant is teaching; or
- The faculty member or instructional assistant has any control or influence over the student’s present or future academic or professional success.

4.1.1.2. A faculty member or instructional assistant who fails to withdraw from participation in activities or decisions that may reward or penalize the student with whom the faculty member or instructional assistant shares a consensual relationship is considered unprofessional and is in violation of the Disciplinary Sanctions and Dismissal of Personnel policy.

4.1.2. **Consensual Relationships Outside the Instructional Context** –
4.1.2.1. Consensual relationships between faculty members or instructional assistants and students occurring outside the instructional context may lead to difficulties, particularly when the faculty member or instructional assistant and a student are in the same program.

4.1.2.2. Relationships, including friendships, may appear to others to be exploitive. Further, in such situations (and others that cannot be anticipated), the faculty members or instructional assistants may face serious conflicts of interest and should be careful to distance themselves from any decisions that may reward or penalize the student involved.

4.1.2.3. A faculty member or instructional assistant who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member or instructional assistant shares a consensual relationship with is considered unprofessional and is in violation of the Disciplinary Sanctions and Dismissal of Personnel policy.

4.1.3. Other Consensual Relationships –

4.1.3.1. Staff members are prohibited from having a consensual relationship with any student if they have a direct responsibility for counseling, evaluating, or fostering the student’s educational or professional future. Examples include but are not limited to awarding scholarships, assisting with placement, refunding money, or collecting tuition.

4.1.3.2. A staff member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the staff member shares a consensual relationship with is considered unprofessional and is in violation of the Disciplinary Sanctions and Dismissal of Personnel policy.

4.1.3.3. Supervisors/employee relationships are handled according to the College Campus’ Nepotism policy.

4.1.4. Complaints Regarding Prohibited Consensual Relationships

4.1.4.1. If a manager or supervisor receives a complaint about a prohibited consensual relationship, they shall follow the procedures outlined in the College’s Student Grievance Procedures and/or Employee Grievance policy.
Uintah Basin Applied Technology College: A UCAT Campus
Salary and Wage Administration

1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus salary and wage program for all positions within the College Campus.

2. Policy

2.1. Salaried Employees

2.1.1. Employee Pay Schedule. Separate pay schedules will be utilized for Faculty, Staff, and Administrative employees. These pay schedules establish salary ranges for jobs at the various pay grades.

2.1.1.1. General Wage/Salary Adjustments. To maintain competitive wages, a wage survey will be conducted to update the salary ranges as market conditions warrant. On all occasions, the amount of the salary change will ultimately be based upon the anticipated effect upon the College Campus budget. Final determination and any changes to the salary scale shall be approved by the Campus Board.

2.1.1.2. Cost of Living Adjustments (COLA). Adjustments to the salary schedule may be done once per year to adjust for changes in the cost of living.

2.1.1.3. Salary Increases. Any increase in salary whether COLA or Merit increases will ultimately be based upon the anticipated effect on the College Campus budget. Final determination and any changes to the salary scale shall be approved by the Campus Board.

2.1.2. Salary Pay Grades

2.1.2.1. Faculty. Separate pay grades shall be established for Faculty based on the following earned degrees and/or Industry experience:

- Industry/Associate degree
- Bachelor degree
- Master degree

2.1.2.2. Staff and Administrative Employees. Each job is rated using the Factor Point Worksheets and assigned associated paygrades. New jobs or job descriptions with significant changes may be rated by external HR Consultant and approved by the Campus President.

2.1.3. Pay Schedule Placement

2.1.3.1. Initial Appointments. All initial appointments to positions assigned to salary ranges on the compensation plan shall normally be at the minimum rate of the salary range. Exceptions may be allowed if: (1) a qualified employee cannot be recruited for the position at the beginning rate, and (2) the qualifications of the individual selected for the position exceed the minimum requirements and the individual can be expected to perform at a level equal to that of other individuals currently being paid at the same rate. Initial placement above the first quartile of the pay range requires prior approval of the Vice President of Finance. Initial placement above the second quartiles of the pay range requires the approval of the Campus President. The Vice President of Finance shall monitor all recommended starting rates for compliance to policy.
2.1.3.2. Additional Pay Schedule Credit. The Campus President may authorize salary schedule placement at greater than the second quartile: (1) when a qualified applicant cannot be recruited at a rate below the third quartile; or (2) when the Campus President, based on a recommendation from the Interview Committee, determines that the College Campus' best interests would be served by granting salary credit for additional skills and/or experience.

2.1.3.3. Allowance for Exceptional Services and High Performance Pay. The Campus President may grant to an employee compensation (bonuses) above the basic schedule for exemplary services. Examples of bonuses include but are not limited to faculty functioning in the role of a department head or having exceptional program enrollment. The award of any bonus amount for exceptional services shall not establish any right or expectation for any continuing bonus award.

2.1.3.4 All employees, based on budget available, have an opportunity to be awarded high performance pay.

2.1.3.5. Pay Schedule Placement Approval. All required approvals for pay schedule placement from Campus President and Vice President of Finance must be obtained in writing prior to any notification or communication of a base salary decision to an employee or prospective employee.

2.1.4. Provisions Governing Change in Pay Grade

2.1.4.1. Faculty

2.1.4.1.1. Application. All completed pay grade change requests (including official transcript of credits) must be submitted to the College Campus Human Resource Department on or before the 1st of the month.

2.1.4.1.2. College Degrees. College degrees used for pay grade changes must be granted from accredited institutions of higher education as recognized by the U.S. Department of Education.

2.1.4.1.3. Approval. All requests shall be endorsed by the Human Resource Department and forwarded to the supervising vice president for review and implementation after his/her approval. Applications (including official transcript of credits) that are approved will be maintained in the College Campus personnel file.

2.1.4.1.4. Salary Adjustments. Salary adjustments given as a result of the pay grade change shall be a three percent (3%) increase on the salary range. The amount of the pay increase may exceed the 3% ceiling if adjusting to the minimum for the new pay range exceeds the 3% limit. Salary adjustments shall become effective on the 1st of the month following the month of the final approval.

2.1.4.1.5. Non Approved Degrees. College Degrees which are not acceptable will be rejected, the reasons therefore stated, and the application returned to the applicant.

2.1.4.2. Staff and Administrative Employees

2.1.4.2.1. Promotions. Upon being promoted to a position in a higher pay grade classification, the employee will be eligible for a three percent (3%) increase on the salary range. The employee shall retain the increase and the promotion, provided he/she demonstrates the expected level of competence required to perform the duties in the higher level position and receives a satisfactory performance review from the immediate supervisor. The amount of the pay increase may exceed the 3% ceiling if adjusting to the minimum for the new pay range exceeds the 3% limit.

2.1.4.2.2. Job Re-rating. Re-rating of the employee's existing job shall not be considered a promotion. In the case of a job re-rating, the employee may receive a salary adjustment, as necessary, to bring the employee up to the minimum for the new pay range.
2.1.4.2.3. Transfers. When employees transfer to a lateral position on the pay schedule, they will be placed on the appropriate salary pay grade for the new position such that they maintain their existing salary. When employees transfer to a lower position on the pay schedule, they will be placed on the appropriate salary pay grade for the new position with a salary which is not greater than 95% of the midpoint of the new pay range.

2.1.4.2.4. The provisions of this policy do not alter the provisions of the Disciplinary Sanctions and Dismissal of Personnel, or the criteria established in that policy for probationary status.

2.1.5. Pay Progression. Progression through the various pay ranges within the salary and wage scale shall be based on job performance and available budget.

2.1.5.1. Minimum to Midpoint Progression. It is the objective of the College Campus that employees acquire job skills which are considered full performance level within their job classification by the time they arrive at midpoint of the pay range of the job classification in which they are hired to perform. It is the responsibility of the supervisor to identify the essential skills, competence, and quality of work which will satisfy the full performance requirement.

2.1.5.2. Midpoint to Maximum Progression. Compensation at the midpoint is considered market competitive. Increases may be received up to the maximum of the pay range. Upon achieving the maximum grade, the employee shall still be eligible for any general increase or adjustment to the pay plan (i.e., market, COLA, etc.).

2.1.5.3. Pay Progression. The Pay Progression is based upon (1) Employee performance; (2) Employee Goal achievement; (3) Knowledge Gained; (4) Other factors which may be added from time to time for all employees in a given employee classification and available budget.

2.1.5.4. Red Circle Rate. Red Circle Rate refers to the rate of pay for an employee whose pay falls above the current maximum salary for the pay grade to which assigned, reclassified or transferred. Such employee(s) shall be placed on a salary freeze and shall only be eligible for cost of living adjustments and will receive no additional base salary adjustment within that grade. If the employee's rate of pay falls back within the assigned pay range, the freeze shall be lifted. The red circled employee may, however participate in the Pay Progression Matrix by receiving such funds as a one-time bonus not attached to the employees base pay.

2.1.6. Rate of Pay

2.1.6.1. Full-Time Salaried Employees. The hourly rate of pay for full-time salaried employees shall not take into account paid holiday and therefore be determined by dividing the employee's base salary by the product of 8.0 hours per day times the nominally available 260 days per year minus paid holidays.

2.1.6.2. Nine Month Faculty. The hourly rate of pay for full-time salaried nine-month faculty shall be determined by dividing the employee's base salary by the product of 8.0 hours per day times 182 days per year.

2.1.6.2.1 Depending upon available funds, 182-day employee (nine month faculty) may be eligible to receive compensation for up to 40 hours of professional/curriculum development during the year, outside of their normal contract time. Employees will be required to fill out a timesheet and will be paid at their regular hourly rate. All requests must be approved ahead of time by the supervising Vice President.

2.1.6.3. Other Contract Durations. Employees on other contract durations will have their pay adjusted accordingly.

2.2. Part-time Employees. Wages for part-time employees are determined at the time of hire based upon the appropriate Employee Pay Schedule. No paid leave, paid holidays, or insurance benefits are available to hourly employees. Part-time employees with acceptable performance evaluations will receive a raise as determined by
the Vice President of Finance, normally equal to the average salary increase received by the salaried employees as budget allows.

2.3. **Salary Adjustments.** Salary adjustments given to employees, who are not being promoted to a new range, may be given up to 10% with the approval of the Campus President in situations where gross inequities exist. Adjustments of more than 10% can be made only with the approval of the Personnel Committee of the Board of Directors. Care will be given to budgetary concerns.
Uintah Basin Applied Technology College: A UCAT Campus
Overtime Pay, Adjunct Assignments, and Compensatory Time Policy

Effective Date: 4/17/13
Executive Administrative Team Approval: 4/9/13
Policy Committee Approval: 4/15/13
Board of Directors Approval: 4/17/13

1. Purpose

To provide policy governing overtime pay, adjunct assignments and compensatory time at the Uintah Basin Applied Technology College: A Utah College of Applied Technology College Campus (College Campus).

2. References

2.2. Uintah Basin Applied Technology College Salary and Wage Administration Policy
2.3. Uintah Basin Applied Technology College Work Schedule Policy

3. Definitions

3.1. Overtime. Overtime means time worked in excess of the employee's work period as defined by the FLSA.
3.2. Adjunct Assignment. Adjunct assignment means a separate employment assignment at the College Campus in addition to the employee's regular employment assignment. Employees are not required to accept adjunct assignments.
3.3. Compensatory Time. Compensatory time or comp time means College Campus approved time off in lieu of overtime pay.

4. Policy

4.1. Faculty Adjunct Assignments. Faculty members, who work an adjunct assignment as defined in this policy, will receive payment for the adjunct assignment at a rate which is equivalent to the Faculty member's normal pay rate.

4.2. Overtime and Compensatory Time

4.2.1. Classified Employees

4.2.1.1. Time worked by Classified employees beyond forty (40) hours in a workweek ("overtime") shall be paid at one and one-half (1 1/2) times the regular rate of pay. Only hours actually worked in a workweek will be used in determining overtime. Days absent from the job for holiday, vacation, sick leave, compensatory time and other similar leaves are not to be counted as time worked for the purpose of computing overtime pay. Overtime is paid along with the regular pay per the normal payroll period schedule. Work beyond 40 hours per week must be approved in advance by the Cognizant Vice President and Vice President of Finance.

4.2.1.2. When a Classified employee is required to work beyond their regular daily schedule the preference is for the extra hours worked to be taken off at straight time during the same workweek, so that total hours worked in the workweek do not exceed forty (40) hours. When calculating hours worked in a workweek, only hours actually worked will be included (vacation, sick leave, compensatory time and other similar leaves are not included).

4.2.1.3. Compensatory Time. When Classified employees work beyond forty (40) hours in a workweek ("overtime"), it is preferred they be given compensatory leave time which will be calculated at the rate of one and one-half hours for every hour of overtime worked.
Compensatory time must be taken before the end of the pay period which includes the last day of the workweek in which the overtime was worked, or within the next 30 days with a pre-approved plan. The Campus President or Cognizant Vice President may choose to pay the overtime in the eligible pay period. The budget source, justification and explanation from the employee's immediate supervisor must accompany the Personnel Action Notice (PAN) on any overtime requests for payment, along with the properly signed time card covering all the hours actually worked in the week in which the overtime occurred.

4.2.2. Faculty and Professional/Administrative Employees. Faculty members and Professional/Administrative employees are not eligible for overtime payments and are not eligible to receive compensatory time (comp time) or flexible time off (flex time).
1. Purpose
The purpose of this policy is to provide criteria for high performance pay for staff and faculty at the Uintah Basin Applied Technology College.

2. Policy

2.1 Faculty Criteria
2.1.1 Positive attitude; interdepartmental and campus collaboration and participation.

2.1.2 Create program growth; (%membership hours + %certificates = growth rate%).

2.1.3 Implementation of one (1) instructional recommendation from advisory committee.

2.1.4 One (1) monthly reported employer visit with half coming from different employers.

2.1.5 Attendance at Advisory Board Meetings, Department Meetings, Fall Retreat.

2.2 Staff Criteria
2.2.1 Positive attitude; interdepartmental and campus collaboration and participation.

2.2.2 Exceptional Customer Service.

2.2.3 Two (2) annually reported employer visits and/or community organizations related to position.

2.2.4 Create one (1) new departmental efficiency.

2.2.5 Attendance at Advisory Board Meetings, Department Meetings, Fall Retreat.

2.3 Administrative Criteria
2.3.1 Positive attitude; interdepartmental and campus collaboration and participation.

2.3.2 Lead respective team, administering team goals and the vision of the President: Program growth through connectivity; and Institutional accountability.

2.3.3 Attendance at Advisory Board Meetings, UBATC Events/Activities, Fall Retreat.
2.4 The award of any bonus amount for high performance pay shall not establish any rights or expectations for any continuing bonus awards and will be subject to annual budgetary constraints.

2.5 Program Growth rate to be adjusted annually by the President.
1. Purpose

The purpose of the longevity incentive is to encourage retention of exceptional employees of the Uintah Basin Applied Technology College.

2. Policy

2.1 Following the completion of each five year increment of full-time employment, up to the 30th year, eligible employees will receive a one-time base pay increase of:

- **2.1.1** Year 5 1%
- **2.1.2** Year 10 1.5%
- **2.1.3** Year 15 2%
- **2.1.4** Year 20 2.5%
- **2.1.5** Year 25 2.5%
- **2.1.6** Year 30 2.5%

2.2 Pay increase will take effect the following budget year.

2.3 The Longevity Incentive is subject to annual budgetary constraints.
1. Purpose

To provide policy for the Uintah Basin Applied Technology College employees' health insurance benefits.

2. Policy

2.1 UBATC’s health insurance plan provides employees and their dependents access to medical and dental insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan.

2.1.1 Regular full-time employees

2.1.2 Regular part-time employees who are scheduled to work over 32 hours per week (prorated)

2.2 Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between UBATC and the insurance carrier.

2.3 Employees will be required to participate on health insurance premiums according to state legislative guidelines.

2.4 Details of the health insurance plan can be obtained from the UBATC Benefits Specialist. Information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Benefits Specialist for more information about health insurance benefits.
Uintah Basin Applied Technology College: A UCAT Campus
Life Insurance

1. Purpose

To provide policy for the Uintah Basin Applied Technology College employees life insurance benefits.

2. Policy

2.1 Life insurance offers you and your family important financial protection. UBATC provides life insurance as part of the health insurance plan for eligible employees. Additional supplemental and/or dependent life insurance coverage may also be purchased.

2.2 Employees in the following employment classifications are eligible to participate in the life insurance plan

2.2.1 Salaried employees

2.2.2 Non-Salaried employees who are scheduled to work over 30 hours per week (pro-rated)

2.3 Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between UBATC and the insurance carrier.

2.4 Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Human Resource Department for more information about life insurance benefits.
1. Purpose

The purpose of the Uintah Basin Applied Technology College: A UCAT Campus Moving Expenses Policy is to provide new employees, moving from outside of Uintah and Duchesne Counties, compensation to help with moving expenses.

2. Policy

2.1 At the discretion of the Campus President, the Uintah Basin Applied Technology College may offer $500 moving expenses to new employees moving from outside Uintah or Duchesne Counties who are beginning employment with the Technology College.
Uintah Basin Applied Technology College: A UCAT Campus

Staff Health Insurance Exclusion

1. Purpose

To provide policy and guidelines for the Uintah Basin Applied Technology College employees who request to be excluded from the health insurance.

2. Policy

2.1 It is the policy of the Uintah Basin Applied Technology College to provide $1,500 per year to an employee at said employee’s request in lieu of UBATC health insurance. It will be mandatory for the employee to furnish proof of alternate health insurance.
Uintah Basin Applied Technology College: A UCAT Campus
Employee Tuition Assistance

Effective Date: 03/20/13
Executive Administrative Team Approval: 03/12/13
Policy Committee Approval: 03/20/13
Board of Directors Approval: 03/20/13

1. Purpose
To define policy and procedure for Uintah Basin Applied Technology: A UCAT Campus employee tuition reimbursement.

2. Definitions
   2.1 Employee – For purposes of this policy, the definition of an employee includes only those full-time, salaried employees.

   2.2 Immediate Family Member – For the purpose of this policy only, the phrase, “immediate family member,” includes a husband, wife, son, and daughter. This does not include a son-in-law or daughter-in-law of employees.

3. Policy
   3.1 Non UBATC Tuition and Fee Refunds
      3.1.1 The UBATC encourages an employee development plan directed specifically at improving the employees’ job duties. UBATC provides for tuition and fee reimbursement for salaried employees who enroll in credit courses for professional improvement. Prior approval from the UBATC administration must be obtained, the cost of the course must be reasonable and related directly to their professional assignment.

      3.1.1.1 Only tuition and fees paid directly by the employee will be reimbursed. Tuition and fees paid by scholarships and other sponsorships are not eligible for reimbursement.

      3.1.2 In such cases, salaried employees will be reimbursed for fifty percent (50%) of the course tuition and fees, excluding books and supplies, for courses taken at properly accredited institutions upon evidence of successful completion of the course(s) with at least a “C” grade or above and a receipt for proof of course payment. This is subject to availability of funds.

      3.1.3 Courses taken by instructors, at the encouragement of UBATC, in order to satisfy the Utah State of Education’s requirement of credit hours to obtain a Level 2 CTE Teachers License, will be reimbursed at 100% tuition and fees upon evidence of successful completion of all required courses with at least a “C” grade or above and a receipt for proof of course payment. This is subject to availability of funds.

   3.2 UBATC Tuition and Fee Waivers
      3.2.1 Salaried employees, board members, and their immediate family members will receive a full tuition waiver and a half fee waiver for any class/program they attend. All books or related supplies are still the responsibility of the individual taking the course/program.
Uintah Basin Applied Technology College: A UCAT Campus
Short-Term Disability

1. Purpose

To provide Uintah Basin Applied Technology College: A UCAT Campus employee benefits for short term disability.

2. Policy

2.1 UBATC provides a short-term disability (STD) benefits plan to help eligible employees cope with an illness or injury that results in a short-term absence from employment. STD is designed to ensure a continuing income for employees who are disabled and unable to work.

2.2 Salaried employees are eligible to participate in the STD plan subject to all terms and conditions of the agreement between UBATC and the insurance carrier.

2.3 Details of the STD benefits plan including benefit amounts and limitations and restrictions are described in the Summary Plan Descriptions provided to eligible employees. Contact the Benefits Specialist for more information about STD benefits.
Uintah Basin Applied Technology College: A UCAT Campus

Long-Term Disability

1. Purpose

To provide Uintah Basin Applied Technology College: A UCAT Campus employee benefits for long term disability.

2. Policy

2.4 UBATC provides a long-term disability (LTD) benefits plan to help eligible employees cope with an illness or injury that results in a long-term absence from employment. LTD is designed to ensure a continuing income for employees who are disabled and unable to work.

2.5 Salaried employees are eligible to participate in the LTD plan subject to all terms and conditions of the agreement between UBATC and the insurance carrier.

2.6 Details of the LTD benefits plan including benefit amounts and limitations and restrictions are described in the Summary Plan Descriptions provided to eligible employees. Contact the Benefits Specialist for more information about LTD benefits.
Uintah Basin Applied Technology College: A UCAT Campus

Benefits Continuation (COBRA)

1. Purpose

To provide policy for the continuation of benefits for employees when a qualified event results in the loss of eligibility.

2. References

2.1 Federal Consolidated Omnibus Budget Reconciliation Act (COBRA)

3. Policy

3.1 The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under UBATC’s health plan when a “qualified event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment or death of an employee; a reduction in an employee’s hours or a leave of absence; an employees divorce or legal separation and a dependent child no longer meeting eligibility requirements.

3.2 Under COBRA, the employee or beneficiary pays the full cost of coverage at UBATC’s group rates plus an administration fee. UBATC provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under UBATC’s health insurance plan. The notice contains important information about the employee’s rights and obligations.
1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus substitute teacher pay.

2. Policy

2.1. Substitutes at the Uintah Basin Applied Technology College will be paid on the following basis:

- **2.1.1.** Trained Substitutes $70.00
- **2.1.2.** Non-Trained Substitutes $60.00

2.2. Anyone working four or more class periods receives pay for a full day. Anyone working three or less periods will receive half pay for \( \frac{1}{2} \) day.

2.3. Ten or more consecutive days substituting for one particular class:

- **2.3.1.** Trained Substitutes $80.00
- **2.3.2.** Non-Trained Substitutes $70.00

2.4. Future rates will be indexed to the annual cost of living increases allocated to other salary schedules.
Uintah Basin Applied Technology College: A UCAT Campus

Staff Insurance and Retirement

1. Purpose

To define policy and procedure for Uintah Basin Applied Technology: A UCAT Campus for staff insurance and retirement.

2. Policy

2.1 All insurance and retirement benefits offered as part of employee compensation are subject to the conditions and restrictions of the insurance or retirement policy agreements prepared by the underwriters. UBATC assumes no responsibility in relation to claims or compensations under any policy.

2.2 In the event an employee is denied or restricted as to benefits offered under UBATC insurance or retirement programs, the contract offer is reduced in accordance with the rejection or restriction. Any appeal or action will be a responsibility of the employee and will be directed to the insurance firm or retirement agency involved.
Uintah Basin Applied Technology College: A UCAT Campus

Jury Duty

1. Purpose

The Uintah Basin Applied Technology College: A UCAT Campus supports a citizenship duty of an employee to serve on jury duty when called and expects to assume a share of the monetary responsibility of an employee so called.

2. Policy

2.1 In the event an employee is called to serve on Jury Duty, the UBATC will approve leave of absence without loss of direct or fringe benefits including regular salary, vacation days (where applicable) and personal leave or sick benefit.

2.2 In the event that an employee is called to serve on Jury Duty, they must provide proper advance notification (3 days), approved substitute teacher plan should be followed and remuneration for jury duty will be remitted to UBATC payroll accounting where the proper adjustment will be made to the salary account so that the employee will not lose pay for jury duty.

2.3 The following exception applies: when jury duty pay exceeds the salary earned for the same time period lost, the excess may be retained by the employee.
1. Purpose

To outline the Uintah Basin Applied Technology College’s policy toward military leave.

2. References

   2.1. Utah Code Title 39, Chapter 3, Governmental Employees in Military Service

3. Policy

   3.1. Full-time personnel who are members of any reserve branch of the United States Armed Forces are entitled to leave of absence with full pay for all time not in excess of 15 working days per year spent on duty at annual encampments or other required reserve duty training. This leave shall be in addition to annual vacation leave with pay.
Uintah Basin Applied Technology College: A UCAT Campus

Personal Leave

1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus employee benefits for personal leave.

2. Policy

2.1 Personal leave applies to those instructors or staff members that are on a nine or ten month contract. Occasionally personal problems require that these instructors or staff be absent for reasons other than sickness or accident. A maximum of three (3) days per contract year will be allowed subject to the discretion of the Campus President or designated appointee in his absence. Personal Leave days cannot be carried forward from year to year.

2.2 Decisions will be based upon the following criteria

2.2.1 Personal leave may be requested with at least one day of advance notice to a member of the Administrative Team.

2.2.2 Personal leave will be approved only when a substitute from the approved list can be scheduled.

2.3 Personal leave will not be granted during the first or the last week of the school year.
Uintah Basin Applied Technology College: A UCAT Campus

Holidays

1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus employee benefits for holidays.

2. Policy

2.5 This policy pertains to those salaried employees who are contracted for 12 months. All qualifying employees will receive 20 days of holiday leave annually. The exact days will be identified on a calendar approved by the UBATC Board of Directors on an annual basis.

2.6 UBATC will grant holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. If a recognized holiday falls during an eligible employees paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.
Uintah Basin Applied Technology College: A UCAT Campus

Vacation Benefits

Effective Date: 12/3/14
Executive Administrative Team Approval: 11/5/14
Policy Committee Approval: 11/14/14
Board of Directors Approval: 12/3/14

1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus employee benefits for vacation time.

2. Policy

2.1 Vacation time off with pay is available to eligible employees.

2.2 Vacation Accrual. Vacation is accrued on a monthly basis. Employees hired during the middle of the year will have their eligible vacation days prorated.

2.2.1 Full-time Salaried Employees. Full-time salaried employees (with the exception of executive employees) with a twelve (12) month employment agreement are allowed ten (10) days paid vacation per year beginning the first year of employment at the Uintah Basin Applied Technology College. After five (5) years of service, an employee will earn an additional paid vacation day for each full year of service rendered up to a maximum of twenty (20) total vacation days. The vacation days can be carried over from year to year, up to forty (40) days maximum. Any unused days above 40 will be forfeited with no compensation at the end of the year.

2.2.2 Executive Employees. Full-time salaried Executive employees are allowed 25 days per year of paid vacation.

2.3 Notification. Five (5) working days notice should be given to the supervisor when requesting vacation leave unless there is an emergency situation. Vacation days MUST be approved by the employee’s supervisor prior to use. (May not be unreasonably withheld.)

2.4 Employees leaving UBATC. Upon leaving the College, the employee will be reimbursed for up to forty (40) unused vacation days at the employee’s hourly rate. An employee dismissed for cause automatically forfeits reimbursement for vacation leave. If an employee terminates their employment after taking vacation days that have not yet been accrued, the amount paid to the employee for these days will be deducted from the employee’s final paycheck.

2.5 Transferability of Vacation Benefits. Eligible employees hired by the College Campus who previously worked in public education or higher education in the State of Utah should be deemed to retain their accumulative service credits for purpose of calculating their accumulating vacation benefits earned while working at the College Campus. These institutions will primarily be a State of Utah school district, applied technology college, or other college or university.
1. Purpose
To define the Uintah Basin Applied Technology College: A UCAT Campus policy and procedure with regard to family and medical leave. The FMLA of 1993 is a federal act that requires employers to provide up to 12 weeks of job-protected leave for certain family and medical reasons and up to 26 weeks of leave in any 12-month period in compliance with the expansion of FMLA under the Support for Injured Service members Act of 2007 to employees who have been employed for at least 12 months and worked at least 1250 hours during the preceding 12 months. The College Campus recognizes the occasional need for time away from work to participate in early childrearing, one's own serious illness, or the care of family members who have serious health conditions. This policy is intended to assist employees of the College Campus in better balancing those family needs with work place demands. The provisions of this policy shall not supersede any federal or state law that provides greater employee leave benefits and/or rights than are offered in this policy. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

2. References
2.1. Family and Medical Leave Act (FMLA), 29 USC 2601 as amended.
2.2. Uintah Basin Applied Technology College Sick Leave Policy

3. Policy

3.1. Employees who have been employed for at least twelve (12) months, and have worked at least 1,250 hours during the preceding 12-month period are eligible for leave under the FMLA. Leave is calculated as twelve (12) weeks in a twelve (12) month period from the first date leave is used, rather than on a calendar year. Employees who meet the applicable time-of-service requirements may be granted a combined total of twelve (12) weeks of paid vacation and sick leave and unpaid family leave, to begin the first day of the leave for each incident.

3.1.1. For employees not eligible for leave under the FMLA, the College Campus will review business considerations and the individual circumstances involved in light of other leave policies when considering extended leaves of absence.

3.1.2. Family or medical leave will consist of appropriate accrued paid leave and unpaid leave. If family medical leave is granted, the employee must use all of his/her accrued paid vacation leave and sick leave for the first portion of the FMLA leave or until available vacation and sick leave are exhausted. The remainder of the leave period will then consist of unpaid leave.

3.1.3. Leave taken for serious health conditions may be taken on an intermittent basis (not all at one time) only when medically necessary and when verified by medical certification. The College Campus may require an employee on intermittent leave to transfer temporarily to an available alternative position for which the employee is qualified if the position has equivalent pay and benefits and accommodates recurring periods of leave more easily than the employee's regular position.

3.1.4. Intermittent leave cannot be taken for birth, adoption, or foster care purposes.

3.1.5. An employee on leave under the FMLA must notify his/her supervisor periodically of his/her status and intention to return to work. The supervisor has the authority to determine how often the employee must provide this notification.

3.2. Reasons for Leave. Family Leave may be used for the following reasons:
3.2.1. The birth of the employee's child and in order to care for the child;

3.2.2. The placement of a child with the employee for adoption or foster care;

3.2.3. To care for a spouse, parent, or child who has a serious health condition; or

3.2.4. A serious health condition that renders the employee incapable of performing the functions of his or her job.

3.2.5. Where the College Campus employs both spouses, they are entitled to a combined twelve (12) workweeks of family leave for the birth or placement of a child, for adoption or foster care.

3.2.6. A covered family member’s active duty or call to active duty in the Armed Forces.

   3.2.6.1. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member’s call-up or service. Reasons related to the call-up or service include helping the family member prepare for the departure or caring for children of the service member. The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor.) This type of leave would be counted toward the employee’s 12-week maximum of FMLA leave in a 12-month period.

   3.2.6.2. Employees requesting this type of FMLA leave must provide proof of the qualifying family member’s call-up or active military service before leave is granted.

3.2.7. To care for an injured or ill service member.

   3.2.7.1. This leave may extend up to 26 weeks in a 12-month period for an employee whose spouse, son, daughter, parent or next-of-kin is injured or recovering from injury suffered while on active military duty and who is unable to perform the duties of the service member’s office, grade, rank or rating. Next-of-kin is defined as the closest blood relative of the injured or recovering service member. An employee is also eligible for this type of leave when the family service member is receiving medical treatment, recuperation or therapy, even if the service member is on temporary disability retired list.

   3.2.7.2. Employees requesting this type of FMLA leave must provide certification of the family member or next-of-kin’s injury, recovery or need for care. This certification is not tied to a serious health condition as for other types of FMLA leave. This is the only type of FMLA leave that may extend an employee’s leave entitlement beyond 12 weeks to 26 weeks. Other types of FMLA leave are included with this type of leave totaling the 26 weeks.

   3.2.7.3. An eligible employee can take up to 12 weeks (or up to 26 weeks of leave to care for an injured or ill service member) under this policy during any 12-month period. The College will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the College will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks (or 26 weeks for the care of an injured or ill service member) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.
3.3. **Application For Leave.** An employee requesting leave under the FMLA must request the use of FLMA in writing and return it to the immediate Supervisor and Vice President of Finance for consideration. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave if possible.

3.4. **Notice of Leave.** An employee intending to take leave under the FMLA because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin. If the leave is to begin in less than thirty (30) days, an employee must give notice to his or her immediate supervisor and to the Vice President of Finance as soon as the necessity for the leave arises. If you fail to provide a medical certification within a reasonable time under the particular facts and circumstances or your case, the College Campus may deny the continuation of your leave.

3.4.1. The employee will be notified of the leave request approval or denial within two (2) working days of receipt of acceptable medical certification.

3.4.2. Notification to employees shall include: that the leave will be counted as FMLA entitlement; any requirements for the employee to furnish medical certification of a serious health condition and the consequences of failing to do so; a statement that the employee will be required to exhaust unused sick leave and vacation leave before going into a Leave Without Pay (LWOP) status; any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis; and any requirement for the employee to present a fitness for duty certificate to be restored to employment.

3.4.3. The College Campus may designate leave under the FMLA as approved or denied after the fact if the reason for leave was previously unknown, or the College Campus has preliminarily designated the leave as FMLA leave and is awaiting medical certification.

3.4.4. UBATC may elect after 3 days of consecutive absence for the same illness to inform the employee in writing that leave is counting towards FMLA days.

3.4.5. Procedure for requesting leave for 1) a covered family member’s active duty or call to active duty in the Armed Forces or 2) to care for an injured or ill service member.

3.4.5.1. All employee requesting this type of FMLA leave must provide verbal notice with an explanation of the reason(s) for the needed leave to their immediate supervisor, who will advise the HR Department. Leave may commence as soon as the individual receives the call-up notice. If the leave is foreseeable, the immediate supervisor may require the employee to provide a written request for leave and reason(s) with a copy to the HR Department.

3.4.5.2. The College will provide individual notice of rights and obligations to each employee requesting leave within two business days or as soon as practicable.

3.5. **Return to Work.** An employee who took leave under the FMLA for their own medical condition must provide a release to duty from their physician before he or she can be returned to active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the employee's supervisor at least five (5) working days prior to the employee's planned return.

3.5.1. The College Campus shall continue to pay its portion of the employee's group health insurance premium during the family leave period. The employee is responsible to continue to pay his or her portion of the insurance premium in order to keep coverage in effect. If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the College Campus for full payment of any portion of the insurance premiums paid by the College Campus.

3.5.2. The failure of an employee to return to work upon the expiration of a leave under the FMLA of absence will subject the employee to immediate termination.
3.6. **Seniority and Benefit Accruals.** An employee who takes leave under the FMLA will not lose any seniority or employment benefits that accrued before the date leave began. An employee is not entitled to the accrual of seniority or employment benefits while on leave without pay status.

3.7. **Employment Restoration.** Every effort will be made to place the employee in a position with equivalent pay, benefits, and other terms and conditions of employment. The College Campus will make a determination as to whether a position is an "equivalent position". An employee granted leave under the FMLA does not have a guarantee to be returned to his or her original job, nor continuation or payment of benefits in effect prior to the leave.
Uintah Basin Applied Technology College: A UCAT Campus

Sick Leave Policy

1. Purpose

To provide guidelines for the Uintah Applied Technology College: A UCAT Campus employee benefits for sick leave.

2. References

2.1. Board of Regents Policy and Procedure R821, Employee Benefits
2.2. Uintah Basin Applied Technology College Family Medical Leave Policy
2.3. Uintah Basin Applied Technology College Leaves of Absence Without Payment Policy
2.4. Uintah Basin Applied Technology College Vacation Benefit Policy
2.5. Uintah Basin Applied Technology College Personal Leave Policy

3. Definitions

3.1. Immediate Member of the Family. For the purposes of this Sick Leave Policy only, the phrase, "an immediate member of the family," includes husband, wife, son, daughter, father, mother, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandfather-in-law, and grandmother-in-law. (Exceptions that may be considered by the Administration are those who have virtually held the position of an immediate member of the family.)

4. Policy

4.1. General. Sick leave is a fringe benefit program which the College Campus maintains to provide compensation to personnel during periods of personal illness or illness of an immediate member of the family. As used with reference to sick leave, illness means temporary inability to discharge the duties of employment as the result of the mental or physical injury, sickness, bereavement or incapacity of the employee, or an immediate member of the family of the employee, and includes complications with pregnancy, or other necessary maternity leave.

4.1.1. Eligibility. Only salaried positions are eligible for sick leave benefits as described in this policy.

4.1.2. Family Medical Leave Act. UBATC hereby designates all paid or unpaid leave for any reason to be counted as part of and included in the Family Medical Leave so that an employee shall be entitled to no more than twelve (12) weeks of Family Medical Leave and other types of leave taken together.

4.2. Authorized Uses. Sick leave may be used in the following:

4.2.1. Sick leave may be taken for illness experienced by the College Campus employee.

4.2.2. Sick leave may be taken by a College Campus employee to care for an immediate member of the family with an illness who has a legitimate need.

4.2.3. In cases where dental and medical appointments take place during regular working hours, the time used for those appointments may be charged to sick leave.
4.2.4 Sick leave may be taken by a College Campus employee for bereavement purposes in the case of a
death of an immediate member of the family.

4.2.5. Application may also be made for certain types of leave without pay under the Family Medical
Leave Policy.

4.2.6. Employees who are adopting a child are entitled to use up to ten (10) days of accumulated sick
leave. If there is an additional need beyond these days, employees may request, in writing to the
immediate supervisor, a temporary leave without pay according to the provisions in the Family Medical
Leave Policy.

4.2.7. The department head may require that an injured or sick employee take paid sick leave and absent
themselves from their place of employment if the sickness or injury impairs the employee’s or the
department’s ability to function.

4.3. Accrual of Sick Leave days. Each full-time employee will earn 1.00 sick leave day per month plus one
day. (i.e. A nine month employee will earn 10 days, and a 12 month employee will earn 13 sick leave days.)
No sick leave days shall accrue or be granted to adjunct, temporary or part-time employees. Any employee
working less than a full-time schedule will earn sick leave days on a prorated basis. If any of the earned sick
leave days are not used during the year, they may be accumulated up to a total of 60 days.

4.3.1. Leave must be taken in increments of not less than half a day.

4.3.2. An employee may only begin to use accrued sick leave days after having completed at least one (1)
full month of employment.

4.3.3. Employees are not entitled to unearned sick leave days.

4.3.4. Any salaried employee who has accumulated at least 60 sick leave days will be paid for any
additional sick leave days accumulated during the year at the end of that year. The rate of pay for such
additional days shall be the same rate paid to a substitute teacher.

4.4. Substantiation of Illness. The College Administration reserves the right to require substantiation of all
illness charged to sick leave.

4.4.1. A statement from a licensed health care provider may be required from employees for long or
unusual patterns of absence regardless of the duration.

4.4.2. Attendance patterns which indicate possible abuse of sick leave, such as frequent two day absences,
or absences on Mondays and Fridays are subject to close scrutiny by the employee’s supervisor and may
require substantiation by a licensed health care provider.

4.4.3. Paid sick leave days may not be used and pay may not be approved for trivial reasons.

4.4.4. Under no circumstances may an employee use sick leave for vacation or personal leave purposes.

4.4.5. Any abuse of sick leave with pay or the obtaining of leave with pay by giving false information is
grounds for disciplinary action up to and including termination.

4.5. Separation From Employment. Accrued sick leave days are forfeited upon termination of an
employment relationship. Should an employee have been granted sick leave that was not yet earned, these
days will be withheld from the employees final pay check.

4.6. Notice of Taking Sick Leave. The employee is responsible for notifying his or her supervisor or other
designated person of his or her absence prior to the employee’s scheduled reporting time. In the event of an
absence of more than one day, additional reporting may be required by the department or division head. Upon
the first day the employee returns to work, the employee must turn in an “Employee Absentee Report” to
their immediate supervisor.

4.6.1. A faculty member who is ill is still responsible for finding a suitable substitute for their teaching assignment and providing lesson plans for that substitute.

4.6.2. An employee shall make a reasonable effort to provide UBATC with prior written notice of any anticipated leave under this policy whenever the leave is foreseeable; and schedule treatment so as not to disrupt the operations of UBATC.

4.6.3. Only employees who have notified their supervisor in an appropriate way are eligible for paid sick leave. If the employee is absent more than one day, UBATC requires notification of the length of the absence requested after initial notification.

4.6.4. An employee who fails to notify his or her supervisor may be subject to appropriate discipline procedures.

4.7. **Exhaustion of Leave Time.** Upon exhaustion of accumulated allowed paid leave if applicable, the following policies shall apply:

4.7.1. Leave without pay. An employee may request a leave of absence without pay. The request should be in written form, directed to the appropriate Vice President, and should state the number of days of additional leave needed. If the employee is gone more than the number of additional days granted by the supervising Vice President, he or she may be terminated.

4.7.2. Emergency leave cases. Emergency leave cases will be considered on an individual basis.
1. Purpose

To provide policy and procedures at the Uintah Basin Applied Technology College: A UCAT Campus for supervisors and employees in conducting Performance Evaluations.

2. Policy

2.1 Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance evaluations are conducted at the end of a regular full-time employee’s initial period (6 months), in any new position. This period, known as the probationary/provisional period, allows the supervisor and the employee to discuss the job responsibilities, standards and performance requirements of the new position. Additional performance evaluations are conducted at least yearly to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and discuss positive, purposeful approaches for meeting goals.
1. Purpose

To provide policy and guidelines for work schedules for the Uintah Basin Applied Technology College employees.

2. Definitions

2.1 Designated workweek – Sunday through Saturday

3. Policy

3.1 The normal work schedule for all employees is eight (8) hours a day, five (5) days a week. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as, variations in the total hours that may be scheduled each day and week.
Uintah Basin Applied Technology College: A UCAT Campus

Workplace Violence Prevention

Effective Date: 09/29/10
Executive Administrative Team Approval: 09/20/10
Policy Committee Approval: 09/24/10
Board of Directors Approval: 09/29/10

1. Purpose

To provide policy and guidelines to prevent workplace violence at the Uintah Basin Applied Technology College. UBATC is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, UBATC has adopted the following guidelines to deal with intimidation, harassment or other threats of (or actual) violence that may occur during business hours or on its premises.

2. Policy

2.1 Any acts of violence, bodily harm, or physical intimidation by employees will not be tolerated and may be grounds for immediate dismissal.

2.2 Any violent or potentially violent behavior, physical assault, threatening behavior or verbal abuse that arises from or occurs in the workplace by employees or third parties will not be tolerated and may be grounds for immediate dismissal, eviction from campus premises, arrest, request to the County Attorney to file criminal charges, etc. It includes, but is not limited to, beating, stabbing, suicide, shooting, rape, attempted suicide, psychological trauma such as threats, obscene phone calls, or intimidating presence, and harassment of any nature such as stalking, or inappropriate shouting. The reasonable person standard (which includes looking at the pervasiveness and severity of the behavior) will be used to determine what actions, if any, the administration will take in dealing with the reported behavior.

2.3 All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay,” or other conduct that may be dangerous to others.

2.4 Firearms, weapons and other dangerous or hazardous devices or substances are prohibited on the premises of UBATC except as provided by law.

2.5 Conduct that threatens, intimidates or coerces another employee, a customer at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual’s sex, race, age or any characteristic protected by federal, state or local law.

2.6 Workplace related threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees as well as, threats by customers, vendors, solicitors or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

2.7 All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril.

2.8 Any employee determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.
2.9 UBATC encourages employees to bring their disputes or differences with other employees to the attention of their supervisors, Human Resource Coordinator or the Campus President before the situation escalates into potential violence. UBATC is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns unless the employee is found in violation of this policy.

2.10 UBATC will promptly and thoroughly investigate all work related reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, UBATC may suspend employees, either with or without pay, pending investigation. The complainant will be notified in writing the outcome of the investigation.
Uintah Basin Applied Technology College: A UCAT Campus

Employee Dress and Grooming

1. Purpose

To provide policy and guidelines for Uintah Basin Applied Technology College: A UCAT Campus employees for dress and grooming.

2. Policy

2.1 For public confidence and for each other, good personal dress and grooming is simply good business. Employees carry the weight of responsibility when making decisions about what is and is not appropriate dress and grooming. When in doubt, please error on the conservative side.

2.2 Each supervisor has a responsibility to take the initiative when inappropriate dress and grooming is evident. The following are examples of unacceptable clothing attire.

2.2.1 Bare Midriff Tops

2.2.2 Sleeveless or Muscle shirts for men

2.2.3 Braless look

2.2.4 Short clothing (not more than 3 inches above the knee)

2.2.5 Skin tight clothing

2.2.6 Sundresses/Sun tops/Halter tops/Spaghetti straps/Tank tops

2.2.7 Patched, torn, worn-out clothing

2.2.8 Spandex or Lycra

2.2.9 No attire or accessories with writing or pictures depicting or promoting controlled substances, vulgar expressions or obscene pictures will be permitted.

2.2.10 Any clothing that suggests affiliation with gangs or similar organizations is not allowed

2.2.11 Hair must be styled so that it is neat, clean and well-groomed

2.2.12 Jewelry that may prove hazardous in employment duties will not be allowed

2.3 These standards are meant to guide your decisions on appropriate dress. Failure to correct inappropriate dress should be handled through the disciplinary policy and/or the evaluation process.
Uintah Basin Applied Technology College: A UCAT Campus
Employee Grievance Policy

Effective Date: 12/3/14
Executive Administrative Team Approval: 11/5/14
Policy Committee Approval: 11/5/14
Board of Directors Approval: 12/3/14

1. Purpose

To provide policy and procedures to ensure fair treatment for Uintah Basin Applied Technology College: A UCAT Campus employees who seek to resolve work-related grievances.

2. References

2.1. Board of Regents Policy and Procedure R831, Minimum Requirements for Non-Faculty Staff Employment Grievances Policy.

2.2. Uintah Basin Applied Technology College Employee Classifications Policy

3. Definitions

3.1. Employment Grievance - a grievance concerning interpretation or application of personnel policies or practices; adverse working conditions; disciplinary sanctions, or termination. Salaried employees affected by a reduction in force may only grieve if she/he believe that the procedures pertaining to the Reduction in Force Policy have been violated. Non renewal of employment contracts are ineligible for grievance procedures.

3.2. Final and Binding Decision - a final administrative decision. The complainant cannot take the matter any further administratively.

3.3. Final and Binding Decision-Maker - the Campus President, or his/her designee, empowered to render the final decision of the College Campus. If the grievance is against the Campus President, the Campus Board of Directors Chairman is the final and binding decision maker.

3.4. Immediate or First-Level Supervisor or Supervision - the lowest level of exempt salaried supervision of the employee as defined in the Fair Labor Standards Act and Department of Labor regulations.

3.5. Human Resource Office - that office or individual in the College Campus charged with the administration and record maintenance of personnel matters, or such other person as may be specially designated by the College Campus President to act as a neutral party to assist with the resolution of grievances at the College Campus. The Human Resource Office should not be represented by membership on the Personnel Relations Committee.

3.6. Personnel Relations Committee - Personnel Relations Committee is a committee established by the Campus President with membership from a cross section of the UBATC community. Such members are to be selected for their objectivity and fairness in personnel matters. The committee should be selected in such a way as to encourage a diverse membership. The Committee will consist of three persons unless otherwise established by the Campus President, and the Campus President will designate the Chair.

3.7. Employee – An employee is staff, administrative, or faculty who receives compensation for work or services from funds controlled by the College Campus, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. There are two categories of employees subject to this policy:

3.7.1. Salaried Employee – Salaried Employees are salaried positions which are paid on a salaried payroll basis. These positions have an employment agreement for a specific period of time for no more than a one fiscal year period of time, and have successfully completed the probationary period.
These positions are categorized as working consistently 32 hours or more weekly with employment expected to last six consecutive months or longer. These positions are eligible, depending on hours worked, for benefits as outlined in personnel policies concerning benefits. Employees do not to have tenure or academic rank per UCAT Legislation.

3.7.2 Non-Salaried Employee. An employee assigned to a non-salaried position normally works less than full-time, or in a position considered hourly, temporary or expected to be of short duration, as defined by the College Campus. Normally, a part-time employee is one assigned to work on average less than 32 hours per week. A temporary position is an hourly employee who is hired as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project. While they do receive all legally mandated benefits (such as Social Security and Worker’s compensation Insurance), they are ineligible for all of UBATC’s other benefit programs. These employee are considered At-will employees.

4. Procedures

4.1. Discrimination or Harassment Complaints. Problems or complaints involving a claim of discrimination or harassment on the basis of race, color, national origin, religion, sex, age, disability, or veteran's status are processed as provided by current College Campus policy and procedure on equal opportunity and nondiscrimination in employment.

4.2. Non-Salaried Employees or Probationary Employees. These grievance procedures shall not be available to non-salaried or probationary employees.

4.3 Salaried Employees. Salaried employees shall be provided grievance procedures in conformance with this policy. A grievance must be brought in writing within ten (10) days of the event giving rise to the grievance unless waived by the Human Resource Office for good cause. The grievance shall be submitted in writing to the Human Resource Office. At the discretion of the supervising Vice President, such procedures as are provided shall be limited first to informal processes and will not involve a hearing before the Personnel Relations Committee.

4.4. Informal Discussions with Supervisor. Employees who have access to grievance procedures under College Campus policy shall first attempt to resolve employment grievances through informal discussions with their immediate supervisors. An employee may not be subjected to intimidation or reprisal for assertion of an employment grievance.

4.5. Grievance Review Process. An employment grievance review process, including appropriate time lines, is available to all salaried employees who are not satisfied with the results of informal discussions. A salaried employee has the right to be accompanied by another employee or a person of his or her choice during a formal grievance proceeding. The employee is expected to present his/her own case unless otherwise agreed to by the chair of the committee before hand.

4.6. Personnel Relations Committee Hearing. A salaried employee who is not satisfied with solutions proposed - as a result of attempted informal resolution or any other pre-hearing procedures - shall be entitled to a hearing before the Personnel Relations Committee by informing the Human Resource Office of their request for the grievance to be heard by the Personnel Relations Committee. The person selected by the Campus President to be the chairperson of the Personnel Relations Committee shall be in control of each meeting or hearing held by the Committee and shall set all hearing protocols and procedures in consultation with the other members of the committee and in harmony with guidelines of this policy. The purpose of the hearing is to determine if the appropriate policies and procedures were followed.

4.7. The Personnel Relations Committee shall operate under the following guidelines:

4.7.1. The Human Resource Office shall set the date and time for hearing, and notify each party. The hearing may be reopened, as needed.
4.7.2. Each party may be accompanied by a person of his or her choice. The grievant may be accompanied by counsel, at his or her own expense, whose role is limited to that of an advisor. The College may also have counsel present.

4.7.3. Each party may bring witnesses, exhibits, or information. The Personnel Relations Committee may invite other witnesses, or obtain other information, as needed.

4.7.4. The hearing shall be conducted through a procedure of questioning by members of the Personnel Relations Committee to determine the facts in the matter. Both parties shall have an equal opportunity to present their claims, proofs, and witnesses who shall submit to questions by the Committee. The Personnel Relations Committee shall determine whether or not the parties will be heard together or separately.

4.7.5. Decisions of the Personnel Relations Committee shall be by majority vote and the standard of proof shall be by a “preponderance of evidence”.

4.7.6. The decision of the Personnel Relations Committee shall be put in writing with an appropriate reasoning for the decision which has been made. The decision will then be sent to the Final and Binding Decision-Maker for his/her review and final decision.

4.8. Alternative Process Adjustments. If any steps provided for in this policy are impractical for any reason, the Human Resource Office, normally after consultation with the employee, may prescribe an alternative process which, to the maximum practicable degree, assures to the aggrieved employee the fair and adequate consideration of the problem or complaint. Frivolous complaints will be dismissed.

4.9. Time Off With Pay. Reasonable time off with pay during scheduled working hours shall be provided to the employee, employee's representative, or any witnesses called to testify, for time spent participating in proceedings leading to resolution of the complaint. Time spent by the employee or representative in such activities outside scheduled working hours is not compensable. Neither time-off with pay nor compensation is provided for time or money spent in preparation for such proceedings. The Personnel Relations Committee may use resources available to it to obtain the appearance of necessary witnesses.

4.10. Schedule of Proceedings. The conduct of the grievance procedure shall proceed as expeditiously as is reasonable under a time frame established by Human Resource Office. Time limits so established may be extended by mutual agreement between the Human Resource Office and the aggrieved employee.

4.11. Reasons to Recuse a Committee Member from Participation. A Personnel Relations Committee member shall be recused from participation by the Campus President before or during any grievance deliberation where the committee member may be influenced by personal relationships with the parties, by bias concerning the circumstances giving rise to the complaint, or by any other material influence which would appear to inhibit the member's ability to render an unbiased judgment. This recusal should be initiated before the beginning of the proceedings.

4.12. Final and Binding Decision. When a hearing is held, the final and binding decision-maker shall review the written report, findings and recommendations of the Personnel Relations Committee. Based upon such review and without conducting further hearings, he or she, shall take one of the following actions:

4.12.1. Ratify the Committee's findings and adopt its recommendations.

4.12.2. Return the report to the Committee for reconsideration or clarification.

4.12.3. Reject all or parts of the Committee's findings and recommendations on one of the following grounds, among other possible reasons:

4.12.3.1. The Committee's recommendations are not supported by the record, or,
4.12.3.2. The Committee's recommendations are based on a misinterpretation of applicable law or policy.

4.13. Notification of Final Decision. Written notification of the final and binding decision shall be communicated by the final and binding decision-maker to all parties concerned.

4.14. Grievance Limitations. An employee may not institute more than one grievance procedure based on the same facts, circumstances, or events. Such a subsequent grievance will be considered frivolous.
Uintah Basin Applied Technology College: A UCAT Campus
Equal Employment Opportunity

1. Purpose
To provide the Uintah Basin Applied Technology College: A UCAT Campus with a policy that provides equal employment opportunities to all individuals.

2. Policy

2.1 In order to provide equal employment to all individuals, employment decisions at UBATC will be based on performance, qualifications and abilities. UBATC does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, disability status, age, or marital status (or any other class protected by federal, state, or local law) to the extent protected by law.

2.2 UBATC will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship to the school. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training.

2.3 It is a violation of this Policy to discriminate in the provision of employment opportunities, benefits or privileges, to create discriminatory work conditions, or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, or marital status (or any other class protected by federal, state, or local law) to the extent protected by law.

2.3.1 Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964; the Age Discrimination Act of 1975; the Americans With Disabilities Act of 1990, and the Utah Code – Title 34A – Chapter 05 -- Utah Antidiscrimination Act. This Policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

2.3.2 Discrimination in violation of this Policy will be subject to severe sanctions up to and including termination.

2.4 Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the UBATC Campus President. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.
Uintah Basin Applied Technology College: A UCAT Campus

Non-Disclosure

1. Purpose

To provide policy for the protection of confidential client information and employee information at the Uintah Basin Applied Technology College.

2. Policy

2.1 The protection of confidential client information and employee information is vital to the interests and the success of UBATC. Such confidential information includes, but is not limited to, the following examples:

   2.1.1 Compensation data
   2.1.2 Computer processes
   2.1.3 Computer programs and codes
   2.1.4 Client lists
   2.1.5 Client information
   2.1.6 Financial information
   2.1.7 Privileged information
   2.1.8 Student records

2.2 Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.
Uintah Basin Applied Technology College: A UCAT Campus

Job Openings/Postings

1. Purpose

To provide policy and procedures for job openings at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 As any instructor or staff position becomes open, that opening will be posted internally as it is posted externally for a minimum of five working days, except as noted below. This would allow any interested current employee of the UBATC to apply for the position. Internal candidates’ qualifications would be closely examined for possible inclusion in the pool of interviewed job applicants. After the interview process and with the recommendation of an interview committee, the administration will select the person they felt was the most qualified for the position.

2.2 Exceptions

2.2.1 The UBATC Administration may elect to reassign job duties within the organization as circumstances warrant.

2.2.2 The Campus President may waive the five-day posting time in extreme circumstances as deemed necessary.
Uintah Basin Applied Technology College: A UCAT Campus
Recruiting

Effective Date: 3/26/08
Executive Administrative Team Approval: 3/10/08
Policy Committee Approval: 3/10/08
Board of Directors Approval: 3/26/08

1. Purpose

To provide policy and procedures for the hiring process at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Job Posting – Before a job opening is advertised, it must be approved by the Vice President of Finance or Campus President.

2.2 Employment Applications – An official UBATC application may be required for outside applicants when applying for a job. A resume should be attached. Applications will be accepted for “Open Until Filled” positions up to the date a selection is made. Appropriate documents for the position must be included as applicable, such as copy of a professional license, college transcripts, special certifications, etc. A written or e-mail notice requesting consideration for a position is required of a UBATC employee.

2.3 Qualifying Applicants – Applications will be reviewed by a member of the UBATC Administrative Team. Qualifications will be compared to minimum qualifications* of the position and will be rated qualified or unqualified. Qualified applicants will be referred to the interview committee. The interviewing committee will be provided a copy of the application and all available information/documents necessary for the interview and selection process. The interviewing committee may interview all those referred or may select the best qualified for personal interview.

2.4 Disqualification of Applicants – The Administrative Team may disqualify an applicant if he/she:

2.4.1 Does not meet the minimum qualifications for the position
2.4.2 Is unable to perform essential job functions.
2.4.3 Has drug or alcohol addiction.
2.4.4 Has been convicted of any felony or other public offense.
2.4.5 Has made a false statement of the material fact in the application.
2.4.6 Has previously been dismissed from employment for cause.
2.4.7 Has failed to submit the application correctly or within the prescribed time limits.

2.5 Interview Process – An appropriate selection committee will be appointed by the UBATC Administrative Team. This committee will conduct interviews assuring that the interview process is consistent and non-discriminatory. Applicants who do not or cannot meet the interview schedule will be considered based on the contents of the application along with a possible telephone interview.

*Minimum Qualifications: The requirements of education, experience, skills, abilities and other qualifications deemed necessary to perform the duties of a position. Minimum qualifications are to be listed in each class specification.
2.6 Initial Wage Placement - See Salary and Wage Administration Policy; Section 2.1.3.

2.7 Selection for Hire – References may be checked for an applicant prior to recommending him/her for hire. If a UBATC employee is selected, a Request for Personnel Action form will be completed for promotion/reassignment of the employee.

2.8 Pre-employment drug screening – Drug screening may be required prior to hiring successful applicants for a position.

2.9 Background investigation – A background investigation may be required of successful applicants as part of the hiring process.

2.10 Proof of Citizenship – Proof of citizenship will be required as part of the hiring process.
Uintah Basin Applied Technology College: A UCAT Campus
Personnel Files

Effective Date: 12/3/14
Executive Administrative Team Approval: 11/5/14
Policy Committee Approval: 11/14/14
Board of Directors Approval: 12/3/14

1. Purpose

To define the term “personnel file;” and establish procedures for the inspection, copying and challenges to the contents of such files.

2. References

2.1. Utah Code Title 63, Chapter 2 (Government Records Access and Management Act)
2.2. Utah Code Title 67, Chapter 18 (Employees Personnel Files)
2.3. Utah Code Title 67, Chapter 19a-303-4 (Prohibition of filing of grievance documents in the employee’s personnel file.)

3. Definitions

3.1 “Personnel File”. The current official file or files maintained by the Human Resource Department relating to an employee of the college, which contains documents and data recorded in the usual course of official college business relating specifically to the individual’s employment qualifications, working assignments, promotions, compensation, job performance, personnel evaluations, and disciplinary proceedings. The “personnel file” shall include, but is not limited to, the records of completed retention, promotion, compensation, review proceedings and any letters or memoranda of evaluation, commendation or criticism relating to an employee which were not solicited or written under a request or promise of confidentiality. Separate files shall be maintained for medical records, I-9, employee filed grievances and supervisor notes.

3.2. “Human Resource Department”. Responsible to maintain official personnel records for UBATC.

4. Policy

4.1. Disclosure. UBATC recognizes the right of each employee to examine, obtain a copy of, and to challenge the accuracy of factual data in documents contained in that employee’s personnel file, except for information and materials therein that are classified as “confidential” or “private” under the Government Records Access and Management Act, Utah Code Title 63, Chapter 2 or the disclosure of which is forbidden pursuant to state or federal law.

4.1.1. This policy applies only to “personnel files” as defined herein, and does not affect any right conferred by law upon an individual to inspect, copy, or challenge the contents of other records and files of the College that relate to that individual.

4.1.2. No person has a right under this policy to inspect, copy or challenge the contents of the personnel file relating to any other individual, except to the extent that such person may be authorized to do so because of an official “need to know” as defined in state law.

4.2. File Maintenance. The personnel files of employees shall be maintained by the Human Resource Department under the supervision of the Vice President of Finance. These files are to be maintained in individual file folders in the security vault of the school. Payroll records are to be maintained in the payroll office.

4.2.1. The Human Resource Department is to audit personnel files on an annual basis to ensure completeness of files, compliance with federal and state laws and removing and destroying obsolete information.

4.3. Inspection and Copying. Upon written request to the Human Resource Department, an employee of UBATC will be given an opportunity within three working days to inspect and/or obtain a copy of his or her personnel file, or any part thereof. However, the following items will be temporarily removed from the employee’s personnel file before inspection by the employee:

4.3.1. Letters or documents of recommendation, evaluation, or criticism which were solicited or submitted under a request or promise of confidentiality.
4.3.2. Information relating to person(s) other than the subject employee.

4.3.3. Any information prohibited from disclosure by applicable state or federal laws.

4.4. Request to Inspect. A request to inspect shall be written and shall describe generally the records or data in the personnel file which the individual wishes to examine.

4.4.1. After verifying the identity of the employee making the request, the Human Resource Department shall take appropriate steps to comply with the request with reasonable promptness.

4.4.2. The inspection shall take place in the presence of the Human Resource Department or a designee. No changes or alterations may be made to any documents in the file and no documents may be removed from the file.

4.4.3. A notation recording the request and the inspection shall be inserted in the file by the Personnel Officer immediately after the inspection has been concluded.

4.5. Copies of File Documents. A request for copies of the personnel file, or any part thereof, may be oral or written and shall describe the records or data in the personnel file which the individual requests to have copied. The written request or a notation of the oral request shall be placed in the personnel file.

4.5.1. As deemed necessary, the cost of copying shall be calculated by the Human Resource Department using a schedule established by the Vice President of Finance which represents the actual costs of photocopying.

4.5.2. Upon receiving evidence of payment of the cost of copying, the Human Resource Department shall arrange to prepare copies in accordance with the request and make them available to the requesting individual with reasonable promptness.

4.6. Challenge to Contents. An employee of UBATC may at any time challenge any factual statement or entry of factual data in his or her personnel file upon the grounds that it is inaccurate, misleading, inappropriate or otherwise in violation of individual rights.

4.6.1. Any such challenge shall be submitted in writing to the Human Resource Department, who shall promptly review the facts and supporting data and seek to resolve the challenge by informal means. Upon recommendation from the Human Resource Department, the supervising Vice President may authorize the Human Resource Department to make necessary changes in, deletions from, or additions to the personnel file to assure that the file includes only factually accurate, truthful and relevant information. The employee shall be advised in writing of all such modifications approved by the supervising Vice President.
Uintah Basin Applied Technology College: A UCAT Campus

Employment Reference Checks

1. Purpose

To proved policy procedures to ensure that individuals who join the Uintah Basin Applied Technology College: A UCAT Campus staff is qualified.

2. Policy

2.1 To ensure that individuals who join UBATC are well qualified and have a strong potential to be productive and successful, it is the policy of UBATC to check the employment references of potential hires.
Uintah Basin Applied Technology College: A UCAT Campus

Employment Applications

1. Purpose

This policy provides guidelines for the Uintah Basin Applied Technology College: A UCAT Campus in regards to the accuracy of employment applications and other data provided through the hiring process.

2. Policy

2.1 UBATC relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.
Uintah Basin Applied Technology College: A UCAT Campus

Reassignments/Transfers

1. Purpose

To establish policy for Uintah Basin Applied Technology College employees when reassignments or transfers take place.

2. Policy

2.1 A reassignment is to change from one position to another at the same grade. The UBATC Administrative Team may reassign or transfer an employee for purposes of improved administrative practices or reorganization or for other reasons at their discretion. The employee must meet the minimum qualifications for the reassignment.

2.2 Employees may request a transfer and so may the supervisor or program director on behalf of an employee. Requests for transfer will be analyzed against the needs of UBATC and made within the discretion of the Campus President.

2.3 When an employee is reassigned from one position in a class to another position within the same class, rate of pay shall remain unchanged.
Uintah Basin Applied Technology College: A UCAT Campus
Business Travel Expenses

1. Purpose

To provide policy and procedures for employees at the Uintah Basin Applied Technology College when school business requires them to travel

2. Definitions

2.1 Incidental Use – Minor use of a vehicle which does not add sustainably to the miles such as going to a restaurant, a store, or a movie theater on an overnight trip.

3. Policy

3.1 Authorization procedure

3.1.1 Requests – in the event school business requires you to travel (local, in-state or out-of-state) you must follow the procedures outlined in the policy to assure compensation and/or expense reimbursement.

3.1.1.1 Local travel not exceeding 50 miles one way does not require advance approval. The funds are limited and instructors are expected to make sure funds are available prior to travel.

3.1.2 Business travel exceeding 50 miles one way requires verbal or written approval by administration normally one week prior to travel. Travel request must include anticipated expenses of the trip.

3.1.2 Budget – Budget considerations will take precedence over the other travel policy in determining approval. Travel should be planned by departments for the entire year to prevent the lack of funds for important travel late in the year.

3.2 Travel Responsibility

3.2.1 UBATC Vehicle –

3.2.1.1 Employees are to sign out for a vehicle before planned travel. On day of travel they will be given a car packet which includes vehicle key, a key to the parking compound, GasCard and a Vehicle Log sheet requiring them to record date, name and Odometer reading beginning and ending readings. This packet needs to be returned as soon as possible after employee’s return.

3.2.1.2 UBATC vehicles are managed by State of Utah Fleet Operations computerized automotive resource system. Only employees of UBATC are authorized to drive state vehicles. Employees are required to provide a copy of their current driver’s license to the individual assigned to record Fleet data.
3.2.1.3 UBATC GasCards will be used to purchase petroleum products and other vehicle supplies as outlined on the card. UBATC GasCards may not be used to purchase products or supplies for personal vehicles.

3.2.1.4 The school vehicles should be used for local and in-state travel, as a first choice. If two or more separate trips conflict, the longer trip or the larger number of passengers should prevail. It is the driver’s responsibility to see that all passengers fasten seat belts and observe all other safety procedures.

3.2.1.5 UBATC vehicles are not to be used for personal use except for incidental use appropriate to the situation.

3.2.1.6 Any knowledge of needed repairs, malfunctions, accidents or damage to vehicle must be reported immediately.

3.2.1.7 A listing of all passengers will be turned in before traveling in a school vehicle.

3.2.2 Insurance and Liability

3.2.2.1 All traffic laws must be observed. Deliberate or inadvertent violation of the law could constitute negligence on the part of the driver.

3.2.3 Substitute Teacher Responsibility

3.2.3.1 It is the responsibility of the instructor to arrange for proper class supervision prior to the travel day.

3.3 Travel Allowance

3.3.1 The Uintah Basin Applied Technology College will reimburse an employee (or Board member) for travel, meals and out-of-pocket expenses as follows:

3.3.1.1 Lodging expense in full with the exception of incidental personal items billed by hotels such as meals, phone calls, and movies

3.3.1.1.1 Reimbursement of $40 per night is allowed an employee who stays in a private household such as belonging to a friend or relative at no cost to the employee.

3.3.1.2 Meals when more than fifty (50) miles from the UBATC based upon the published Standard Federal per diem rate (SFPDR) as follows:

3.3.1.2.1 Breakfast – 20% of the SFPDR, if employee leaves prior to 7:00 a.m.

3.3.1.2.2 Lunch – 30% of the SFPDR

3.3.1.2.3 Dinner – 50% of the SFPDR, if employee arrives back after 6:30 p.m.

3.3.1.3 The Uintah Basin Applied Technology College will reimburse an employee who uses their personal vehicle for travel done in behalf of the College based upon the published Federal Standard mileage rate. To qualify for reimbursement, the College’s vehicles must be fully utilized and the trip must be approved by a member of the Administrative Team.
3.3.1.4 Mileage reimbursement, city to city, will be determined by the “Utah Highway Map” mileage chart. Official school business requiring additional in-city travel must be documented.

3.3.1.5 The Uintah Basin Applied Technology College will reimburse for parking, taxi and other incidental expenditures, upon paid receipt. The College will not reimburse for any personal telephone calls or entertainment.

3.3.2 Abuse of this Business Travel policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.
Uintah Basin Applied Technology College: A UCAT Campus

Public Service

1. Purpose

The purpose of the Uintah Basin Applied Technology College: A UCAT Campus Public Service Policy is to provide guidelines for employees who wish to engage in a political office or any other community involvement which would require regular or recurring time off work.

2. References

2.1 Utah Code 67-19-19, Political Activity of Employees

3. Policy

3.1 In the event a UBATC staff member wishes to engage in a political office or any other community involvement which would require regular or recurring time off work, the following procedure shall be followed:

3.1.1 Written request to the UBATC Campus President and the direct supervisor.

3.1.2 Any UBATC employee elected to any partisan or full-time non-partisan political office shall be granted a leave of absence without pay while being monetarily compensated for service in political office.

3.1.3 Accrued vacation time may be used for days missed for public service.

3.1.4 If it is determined necessary or of advantage to the UBATC, the Campus President can pre-approve an employee to work outside of the normal work week trading hours for time missed from work time.

3.2 Boards and Commissions:

3.2.1 Membership on appointed boards must have prior written approval by UBATC Campus President and direct supervisor.

3.2.2 Board membership must be directly related to the focus of the UBATC mission.

3.3 Economic Development and other services

3.3.1 Any activity which is directly related to UBATC services can be completed within contract period and must be documented and have approval by the Campus President and direct supervisor.

3.3.2 Any activity during contract hours which is not related directly to UBATC services will result in direct salary deduct or work makeup outside the normal work week by prior approval of the UBATC Campus President.

3.3.3 The employee recently has been or is now or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift,
compensation or loan and other relevant information has been made in the manner below: This section does not apply to the following:

3.3.3.1 An occasional non-pecuniary gift having a value of not in excess of $50;

3.3.3.2 An award publicly presented in recognition of public services;

3.3.3.3 Any bona fide loan made in the ordinary course of business by an institution authorized by the laws of this state or any other state to engage in making such loan;

3.3.3.4 A political campaign contribution if the contribution is actually used in a political campaign of the recipient College employee.

3.4 Receiving compensation for assistance in transaction involving a state agency.

3.4.1 No College employee or Board member shall receive or agree to receive compensation for assisting any person or business entity in any transaction involving a state agency unless the College employee files with the Campus President, the State Attorney General’s office and the head of the agency with which the transaction is being conducted a sworn written statement giving the following information:

3.4.1.1 The name and address of the employee.

3.4.1.2 The name of the school district.

3.4.1.3 The name and address of the person or business entity being or to be assisted.

3.4.1.4 A brief description of the transaction as to which service is rendered or is to be rendered and the nature of the service performed or to be performed.

3.5 The Disclosure of Conflict of Interest shall be filed with the Campus President or the President’s designee within 10 days after the date of any agreement between the College employee and the person or business entity being assisted or the receipt of compensation, which is earlier.
Uintah Basin Applied Technology College: A UCAT Campus

Non-UBATC Sponsored Class

1. Purpose

To provide procedures at the Uintah Basin Applied Technology College for employees when they wish to teach a Non-College sponsored class during contract working hours.

2. Policy

2.1 In the event a Uintah Basin Applied Technology College staff member wishes to teach a non-College sponsored class during the normal UBATC working hours, the following procedure will be followed:

2.1.1 Written request to the UBATC Campus President, including the schedule and location. Also, the staff member must outline the changes necessary in their UBATC assignment.

2.1.2 The written request will be discussed in an administrative staff meeting and the Campus President will respond to the request in memo form within one week.

2.1.3 Requests approved to teach sponsored day classes will require release time and will reduce UBATC contract compensation for the specific time involved.
Uintah Basin Applied Technology College: A UCAT Campus
Background and Investigation Policy

1. PURPOSE
The purpose of the Uintah Basin Applied Technology College: A UCAT Campus Background Investigation Policy is to establish requirements and guidelines for background investigations on applicants, final applicants, current employees, and volunteers of the College Campus for job related reasons and/or risks to College Campus employees, students and property.

2. REFERENCES

2.1. Utah Code Section 53B-1-110
2.2. Utah Code Section 53A-3-410

3. DEFINITIONS

3.1. Applicant - a person who expresses interest in being considered for an employment opportunity and completes the procedures required to apply for that position.

3.2. Background Check - a combined Bureau of Criminal Identification (BCI) search of records which includes a nationwide Federal Bureau of Investigation (FBI) check. May also include: license or certificate status and history, Sex Offender Registry, references, prior employers, and the like, credit history, and any other background resource for any applicant, current employee, or volunteer at the College Campus, and to make decisions based on that record for job-related reasons in the interest of the College Campus.

3.4. Employee - a faculty member (including adjunct faculty), classified, professional or executive employee of the college, whether salaried or hourly, who receives compensation for work or services from funds controlled by the college, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. Volunteers, independent contractors and others identified in 4.8 are not considered employees.

3.5. Felony - A serious crime punishable by imprisonment in excess of one year. A crime which was charged as a felony at the time of conviction, but which has been reduced to a misdemeanor, or expunged, by a court of competent jurisdiction, shall not be considered a felony.

3.6. Final Applicant - the applicant offered employment, transfer or promotion, contingent on acceptable results of a criminal background check and other reviews required for the position by the college such as financial/credit checks, degree transcripts or license documentation, or student loan status.

3.7. Reasonable Cause - where the known facts and circumstances are sufficient to warrant a person of reasonable prudence in the belief that the employee poses an unreasonable risk to persons or property.

3.8. Security Sensitive Positions - positions whose duties require, provide for, or encompass the potential to incur human, financial or property loss or other harm to the College Campus and its constituents. To be considered security sensitive the position must include one or more of the following characteristics:

3.8.1. Decision making authority for committing college funds or financial resources through contracts and commitments and/or direct access to or responsibility for handling cash, checks, credit/debit cards or cash equivalents, college property, disbursements or receipts;
3.8.2. Access to building and key systems;

3.8.3. Access to confidential information or sensitive personal information such as employment, health, financial and other records, including data that could facilitate identity theft;

3.8.4. Access to and responsibility for the maintenance, upgrading, and repair of the college’s computer networks and/or information technology systems;

3.8.5. Responsibility for other significant health or safety issues.

3.9. Serious Misdemeanors - Crimes less serious than felonies, including crimes which may have originally been charged as felonies, but which have been reduced from felonies by courts of competent jurisdiction. For purposes of this policy, only the following five categories of misdemeanors are included: (1) Crimes of Violence: offenses that involve a substantial risk of physical injury to another person; (2) Drug Offenses: offenses involving manufacturing, distributing, or possessing with intent to manufacture or distribute, a controlled substance; (3) Property Offenses: offenses, not in the categories of sex or drug offenses, that involve the unlawful taking, destruction, sale and/or receipt of property, be it personal or public; and (4) Sexual Misconduct: offenses that involve any illegal act of a sexual nature, involving illegal physical contact for the gratification of lust and/or engaging in other specific activities for the purpose of sexual arousal; and (5) Driving Under the Influence and Driving while intoxicated.

3.10. Significant Contact - an employee position involves significant contact with persons under the age of 21 if there is a reasonable expectation that in the course of the normal, routine responsibilities of the position, the employee and a person under the age of 21 would interact on a one-on-one basis more often than occasionally. For example, teachers with office hour consultations, counselors, test center employees, and advisors could all reasonably expect to interact one-on-one with students as a normal, routine part of their work and hence would have "significant contact" with one or more persons under the age of 21 during the course of their employment.

4. POLICY

4.1. The College Campus reserves the right to do any background investigations, including but not limited to checking (a) criminal background, (b) license or certificate status and history, (c) Sex Offender Registry, (d) references, prior employers, and the like, (e) credit history, and (f) any other background resource for any applicant, current employee, or volunteer at the College Campus, and to make decisions based on that record for job-related reasons in the interest of the College Campus.

4.2. Upon being hired, employees subject to a criminal background check will be notified as to their responsibility to complete a criminal background check and that continued employment is subject to its completion.

4.3. If an applicant is applying for, or an employee holds, a security sensitive position with access to sensitive personal information or financial responsibilities over the funds of the institution or others, the campus president or his/her designee may require an additional financial/credit check to be performed.

4.4. All employees who have a reasonable expectation to work at a campus where secondary students are present must complete an application for a criminal background check as part of the regular new hire paperwork.

4.5. Continued employment status is contingent upon the College Campus receiving a criminal background check report which is conducive to employment at UBATC.

4.6. The supervising Vice President will make any necessary employment decision concerning an aversive criminal background report.

4.7. College Campus will assume the cost of the initial background check.
4.8 **Background Check for Volunteers and Independent Contractors** – All volunteers, contracted trainers, private trainers including customized training instructors who serve in any capacity which involves significant, unsupervised contact with secondary students, must submit to a criminal background check.

4.9 **Frequency** – Employees shall, as a condition of continued employment, submit to a background check a minimum of once every six (6) years.

5. **PROCEDURES**

5.1. **CRIMINAL BACKGROUND SELF-REPORTING:**

5.1.1. **APPLICANTS:** At the time of application for employment, transfer or promotion, every applicant shall report any convictions for felonies or serious misdemeanors. The application shall also inform applicants that refusing to answer, or submitting false information shall be grounds for rejection or termination. Applicants who report having been convicted of felonies or serious misdemeanors shall be required to describe the circumstances of each conviction, including the type of crime, date of conviction, sentence and outcome. The college shall conduct background checks on such persons as described in section 5.2.1, below. Applicants shall be informed that this information will be reviewed for job relatedness, including the nature of the offense, the length of time since the conviction, and the nature of the job sought.

5.1.2. **CURRENT EMPLOYEES:** If a current employee is charged with or convicted of a felony or serious misdemeanor, she or he must report such information to the Human Resources office within a week of the occurrence or before that employee is allowed to apply to return to work after incarceration. This requirement shall apply prospectively from the effective date of this policy.

5.1.2.1 Ongoing Background Checks – The Human Resource Coordinator will ensure that all appropriate employees receive a background check at least once every six (6) years.

5.2. **BACKGROUND CRIMINAL INVESTIGATIONS:**

5.2.1. **REQUIRED BACKGROUND CHECKS FOR FINAL APPLICANTS AND APPLICANTS WHO SELF-REPORT CONVICTIONS OF FELONIES OR SERIOUS MISDEMEANORS:**
Applicants who self-report convictions of one or more felonies or serious misdemeanors; final applicants for employment positions that are compensated by the college and involve significant contact with persons under the age of 21, and are considered to be security sensitive by the vice president supervising that area; and employees who otherwise disclose criminal conduct must submit to criminal background checks as a condition of their employment for any employment position that is compensated by the college and involves significant contact with persons under the age of 21, or is considered to be security sensitive by the vice president supervising that area must submit to a criminal background check as a condition of employment. Vice Presidents may exempt from this requirement final applicants for positions that do not involve significant contact with minors and are not considered security sensitive. Vice Presidents may also exempt from this requirement final applicants for hourly positions when it is determined that subjecting applicants for such a position to a background check is unwarranted.

5.3. **BACKGROUND CHECKS FOR EXISTING EMPLOYEES** - A current existing employee must submit to a criminal background check, where the vice president supervising that area finds that reasonable cause (as defined in section 3.7, above) exists.

5.4. **WRITTEN RELEASE OF INFORMATION** - For applicants and final applicants for employment, as defined in section 3.1, above, the college shall obtain a written and signed release of information for a criminal history background check and any other consumer report which may reasonably be required for the position. When the college performs criminal history background checks on existing employees, the college shall request written and signed releases of information.
5.5. **NOTICE A BACKGROUND CHECK HAS BEEN REQUESTED** - If the existing employee does not provide a written and signed release as requested pursuant to 5.4, the employee shall receive written notice that the background check has been requested.

5.6. **FINGERPRINT BACKGROUND CHECK** - An applicant or employee subject to a criminal background check under this section may be required to be fingerprinted and consent to a fingerprint background check by the Utah Bureau of Criminal Identification, the Federal Bureau of Investigation or another government or commercial entity.

5.6.1. **PROTECTION OF PRIVACY** - Information from criminal background self-reports and criminal background checks will be handled to protect the privacy of those involved. That information will be available only to those persons involved in making employment decisions or performing the background investigation, and the information will be used only for the purpose of making an employment or promotion decision. Records containing criminal background information will be classified as "private" under the Government Records Access and management Act for purposes of this policy.

5.8. **RISK ASSESSMENT** - Based on the convictions disclosed by the criminal background check, the college will assess the overall risk to persons and property. That risk assessment will include: (1) the number of crimes committed, (2) the severity of those crimes, (3) the length of time since they were committed, (4) the likelihood of recidivism, (5) the security sensitivity of the position sought by the applicant or final applicant or held by the existing employee, and (6) other factors that may be relevant. The college may determine that an individual with a criminal history should be considered eligible to obtain or retain the position, or that additional documentation should be required, or that they are ineligible, subject to appeal.

5.9. **OPPORTUNITY TO RESPOND** - Before an applicant or final applicant is denied employment or an employee is subjected to an adverse employment action based on information obtained in the criminal background report, the applicant, final applicant or employee shall receive a copy of the report, written notice of the reasons for denial or the adverse action, and shall have an opportunity to respond to the reasons and any information received as a result of the criminal background check. If an applicant, final applicant, or employee disagrees with the accuracy of any information in the report or believes that, although accurate, their criminal history should not disqualify them for employment, and notifies the human resources office of the college within three (3) business days of his/her receipt of the report, the college shall provide a reasonable opportunity to address the accuracy of the information contained in the report.
1. Purpose

To define and clarify certain terms used in personnel policies and procedures necessary for the understanding of those policies and procedures. It is also the intent of UBATC to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

2. Definitions

2.1. At-will employee. An at-will employee is in an employment relationship that either the employee or the college may terminate at any time for any reason or no reason with such notice as may be required by policy and regulation.

2.2. Probationary employee. Probationary employees are those salaried employees within their initial ninety (90) calendar days of employment whose performance is being evaluated to determine whether further employment in a specific position or with UBATC is appropriate. Employees in this category are considered at-will. This probationary status may be extended at the discretion of the supervisor.

2.3. Salaried Employees are salaried positions which are paid on a salaried payroll basis. These positions have an employment agreement for a specific period of time for no more than a one fiscal year period of time, and have successfully completed the probationary period. These positions are categorized as working consistently 30 hours or more weekly with employment expected to last six consecutive months or longer. These positions are eligible, depending on hours worked, for benefits as outlined in personnel policies concerning benefits. Employees do not to have tenure or academic rank per UCAT Legislation.

2.3.1. Faculty. Faculty personnel are salaried employees whose primary assignment is that of instruction. Faculty personnel are classified as exempt from overtime provisions as defined by the Fair Labor Standards Act, 29 U.S.C. Section 201 et seq. (the FLSA).

2.3.2. Faculty Supervisors. Faculty Supervisors are a faculty member whose duties in addition to instruction include the oversight and coordination of the programs and instructors within a specific department under the direction of the Vice President of Instruction.

2.3.3. Staff. Classified personnel are salaried employees whose positions require paraprofessional, clerical, skilled crafts or service training and capabilities. Classified personnel are not exempt from the overtime provisions of the Fair Labor Standards Act.

2.3.4. Administrative. Administrative personnel are salaried employees whose primary function is administrative in nature. These positions normally require at least a four-year college degree and/or equivalent experience with specialized training. At least 50 percent of the employee's time should be designated toward supervisory, administrative or professional responsibilities which demand independent judgment or discretion. Administrative personnel are exempt as defined by the Fair Labor Standards Act, 29 U.S.C. Section 201 et seq. (the FLSA).

2.4. Non-Salaried Employees. An employee assigned to a non-salaried position normally works less than full-time, or in a position considered hourly, temporary or expected to be of short duration, as defined by the College Campus. Normally, a part-time employee is one assigned to work on average less than 30 hours per week. A temporary position is an hourly employee who is hired as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project. While they do receive all legally mandated benefits (such as Social Security and Worker’s compensation Insurance), they are ineligible for all of
UBATC’s other benefit programs. These employee are considered At-will employees.

2.4.1. **Adjunct Faculty.** Adjunct faculty are individuals having professional or specialized training and employed on a temporary or part-time basis to provide instruction or instructional related services. Adjunct faculty are employed for a specific period of time. Adjunct faculty personnel are classified as exempt from overtime provisions as defined by the Fair Labor Standards Act, 29 U.S.C. Section 201 et seq. (the FLSA).

2.4.2. **Clinical Faculty.** Clinical faculty are individuals whose continuing professional activities do not relate primarily to College Campus affairs, but who make a substantial regular contribution to the academic activities of the institution. Clinical faculty are employed by the College Campus for a specific period of time and are classified as exempt employees.

2.4.3. **Hourly Staff.** Hourly staff are individuals who provide support to a department. Hourly staff are not exempt from the overtime provisions of the Fair Labor Standards Act.

2.4.4. **Temporary.** Temporary employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration and are not expected to be available after 6 months. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until they receive written notification of a change. Temporary employees FLSA status is dependent upon the job function they perform as outlined above.

3. **Policy.**

3.1. All employment position with UBATC will be assigned a job classification according to the definitions above.

3.2. All employees in salaried positions are considered to be probationary employees during their first (90) calendar days of employment. This probationary status may be extended at the discretion of the supervisor.

3.3. **Employment Agreement provisions for salaried employees.**

3.3.1. Salaried employees are hired on individual employment agreements which are normally for a fiscal year period of time. Salaried employees cannot be terminated during a employment agreement year except for cause or a reduction in force situation. The decision not to renew an employment agreement is at the discretion of the Administration.

3.3.2. A written employment agreement shall be offered by the Campus Administration to employees designated to work during the school year, July 1st thru June 30th as salaried employees. Non-salaried employees will be notified of their pay and rights as an employee during the orientation process.

3.3.3. The employment agreement shall state the expected duration of the agreement, compensation to be received by the employee and the agreement for the employee to be bound by UBATC policies and procedures whether written or verbally expressed.

3.3.4. Employment agreements are for the time stated upon the agreement only.

3.3.5. Due process provisions are not applicable and need not be followed when a salaried employee’s agreement is not renewed.

3.3.6. If the UBATC intends not to renew the employment of a salaried employee it shall give notice at
least 14 calendar days before the end of the employee’s agreement that the employee will not be offered an employment agreement for the following fiscal year. No reason need be given for not renewing an employment agreement. Salaried employees do not have a right to grieve the decision not to renew an employment agreement because they do not have the expectation of continued employment after the agreement period. This notice shall be delivered personally or mailed to the employee’s last known address.

3.3.6.1. If more than 30 calendar days notice is given not to renew an employment agreement, and UBATC releases the employee from their agreement, the employee will be paid the balance owed the employee under the agreement through normal monthly pay cycles. All compensation including usual and customary benefits will cease with the employee’s last check.

3.3.6.2. If less than 30 calendar days notice is given not to renew an employment agreement, and UBATC releases the employee from their agreement, the employee will be paid the balance owed the employee under the agreement through normal monthly pay cycles plus an amount equal to the difference between 30 calendar days and the remaining days of the affected employee’s agreement. All compensation including usual and customary benefits will cease with the employee’s last check.

3.3.6.3. If the affected employee remains in good standing and works the remaining days of their agreement after having been given notice that their agreement will not be renewed, then UBATC will pay the affected employee an additional 30 days of compensation including their regular pay and usual and customary benefits.
Uintah Basin Applied Technology College: A UCAT Campus

Disciplinary Sanctions and Dismissal of Personnel

1. Purpose

To provide policy on the imposition of disciplinary sanctions, including termination, of employees of the Uintah Basin Applied Technology College: A UCAT Campus and the procedures by which such sanctions are initiated and processed.

2. References

2.1. Board of Regents Policy and Procedure R841, Minimum Requirements for Disciplinary Sanctions of Staff Personnel Policy.

2.2. Board of Regents Policy and Procedure R831, Minimum Requirements for Non-Faculty Staff Employment Grievances Policy.

2.3. Board of Regents Policy and Procedure R845, Guidelines for Payment in Lieu of Notice Policy.

2.4. Utah Code Section 53B-2a-106(3), College Campuses- Duties.

2.5. Uintah Basin Applied Technology College Employee Grievance Policy.

2.6. Uintah Basin Applied Technology College Reduction In Force Policy.

3. Definitions

3.1. Discipline - employment related action (including imposition of sanctions) undertaken to correct or modify unacceptable job performance or behavior to acceptable standards.

3.2. Notice - actual personal delivery to the individual of a written statement, except that if the individual cannot be personally located at the usual place of institutional employment during assigned working hours, notice may be given by mailing the statement to the employee via certified mail at his or her last known address. If notice is mailed, it is deemed effective for all purposes at the time of mailing.

3.3. Termination - includes dismissal, reduction in force, and end of temporary employment.

3.4. Sanctions - disciplinary measures authorized to be imposed upon employees including, but not limited to; an oral or written reprimand, warning letter, temporary reduction in pay, suspension with or without pay, or termination.

3.5. Employee - a Faculty, Staff, or Administrative employee who receives compensation for work or services from funds controlled by the College Campus, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. There are two categories of Employees subject to this policy:

3.5.1. Salaried Employees are salaried positions which are paid on a salaried payroll basis. These positions have an employment agreement for a specific period of time for no more than a one fiscal year period of time, and have successfully completed the probationary period. These positions are categorized as working consistently 30 hours or more weekly with employment expected to last six consecutive months or longer. These positions are eligible, depending on hours worked, for benefits as outlined in personnel policies concerning benefits. Employees do not to have tenure or academic rank per UCAT Legislation.
3.5.2. Non-Salaried Employee - An employee assigned to a non-salaried position normally works less than full-time, or in a position considered hourly, temporary or expected to be of short duration, as defined by the College Campus. Normally, a part-time employee is one assigned to work on average less than 30 hours per week. A temporary position is an hourly employee who is hired as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project. While they do receive all legally mandated benefits (such as Social Security and Worker’s compensation Insurance), they are ineligible for all of UBATC’s other benefit programs. These employees are considered At-will employees.

3.6. At-will employee – An employment relationship that either the employee or the college may terminate at any time for any reason or no reason with such notice as may be required by policy and regulation. This includes Non-salaried employees and newly hired salaried employee in a regular position but still in the probationary status.

4. Policy

4.1. The College Campus strives to provide employment through effective planning and proper selection of employees. Under College Campus policy, disciplinary actions and terminations are expected to be handled in a manner to achieve the least adverse effect upon the employee and the College Campus.

4.2. Non-Salaried Employees

4.2.1. Employment status for non-salaried employees and salaried employees in a probationary status are considered to be at-will employees and may be dismissed at any time, without prior notice, and/or without cause.

4.3. Salaried Employees.

4.3.1. Salaried employees are considered as being on probationary status during the initial ninety (90) calendar days of employment. This probationary status may be extended at the discretion of the supervisor. It is expected that such employees will make every effort to become competent and qualified in their jobs during the initial probationary period.

4.3.2. The imposition of sanctions, including the dismissal of a salaried employee for cause, may result for job-related reasons. These may include but are not limited to circumstances that demonstrate the inability, inconsistency or unwillingness of the employee to meet his or her responsibilities to the College Campus.

4.3.3. Disciplinary actions taken in accordance with this policy must be for: unsatisfactory job performance or unacceptable personal conduct. The following lists are not exclusive and other misconduct, performance issues may result in disciplinary actions.

4.3.3.1. Unsatisfactory job performance occurs when, in the supervisor's reasonable opinion, an employee fails to satisfactorily meet a job requirement as set forth in the relevant job description, or as directed by the appropriate supervisor of the work unit. The determination of unsatisfactory job performance is generally made by the immediate supervisor. In determining whether an employee's performance is unsatisfactory, a supervisor should consider any one or a combination of the following factors:

4.3.3.1.1. Negligence or failure to fulfill duties or responsibilities;
4.3.3.1.2. Incompetence, inaccuracy, or inefficiency in the performance of required or assigned duties;
4.3.3.1.3. Excessive tardiness, excessive absences, or unauthorized absence without prior approval;
4.3.3.1.4. Unsuitability to job requirements including but not limited to being denied...
access at assigned clinical or business sites;

4.3.3.1.5. Conducting personal business during school or work hours;

4.3.3.1.6. As an instructor, excessive absence from the classroom, leaving the classroom unattended at times when students are present in the classroom except in cases of emergency, such as injury to a student requiring immediate attention, threat to health or safety of a student, or personal emergency of a teacher;

4.3.3.1.7. Failure to maintain an effective, respectful working relationship with students, parents, the community or colleagues;

4.3.3.1.8. Failure to correct deficiencies pointed out as part of the evaluation process or other communication from supervisors or UBATC administrators;

4.3.3.1.9. Failure or inability to maintain discipline in the classroom or at school-related functions;

4.3.3.1.10. Failure to fulfill or maintain certification requirements;

4.3.3.1.11. Failure to meet dress standards;

4.3.3.1.12. Inability to perform essential work requirements of a job;

4.3.3.1.13. Lack of enrollments due to inadequate or unsuccessful efforts to promote one’s program;

4.3.3.1.14. Failure to meet accreditation completion, placement and licensure requirements to an extent which potentially could affect the institution’s accreditation status.
or

4.3.3.1.14. Other factors that, in the opinion of the supervisor, are appropriate to determine whether an employee's performance constitutes unsatisfactory job performance.

4.3.3.2. Unacceptable personal conduct occurs when an employee engages in conduct for which no reasonable person should expect to receive prior warning that such conduct is unacceptable. The determination of unacceptable personal conduct is normally made by the immediate supervisor and/or the supervising Vice President, based on what is reasonably expected of an employee in the work unit, without the need for issuing prior warning that these behaviors are unacceptable. Unacceptable personal conduct includes:

4.3.3.2.1. Job-related conduct which constitutes a violation of State or Federal law, or College Campus policies or procedures;

4.3.3.2.2. Conviction of an offense involving moral turpitude on or off campus;

4.3.3.2.3. The violation of written or unwritten work rules;

4.3.3.2.4. Fraud or falsification of any record, claims form, employment record or application, reports or other information given to UBATC;

4.3.3.2.5. Misuse, theft or conspiracy to commit theft of College Campus records, property and funds;

4.3.3.2.6. Disorderly conduct;

4.3.3.2.7. Unauthorized possession, use, or distribution of alcohol or controlled substances, or being under the influence thereof at work or while on College Campus business away from the Campus;

4.3.3.2.8. Insubordination or failure to comply with official directives;

4.3.3.2.9. Unjustified interference with the order, safety, or efficiency of the work of others;
4.3.3.2.10. Violation of other generally accepted standards of conduct, where such violation creates substantial inefficiency and/or an unacceptable work atmosphere at the College Campus;

4.3.3.2.11. Violation of UBATC polices, procedures or directives including but not limited to regulations prohibiting discrimination or harassment because of race, color, ethnic origin, religion, gender, age, disability or other legally impermissible ground;

4.3.3.2.12. Inappropriate use of force when controlling student discipline situations or when dealing with students in any manner;

4.3.3.2.13. Release of confidential, proprietary, privileged or controlled information or records including student records;

4.3.3.2.14. Assault on a UBATC employee, student, or parent on UBATC property working in the scope of the employee’s duties, or attending any UBATC sponsored activity;

4.3.3.2.15. Swearing, cursing, using vulgar, profane or crude language to, or in the presence of, students, parents, or UBATC employees on school property, working in the scope of the employee’s duties, or attending any UBATC sponsored activity. In interpreting this provision, accepted moral standards of the community will be used;

4.3.3.2.16. Unreasonably disrupt or create an unreasonable and substantial risk of disrupting a class, activity, program, or other function of the UBATC;

4.3.3.2.17. Re-occurring disciplinary involvements;

4.3.3.2.18. Any valid reason justifying termination of employment for cause;

4.3.3.2.19. Unsatisfactory background check results; or

4.3.3.2.20. Other acts that, in the reasonable opinion of the supervisor, constitute unacceptable personal conducts.

4.4. Disciplinary Sanctions Generally

4.4.1. Whenever feasible, salaried employees may be given an opportunity to improve their performance before sanctions are imposed. UBATC recognizes that there are certain types of employee problems that are serious enough to justify termination of employment without going through the usual progressive discipline steps.

4.4.2. Sanctions may include, but are not limited to, oral or written reprimand, warning letter, temporary reduction in pay, suspension with or without pay, or termination.

4.4.3. After remedial actions as provided in 4.4.1 above, and before a sanction of suspension or termination is imposed on a salaried employee, the direct supervisor and/or the supervising Vice President shall meet with the employee, explain the perceived deficiencies and charges, and provide an opportunity for the employee to respond to the charges. After deliberation and consideration of the employee’s response and explanations, the direct supervisor and/or the supervising Vice President may make the decision to impose the sanction. The direct supervisor and/or the supervising Vice President shall inform the employee of the decision in writing, including an explanation of how the employee can exercise his or her rights to appeal the decision. The sanction can be imposed immediately. If the sanction is termination or suspension without pay, it is understood that a successful appeal by the employee may result in reinstatement of employment and payment of back wages.

4.4.4. Salaried employees being formally disciplined by imposition of sanctions must be advised of their right to use the available avenues of review and redress, including College Campus grievance procedures.

4.4.5. Disciplinary sanctions of the administrative team will be conducted by the Campus President.
4.5. Involuntary Terminations

4.5.1. Salaried employees who are terminated for cause, and non-salaried employees being terminated for any lawful reason are not entitled to advance notice of termination.

4.5.2. Salaried employees terminated due to a reduction in work force are entitled to notice or payment in lieu of notice pursuant to the College Campus Reduction In Force Policy.

4.5.3. Involuntarily terminated non-probationary, salaried employees shall receive from their supervising Vice President a written statement summarizing the problems encountered, any attempts to correct them, and the cause assigned for their termination.

4.5.4. Non renewal of an employment agreement is not considered a sanction or a disciplinary action.
Uintah Basin Applied Technology College: A UCAT Campus

Reduction in Force Policy

1. Purpose
To define policy and procedure on the terms and conditions of a reduction in force, including layoff and recall of personnel in the Uintah Basin Applied Technology College: A UCAT Campus and the procedures by which such actions are initiated and processed.

2. References
2.1. Board of Regents Policy and Procedure R963, Guidelines for Reduction in Force Policy
2.2. Board of Regents Policy and procedure R845, Guidelines for Payment in Lieu of Notice Policy
2.3. Uintah Basin Applied Technology College Employee Classifications Policy
2.4. Uintah Basin Applied Technology College Disciplinary Sanctions and Dismissal of Personnel Policy
2.5. Uintah Basin Applied Technology College Grievance and Appeals Policy

3. Definitions
3.1 Layoff. Layoff refers to termination of hours and/or reduced salaries or positions caused by reduction in force due to lack of funds, elimination or reduction of funding, lack of work, or the dissolution or reorganization of programs. Layoff is not a disciplinary action.
3.2 Seniority (Senior). Seniority refers to the number of years as a salaried position at the College Campus in the most recent period of service. Prior periods of employment interrupted by termination of employment, temporary, provisional, or hourly employment will not be considered.
3.3 Severance Pay. Severance pay is a payment made to employees who are separated due to reduction in force without being given the required advanced notice of separation. Severance pay does not constitute compensation except for the purpose of FICA and income tax withholdings, and where applicable, shall be paid in addition to accrued salary, wages, and unused vacation leave.
3.4 Probationary Employee. Probationary employees are those salaried employees within their initial ninety (90) calendar days of employment whose performance is being evaluated to determine whether further employment in a specific position or with UBATC is appropriate. Employees in this category are considered at-will.
3.5 At-will Employee. An at-will employee is in an employment relationship that either the employee or the college may terminate at any time for any reason or no reason with such notice as may be required by policy and regulation.
3.6 Operating Unit. A specific function or occupational training program and location where employees are qualified to perform generally the same duties.

4. Policy
4.1. Identification of Salaried Positions and Non-Salaried Positions to be Terminated. The identification of personnel to be terminated due to a reduction in force will be based first on the determination to reduce or eliminate all or part of a function or operating unit. Once that determination is made, if there are more incumbents in the positions than the number to be eliminated, the determination of which employee positions to eliminate shall be based on a rational basis, using legal and valid considerations, including relative merit and the best interests of the institution. After identification of the positions have been made, consideration for termination will be based on the following criteria:
4.1.1. Position. Non-salaried positions, which include part-time, temporary or probationary personnel, will be considered for termination depending upon the relative savings of the elimination of the positions and the ability of remaining staff to perform the duties of the reduced employees.

4.1.2. Individual performance. Personnel whose performance was rated unsatisfactory on their most recent evaluation or have received a letter of warning or reprimand within the past two years.

4.1.3. Individual qualifications. Individuals who do not have the appropriate and current certifications, licensures, the ability to perform all required job duties of their job description, education, training and related experience for the position identified for elimination in relation to others in the operating unit.

4.1.4. Seniority. Relative seniority within an affected operating unit may be used as a determining factor in choosing which employee will be subject to a reduction in force. In situations where the seniority of salaried positions in operating units (programs or classifications identified) for reduction is equal, relative competence and experience, or any job-related factor at the discretion of the supervisor, will be the determining factor for reduction. Layoffs among persons of equal seniority will be managed so that the numbers of women and minorities are not disproportionately reduced.

4.1.5. Equal opportunity. Termination or salary reductions of salaried positions due to a reduction-in-force must not be based on impermissible grounds such as race, color, religion, sex, national origin, age, disability, or the exercise of first amendment rights.

4.2. Effort to Place Personnel in Other Positions. In the event of reduction-in-force, hiring authorities may interview the affected qualified personnel for open positions at an equal or lesser grade. Administrators are not required to hire such individuals, but the qualified personnel will receive priority-interviewing status before the position is opened for career enhancement opportunity or to the general public. The College Campus is not required to create a position for or retrain personnel who are laid off. There are no "bumping rights" at the College Campus.

4.3. Recall. Recall is required only if a position for which personnel are qualified occurs within six months. Application and subsequent selection for a different position is not considered recall. Individuals rehired within six months will be reinstated without loss of benefits based on longevity of employment. Recall does not apply to part-time, temporary, probationary personnel or employees who were under an Employee Plan for Improvement (EPI) at the time of layoff.

4.4. Benefits in Layoff Status. Personnel in complete layoff status do not receive payment or benefits from the College Campus. Employees who have been reduced by a percentage of work hours may or may not receive benefits.

4.5. Severance Pay

4.5.1. An employee who is affected by a reduction in force shall be given written notice of the reduction in force at least four (4) business weeks prior to the effective date of the reduction in force. If the required advance notice is not given, or is given for a shorter period of time, severance pay shall be given in lieu of notice and shall be included in the final paycheck for the employee.

4.5.2. An employee is not eligible for severance pay if the effective date of separation occurs within the probationary period of employment, if the employee is dismissed for cause or if the separation is voluntary.

4.5.3. Severance pay shall be considered compensation for the purpose of FICA and income tax withholding, but shall not be considered for the purpose of UBATC benefits and does not extend the employment period beyond the effective date of separation.

4.5.4. Employees are not entitled to severance pay except as provided in this policy and procedure.

4.6. Grievance Rights. A salaried employee has the right to the grievance process found in the Employee Grievance Policy but only if she/he believes that the procedures pertaining to this policy have been violated.

4.6.1. An employee who is separated while s/he is in an “at-will” employment status is not entitled to the grievance process.
Uintah Basin Applied Technology College: A UCAT Campus

Policy Development

1. Purpose

1.1. To provide direction and to ensure development of consistent policies which meet the following criteria:

   1.1.1. Policies with a strategic governing principle that mandates or constrains actions.
   1.1.2. Policies which have College-wide Application
   1.1.3. Policies which change infrequently and set a course for the foreseeable future.
   1.1.4. Policies which help ensure compliance to College rules and regulations, best practices, safety issues and any other guiding principle of governance.
   1.1.5. Policies that will enhance the College’s mission.
   1.1.6. Policies that will reduce institutional risk.

1.2. To develop policies which are consistent with the overall strategies established by the Executive Administrative Team and approved by the Campus Board of Directors.

1.3. To allow the Executive Administrative Team and/or appropriate College departments to put in place tactical and operational procedures which are consistent with policies approved by the Campus Board.

2. References

2.1. UCC 53B-2a-110 (f), (g) which authorizes the UBATC Board of Directors to establish specific operational policies.

2.2. Board of Regents Policy and Procedure R223, Faculty and Staff Participation in Institutional Board of Trustees Meetings

3. Definitions

3.1. Campus Board. “Campus Board” means the Campus Board of Directors of the Uintah Basin Applied Technology College or its express designate.

3.2. College Campus. College Campus means the Uintah Basin Applied Technology College: A Utah College of Applied Technology Campus. The College Campus is a campus within the Utah College of Applied Technology and is an institution within and subject to the authority of the Utah System of Higher Education.

3.3. Curriculum Development and Review Committee means a committee of instructors appointed by the Vice President of Instruction with the primary purposes of developing and reviewing courses and programs of study.

4. POLICY

4.1. The Uintah Basin Applied Technology College (UBATC) develops and maintains policies to meet the changing needs of the College Campus and to ensure compliance with federal, state and local laws.
4.2. The UBATC is authorized by UCC 53B-2a-110 (f), (g) to: develop policies for the operation of applied technology education facilities under its jurisdiction and establish human resources and compensation policies for all employees in accordance with policies of the Utah College of Applied Technology.

4.3. Changes in College Campus policies are effective only after Campus Board approval.

4.4. College policies approved by the Campus Board will be maintained by the Executive Assistant to the Campus President.

4.5. Approval Process

4.5.1. New policies or amendments. Suggestions for new policies or policy amendments shall be submitted to the Campus President by the appropriate Vice President in writing. Suggestions should include a fiscal note delineating any financial impact associated with the proposed policy revision, addition, or deletion.

4.5.2. Policy originators. Suggestions for new policies may be submitted by Campus Board of Directors, as an approved Motion, or by advisory committees, faculty, staff and student committees petition. Board and administrative policies will be submitted to the College President, academic policies will be submitted to the Vice President of Instruction, student related policies will be submitted to the Vice President of Student Services, and fiscal, safety, and facilities policies will be directed to the Vice President of Finance.

4.5.3. Curriculum Development and Review Committee. Policy concerns which are of an academic nature will first be presented to the Curriculum Development and Review Committee by the Vice President of Instruction or his or her designee for their comments. The Vice President of Instruction will forward the committee’s suggestions with comments to the Executive Administrative Team.

4.5.4. Executive Administrative Team. Under the direction of the Campus President, the Executive Administrative Team will review the suggestions and develop or amend the appropriate policy and submit with comments to the Campus Board of Directors Policy Subcommittee, or return the proposal (with suggestions and concerns) to the CDR for further development or reconsideration.

4.5.5. Campus Board of Directors Policy Subcommittee. The Campus Board of Directors Policy Subcommittee will review the prepared policy or policy changes, make any recommendations for modification to the Executive Administrative Team, and present the policy to the Campus Board of Directors.

4.5.6. Campus Board of Directors. Those policies and/or procedures needing Campus Board of Director Approval will be presented in the next board meeting for formal approval. Upon receiving majority approval from the Campus Board of Directors, the policy will become valid policy for the College. Campus policies will be maintained by the Executive Assistant to the Campus President.
Uintah Basin Applied Technology College: A UCAT Campus
Patent-Copy-Use Rights

1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus employee with regards to Patient, Copy and Use rights.

2. Policy

2.1 Devices, curriculum, proposals, written materials or any other consideration developed with UBATC resources or developed as part of assigned duties or during normal assigned working schedule becomes the property of UBATC.

2.1.1 Course of study materials

2.1.2 Books purchased with UBATC funds

2.1.3 Books provided as desk copies

2.1.4 Tools or furniture constructed by UBATC staff

2.1.5 Project plans

2.1.6 Books/articles written by staff with UBATC time, resources or as part of an assigned project or class.

2.1.7 Course syllabi or curriculum materials

2.2 Such items may not be removed from the UBATC, copied or otherwise compromised for purposes other than proper UBATC use unless specific written permission is received by the President and approved by the UBATC Board of Directors.
1. Purpose

To provide guidelines for the establishment of institutional policy and standards for secure areas associated with hearing rooms on the campus.

2. References

2.1. Utah Code §53B-2-106 (Duties and Responsibilities of the President)

2.2. Utah Code §53B-3-103 (Power of the Board to Adopt Rules and Enact Regulations)

2.3. Utah Code §76-8-311.1 (Secure Areas – Items Prohibited – Penalty)

2.4. Utah Code Title 76, Chapter 8, Part 7 (Criminal Offenses Against Colleges and Universities)

2.5. Utah Code §76-10-306 (Explosive, Chemical, or Incendiary Device and Parts – Definitions – Persons Exempted – Penalties)

2.6. Utah Code §76-10-523.5 (Compliance with Rules for Secure Areas)

2.7. Policy and Procedures R120, Bylaws of the State Board of Regents; §3.3.3.1. (Responsibility of Presidents)

2.8. Policy and Procedures R253, Campus Discipline

2.9. UBATC’s Workplace Violence Policy

3. Policy

3.1. Secure Area Associated with a Hearing Room – UBATC may establish a secure area to protect a hearing room and prohibit or control in that area any firearm, ammunition, dangerous weapon, or explosive. Only one area shall be designated a secure area for the purpose of a hearing room at any given time.

3.2. Size of Secure Area – A secure area associated with a hearing room shall be as large as warranted by the number of individuals involved in the hearing.
3.3. **Duration of Secure Area Designation** – The restriction of firearms, ammunition, dangerous weapons, or explosives in the secure area associated with a hearing room shall be in effect only during the time the secure area hearing room is in use for hearings and for a reasonable time before and after its use.

3.4. **Notice to Invitees** – An individual required or requested to attend a hearing in a secure area hearing room shall be notified in writing of the requirements related to entering a secured area associated with a hearing room.

3.5. **Notice at Each Entrance** – At least one notice shall be prominently displayed at each entrance to the secure area associated with a hearing room in which a firearm, ammunition, dangerous weapon, or explosive is restricted.

3.6. **Secure Weapons Storage** – Provisions shall be made to provide a secure weapons storage area so that persons entering the secure area may store their weapons prior to entering the secure area. The UBATC shall be responsible for weapons while they are stored in the storage area.

3.7. **Reasonable Means to Detect Violations** – Reasonable means such as mechanical, electronic, x-ray, or similar devices may be used to detect firearms, ammunition, dangerous weapons, or explosives contained in the personal property of or on the person of any individual attempting to enter a secure area associated with a hearing room.

3.8. **Criminal Penalties** – It is the policy of the UBATC to refer any instances of suspected violation of these criminal laws to the appropriate prosecuting authorities.

3.9. **Institutional Enforcement** – UBATC may enforce these policies by the imposition of probation, suspension, or expulsion from the campus, the revocation of privileges, the refusal to issue certificates, and degrees.
1. Purpose

To outline the accounting policy of the Uintah Basin Applied Technology College.

2. Policy

2.1 The College Campus will follow generally accepted accounting principles (GAAP) as set forth by the American Institute of Certified Public Accountants (AICPA) and the Governmental Accounting Standards Board (GASB) for all financial and accounting transactions and practices.

2.2 The College Campus will follow all applicable Federal and State laws and regulations pertaining to financial and accounting practices.

2.3 The College Campus will follow relevant guidance set forth by the National Association of College and University Business Officers (NACUBO).

2.4 The Vice President of Finance of the College Campus will establish financial and accounting procedures in accordance with this policy. These procedures may be revised and modified from time to time by the Vice President of Finance as the need arises.

2.5 The College Campus will consider the following books and/or publications as relevant in determining financial and accounting procedures.

2.5.1 GASB Codification of Governmental Accounting and Financial Reporting Standards

2.5.2 NACUBO Financial Accounting and Reporting Manual for Higher Education

2.5.3 Single Audit Act Amendments of 1996

2.5.4 OMB Circular A-21, Cost Principles for Education Institutions

2.5.5 OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations

2.5.6 OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations

2.5.7 OMB Circular A-133, Compliance Supplement

2.5.8 U.S. Department of Education Audit Guide – Audits of Federal Student Financial Assistance Programs at Participating Institutions and Institution Services
2.5.9 U.S. Department of Education The Blue Book – Accounting, Recordkeeping and Reporting by Postsecondary Educational Institutions for Federally Funded Student Financial Aid Programs
Uintah Basin Applied Technology College: A UCAT Campus

General Budget Control Policy

1. Purpose

To provide general policies governing the establishment and monitoring of general budgets and budget controls of the Uintah Basin Applied Technology College: A Utah College of Applied Technology Campus (College Campus). General budgets include all College Campus budgets with the exception of those that have external restrictions placed on them by contracts, grants or agreements (i.e. those accounted for in restricted funds).

2. Definitions

2.1 General Budgets – These are all budgets for funds that are State appropriated general fund budgets and not part of the restricted accounting fund (i.e. contracts and grants). General budgets include those for the general operating fund.

2.2 Program – A program is a group of closely related activities that work towards a common goal. For example, in Instruction each area of technical training would be a program such as Welding, Drafting, Medical Assisting, etc. In Student Services, examples of programs may include Assessment, Financial Aid, etc. In Institutional Support examples of programs may include Administration, Fiscal Services, etc.

2.3 Program Manager – The budget control employee designated as having fiscal management responsibilities over a program.

2.4 Personnel Costs – These are the costs for salary/wages and benefits for employees of the College Campus.

2.5 Current Expense – Current expenses are for non-personnel resources required on an ongoing basis to operate programs. Current expense includes supplies, maintenance agreements, utilities, training, etc.

2.6 Capital Expenditures – This includes the purchase of one-time items costing over $5,000 such as equipment, improvements, computers, etc. Equipment costing less than $5,000 is typically charged to a current expense account. Upgrades and improvements over $5,000 are considered capital expenditures only if they add value to the asset they are applied to, otherwise, they are considered current expense.

3. Policy

2.3 Prior to the beginning of each fiscal year, the College Campus Board shall approve all general fund budgets at the program level.

3.1.1 Revisions to the budget may be made as necessary throughout the year as deemed appropriate by Administration as described in 3.4 through 3.6 below.

2.4 This budget shall be developed at the program level under the direction of the Vice President of Finance in a manner consistent with the strategic and tactical plans as developed by the College
Campus Administration, faculty and staff. The budget shall be developed by program managers and prioritized by the College Campus Executive Administrative Team.

2.5 Program managers shall have the authority to spend approved budgets in a manner consistent with their program objectives. Program managers will be responsible to monitor and control their budgets to insure that expenditures related to that program do not exceed approved budget levels and are appropriate.

2.6 Program managers shall have the authority to transfer budget amounts within a program budget so long as the transfer does not cross over personnel, current expense and capital expenditures.

2.7 Vice President of Finance and College Campus President’s approval is required to exceed budget amounts within a program.

2.8 Campus Board approval is required to amend budget through an approved budget revision.

2.9 Fiscal Services is responsible to monitor expenditures against budgets periodically and to notify the proper program manager as problems arise.
Uintah Basin Applied Technology College: A UCAT Campus

General Purchasing Policy

Effective Date: 3/28/07
Executive Administrative Team Approval: 3/19/07
Fiscal Committee Approval: 3/19/07
Board of Directors Approval: 3/28/07

1. Purpose.

The purpose of this policy is to provide purchase guidelines and authority for goods and services purchased with UBATC funds.

2. References

UBATC Purchasing Card Policy
UBATC General Budget Policy

3. Policy.

3.1. Unless specifically exempted by policy, purchase requests are made with a purchase order. Purchase orders must be approved prior to the purchase commitment by the Vice President of Finance and a member of the administrative team who oversees the department requesting the purchase.

3.2. Purchases made with a purchasing card or an administrative credit card, not exceeding $1,000, are an exception and do not require a purchase order.

3.3 Approval of a Custom Fit preliminary training agreement by a member of the Administrative team is deemed prior approval for training costs for a specific company in lieu of a purchase order.

3.4 Written agreements shall serve as prior approval for goods or services related to contracts, leases, maintenance agreements, etc.

3.5 Utilities such as electricity, natural gas, water, sewer and garbage will not require purchase orders.

3.6 Program Managers are responsible for determining the account code charged for the purchases.

3.7 Every attempt should be made to take advantage of early payment discounts, rebates, etc. if the effort to obtain these is not greater than the benefit.

3.8 The Fiscal Services Department will track invoices against purchase orders and contracts to ensure proper approval and invoice amount is correct for all goods and services prior to payment.

3.9 Program managers have the responsibility to track expenditures against all budgets under their direction to ensure purchase requests do not exceed available budget. No purchase requests should be made without sufficient budget funds without approval of supervising Vice President or his or her designee.
3.10 If an invoice amount exceeds the purchase requisition or order by an amount greater than 10%, the purchase order or requisition must be amended and approved by the appropriate authorized signers.

3.11 Individual items requested for purchase over $1,000 up to $5,000 will require two competitive bids. Items requested over $5,000 up to and including $20,000 will require three bids. Items over $20,000 will require approval by the Campus Board of Directors. Purchase requests shall not be artificially divided to avoid these requirements. Written or faxed bids will be preferred, but documented verbal bids will be accepted. Current catalogs can also be used to satisfy the bid requirement. If a vendor is a sole source and no reasonable alternative exists, a second price quote is not required. Fiscal Services Department approval is required for sole-source purchases. If a purchase, other than the lowest bid, is desired, justification will be required along with appropriate documentation.

3.12 Competitive quotes are not required when purchasing items with a state contract or from the following state agencies:
   3.12.1 Division of Surplus Property
   3.12.2 Division of General Services
   3.12.3 Division of Correctional Industries, and
   3.12.4 Division of Services for the Visually Handicapped

3.13 Computer purchases, including hardware, software and communication/network devices, must be approved by the information technology director to verify they are consistent with UBATC’s computer strategy.

3.14 Open purchase orders can be used as open charge accounts and will be limited to $1,000 for supplies and $5,000 for ongoing operating expenses such as advertising costs, welding gas, diesel fuel, etc. Employees are encouraged, but not required, to make small purchases by using a Purchasing Card rather than an open purchase order.

3.15 Custom Fit training costs are exempt from bid requirements.
Uintah Basin Applied Technology College: A UCAT Campus

Purchasing Card Policy

Effective Date: 1 August 2013
Campus President’s Council Approval: July 16, 2013
Policy Committee Approval: July 16, 2013
Board Approval: 07/31/13

1. Purpose

To outline the policies for the purchasing card program which allows individuals to have a credit card issued to them for the purpose of making purchases in behalf of the Uintah Basin Applied Technology College (UBATC): A Utah College of Applied Technology Campus.

2. References

General Purchasing Policy

3. Definitions

A. Cardholder - A person to whom a College Purchasing Card has been issued.

B. Default Account - The accounting code assigned to a cardholder. All charges made with a purchasing card will be posted into that card's default account by the issuing financial institution unless the purchase is reallocated.

C. Purchasing Card - A credit card issued to an individual employee of the College for the purpose of making authorized purchases on its behalf. The College is responsible to make payments for all charges made using properly issued purchasing cards.

D. Responsible Person - The person to whom the cardholder reports related transactions made with the purchasing card. Generally, the Responsible Person is the cardholder's immediate supervisor or budgetary manager.

4. Purchasing Card Program

This policy is based on documents which are copyrighted by U.S. Bancorp.

4.1. Overview.

4.1.1. The purpose of the UBATC Purchasing Card Program is to establish a more efficient, cost-effective method of purchasing and payment for small-dollar transactions. The program is designed to supplement a variety of processes including petty cash, check writing, low-value authorizations, and small dollar purchase orders.

4.1.2. The College is responsible for paying the issuing financial institution for purchases made using purchasing cards.

4.1.3. All cards are issued per UBATC policies. Card usage may be audited and/or rescinded at any time. The person whose name appears on the Purchasing Card is the only person entitled to use that card.

4.1.4. These policies and procedures provide the guidelines under which a cardholder may utilize their purchasing card. The cardholder’s signature on the Cardholder Agreement indicates understanding of the intent of the program and agreement to adhere to the guidelines established by the program. Authorized cardholders
will receive a UBATC Purchasing Card upon completion of P-Card training and submitting a signed agreement to accept the purchasing card, and may begin using the card immediately upon receipt. Cardholders should contact the UBATC Finance Department with questions.

4.1.5. Record keeping will be essential to ensure the success of this program. This is not an extraordinary requirement. State Finance and Purchasing policies require retention of receipts, competitive quotations, etc. As with any charge card, cardholders must retain receipts for their own protection and the College’s protection.

4.1.6. Cardholders should remember that they are committing State funds each time they use the UBATC Purchasing Card. This is a responsibility that cannot be taken lightly!

4.2. General Information.

4.2.1. The program helps to eliminate the use of small dollar purchase orders, petty cash, requests for checks, and the use of personal funds reimbursed by expense report.

4.2.2. The program is NOT intended to avoid or bypass appropriate purchasing or payment procedures. Rather, the program complements the existing processes available.

4.2.3. The program is not intended to replace the current travel program, and should not be used for travel reimbursement expenses.

4.2.4. The card is not to be used for personal use.

4.2.5. The program can be used for in-store purchases as well as mail, internet, telephone and fax orders.

4.2.6. When items, which will be delivered to the UBATC, are ordered with a purchasing card, the cardholder should notify Shipping and Receiving.

4.2.7. Each cardholder is responsible for the security of their card and the transactions made with the card. The card is issued in the name of the employee and it will be assumed that any purchases made with the card will have been made by the employee. Failure to comply with the guidelines established for this program may result in severe consequences, up to and including termination of employment.

4.3 P-Card Limits.

4.3.1. Newly issued purchasing cards will be given a monthly credit limit of $500. Justification is required for any requested credit limit above $500. Approval must be obtained from the cardholder’s administrator and the Vice President of Finance.

4.4. Policy.

Description of Responsibilities:

4.4.1. The Finance Department is responsible for:

A. Updating the College information with the issuing financial institution when necessary (such as authorized limit increases, new applications, etc.).

B. Training cardholders.
C. Verifying appropriate authorization signatures and completed application forms for each purchasing card that is requested.

D. Continually updating Program Policies and Procedures, and obtaining appropriate approvals for all changes from all entities affected.

E. Assisting Cardholders, Responsible Persons and others as necessary with problem resolution.

F. Serving as the primary liaison with the issuing financial institution, suppliers, using departments and any other parties that are involved in the program.

G. Responsible for designing all forms and other documents that are used, and for obtaining appropriate approvals for these as necessary, such as from the President.

H. Responsible for notifying the President and appropriate supervisor of the cardholder of violations or fraudulent card use.

I. Maintaining the following documents:
   - Properly signed application forms.
   - Purchasing Card Logs for (4) Years.

4.4.2. The Responsible Person for the default account that is assigned to a purchasing card is responsible for:

A. Selecting appropriate individuals within their department or management to receive purchasing cards (i.e. those with the responsibility of making the purchases and those who are backups for that function). The vice president must also approve each person selected to be a cardholder as well as the Vice President of Finance (a space for his/her signature is included on the application form).

B. Establishing processes within their programs or area to support the purchasing card system.

C. Notifying the Finance Office promptly of any known or suspected inappropriate or fraudulent use of a purchasing card.

D. Taking appropriate disciplinary measures with cardholders under their supervision who inappropriately or fraudulently use their purchasing cards.

E. Reviewing, approving and signing the monthly statement for each cardholder under him/her in a timely manner. **The signing of the monthly statement is a sign of responsibility for and certification that the purchases made by cardholders under him/her are appropriate and in compliance with all College and State policies.**

F. Never requesting or directing a cardholder to make a purchase or reallocation which violates any portion of the policy and procedures, or any other relevant rules, regulations or guidelines.

4.4.3. The Cardholder is responsible for:

A. Using the purchasing card in accordance with all pertinent policies, procedures, guidelines, etc. and insuring that purchases are in the best interest of the Uintah Basin Applied Technology College.
B. Promptly submitting monthly statements along with supporting documentation such as; receipts, telephone order records, transaction logs, and any reallocation information to their supervisor. Failure to submit a P-Card log to the P-Card administrator prior to the last day of the statement month may result in deactivation of P-Card.

C. Ensuring that sales tax is not charged at the time of purchase, or requesting a credit promptly from the supplier, if sales tax is included in error. Repeated failure to obtain tax credits for sales tax charged in error may result in loss of purchasing card privileges.

D. Willingly surrendering the card upon termination of employment, or upon change in employment that no longer includes the purchasing function, or upon request from the Finance Department, or from their supervisor.

E. Notifying the Finance Department promptly of any known or suspected inappropriate or fraudulent use or loss of a purchasing card.

F. Promptly reporting to the Vice President of Finance (confidentially, if necessary) any request or direction by his/her supervisor(s) to use the card in an un-allowed or fraudulent manner.

4.4.4. Responsible Person/Cardholder Relationships.

There shall not be reciprocal approval-of-statement relationships between a cardholder and a responsible person. The responsible person must always be higher in the organizational unit than the cardholder.

All cardholder/responsible person relationships are subject to review and approval of the Vice President and the Vice President of Finance.

If due to unique circumstances, a responsible person that meets the above criteria cannot be identified, the cardholder's purchasing activity will be subject to audit at least quarterly.

4.4.5. Inappropriate or Fraudulent Use of Purchasing Cards. In the event that a purchasing card is used inappropriately or fraudulently, the procedures described below must be followed:

1. The Finance Department will be notified promptly, who will in turn notify the President, and the cardholder's appropriate supervisor.

2. If it appears that the misuse was intentional or fraudulent, an audit and/or investigation will be conducted to determine the full extent of misuse or fraud. During the audit or investigation the cardholder's card will be temporarily deactivated.

3. The cardholder will be disciplined in one or more of the following ways:
   - A letter of reprimand in the employee’s personnel file.
   - Requiring reimbursement from a cardholder.
   - Temporary or permanent loss of the purchasing card.
   - Termination of employment.

4.4.6. Canceling a Purchasing Card.

Reasons for canceling a Purchasing Card:
A. Voluntary termination.

B. Involuntary termination.

C. Transferring to position or department which no longer requires use of purchasing card.

D. Disciplinary action.

Process for canceling:

A. Voluntary termination: The Cardholder must surrender their purchasing card to the Finance Department at time of termination.

B. Involuntary termination or transferring to a department which no longer requires use of card, the Cardholder's Supervisor must:

1) Take possession of the cardholder’s purchasing card, and
2) Return the card to the Finance Department with written notice that the card should be canceled.

C. Disciplinary Action

1) Permanent - same as B. above.
2) Temporary – Vice President of Finance or assistant will deactivate the card for the specified probationary period and only reactivate with written request of Vice President and President.

D. The Finance Department must:

1) Wait an appropriate time for all purchases that were made with the card to be processed by merchants (approximately 4 days), and
2) Submit a form to the issuing financial institution to cancel.

4.4.7. Employee Transfers.

4.4.7.1. If a cardholder is transferred to a new position within the department or another department and will still need to make purchases using a purchasing card, the same card should be used. The Cardholder's Responsible Person or his/her designee, must promptly notify the Finance Department if there are changes to be made (such as the default account, etc.).

4.4.7.2. If a cardholder is transferring to a new position within the department, but will not have the same Responsible Person, and/or will no longer be purchasing items for the department the card must be retrieved and canceled as described in section.

4.4.8. Certification Training.

1. All cardholders shall take annual training and be certified by Finance Department. Cardholders who fail to re-certify will have their cards deactivated.

2. All responsible persons shall take training annually and be certified by Finance Department. Failure to do so will result in their card and the cards of those whom they supervise being deactivated, thus restricting purchases and travel.
Uintah Basin Applied Technology College: A UCAT Campus

Property and Equipment Policy

1. Purpose

1.1 Provide guidance for consistent accounting treatment of capital assets including:
   1.1.1 Specified depreciation methods and estimated useful lives of assets.
   1.1.2 Standardized capitalization limits for buildings, improvements and equipment.

1.2 Clarify internal control policy to track and safeguard assets owned by the College.

2. References

2.1 Board of Regents Policy and Procedure R561 3.1.1, Accounting and Financial Controls.
2.2 State of Utah Accounting Policies and Procedures Manual (FIACCT) 09-09.01.

3. POLICY

3.1 To preserve financial statement comparability in reporting fixed assets, UBATC will calculate depreciation using the straight-line method and estimated useful lives as disclosed in the annual audited financial statements and in accordance with Board of Regents Policy R561 3.1.1. When an improvement extends the useful life of a building, the building and the improvement shall be determined to have a remaining useful life equal to the building’s remaining useful life plus the length of time which the improvement extends that life. When an improvement does not extend the useful life of a building, the useful life of the improvement shall be determined to be the remaining useful life of the building.

3.2 Capitalization limit for equipment is $5,000. The limit for buildings, building improvements and land improvements is $20,000. All land shall be capitalized and not depreciated. The costs of normal maintenance and repairs that do not add to the capacity of the asset or materially extend the life of the asset are not capitalized.

3.3 Property records will be maintained for each non-disposable, moveable equipment item with a cost greater than $1,000 and a useful life of two years or more. These items will be tagged and assigned to specific employees who will account for them. An annual physical inventory will be taken.

Policy # _________

Date Approved: 10/27/04

Last Amended: _________
Uintah Basin Applied Technology College: A UCAT Campus

Check Signature

1. Purpose

To provide guidelines for signatures required on all Uintah Basin Applied Technology College: A UCAT Campus checks.

2. Policy

2.1 Two signatures from the following individuals will be required on all Uintah Basin Applied Technology College checks:

2.1.1 Campus President
2.1.2 Vice-President – Instruction
2.1.3 Vice-President – Student Services
2.1.4 Campus Board of Directors Chairman
2.1.5 Campus Board of Directors Vice-Chairman
Uintah Basin Applied Technology College: A UCAT Campus

Accommodation Checks

Effective Date: 08/25/99
Executive Administrative Team Approval:
Policy Committee Approval:
Board of Directors Approval: 08/25/99

1. Purpose

To provide guidelines for the Uintah Basin Applied Technology College: A UCAT Campus employees with custodial responsibilities over cash.

2. Policy

2.1 All employees with custodial responsibilities over cash at the Uintah Basin Applied Technology College (UBATC) should not cash the checks of employees or the general public. Checks should not be made out for more than the purchase amount.

2.2 In the event that the check is already written for a larger amount, an administrator or supervisor’s approval is needed. This approval should be noted by the initials of the administrator or supervisor being placed on the face of the check. After the approval is received, the cashier can then remit the cash to the customer.
Uintah Basin Applied Technology College: A UCAT Campus

Sale of Building Trades Constructed Home

1. Purpose
   1.1 Insure competitive bidding and impartial dealing with prospective buyers of homes built by UBATC.
   1.2 Allow the right of refusal against insufficient bids.
   1.3 Give the College protection should the buyer renge on the purchase.
   1.4 Protect the College against liability during the relocation process if necessary.

2. Definitions
   2.1 Executive Administrative Team means the administrative body of UBATC consisting of Campus President, Executive Assistant and three Vice Presidents.

3. POLICY
   3.1 Any home sold by the UBATC building program will be advertised publicly and sold by the sealed bidding process. The invitation to bid will be advertised in a newspaper of general circulation for at least three weeks prior to bid opening.
   3.2 The bid committee will consist of three members including a member of the Executive Administrative Team
   3.3 The bid process will be conducted by the bid committee.
   3.4 Approval of the bid price shall be given by the Vice President of Finance, who may reject any or all bids that are deemed insufficient.
   3.5 An applicable, non-refundable deposit will be required before a bid is awarded.
   3.6 Proof of adequate liability and property insurance will be required by the moving contractor and/or purchaser before a home can be relocated, if appropriate.

Policy #

Date Approved: 10/27/04

Last Amended: _________
Uintah Basin Applied Technology College: A UCAT Campus

Solicitation

1. Purpose

To provide guidelines for solicitation at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Any request, directly or indirectly, for money, credit, property, financial assistance or any other thing of value on the plea or representation or any other form of solicitation will not be permitted on the Uintah Basin Applied Technology College campus.
Uintah Basin Applied Technology College: A UCAT Campus

Surplus Property Disposal

1. Purpose

To provide policy and guidelines on the disposal of surplus property at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 It is the policy of the UBATC that property officially declared surplus by the Board of Directors be offered at salvage value to Duchesne, Daggett and Uintah School Districts.

2.2 Property not desired by the school districts will be sold as is to the highest bidder. No warranty implied or intended on all property disposed of.
Uintah Basin Applied Technology College: A UCAT Campus

Confined Space

1. Purpose

To ensure the safety of personnel as they work in confined areas and to meet the requirements imposed by OSHA at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Definition

2.1 A confined space is an area or a piece of equipment that has only one entrance and/or that the working area is small in size.

3. Policy

3.1 Lockout Equipment

3.1.1 Follow the “Lockout Policy” to insure equipment is safe to work on

3.2 Working in Confined Area

3.2.1 As a worker enters a confined area, a second worker must be present and have his radio on hand.

3.2.2 The second worker must stay outside of the confined area to ensure the safety of the first worker.

3.2.3 If a problem arises, the second worker should call for immediate help. He should not enter the confined area without someone else being present.
Uintah Basin Applied Technology College: A UCAT Campus

Lockout

Effective Date: 6/26/96
Executive Administrative Team Approval:
Policy Committee Approval:
Board of Directors Approval: 06/26/96

1. Purpose

Ensure that machines and/or equipment is isolated from all potentially hazardous energy sources, locked out or tagged before employees perform any servicing or maintenance activities where the unexpected energization, start-up or release of stored energy could cause injury at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 All machines or equipment will be locked out by authorized personnel only. This will take place before any work is done on any energized machines or equipment.

2.2 Procedure

2.2.1 Protective materials and hardware

2.2.1.1 Locks, tags and other devices are available for use and are located in the LOCKOUT BOX.

2.2.1.2 Devices are singularly identified and will only be used for energy controls.

2.2.1.2.1 Locks are color coded.

2.2.1.2.2 Tags also identify lockout devices and person which is responsible for lockout.

2.2.1.2.3 Keys are located in lockout box and are also clearly identified with a BLUE tag labeled lockout keys.

2.2.2 Energy Isolation

2.2.2.1 Only maintenance shall implement the lockout or tag system.

2.2.3 Employee notification/Lockout

2.2.3.1 Affected employees shall be notified by the authorized employee(s) of the application and removal of the lockout/tagout devices before controls are applied and after they are removed.

2.2.3.2 Application of controls shall cover the following:

2.2.3.2.1 Preparation for shutdown

2.2.3.2.2 Machine or equipment shutdown
2.2.3.2.3 Machine or equipment isolation
2.2.3.2.4 Lockout or tagout application
2.2.3.2.5 Stored energy released
2.2.3.2.6 Verification of isolation

2.2.3.3 Release from lockout or tagout
2.2.3.3.1 Inspection of work area
2.2.3.3.2 Employees safely positioned
2.2.3.3.3 Lockout or tagout device removed by the employee who applied it.

2.2.4 Periodic Inspection and Training
2.2.4.1 All lockout devices will be inspected annually.
2.2.4.2 Policy will be stamped verifying inspection was completed.
2.2.4.3 Purpose and function of this policy needs to be understood by all employees.
2.2.4.4 When tagging system is used, employees should be trained in the following:
   2.2.4.4.1 Tags are warning devices.
   2.2.4.4.2 Tags are not to be bypassed, ignored or removed except by authorization of the installer.
   2.2.4.4.3 Writing on tags must be legible.
Uintah Basin Applied Technology College: A UCAT Campus
Campus Public Safety

1. Purpose

To provide policy and procedures for campus public safety at the Uintah Basin Applied Technology College: A UCAT Campus.

2. References

3.1 Right to Know and Campus Security Act of 1990. (Title II of Public Law 101-542.)

3. Policy

3.1 The Uintah Basin Applied Technology College, through its designated officials will adhere to the following:

3.1.1 Provide the practice of collecting and maintaining information in regards to the following crimes committed on campus: Murder, rape, robbery, aggravated assault and burglary.

The following arrests made on campus: Liquor law violations, Drug abuse violations and Weapons possessions.

3.1.2 Maintain a working relationship with the law enforcement officials to provide enforcement of federal, state and local laws.

3.1.3 Provide programs to inform student and employees of:

3.1.3.1 Campus security procedures and practices

3.1.3.2 Campus drug free requirement practices.

3.1.4 Instruct all students and employees to report all crimes via three procedures:

3.1.4.1 Notify in person or by telephone the administrative office immediately upon the advent of any crime, suspected crime activity or emergency.

3.1.4.2 Follow that personal notification with a written statement.

3.1.4.3 The administration’s official designated employee is required to report all crime to the local law enforcement agency for investigation and prosecution.
Uintah Basin Applied Technology College: A UCAT Campus

UBATC Vehicle Operational Plan

Effective Date: 11/26/91
Executive Administrative Team Approval:
Policy Committee Approval:
Board of Directors Approval: 11/26/91

1. Purpose

To provide policy and guidelines for the operation of UBATC vehicles at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Use Provisions

2.1.1 Driver will observe all state and local traffic laws.

2.1.2 Driver assumes responsibility for the vehicle and all passengers.

2.1.3 Driver will observe the speed limit.

2.1.4 Driver will check oil, tire pressure and brakes prior to use.

2.1.5 Driver will maintain clean windows and mirrors.

2.1.6 Driver will report to the UBATC office any malfunctions of vehicle.

2.1.7 Driver will fill out completely the Driver’s Log Sheet.

2.1.8 Driver will have in his or her possession a valid Driver’s license.

2.1.9 Driver will return vehicle with full tank of gas.

2.2 Priorities

2.2.1 Field trips, other travel involving UBATC technology students.

2.2.2 UBATC staff travel (school business)

2.3 Reservation

2.3.1 Prior to five (5) calendar days of departure, conflicting requests will be assigned according to the priorities listed above.

2.4 Maintenance and Storage

2.4.1 UBATC Automotive Department will perform all preventative and repair maintenance when possible

2.4.2 School vehicles will be stored in the parking compound area south of the College.
2.4.3 School vehicles will not be taken home over night. Exceptions must be approved by the Campus President.
Uintah Basin Applied Technology College: A UCAT Campus

Disaster Recovery

1. Purpose

To provide policy and procedures in making backup copies of the financial and student records systems at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 The base of the Data Recovery Plan is based on a series of backup copies.

2.2 The Information System Manager will be responsible for the consistent compliance with this process. The college will maintain a technical support contract with an outside consultant who can restore data from the backup data in the event that the Information Systems Manager is unavailable.

2.3 One Backup Server will be located at the Roosevelt Campus and one at the Vernal Campus. All File Servers will back up to the appropriate campus Backup Server every day, sometime between 8:00 pm and 6:00 am. Retention will be for 21 days. Also during the same time frame, a replication of the Roosevelt Backup Server will be copied to the Vernal Backup Server and vice versa.

2.4 If for any reason a series of files is lost through accident, sabotage or physical destruction of storage, the Information Systems Manager will be informed and the files will be restored from the most recent corresponding backup.

2.5 Each faculty member will be responsible for their own personal back-up copies.
UTFAH Basin Applied Technology College: A UCAT Campus

Cellular Phone Services Agreement and Procedures

Effective Date: 09/26/07
Executive Administrative Team Approval: 09/19/07
Board of Directors Approval: 09/26/07

1. Purpose

To provide general policies governing payment made for cellular phone use by employees of the Uintah Basin Applied Technology College: A Utah College of Applied Technology Campus (College Campus).

2. Policy

2.1 Compensation for Employee-owned Cellular Plans and Devices. If the College Campus requires an employee to carry a cellular phone in order to perform his/her duties, the employee, with approval of the cognizant administrative team member, will obtain a personal cellular phone and will be compensated by the College Campus within approved limits. This compensation must be justified by business requirements which necessitate the use of a cellular telephone to perform official College Campus business where such business cannot be accommodated by the use of a land-line phone, pager, or other communication device. Approved procedures must be followed when providing compensation for this purpose.

2.1.1 The supervising member of the administrative team must determine the business cellular communication needs of the employee. Department needs should dictate the type of plan and level of service required. Because the telephone is owned by the employee, it may be used for personal as well as business use, but must be available for the performance of responsibilities as designated. In general, this means in possession of, and turned on during those times specified by the supervisor. The employee may obtain a more expensive plan if desired for personal use, but will only receive the compensation amount agreed upon for College Campus business use.

2.1.2 The supervising member of the administrative team shall select a monthly compensation allowance based on anticipated monthly College Campus business use. The allowed monthly compensation for mobile communication plans must be based on the requirements of the employee's position. Amounts may be selected in $10 increments. Because the allowed monthly compensation is taxable, the actual amount that an employee receives will be less than the selected compensation allowance. Compensation amounts (in $10 increments) should be selected sufficient to cover anticipated business use plus the additional taxes paid by the employee. Monthly allowances received by the employee will be reported as taxable wages.

2.1.3 The College will contribute toward the activation of a cellular service plan and the purchase or upgrade of a communication device, if such purchase or upgrade is necessary for the performance of the employee's job duties. The department may also contribute toward the replacement of aging or non-functioning devices, provided the employee's job responsibilities continue to require the use of a cellular device at the time of replacement. Normally UBATC will contribute up to $125 towards purchase of a mobile communications device. This amount includes the tax liability the employee may incur for the additional compensation. Any exceptions to this must be approved by the Vice President of Finance.
2.1.4 All such compensations will be reported as taxable wages. The employee will own the device. Compensation for the purchase or upgrade of a communication device should be sufficient to purchase a device required for the performance of the employee's duties. The employee may select a more expensive device but will not receive compensation in excess of what is required to perform his/her duties.

2.1.5 Employees are expected to take reasonable care of their required cellular device. If an employee's required cellular device is lost or destroyed due to negligence, the employee may be required to replace it at their expense.

2.1.6 Because the entire College Campus compensation for the communication device and plan is treated as taxable income, no call detail documentation of personal or business calls is required.

2.1.7 The College Campus compensation allowance for the communication device and plan is not considered an entitlement, is not part of an employee's base salary, and may be changed and/or withdrawn by the College Campus at any time. It will be paid in regular installments from departmental funds as authorized by the department manager.

2.2 Approval

2.2.1 Supervising members of the administrative team are responsible to determine the budgetary impact of this program, and to determine whether or not an employee's job requires use of cellular service. The College Campus compensation for the purchase of personally owned services must be directly linked to the employee's job duties and responsibilities.

2.2.2 Supervising members of the administrative team are responsible for determining and approving the appropriate compensation amount for an employee based on job responsibilities. The determination should be based on the appropriate number of plan minutes and features required for the performance of the employee's job responsibilities. Approval is documented by completing an Employee Cellular Services Agreement which also acts in lieu of a Personnel Action Form for change in compensation.

2.2.3 College Campus compensation for employee-owned communication plans is not to be based on a particular title or position. Use should be based on the actual job requirements of a faculty or staff member.

2.2.4 Employees may request an annual review of cell phone needs to determine if monthly compensation amounts should be changed or discontinued. The fiscal services department should immediately be notified of changes to compensation amounts by completing a new Cellular Services Agreement. The Vice President of Finance must approve any changes to the employee’s monthly compensation amount.

2.2.5 The employee and the supervising administrator must sign the Cellular Services Agreement that: (1) documents the business need for a cell phone, (2) outlines the requirements the employee will observe in obtaining a phone and service plan that meets department requirements, and (3) defines the conditions for making it available when needed (as defined by the College, e.g., for on-call use).

2.2.6 Approval forms/agreements, proof of purchase and other documentation must be retained for internal or external audit purposes.
2.3 Recommended Vendors/Service Plans

2.3.1 The College reserves the right to encourage purchases from specific local vendors in order to promote community interests. The College may negotiate discounts in cellular services for the benefit of employees.

2.3.2 An employee may purchase any communication device or service plan that meets the job requirements specified by the supervising administrator. However, the employee will be responsible for any additional expenses above the amount of compensation approved.

2.4 Employee Responsibilities

2.4.1 The employee is responsible for the selection of and the enrollment in an appropriate cellular service plan. The plan must, at a minimum, cover the requirements identified by the supervising administrator.

2.4.2 An employee receiving College Campus compensation for cellular service must provide his/her department with the phone and/or PDA number of the communication device within five (5) working days of activation.

2.4.3 The employee is personally responsible for complying with any contract entered into with a communication service provider including payment of all expenses incurred (including long distance, roaming fees, and taxes). In the event that an employee leaves the position, he/she continues to be responsible for the contractual obligations of the cellular service plan.

2.4.4 An employee receiving College Campus compensation toward the purchase of cellular devices or services must notify his/her department head as soon as possible and in no case more than five (5) working days beyond inactivation of the communication service or loss or theft of the communication device.

2.5 Fees for Contract Changes or Cancellation

2.5.1 If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation. For example, the employee quits, and no longer wants to retain the current cell phone contract for personal purposes. In extenuating circumstances, the College may choose to waive this requirement.

2.5.2 If, prior to the end of the cell phone contract period, a College Campus decision (unrelated to employee misconduct) results in the need to end or change the cell phone contract, the College Campus will bear the cost of any fees associated with that change or cancellation. For example, the employee's supervisor has changed the employee's duties and the cell phone is no longer needed for business purposes. If the employee does not want to retain the current contract, change or cancellation fees will be born by the College Campus.
1. Purpose

The purpose of the policy is to provide a process for requesting competency credit through transfer of credit or a challenge exam.

2. Definitions

2.1 Credit: Academic quarter-hour or semester-hour evaluation transferred from a college or university recording achievement using these measurements. To be transferable, the credit must be attained at a grade of C- or higher.

2.2 Official transcript: A transcript with an official seal delivered or sent to the College by the Registrar of another educational institution.

2.3 Academic courses: Courses which supplement the offerings of the technical programs (general math, English, communications, workplace skills, etc.).

2.4 Technical courses: Courses which are specifically required for skilled competency in a technical occupational training program.

2.5 Waiver: Notification of the completion of a competency through either initial assessment or successful challenge examination.

3. Policy

3.1 It is the policy of the College Campus to grant credit for competencies required to obtain an Associate of Applied Technology Degree, Certificate of Completion and Certificates of Proficiency as long as the student presents official credentials / transcripts from other institutions which verify competencies completed or to receive a waiver of a competency by successfully passing specified challenge exams. Technical competencies for the top third of each program must be successfully passed with program instructor for competency credit to be granted.
1. Purpose

The purpose of this policy is to establish appropriate institutional processes for the creation of new programs and to ensure that all College programs are created only after coordination and communication with the appropriate Division Administrators.

2. Policy

It is the intent of the Uintah Basin Applied Technology College that all new programs be created with thorough review throughout the college, followed by approval as outlined in UCAT Policies and Procedures. This Policy establishes a Campus process for bringing curriculum proposals from inception through submission for approval. Subsequent approvals would be contingent on the length of the program, credential sought, and financial aid approval, and would follow appropriate UCAT policy.

3. Definitions

3.1. New Programs
3.1.1 A combination of courses and related activities (e.g. laboratory activities and/or work-based activities), approved in accordance with this policy and by the Council on Occupational Education, that is offered by a campus to develop the competencies needed for entry into a specific occupation or set of related occupations.

3.2. Budget Related
3.2.1. Budget Related programs yield enrolled hours that may be counted as part of the institutional services provided. Such programs are generally “ongoing, regularly scheduled” programs which lead to a certificate.

3.3. Contract Training
3.3.1. Contract training refers to training which is specific to a particular employer or group of employers and is arranged directly with those employers by the Private Contract Training / Custom Fit Department, and is not subject to Curriculum Development and Review Committee Policies and Procedures. It may be State Custom Fit or Private Contract training. In keeping with the institutional mission, these programs are quick start and may be created in as little as two business days.

3.4. Expansion / Reduction
3.4.1 The addition or deletion of hours, staff, or facilities constitutes an expansion of or a reduction in a program.

3.5. Occupational Skills Certificate
3.5.1. An official credential issued to a student by a campus registrar documenting that the student has completed a pre-defined course or set of courses approved as an occupational skills certificate by the campus board of directors. An occupational skills certificate shall provide mastery of a set of competencies that are documented as needed by one or more Utah employers, and that are not already provided as a program certificate.
3.6. Program Certificate
3.6.1 An official credential issued to a student by a campus registrar documenting that the student has completed a program or a predefined subset of a program. Each program certificate within a program shall be defined and approved as part of the program, shall fully prepare a student for entry into specified employment related to the full program, and shall be included in the campus catalog.

3.7. Substantive Change
3.7.1 A change in the objectives, length, content, or other revisions equaling or exceeding 25% of an existing educational program.

3.8. Non-Substantive Change
3.8.1 Program changes less than the 25% shall be approved by a campus chief instructional officer designated by the campus president. Relevant updates to the documentation shall be forwarded to the UCAT president for inclusion in UCAT program inventories.

3.9. Closure
3.9.1 A program is considered closed when it is no longer offered at the college.

3.10. Relocation
3.10.1 Moving a program to a new location or facility constitutes the relocation of a program.

3.11. Replication
3.11.1 Adding a program that is already approved to another campus.

4. Procedures

4.1 New Program Creation. After receiving preliminary approval from the Campus President, the task to create new Budget Related programs rests with departmental faculty and departmental administration, in conjunction with the Vice President of Instruction. After appropriate scoping and industry engagement, the decision to proceed with development and approval of a budget related program will be based upon input and suggestions provided by the Curriculum Development and Review Committee, the program advisory committee, and the Administrative Team, who make a recommendation on whether or not to proceed to the Campus President for final approval. Once the decision to request creation of a new program is made, the relevant team leader, committee member, faculty member, and Vice President of Instruction prepare and present the proposal to the Campus Board of Directors for their approval.

4.1.1 For programs that are less than 900 hours and are not eligible for federal financial aid, and for occupational skills certificates, final approval is delegated to the Campus Board, and the programs or occupational skills certificates may be implemented immediately upon Campus Board and any required accreditation approval.

4.1.2 Campus programs that are 900 hours or longer or are seeking federal financial aid eligibility, and substantive changes to these programs, which have been approved by the Campus Board of directors shall be submitted to the UCAT president for approval. If the president concurs that the proposal meets the agreed-upon UCAT criteria established by the Board of Trustees, he/she shall approve the request within five working days. If the president does not concur that the proposal meets the agreed-upon criteria, the proposal shall be returned to the campus with comments, and the campus may resubmit the proposal once identified adjustments are made. For financial aid eligible programs, final approval is delegated to the UCAT president, and the programs may be implemented immediately upon UCAT president approval.

4.1.3 All certificate programs need to be recommended by the Curriculum Development & Review
Committee, the advisory committee, the Administrative Team, and approved by the UBATC Board of Directors.

In all cases, the creation of new programs must be undertaken in accordance with all relevant UCAT policies and procedures. Generally: UCAT 200 program/course approval and reporting.

4.2 Program Expansion, Reduction, Relocation, or Closure. The Vice President of Instruction may decide to recommend expanding, reducing, relocating, or terminating an existing budget related program based on information coming from a variety of sources including, but not limited to:

- Program Advisory Committee
- Labor Market Information
- Industry
- Enrollment
- Completion, Placement, Licensure (CPL)

4.2.1 The Vice President of Instruction will make a formal proposal to the Executive Administrative Team who will review that proposal and forward it, together with their recommendations, to the Campus President. The Campus President will consider the proposal, determine if Board of Directors action is required, and proceed accordingly with a decision or recommendation to the Board of Directors.

4.2.2 The Campus President will determine if the decision to add, expand or close a program is of such magnitude to warrant its consideration before the Board of Director’s Program subcommittee before going to the full membership of the board.
Uintah Basin Applied Technology College: A UCAT Campus
Instructor Expectations

1. Purpose

To provide policy and guidelines for instructors.

4. Definitions

2.1. Course: A set of pre-determined, related competencies grouped into a logical sequence.

2.2. Program: A combination of courses and related activities (e.g. laboratory activities and/or work-based activities), approved in acco"lance to UCAT Policy 200 and COE that is offered to develop the competencies needed for entry into a specific occupation or set of occupations.

5. Policy

3.1. Full-time instructors are exempt employees. They are expected to put in the hours necessary each week to perform their duties and to maintain relationships with, employers, sponsors, high school counselors, students, parents, and the school community. This may require evenings and weekends on some occasions.

3.1.1. It is the general expectation that instructors will be available for student instruction an average of 30 hours per week. Regular office hours also will be maintained and posted for parents of secondary students and adult students to consult with instructors.

3.1.2. Instructors who teach high school students are expected to participate in Parent Teacher Conferences when they are scheduled.

3.2. Courses and programs are expected to contain college level competencies that prepare completers for employment.

3.2.1. The competencies and course content should be designed and developed in consultation with local employers.

3.2.2. Program content should be reviewed annually by the program advisory committee. This review should include: recommended requirements for admission, program content, program length, program objectives, competency tests, instructional materials, equipment, method of evaluation, the skills and/or proficiency required for completion, and appropriateness of the instructional delivery method(s) for the program.

3.3. Course enrollments may include both adult and high school students. Both groups may be accommodated in the same classrooms and labs during the same time periods as needed to meet the enrollment demands of the college.

3.4. A class must have a minimum of ten (10) registered students. If there are circumstances that require a class to be held with less than ten students it must be approved by the administration.

3.5. All instructors will engage in regular recruitment activities to bolster and maintain program/course enrollments.
Uintah Basin Applied Technology College: A UCAT Campus

Student Owned Projects

1. Purpose

To provide guidelines for the construction or repair of student owned property while attending the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Construction or repair of student owned property is not a major function of vocational/technical education. All projects assigned should be of direct and required value in relation to the proper job skills involved.

2.1.1 Personal projects may be useful indirectly to assist in accomplishing the program skill goals. Examples are as follows:

2.1.1.1 Motivation of younger vocational students

2.1.1.2 Provide line repair projects for advanced students

2.1.1.3 Bonus assignments in any skill area to be allowed only after the basic required assignments and skills are accomplished.

2.2.1 Approval Conditions

2.2.1.1 Approval by instructor and department head.

2.2.1.2 Parent/guardian approval if under 18 years of age.

2.2.1.3 Vice-President (in the event the instructor will need to incur any costs or extend any materials.)

2.2.1.4 All proposed projects must be outlined on the proper project approval form. An estimate of costs and time involved are required.

2.2.1.5 All personal projects must be inspected and approved as to workmanship, safety and operation before the project can be taken home.

2.2.1.6 Personal projects will not be removed from the UBATC until such time that all fees and material costs are paid.

2.2.1.7 The completed project approval form will be filed in the Department Head office and in the event the UBATC extends materials, the UBATC accounting office must have on file a completed approval form.
Uintah Basin Applied Technology College: A UCAT Campus

Transcripts/Certificates

1. Purpose

To provide policy and guidelines for student records and transcripts at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 School law requires that each institution record course completion and grade information for each student enrolled and properly registered. In addition, when a student achieves certain levels of proficiency either through completion of a particular course, seminar, workshop or a complete program, a proper certificate has been approved by the State Board for Vocational Education to be awarded for that effort. The following procedures will apply to properly accomplish the UBATC responsibility regarding student records and transcripts for post secondary and adult enrollees:

2.1.1 Student Transcripts

2.1.1.1 As each student registers at UBATC required information will be obtained to be recorded on a student transcript form and a file set up.

2.1.1.2 As course work is completed a grade report will be obtained from each instructor for recording on the transcript within ten (10) working days after the course completion date.

2.1.1.3 Grade reports will be recorded on student transcripts with proper course identification, dates of attendance and final grades within thirty (30) days from date of submission by the instructor.

2.2.2 Student Certificates

2.2.2.1 Recommendations for issuance of certificates to qualified students must be made by the instructor through the department head. A proper certification form will be filled out and presented to the registration office.

2.2.2.2 Each certificate to be issued will be entered in the certificate log book with an identification number, date and name of course or program.

2.2.2.3 The proper entry will then be made to the student transcript to show that the proper certificate was awarded for future reference.

2.2.2.4 Recording of certificate information must be recorded on the transcript within fourteen (14) days of issuance.

2.2.2.5 Department heads must apply for issuance of certificates at least ten (10) days prior to time of issuance.
Uintah Basin Applied Technology College: A UCAT Campus
Senior Citizen Tuition Exemption

1. Purpose

1.1 To provide policy and guidelines for a senior citizen tuition exemption at the Uintah Basin Applied Technology College: A UCAT Campus.

1.2 UBATC supports the philosophy of life-long learning and offers programs for skill training and job preparation which are of interest to those persons of the Uintah Basin who are retired or semi-retired and who qualify for the designation of Senior Citizens.

1.3 To be consistent with actions taken by various other institutions, the following policy would apply.

2. Policy

2.1 Senior Citizens’ (62 or older) will receive an 80% discount for individual classes. Enrollment will be allowed on a space available basis. Community education and other self-funding classes are exempt from the senior discount.
Uintah Basin Applied Technology College: A UCAT Campus

Dress Policy for Students

Effective Date: 08/25/99
Executive Administrative Team Approval: 08/25/99
Policy Committee Approval: 08/25/99
Board of Directors Approval: 08/25/99

1. Purpose

To provide policy and guidelines for students appearance and dress while attending the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Appearance and dress generally affect the behavior of students attending school. The Board has also determined that proper grooming and dress affect the educational environment and ability of other students to concentrate in education related tasks.

2.2 The following are examples of unacceptable clothing/attire. The final decision rests on the Campus President and/or Executive Secretary or a designated employee.

2.1.1 Bare Midriff Tops
2.1.2 Sleeveless or Muscle shirts for men
2.1.3 Braless look
2.1.4 Short clothing (not more than 3 inches above the knee)
2.1.5 Skin tight clothing
2.1.6 Sundresses/Sun tops/Haltertops/Spaghetti Straps/Tank Tops
2.1.7 Patched, Torn, Worn-out clothing
2.1.8 Spandex or Lycra
2.1.9 No attire or accessories with writing or pictures depicting or promoting controlled substances, vulgar expressions or obscene pictures will be permitted
2.1.10 Any clothing that suggests affiliation with gangs or similar organizations is not allowed.
2.1.11 Hair must be styled so that it is neat, clean and well-groomed.

2.2 Secondary Students are guided by Duchesne, Daggett and Uintah School District’s policies.
Uintah Basin Applied Technology College: A UCAT Campus
Fund Raising

1. Purpose

To provide policy and guidelines for fund raising at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Fund drives for purposes other than school activities or school projects shall not be conducted at the Uintah Basin Applied Technology College.

2.2 The UBATC is a secondary/post secondary educational institution and students involved in Career and Technical Student Organization (CTSO) clubs or other school activities are expected to fund themselves for these activities. Students are encouraged to individually earn money through self-work activities to earn these funds.

2.3 Any organization which is in any way connected with the UBATC or which is attempting to raise funds for any school activity through any type of community fund drive must have such drives approved by the supervising administrator in advance. Request sheet must be pre-approved before project proceeds. Students will not be required to participate in any fund raising activity.

2.4 Fund Raising projects may be approved by the supervising administrator if:

2.4.1 They are found to have worthwhile educational value for those who participate.

2.4.2 They do not interfere in any way with the regular classroom procedure or if they do not have a derogatory affect upon teacher and pupil relationships.

2.4.3 The drives are not of a nature of soliciting for direct contributions without the exchange of labor or goods.

2.4.4 The money being raised is for a worthy school purpose and research has been done to see if this fund raising effort is deemed necessary.

2.4.5 There is a total final accountability of all funds received. (If there is more than one activity, each fund raising activity must have the funds accounted for.) All funds must be deposited with the cashier within three days from time received.

2.4.6 Consideration is given to the activity’s impact on local businesses.

2.5 Illegal fund raisers such as raffles are not allowed.
Uintah Basin Applied Technology College: A UCAT Campus

National Competition Travel

1. Purpose

To provide policy in support of out-of-state travel for staff development or state contest winners from the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 Uintah Basin Applied Technology College instructors and required chaperons will be reimbursed in full for all appropriate travel expenses.

2.2 Uintah Basin Applied Technology College students who are eligible to compete at National competition or hold state leadership positions requiring attendance at National competition will be awarded $100 to help towards expense.

2.3 Qualifying **adult** students will also be awarded an amount equal to the set-aside funds which the USOE awards secondary students in the same content area.
Uintah Basin Applied Technology College: A UCAT Campus
Over-Night Student Travel

1. Purpose

To provide policy and guidelines for over-night student travel at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 All anticipated student overnight trips require advance planning in order to be eligible for School District bus travel. Career and Technical Student Organization (CTSO) advisors/instructors/staff are required to submit a Preliminary Plan Request for Administrative approval by August 1 of the current school year. These requests will be forwarded to school districts before September 1 for their budgeting process.

2.2 A written over-night travel request will be submitted to UBATC administration two weeks prior to travel. This plan shall include:

   2.2.1 Dates of travel
   2.2.2 Location
   2.2.3 Time-out, Time-in
   2.2.4 Chaperon plan
   2.2.5 List of anticipated students traveling
   2.2.6 Anticipated expense of travel, outlining student participation plan
   2.2.7 Educational Purpose

2.3 Students will be required to have an individual or club collective interview with a member of UBATC administration one week prior to travel. This interview will outline student code of conduct, expectation and consequence of rule infractions.

2.4 Secondary students participating in extra curricular activities must meet the eligibility standards for their home high school. Instructors and club advisors must submit an eligibility list to the high school for anticipated participants two weeks prior to the activity date. Any student declared ineligible by the high school cannot travel or participate in the activity.
1. Purpose

To provide a non-discrimination policy at the Uintah Basin Applied Technology College: A UCAT Campus.

2. Policy

2.1 It is the policy of the Utah State Board of Regents, the Division of Rehabilitation Services and the Uintah Basin Applied Technology College not to discriminate on the basis of sex or disability in its educational and rehabilitation programs, activities or employment practices as required by the final regulations implementing Title IX of the 1972 Education Amendments, Title IV and VI of the Civil Rights Act of 1964, Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973.

2.2 Neither does the Board policy advocate, permit nor practice discrimination on the basis of race, creed, color, national origin, religion, age, sex, disability or any other condition as required by various state and federal laws. Equal opportunity is afforded priority in any circumstances.

2.3 All applicants for program participation and/or services have a right to file complaints to appeal according to regulations governing these principles. A copy of the grievance proceedings is available at the administrative offices.

2.4 Inquiries regarding compliance with Title IX and Section 504 and appropriate referral on other civil rights laws may be directed to the following designated persons:

2.4.1 Section 504 Coordinator and ADA Coordinator, Uintah Basin Applied Technology College, 1100 E. Lagoon (124-5), Roosevelt, UT 84066

2.4.2 Vice President of Student Services, Uintah Basin Applied Technology College, 1100 E. Lagoon (124-5), Roosevelt, UT 84066
Uintah Basin Applied Technology College: A UCAT Campus

Access to School Records

Effective Date: 10/26/05
Executive Administrative Team Approval: 10/03/05
Policy Committee Approval: 10/10/05
Board of Directors Approval: 10/26/05

1. Purpose

The policy is adopted pursuant to the Government Records Access and Management Act Utah Code, Title 63 Chapter 2 (“GRAMA”) relating to information and practices, including classification, access, appeals, management and retention of documents and shall be filed, together with any amendment thereto, with the state archives no later than thirty (30) days after its effective date.

2. References

2.1 Government Records Access and Management Act Utah Code, Title 63 Chapter 2 (GRAMA)
2.2 Family Educational Rights and Privacy Act (FERPA)

3. Policy

3.1 Appropriate Requestor of Records

3.1.1 A person may request access to the UBATC’s records if that person meets the requirements set forth in the policy and submits a written request containing the requestor’s name, mailing address, daytime telephone number, a specific description of the records requested and showing the requestor’s status as one entitled to access to such records.

3.2 Records Administrator

3.2.1 Vice-President of Finances is hereby designated as Records Administrator of the UBATC.

3.3 Access to Private Records

3.3.1 Upon an appropriate written request from the subject of the records, or the parent or legal guardian of an un-emancipated minor who is the subject of the record, the UBATC shall disclose private records and other private data only to the subject of the record, or the parent or legal guardian of an un-emancipated minor who is the subject of the record, or the legal guardian of a legally incapacitated individual who is the subject of the record, or any individual who has the power of attorney from the subject of the record, or who submits a notarized release from the subject of the record, or his legal representative which is dated not more than thirty (30) days before the date the request is made, or pursuant to order of a court of competent jurisdiction to disclose such record.

3.4 Private Documents

3.4.1 The UBATC hereby designates all documents identified in Section 63-2-302 (1) through (11) as “private data”, including specifically but not limited to:
3.4.1.1 All personnel records contained in a personnel file, applications, nominations, recommendations or proposals for employment, advancement or appointment;

3.4.1.2 Any employee evaluation or document related to or used in connection with an evaluation.

3.4.1.3 Records showing military status

3.4.1.4 Records touching upon an individual’s eligibility for unemployment benefits, social services, or welfare benefits;

3.4.1.5 Records touching upon an individual’s personal finances; or

3.4.1.6 Records touching upon any individual’s medical or psychological condition, past or present.

3.4.2 However, official records showing formal criminal charges against an employee and action are not private unless in the discretion of the UBATC records officer or the Campus President the charges are groundless, or the charges are not sustained.

3.5 Confidential Records

3.5.1 The UBATC hereby designates as confidential any record which contains medical, psychiatric or psychological data about any individual and which, if released, would be detrimental to the subject’s mental health or safety.

3.6 Access to Confidential Records

3.6.1 Upon an appropriate written request to the Records Administrator of the UBATC, the UBATC shall provide access to confidential records to a physician, psychologist or certified social worker upon the submission of a release from the subject of the record that is dated not more than thirty (30) days prior to the request or upon an order from a court of competent jurisdiction. All copies made from such records shall be marked “confidential” and disclosure limited to the subject of the record and his medical professional.

3.7 Protected Records

3.7.1 The UBATC hereby designates as “protected data” all records identified in Utah Code Ann. Section 63-2-304, including but not limited to:

3.7.1.1 Any document disclosing a trade secret;

3.7.1.2 Test questions;

3.7.1.3 Any document the disclosure of which may give an unfair advantage to a person or entity proposing to enter into a contract;

3.7.1.4 Records touching upon the value of real property owned by the UBATC;

3.7.1.5 Teacher certification records;
3.7.1.6 Any record that may jeopardize the life or safety of an individual if disclosed;
3.7.1.7 Any records which may jeopardize the security of UBATC property or programs;
3.7.1.8 Records touching upon audits, audit techniques, procedures and policies;
3.7.1.9 Records touching upon issues of potential litigation;
3.7.1.10 Records touching upon collective bargaining strategy;
3.7.1.11 Records touching upon risk management;
3.7.1.12 Records touching upon deliberations of the Board of Regents acting in a judicial or review of prior decision capacity; or
3.7.1.13 Records touching upon evaluations, appointments retention decisions, or promotions generated in a meeting closed in accordance with the Utah Open and Public Meetings;
3.7.1.14 Records not placed in an employee’s personnel file which are maintained by individual supervisors or administrators.

3.8 Access to Protected Records

3.8.1 Upon an appropriate written request from the subject of the records or a person having a power of attorney or holding a notarized release from the subject of the record, or from a court of competent jurisdiction, the UBATC shall provide access to only the records which relate to the subject and provide the records only to the subject and all copies made from such records shall be marked, “confidential.” Appropriate steps will be taken to protect the UBATC’s interest in protected data.

3.9 Student Records

3.9.1 Student records shall be designated “educational records” and the disclosure of such education records shall be governed pursuant to 20 U.S.C. Section 12-32 (g) and 34 C.F.R. Section 99, et seq., and 34 C.F.R. Section 300, et seq. The UBATC may not release information related to educational records without parental consent, except as provided by the Family Educational Rights and Privacy Act (FERPA.) All student records shall be designated as “protected data” under Utah Code Ann. Section 63-2-302 (3).

3.10 Fees for Search and/or Duplication of Records

3.10.1 A fee shall be charged for the UBATC’s cost of duplicating a requested record and also for the personnel time in compiling and obtaining the record as follows:

3.10.1.1 Ten cents (.10) per page for each single sided copy and twenty cents (.20) per page for each double sided copy;

3.10.1.2 Ten dollars ($10.00) per hour for the time spent by an UBATC personnel searching for an compiling documents for copying. However, no fee may be charged for: (i) making a record available to be viewed in the same context that
the record is kept in the regular course of carrying on business to determine whether the record is subject to disclosure, or; (ii) the requestor’s inspecting the record;

3.10.1.3 An additional charge of Two dollars ($2.00) shall be charged per each page of a document which has been requested to be certified.

3.11 Copyrighted or Patented Materials

3.11.1 Any document which is copyrighted, either by formal filing under federal copyright laws or by informal claim or copyright, or which is covered by a patent, trademark, or other protective designation, shall not be a copied or provided to any person without an order of a court of competent jurisdiction ordering such disclosure.

3.12 Procedures

3.12.1 Each requestor shall submit a written request specifically identifying those documents requested. The request shall specifically state whether the documents sought are: (1) to be copied; or (2) identified to determine whether they are subject to disclosure; or (3) to be allowed to inspect a specific record. In the event that a document is specifically identified and designated for copying, the requestor shall submit sufficient funds with the written request to pay for all copies requested to be copied.

3.13 Response Times

3.13.1 The UBATC shall respond to the request to copy within fifteen (15) days. If the UBATC hereby finds that it does not have adequate resources to respond to document requests and appeals in the time period set forth in Section 63-2-204 of the GRAMA and therefore it adopts these alternative time periods. UBATC shall respond to an appropriate request by:

3.13.1.1 Approving the request and providing the records;

3.13.1.2 Denying the request

3.13.1.3 Notifying the requestor that it does not maintain the records, or

3.13.1.4 Notifying the requestor that extraordinary circumstances exist which make it impractical to approve or deny the request and specifying the earliest time when the records will be available.

3.14 Time Limit for Appeals

3.14.1 In the event that the UBATC either denies access or the right to copy a requested document, the requestor shall submit an appeal of the request to the UBATC Campus Board of Directors in writing which specifically states the documents which have been designated for copying or for inspection, the date of the request, the date of the denial of the request, all circumstances surrounding the denial, the reasons stated for the denial, and attaching a copy of any funds which have been submitted to pay for copies that have been requested. The Board of Directors shall respond to such requests within thirty (30) days after the requestor has submitted the appeal to the Board of Directors. The Board of Directors shall submit a written response either granting the requestor’s request or affirming the denial of the request for documents.
3.15 Management

3.15.1 Documents shall be managed by the administrative staff at the UBATC and by each separate department of the UBATC.

3.16 Retention

3.16.1 All public, private, confidential, and protected documents must be maintained by the UBATC according to Utah State Archive Standards.

3.17 Privileged Document

3.17.1 The UBATC reserves the rights to claim a privilege with respect to all documents which are subject to attorney work product, attorney-client, physician-patient, psychiatrist-patient or other statutory privilege.

3.18 Evaluations

3.18.1 All evaluations and other personnel records are hereby designated as protected records and it is hereby determined that disclosure of such document would constitute a clearly warranted invasion of personal privacy.

3.19 Judicial Review

3.19.1 Any part may appeal the Board of Directors decision on records access to the district court. The petition shall be filed no later than fifteen (15) days after the date of the Board of Directors decision or order.

3.20 Right to See Public Records

3.20.1 Except as otherwise set forth herein, UBATC documents are “public” documents and every person has the right to inspect and to take a copy from 9:00 a.m. to 3:00 p.m. subject to the provisions of this policy.

3.21 Right to Copies

3.21.1 If an appropriate requestor requests to have copies of more than 50 pages of records, UBATC in its sole discretion may provide the requestor with facilities to make copies and require the requestor to make copies himself at his own expense.
School Accident Reimbursement

1. Purpose

To provide policy and procedures for limited reimbursement of medical expense due to training-related accidents occurring on College property or at College sponsored events. Students are strongly encouraged to obtain and maintain adequate health insurance coverage. This reimbursement is designed only to supplement the student’s own medical insurance coverage.

2. Policy

2.1 In most cases of injury, the College can help defray un-reimbursed medical costs up to a maximum of $1,000.

2.2 In order to qualify for the medical reimbursement, the student must have reported the accident to an instructor or staff member within a reasonable time.

2.3 All billings for medical attention and emergency transportation are to be born by the student or the student’s insurance carrier. The College does not carry student injury or accident insurance.

2.4 In cases where the student or student’s family does not have coverage, this plan will cover reasonable medical expenses up to the reimbursement limit.

2.5 If the student is already covered by another plan, the UBATC plan will cover reasonable medical expenses not covered under the student’s plan up to $1,000 per incident. To be reimbursed, the injured student must provide documented proof of the medical expenses including the portion not covered by medical insurance.
1. Purpose

To provide policy and procedures for employees at the Uintah Basin Applied Technology College when refunding tuition and fees.

2. Policy

2.1 Refunds for Classes Canceled by the Institution

2.1.1 When a class is cancelled, the student will receive a full refund of tuition and fees.

2.2 Refunds for Students who Withdraw from an Open Entry-Open Exit Class or Program

2.2.1 Students who withdraw by the 5th of the month will receive a full refund of tuition and fees.

2.2.2 Students who withdraw between the 6th and 15th of the month; tuition and fees will be prorated based on the days of enrollment.

2.2.3 Students who withdraw after the 15th of the month will not receive a refund.

2.3 Refunds for Defined-Entry Defined-Exit Classes or Distance Education Classes

2.3.1 Students who officially withdraw from the class within 5 business days will receive a full refund of tuition and fees.

2.3.2 No refund after 5 days.

2.4 Refunds for Defined-Entry Defined-Exit Programs

2.4.1 Refunds of tuition and fees will be prorated up to the point that 33% of instruction has occurred. No refund thereafter.

2.5 Refunds will be issued within 45 days of the withdrawal date. In the case of a cancelled class, refunds will be issued within 45 days of the scheduled start date of the class.

2.6 Exceptions to the refund policy may be granted on a case by case basis by Student Services Personnel.
CAMPUS BOARD OF DIRECTORS’ BYLAWS

Uintah Basin Applied Technology College
1100 East Lagoon (124-5)
Roosevelt, UT 84066

Approved March 18, 2015
UINTAH BASIN APPLIED TECHNOLOGY COLLEGE
CAMPUS BOARD OF DIRECTORS’ BYLAWS

ARTICLE I
Campus Board of Directors’ Membership/Composition

ARTICLE II
Campus Board of Directors’ Terms of Appointment

ARTICLE III
Reappointment of Public Education/Higher Education Representatives

ARTICLE IV
Reappointment of Business and Industry Representatives

ARTICLE V
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ARTICLE VII
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ARTICLE XI
Campus Board of Directors’ Compensation

ARTICLE XII
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ARTICLE I

CAMPUS BOARD OF DIRECTORS’ MEMBERSHIP/COMPOSITION

1.1 TITLE
The title of the Board shall be the Uintah Basin Applied Technology College Campus Board of Directors.

1.2 MEMBERSHIP
Membership of the Uintah Basin Applied Technology College Campus Board of Directors shall be composed of the following eleven members (HB1003 53-B-2A-108)

1.2.1 One elected school board member appointed by the Board of Education for the Daggett School District. (Designated Member)

1.2.2 One elected school board member appointed by the Board of Education for the Duchesne School District. (Designated Member)

1.2.3 One elected school board member appointed by the Board of Education for the Uintah School District. (Designated Member)

1.2.4 One member of the Utah State University Board of Trustees. (Designated Member)

1.2.5 Six representatives of business and industry within the region appointed jointly by the Designated Members outlined in 1.2.1 through 1.2.4.

1.3 BUSINESS AND INDUSTRY APPOINTMENTS
The representatives of business and industry shall be appointed jointly by the Designated Members (public and higher education board members) from a list of names provided by local organizations or associations whose members employ workers with career and technical education.

ARTICLE II

CAMPUS BOARD OF DIRECTORS’ TERMS OF APPOINTMENT

2.1 INITIAL APPOINTMENT
The representatives from the local school boards shall divide up their positions so that approximately half of them serve an initial term of two-years and half serve an initial four-year term.

2.1.1 The representatives from business and industry shall divide up their positions so that approximately half of them serve an initial two-year term and half serve an initial four-year term.

2.2 TERMS AFTER ORIGINAL APPOINTMENT
Except for terms described in 2.1.1 through 2.1.2, individuals appointed to the Campus Board shall serve four-year terms ending December 31.

2.3 Terms of service for replacement appointments will be for the remainder of the term of such board member being replaced. See term described in 6.2

ARTICLE III

REPLACEMENT OF PUBLIC EDUCATION/HIGHER EDUCATION REPRESENTATIVES

3.1 VACANCIES
The Board Chair, in coordination with the Campus President, will solicit replacements as follows:

3.1.1 Utah State University
Solicit replacement representatives through correspondence with the Chairman of the Utah State University Board of Trustees.

3.1.2 Daggett School District
Solicit replacement representation for the remainder of the term with the district Superintendent.

3.1.3 Duchesne School District
Solicit replacement representation for the remainder of the term with the district Superintendent.

3.1.4 Uintah School District
Solicit replacement representation for the remainder of the term with the district Superintendent.

ARTICLE IV

REPLACEMENT OF BUSINESS AND INDUSTRY REPRESENTATIVES
4.1 **VACANCIES**
The original appointing authority shall fill any vacancies that occur on the campus board.

4.2 **BUSINESS AND INDUSTRY REPLACEMENTS**
The Board Chair and Campus President shall confer and determine which businesses and geographic areas are not represented, or are under represented and draft correspondence to solicit business representative candidates according to process outlined in 1.3.

4.2.1 Attempt will be made to keep a reasonable balance of representation between counties served within the Uintah Basin Region.

4.2.2 Consideration will also be given to maintaining a diversified industry representation relevant to the course offerings at the Uintah Basin Applied Technology College.

4.3 **RENEWAL OF APPOINTMENTS**
Upon expiration of a business and industry representative’s appointment, the Designated Members will meet and may decide to re-appoint the representative for an additional term or can appoint a new representative to fill vacancy.

**ARTICLE V**

**POWERS AND DUTIES OF CAMPUS BOARD OF DIRECTORS**

5.0 The powers and duties of the Campus Board of Directors are outlined under Utah Code 53B-2a-110. It is recognized, however, that many of the day-to-day activities will be conducted by the Campus President acting as the Executive Officer of the Campus Board of Directors. Ultimate authority for these duties rests with the Board of Directors as stated under Utah Code 53B-2a-110. If there is ever a discrepancy between the statute and the board bylaw the statute would supersede the board bylaws. In general these duties are:

5.1 Approve a budget request for the annual operations to the Utah College of Applied Technology Board of Trustees.

5.2 Oversee the preparation of a comprehensive strategic plan for the delivery of career and technical education programs. This is to be accomplished in coordination with USU Uintah Basin and local school districts in the Uintah Basin region.

5.3 Monitor the demand for workers and skill-level requirements needed for Utah employment in consultation with business and industry, the Department of
Workforce Services and Governor’s Office of Planning and Budget on an ongoing basis.

5.4 Approve the development or discontinuance of programs based on information obtained in 5.3, student demand and success. Ensure this approval process is done in an expeditious manner to meet market needs.

5.5 Approve policies for the operation of Uintah Basin Campus in accordance with policies of the Utah College of Applied Technology.

5.6 Approve human resource and compensation policies for all employees in accordance with policies of the Utah College of Applied Technology.

5.7 Oversee the credentials of employees and the assignment of employees to duties in accordance with the Utah College of Applied Technology policies and accreditation guidelines.

5.8 Monitor annual program evaluations.

5.9 Approve the appointment of program advisory teams and other advisory groups to provide counsel, support and recommendations for updating and improving the effectiveness of training programs and services.

5.10 Approve policies, both regular and emergency, to be issued and executed by the Campus President.

5.11 Oversee coordination efforts with local school boards and districts to protect the career and technical education needs of secondary students.

5.12 Adopt policies and procedures for the admission, classification, instruction and examination of student in accordance with the policies and accreditation guidelines of the Utah College of Applied Technology, the State Board of Education and the State Board of Regents.

5.13 The campus board of directors may not exercise any jurisdiction over career and technical education provided by a local school district or provided by a higher education institution independently of a college campus.

5.14 Adopt an annual budget and fund balances.

5.15 If a program advisory committee or other advisory group submits a printed recommendation to the campus board of directors, the campus board of directors shall acknowledge the recommendation with a printed response that explains the campus board of directors’ action regarding the recommendation and the reasons for the action.
ARTICLE VI

TERMINATION AND ATTENDANCE OF CAMPUS BOARD OF DIRECTORS

6.1 Campus Board of Directors who are unable to continue service on the College Board should submit a resignation to the Board Chair in writing.

6.2 TERMINATION
When a vacancy occurs in a membership during the term of service:

6.2.1 Designated Members
The replacement shall serve at the will of the appointing authority.

6.2.2 Business & Industry Members
The replacement shall serve for the remainder of the original appointed term.

ARTICLE VII

BOARD OPERATION

7.1 QUORUM
A Quorum for the transaction of any business shall consist of a majority of members of the Board of Directors who have been appointed. However, should a quorum not be present, a lesser number may adjourn the meeting to some future date not more than seven (7) days later, without further notice. Directors may participate in a meeting of the Board of Directors by means of telephone, or other communication equipment by which all members participating in the meeting can hear each other, and participation by such means shall constitute presence in person for the purposes of determining a quorum and voting on agenda items.

7.2 VOTING
The Chair shall be a voting member of the board, but will not make motions.

7.3 PARLIAMENTARY PROCEDURE
Except as noted in any special provision of the bylaws, the affairs of the board will be conducted in accordance with Robert’s Rules of Order led by the Campus Board of Directors’ Chairman and in his/her absence, the Vice-Chairman.

7.4 POLICY APPROVAL
Policies will be adopted only after they have been submitted to and approved by the Campus Board of Directors’ Policy Subcommittee and will then be presented to the Campus Board of Directors for final approval (see Policy Development
7.5 **REGULAR MEETINGS**
The board shall generally meet as outlined on the schedule prepared at the beginning of each year. Public notice will be in compliance to the Open and Public Meetings Act 52-4-202.

7.6 **ELECTIONS**
Elections for the Campus Board of Directors’ Chairman and Vice-Chairman will be held every two years in the month of January.

7.6.1 If at any time the chairman or vice chairman is unable to serve, the Board will meet to elect a new chairman and/or vice chairman.

7.7 **SUBCOMMITTEES**
Each Board Member will be assigned by the Chairman and Vice-Chairman to one of the four subcommittees with actions from these committees being brought back to the full board for final approval.

7.7.1 Executive Committee-this committee will handle any routine and/or emergency action which may be required between regularly scheduled board meetings. This committee will be made up of the Campus Board Chairman and Vice-Chairman and the Chairmen from the other three committees. The Executive committee shall have full authority of the campus board of directors to act upon routine matters during the interim between board meetings. (HB 15 line 811). The committee shall report its activities to the campus board of directors at its next regular meeting following the action.

7.7.2 Instruction and Student Services Committee-this committee will be dealing with instruction that impacts students directly and any student services items.

7.7.3 Personnel and Policies Committee-this committee would be working with policy development. The hiring, firing and compensations levels and also work with benefits.

7.7.4 Audit and Fiscal Affairs Committee-this committee would be the budgeting committee and would work with the physical property.

**ARTICLE VIII**

**UCAT BOARD OF TRUSTEES’ APPOINTMENTS**
8.1 REPRESENTATIVE TO THE UTAH COLLEGE OF APPLIED TECHNOLOGY BOARD OF TRUSTEES (UCAT)
The Business and Industry Board members shall select by majority vote a representative to the Utah College of Applied Technology Board of Trustees from the business and industry board member representatives.

8.2 The board chair may appoint a board member to serve on various committees, task forces or organizations as appropriate.

ARTICLE IX

AMENDMENTS TO BYLAWS

9.1 The board may approve amendments to these by-laws by a majority vote.

ARTICLE X

SEPARATION CLAUSE

10.1 VALIDATION
If any part of these bylaws and/or articles is found to be illegal or unenforceable, such shall not invalidate other provisions of the by-laws.

ARTICLE XI

CAMPUS BOARD OF DIRECTORS’ COMPENSATION

11.1 NON-GOVERNMENT APPOINTMENTS.
Campus Board of Directors who are not government employees shall receive no compensation or benefits for their services but may receive per diem and expenses incurred in the performance of the members official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

11.2 Higher education members who do not receive salary, per diem or expenses from the entity they represent, may receive per diem and expenses incurred in the performance of their official duties from the regional board at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

11.3 School board members appointed by local school boards who do not receive salary, per diem or expenses from the entity they represent for their services, may receive per diem and expenses incurred in the performance of their duties from the regional board at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
ARTICLE XII

CLOSED SESSION

12.1 The board may elect to enter into a closed session in compliance to the Open and Public Meetings Act 52-4-204.