



BRYN ATHYN COLLEGE

EMPLOYEE HANDBOOK

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INTRODUCTION TO EMPLOYEE HANDBOOK /SCOPE & LEGAL PARAMETERS

This Handbook supersedes all previously published handbooks, policies and procedures. This manual is not a contract and does not give rise to contractual obligations.

This handbook has been prepared to help employees become familiar with Bryn Athyn College, its policies, work rules and benefits. Policies and procedures will be regularly updated. Individual circumstances may call for individual attention.

All new employees will be required to acknowledge having reviewed and accepted the terms of this handbook in its entirety. All employees will be required to acknowledge having reviewed handbook updates annually.

The provisions set forth in this Handbook are not intended to be all-inclusive. Each of the provisions in this Handbook is subject to change with notification to the employees. Employees should not rely on any provisions of this Handbook for a guarantee of employment rights or for any procedural protections against suspension or termination of employment. This Handbook is not intended to constitute a contract of employment, a promise of employment for any length of time, or a guarantee of the benefits or policies stated in it.

Unless an employment relationship is governed by the terms of a contract, such as with faculty, all other employees of the College are employed at-will. This means that either the employee or the College may terminate the employment relationship at any time, for any reason, with or without notice. In other words, the College has the right to terminate employment whenever it so desires for any reason not unlawful.

Regardless of any custom or practice, the College makes no promises and remains free to change the policies, benefits, and all other working conditions without having to consult anyone or obtain anyone's agreement.

However, whenever possible, all policy changes or revisions will be reviewed, prior to release, by the Policy Advisory and Benefits Committee (PABC), which is comprised of faculty, staff, and administrators, and which reflects the College's practice of shared governance. The College reserves the right to interpret the policies, rules, benefits, and provisions contained in this Handbook as deemed appropriate by the College. Further, the College reserves the right to amend, modify, change, cancel, terminate, or withdraw, at any time, with notification, unilaterally and at its sole discretion, any or all of the policies, rules, benefits, and provisions of this Handbook.

Except as authorized by the President of Bryn Athyn College, no representative of the College has any authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to any of the preceding statements set forth in this section. Similarly, no exception to any general policy, rule, benefit, or provision of this Handbook can be made without the written approval of the President.

This Employee Handbook is intended to comply with all applicable federal, state and local laws, and all policies and provisions in this Handbook shall be interpreted and administered in accordance with such laws. In the event any policy or provision conflicts with these laws, the policy or provision shall be interpreted and administered in accordance with the applicable federal, state or local law.

Bryn Athyn College will be referred to as the “College” throughout the entirety of the handbook. This Handbook applies only to persons employed by the College. To the extent that policies in the Handbook differ from handbooks produced by affiliated organizations and divisions (Affiliates), the policies in the College Handbook will apply.

Affiliates include the General Church of the New Jerusalem (the Church), Academy of the New Church Secondary Schools (ANCSS), Glencairn Museum, Cairnwood Estate, and Bryn Athyn Church and School. The College is a division of the Academy of the New Church, along with ANCSS, Glencairn Museum, and Cairnwood Estate.

There are many “shared service” employees (examples include: Finance, Consolidated Plant, Advancement, etc.) who are employed by one organization/division, but perform services for other organizations. Many of these Handbook policies are common to these other organizations, divisions or shared employees, but there are differences. **Shared service employees who are set up on the Church’s payroll platform as College employees are covered by the policies in this Handbook.**

3.0 WELCOME & HISTORY

3.0.1 Our History

Bryn Athyn College has been educating undergraduates for more than 140 years, dating back to its 1877 incorporation as part of the Academy of the New Church (the Academy) under the laws of the Commonwealth of Pennsylvania. The Academy included the College, as well as a seminary and two secondary schools. In 1997, the College changed its name from the Academy of the New Church College to Bryn Athyn College of the New Church, which from hence forward will be referenced as “Bryn Athyn College” or “the College.”

Today, the Academy of the New Church continues to serve as the parent organization for Bryn Athyn College, which includes an undergraduate college, graduate programs, and a Theological School, and for the Academy of the New Church Secondary Schools (ANCSS), Glencairn Museum and Cairnwood Estate.

Bryn Athyn College is affiliated with the General Church of the New Jerusalem (the Church), a denomination of the New Church, a religious organization based on the teachings of the Bible and the 18th century philosopher and theologian, Emanuel Swedenborg.

3.0.2 Our Mission

Mission Statement

Bryn Athyn College of the New Church serves as an intellectual center for all who desire to engage in higher education enriched, guided, and structured by the study of the Old Testament, New Testament, and theological writings of Emanuel Swedenborg. This education challenges students to develop spiritual purpose, to think broadly and critically from a variety of perspectives, and to build intellectual and practical skills. The ultimate purpose is to enhance students’ civil, moral, and spiritual lives, and to contribute to human spiritual welfare.

Educational Goals:

- Offering undergraduate and graduate liberal arts and science programs and outreach programs that integrate academic and New Church spiritual perspectives.
- Enriching students’ physical, social, mental, and spiritual lives by providing purposeful, student-centered programs and services guided by New Church principles.
- Educating theological students to serve as priests in the General Church.
- Preparing education students to be successful teachers in public, private, or New Church schools.
- Supporting research and publication that advances secular and New Church thought.

Providing library services to support the academic programs and New Church collections and archives for use throughout the world.

Operational goals:

- Recruiting and retaining students who can contribute to and benefit from the institution’s mission.
- Recruiting, developing, and retaining high-quality, mission-focused faculty, administrators, and staff.
- Ensuring fiscal stability and resource stewardship to support the mission of the College.
- Engaging friends and alumni, inspiring philanthropic support, and advancing the transformative mission of Bryn Athyn College.
- Developing and maintaining facilities, infrastructure, and grounds to serve the educational, aesthetic, and spiritual values of the institution.
- Responding to evidence to continuously improve the implementation of the College’s mission.

New Church theology, a form of Christianity based on the teachings of the Bible and the theological writings of Emanuel Swedenborg, shapes and guides our religious perspectives. A Bryn Athyn College education emphasizes practical skills of writing, quantitative reasoning, public presentation, and experiential education, as well as the liberal arts values of critical thinking, interdisciplinary connections, and spiritual inquiry.

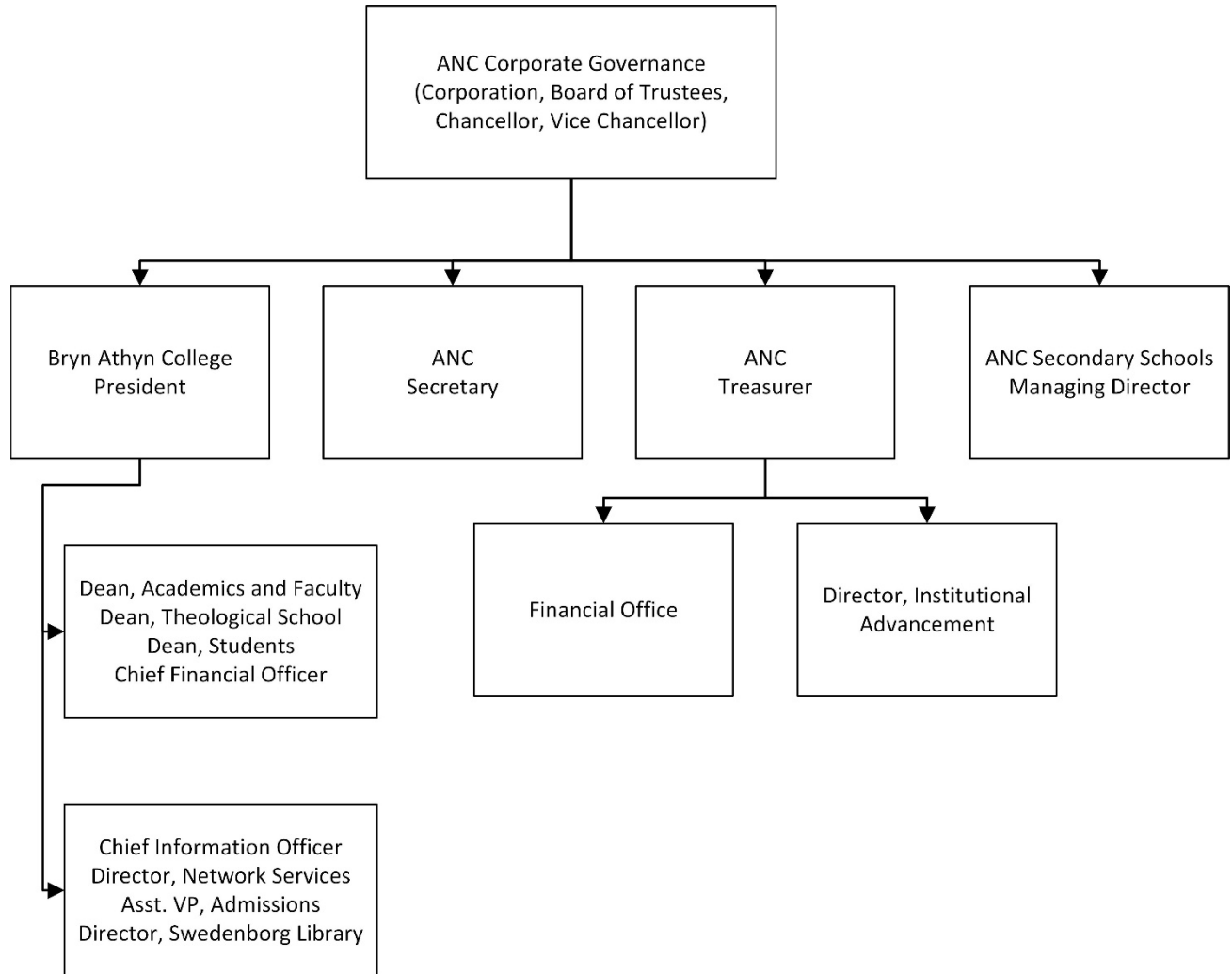
At Bryn Athyn College, our courses pair the intellectual inquiry of a strong liberal arts education with spiritual inquiry rooted in the teachings for the New Church. Students will explore this perspective in their religion courses and will also see it reflected in every other course that they take.

3.0.3 About The New Church

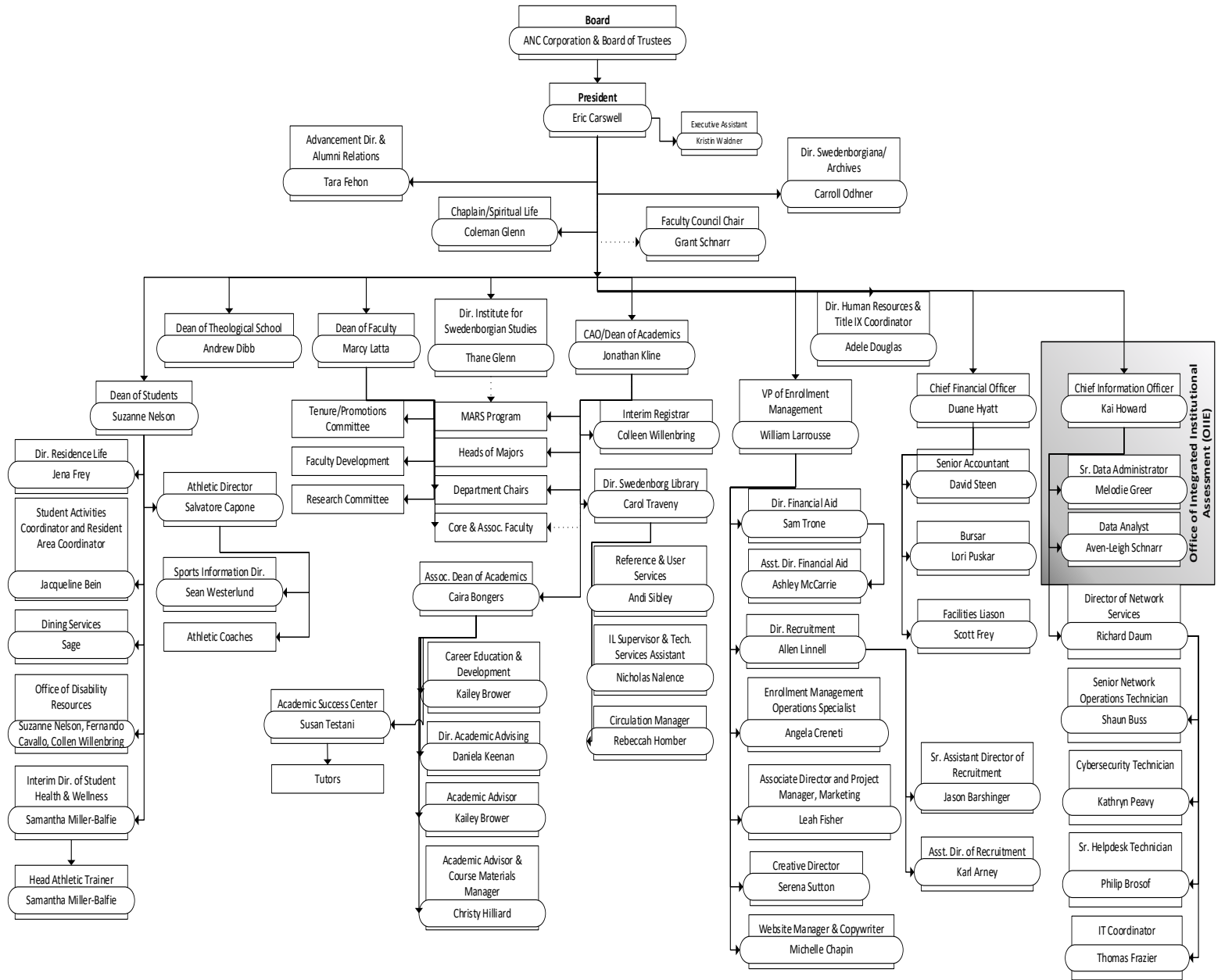
The New Church is a form of Christianity that respects all faiths that acknowledge God and a life of charity toward the neighbor. At Bryn Athyn College we uphold this way of life, and we encourage our students in developing their individual faiths. We will ask each person to think critically and deeply about spiritual concepts and their application to life; then we encourage each person to live according to his/her beliefs—to be a person of integrity, honor, and compassion.

3.0.4 Organizational Charts

Academy of the New Church Organizational Chart



Bryn Athyn Organizational Chart



3.1 EMPLOYMENT CLASSIFICATION & POLICIES

3.1.1 Employment-At-Will

Staff employees of the College are considered to be employees-at-will, in accordance with statutes, regulations, and the law governing employment in the Commonwealth of Pennsylvania. This means that, notwithstanding any of the provisions of these policies or any practice, employment may be terminated for any lawful reason, at any time, either by the employee or by the College, with or without cause, with or without prior notice. While the College may follow a disciplinary process from time to time, nothing in this Handbook or its application shall restrict the right of the College to terminate an employee at-will. The only employees whose employment is not governed by this premise are those (faculty) who have been engaged pursuant to the terms of a formal written employment contract signed by the *President or Dean of Faculty* and the President who is engaged pursuant to an agreement established by the Academy Board of Trustees. See [Faculty Handbook, Section 2.2](#) regarding faculty contracts.

The College is unable to guarantee anyone's employment or any particular job or type of work for any specified period of time and therefore retains the right to change prospectively the existence, nature, position title, compensation, and other terms and/or conditions of the employment of any employee at any time, for any reason, with or without prior notice.

3.1.2 Classification and Categories of Employment

There are two federally regulated FLSA (Federal Labor Standard Act) categories. They are exempt and non-exempt employees. In addition to the federally compliant categories, the College has established four employment categories. Faculty, staff, administration, and student workers. Faculty, staff, and administration are defined by four statuses. They are full-time, percent-time, part-time, and auxiliary/temporary.

Exempt Employees are exempt from overtime under federal and state law, i.e., they do not qualify for overtime. In order for a position to be classified as exempt under the federal Fair Labor Standards Act (FLSA) and state law, (a) the primary duty must be to perform exempt responsibilities as defined by state and federal law, such as executive, administrative, or professional duties; (b) the employee must be paid not less than \$684 per week as stipulated by FLSA and state law for either work category (proposed legislation has been suspended); and (c) the employee must be paid on a salary rather than an hourly basis. Exempt employees' responsibilities typically include all of the following criteria: exercising discretion and independent judgment regarding matters of significance; managing people and or operations; and having advanced knowledge of a specific field. These are just a few of the qualities that must be demonstrated in an exempt employee's primary job responsibilities.

Non-Exempt Employees are eligible for overtime. Overtime is defined as any time worked over 40 hours in a workweek. Non-exempt employees are not exempted from overtime under federal and/or state law and must receive overtime pay for hours actually worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. Non-exempt employees can be paid via salary or hourly rate.

3.1.2.1 Mandated Reporters

Employees are considered mandated reporters for various state and federally regulated laws as they apply to the safety and security to the College community environment. Below outlines each employment category responsible for reporting violations of the following federal and state mandated laws.

MANDATED LAWS	REPORTER TITLES	EMPLOYEES REQUIRED TO REPORT VIOLATIONS	DESIGNATED PERSONS TO RECEIVE REPORT
<u>Title IX</u> * See <u>Section 3.1.3.5</u> for reporting details	Responsible Employees	All Faculty, Staff, Administrators, and Residence Assistants	Title IX Coordinator/ Director of Human Resources, Title IX Deputy Coordinator, and Dean of Students
<u>Clery Act</u>	“Campus Security Authorities”	All Faculty, Staff, Administrators, and Student Workers	Department of Public Safety
<u>Child Protection</u> See <u>Section 3.9.3.7</u> for reporting details	Mandated Reporters	All persons (Faculty, Staff, Administrators, and Student Workers) who have routine interaction with children under the age of 18 in the course of their employment, practice/professions	PA Child Welfare, ChildLine, Chair, Co-Chair, or Sub-Chair of the College Conduct Committee, College President, or Department of Public Safety
<u>Red Flags</u> See <u>Section 3.9.5.2</u> for reporting details	Responsible Employees	All Faculty, Staff, Administrators, and Student Workers	Employee’s Immediate Supervisor and the Chair of the Information Security Committee

* Exempt from reporting Title IX violations are auxiliary workers employed as custodial, facility, grounds of Consolidated Plant Operations (CPO), dining hall staff employees, student workers other than residence assistants, and other non-college shared services.

Training will be provided regularly for all employees required to report any violations pertaining to these mandated laws and regulations.

3.1.2.2 Faculty Members

All faculty members are exempt employees.

All faculty members are considered mandated reporters for Title IX, Clery Act, Child Protection, and Red Flags reporting purposes. See [Mandated Reporters](#) table above for details.

Faculty members are defined as having the primary responsibility for the academic life of the College. The primary duty of the faculty is to teach - to provide Bryn Athyn College students with high-quality educational experiences in and out of the classroom. These responsibilities entail curriculum design and review; instructional methods; standards and procedures for evaluating teaching, scholarship, and service; and those aspects of student life related to the educational process.

- **Full-time faculty** members are core faculty whose primary teaching assignment or primary administrative responsibility is in the College. The maximum total course and administrative work load for full-time faculty equates to nine units (where one unit is equivalent to teaching a three-credit lecture course) or 100% of a full-time load per academic year. Full-time faculty members work approximately 50 hours per week during the academic year. A full-time load for faculty includes administrative and/or service assignments in addition to the nine units. See the [Benefits Table](#) for benefit details. See section 2.4.3 in the [Faculty Handbook](#) for details pertaining to Core Faculty Members
- **Percent-time faculty** members are core faculty whose primary teaching assignment or primary administrative responsibility is in the College. Percent-time core faculty work between 50% and 100% of a full-time faculty load (teaching, service, and administration) over an academic year. In general, percent-time faculty members have more than 25 hours of assigned work per week in an academic term. See the [Benefits Table](#) for benefit details. See the section 2.4.3 in the [Faculty Handbook](#) or details pertaining to Core Faculty Members. *In 2012, faculty members could elect to retire and receive certain retiree medical benefits for which they were eligible. Some of these faculty members work between 50% and 100% of a full-time faculty load and would otherwise meet the definition of percent-time faculty. However, by virtue of their election to retire, these faculty members are categorized as part-time faculty for benefit purposes. See next bullet.*
- **Part-time faculty** members are adjunct faculty consisting of less than half-time assignment. Adjunct faculty are associate faculty whose total faculty assignment (teaching, service, and administration) is less than 50% of a full-time load over the academic year, and no more than 25 hours of work per week in any term. See the [Benefits](#)

[Table](#) for benefit details. See the section 2.4.3 in the [Faculty Handbook](#) for details pertaining to Associate Faculty Members

3.1.2.3 Staff & Administration Members

A staff member position can be classified as either exempt or non-exempt. A staff position FLSA status is determined by the level of primary job responsibilities and salary or rate of pay. Staff should refer to their job descriptions for their FLSA status. All administration member positions are classified as exempt employees.

With the exception of custodial, facility, grounds, dining hall staff employees and other non-college shared services, all other staff and administrators are considered mandated reporters for Title IX, Clery Act, Child Protection, and Red Flags reporting purposes. See [Mandated Reporters](#) table above for details.

Staff Members are defined as employees whose primary responsibility is to support the functions and critical operations of the faculty and administrators of the college. Staff typically do not teach as a primary responsibility.

Administrators are defined as employees whose primary function entails high-level responsibilities that are critical to the operations of the institution. Administrators typically manage an entire operation or department of the College. Administrators may have staff members reporting directly to them. Administrators may also teach as a secondary role.

- **Full-Time staff and administration** members are consistently scheduled to work forty (40) hours within a seven (7) calendar-day work week, year-round. This pertains to both exempt and non-exempt employees. See the [Benefits Table](#) for benefit details.
- **Percent-Time staff and administration** members are consistently scheduled to work less than forty (40) hours, but thirty (30) hours or more within a seven (7) calendar day work week. Ten-month, full-time staff and administrators are also included in this category. This pertains to both exempt and non-exempt employees. See the [Benefits Table](#) for benefit details.
- **Part-Time staff and administration** members are consistently scheduled to work less than thirty (30) hours, but twenty (20) hours or more within a seven (7) calendar day work week. This pertains to both exempt and non-exempt employees. See the [Benefits Table](#) for benefit details.
- **Auxiliary (seasonal), and temporary** employees are employed for a limited period of time or have been engaged to execute a specific discrete project or a number of related assignments, the completion of which ordinarily will not exceed six (6) months and/or will involve fewer than one thousand (1,000) hours of work. With the exception of certain

statutory benefits (for example, Workers' Compensation and Social Security), auxiliary and temporary employees are not eligible for any benefits offered by the College.

3.1.2.4 Student Workers

All student workers are categorized as non-exempt, auxiliary employees. All student workers are a part of the Student Employment Program at Bryn Athyn College.

Student Workers may be considered mandated reporters for Title IX, Clery Act, Child Protection, and Red Flags reporting purposes. See [Mandated Reporters](#) table above for details.

Student Workers must be currently enrolled as a student of Bryn Athyn College and in good academic standing. To ensure academic success as a priority, freshmen student workers are not allowed to work more than 12 hours per week during terms. Sophomore, juniors, and seniors may be allowed to work up to 20 hours per week maximum with prior approval. Students' work hours are not limited during scheduled term breaks. Regular student workers are not eligible for federal work-study aid. Student workers are not eligible for any employee benefits offered by the College.

Federal Work-Study Student Workers must be currently enrolled as students of Bryn Athyn College and in good academic standing. To ensure academic success as a priority, freshmen federal work-study student workers are not allowed to work more than 12 hours per week during class sessions. Sophomore, juniors, and seniors may be allowed to work up to 20 hours per week maximum with prior approval. Federal work-study students work hours are not limited during scheduled term breaks. Federal work-study students are eligible for federal aid based on a financial need. Federal work-study student workers are not eligible for any employee benefits offered by the College

3.1.3 Non-Discrimination, Non-Harassment, and Non-Retaliation Policies

Specific policies and notifications regarding all forms of discrimination and harassment can be found in the appendices and/or policies below.

[Appendix A: Title IX: Notice of Non-Discrimination](#)

[Appendix B: Title IX: Privacy and Confidentiality](#)

[Appendix E: Hearing Process Details](#)

3.1.3.1 Equal Employment Opportunity

As an institution, Bryn Athyn College is committed to ensuring equal employment opportunity. All employment decisions, policies, and practices are in accordance with federal, state, and local anti-discrimination laws, to the extent applicable.

We will not engage in or tolerate unlawful discrimination (including any form of unlawful harassment) on account of a person's sex, age, religion, creed, race, color, national origin, ancestry, citizenship, military status, veteran status, handicap or disability, or any other protected group or status if, and to the extent, protected from discrimination in activities or practices at the college under federal, state, or local laws. For example, and by way of illustration only, the College will not unlawfully consider an individual's membership in any protected group as defined above with regard to interviewing, hiring, compensation, benefits, training, assignments, evaluations, coaching, promotions, discipline, discharge and layoffs. However, as a limited exception to these general principals, in some instances, membership in the Church and compliance with Church doctrine may be a requirement of the position and may be taken into consideration in accordance with applicable law.

Subject to the limited exception identified above, as well as applicable law, as a religious institution, the College has a legitimate interest in determining who will teach its faith and carry out its mission. Therefore, in accordance with applicable law, the College reserves the right to make employment decisions, policies and practices consistent with this legitimate interest. This policy applies to all faculty, staff, administrators, clergy, managers, supervisors, and applicants. To the extent applicable, such individuals are both protected under and subject to this policy.

3.1.3.2 Harassment on Account of/with Regard to Any Other Protected Group

Bryn Athyn College expressly prohibits any form of discrimination and harassment on the basis of any College-recognized protected classification, including sex, race, color, age, religion, national or ethnic origin, or disability in any decision regarding admissions, employment, or involvement in a College program or activity in accordance with the letter and spirit of federal, state, and local non-discrimination and equal opportunity laws, such as titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, and ADA Amendments Act. Harassment based on any other protected status (for example, **age, race, national origin** or **disability**) is equally prohibited and will not be tolerated.

With the exception of academic freedom¹ as it pertains to faculty and their right to discuss and teach on some of these matters, the following are inappropriate, and as such, prohibited regardless of whether they are illegal: pictures, photos, cartoons, emails, Internet web sites, jokes, slurs, epithets, nicknames, conversations, questions, objects, symbols, imitations and

¹ {AAUP} Academic freedom is essential to [the common good] and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning... Teachers are entitled to full freedom in research and in the publication of the results... Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. See [Faculty Handbook](#), Section 2.4.1 for further details.

other communications/behaviors which reflect negatively upon, stereotype, or disparage any protected group (for example, any race, gender, ethnic group, age, religion or disability). It is no defense for inappropriate behavior that there was no bad intent, that it was only a joke, or that it was not directed at any particular person.

These prohibitions apply not only to oral and written communications, but also to email, voicemail, Internet communications and searches, and other technology-assisted communications. The prohibitions also may extend to postings on personal blogs and other forms of social networking if seen by, or contain messages about, colleagues or others with whom we work or serve.

3.1.3.3 Americans with Disabilities & Reasonable Accommodations

Bryn Athyn College is committed to equal opportunity and access for people with disabilities. In compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendment Act, the College does not exclude otherwise qualified persons with disabilities from participating in employment opportunities and College programs and activities.

The ADA and ADA Amendment Act provide protections for the person with a disability from discrimination in any employment action and requires an employer to make reasonable accommodations to aid the individual to perform the essential duties of the job. Upon request we will make reasonable accommodations for qualified individuals with disabilities or with regard to an employee's religious observances, practices, and beliefs if such accommodations do not impose an undue hardship upon the organization. If you need an accommodation for religious or medical reasons, you should speak with the Director of Human Resources.

3.1.3.4 Sexual Misconduct Policy

Statement of Values

Acts of sexual misconduct are harmful and illegal and will not be tolerated at Bryn Athyn College. Sexual misconduct is defined as a range of behaviors including sexual assault, sexual harassment, intimate partner violence, stalking, voyeurism, and any other conduct of a sexual nature that is without consent, or has the purpose or effect of threatening, intimidating, or coercing a person.

While sexual misconduct includes nonconsensual sexual contact, it also includes threatening speech that is sufficiently severe or pervasive which constitutes sexual harassment as mentioned above. Making photographs, video, or other visual or auditory recordings of a sexual nature of another person without consent constitutes sexual misconduct, even if the activity

documented was consensual. Similarly, sharing such recordings or other sexually harassing electronic communications without consent is a form of sexual misconduct. Both men and women are protected from sexual misconduct, and sexual misconduct is prohibited regardless of the sex of the harasser.

An act of sexual misconduct represents a fundamental failure by a community member to recognize and respect the intrinsic worth and dignity of another. Such acts corrupt the integrity of the educational process and are contrary to the mission and values of the College.

All members of the Bryn Athyn College community should be free from sexual misconduct in the classroom, the social, recreational, and residential environment and the workplace. The College seeks to foster a climate free from sexual misconduct through a coordinated education and prevention program, the promulgation of clear and effective policies, as well as investigative and grievance procedures that are prompt, equitable, and accessible to all. In response to any reported sexual misconduct, the College will take all appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects.

Application and Purpose of Policy

This policy applies to all members of the College community, including students, employees, volunteers, independent contractors, visitors, and any individuals regularly or temporarily employed, studying, living, visiting, conducting business, or having any official capacity at the College.

All community members have a responsibility to adhere to College policies and local, state, and federal law. This policy applies to conduct occurring on Bryn Athyn College property or at College-sanctioned events or programs that take place off campus, including study abroad and internship programs, business trips, and College or Church-related social functions.

The purpose of this policy is to provide community members with the structure, tools, and guidance to assist those who have experienced or been affected by sexual misconduct whether as a complainant, a respondent, or a third party.

Sexual misconduct might be committed by any member of the Bryn Athyn College community. The College has jurisdiction to take disciplinary action against a respondent who is a current student or employee. There are specific procedures for resolving a report under this policy against faculty, staff, administrators, or students. For details, see [Procedures for Review, Investigation, and Resolution of Discrimination, Harassment, Retaliation, and Sexual Misconduct Complaints](#).

Definitions and Examples

Complainant

A complainant is the party (student/employee) who makes the complaint or accusation.

Respondent

The respondent is the accused student/employee, defendant, or alleged perpetrator.

Sexual Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted verbal or physical conduct of a sexual nature when one or more of the following conditions are present:

- Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or any aspect of a College program or activity
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e. it is sufficiently serious, pervasive, or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both an objective and subjective standard

A single, isolated incident of sexual harassment alone may create a hostile environment if the incident is sufficiently severe. The more severe the conduct the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

Sexual harassment can take many forms. Sexual harassment:

- May be blatant and intentional and involve an overt action or a threat of reprisal, or it may be subtle and indirect, with a coercive aspect that is unstated
- Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents
- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational, or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship

- May be committed by or against an individual or may be a result of the actions of an organization or group
- May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation
- May occur in the classroom, in the workplace, in residential settings, over electronic media (including the internet, telephone, and text), or in any other setting
- May be a one-time event or part of a pattern of behavior
- May be committed in the presence of others or when the parties are alone
- May affect the complainant and/or third parties who witness or observe harassment type and severity. Key determining factors are that the behavior is unwelcome, is gender-based, and is reasonably perceived as offensive and objectionable under both a subjective and objective assessment of the conduct

Sexual Assault

Sexual assault is defined as having sexual intercourse or sexual contact with another individual without consent, including:

- by the use or threat of force or coercion
- without effective consent
- where that individual is incapacitated

Sexual intercourse includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand, etc.) or object, or oral penetration involving mouth to genital contact.

Sexual contact includes intentional contact with the intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth, or any other part of the body that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.

Sexual Exploitation

Sexual exploitation is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include:

- Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved

- Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved
- Prostituting another individual
- Exposing one's genitals in non-consensual circumstances
- Knowingly exposing another individual to a sexually transmitted disease without that individual's knowledge; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity

Physical Assault

Physical assault is a purposeful action meant to hurt another person. Examples include, but are not limited to, kicking, punching, hitting with or throwing an object, or biting. When these acts occur in the context of intimate-partner violence or when the behavior is perpetrated on the basis of sex or gender, the conduct will be resolved under the [Procedures for Review, Investigation, and Resolution of Discrimination, Harassment, Retaliation, and Sexual Misconduct Complaints](#).

Bullying and Intimidation

Bullying includes any intentional electronic, written, verbal, or physical act or a series of acts directed at another student (s) or employee (s) that is severe, persistent, or pervasive and that has the intended effect of doing any of the following:

- Substantially interfering with student's education or an employee's job
- Creating a threatening environment
- Substantially disrupting the orderly operation of the College. Bullying is prohibited, and participating in such acts will result in disciplinary action

Intimidation is any verbal, written, or electronic threats of violence or other threatening behavior directed toward another person or group that reasonably leads the person(s) in the group to fear for her/his physical well-being. Intimidation is prohibited and will result in disciplinary action.

Anyone who attempts to use bullying or intimidation to retaliate against someone who reports an incident, brings a complaint, or participates in an investigation in an attempt to influence the judicial process will be in violation of retaliation as described within this handbook and will be subject to disciplinary action. For details in situations that may fall outside of Title IX, see the [Whistleblower Policy](#).

Stalking

Stalking occurs when a person engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances that demonstrate either of the following:

- Place the person in reasonable fear of bodily injury
- Reasonably cause substantial emotional distress to the person

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

Examples of stalking include:

- Unwelcome and repeated visual or physical proximity to a person
- Repeated oral or written threats
- Extortion of money or valuables
- Unwelcome/unsolicited written communication, including letters, cards, emails, instant messages, messages on online bulletin boards, and any social media platforms
- Unwelcome/unsolicited communications about a person, their family, friends, or co-workers
- Sending/posting unwelcome/unsolicited messages with an assumed identity
- Implicitly threatening physical contact
- Any combination of these behaviors directed toward an individual person

Intimate Partner Violence

Intimate Partner Violence (IPV), is defined as physical, sexual or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy. It occurs on a continuum, ranging from one hit that may impact the victim to chronic, severe battering.

There are four main types of IPV: physical, sexual violence, threats of physical or sexual violence, and psychological/emotional violence.

Indecent Exposure

A person commits indecent exposure if that person exposes her/his genitals in any public place or in any place where there are other persons present under circumstances in which one knows or should know that this conduct is likely to offend, affront, or alarm.

Retaliation

Retaliation is any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved in the investigation and/or resolution of a sexual assault or harassment allegation. Retaliation can take many forms, including continued abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a complainant, or respondent, can engage in retaliation.

Statement on Consent, Coercion, Incapacitation, and Alcohol/Drug Use

Consent

Consent to engage in sexual activity must be knowing and voluntary; it must exist from the beginning to end of each instance of sexual activity and for each form of sexual contact. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Consent is active, not passive.

Guidance for Consent

- Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.
- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.
- If at any time during the sexual activity, any confusion or ambiguity arises as to the willingness of the other individual to proceed, both parties should stop and clarify verbally the other’s willingness to continue before continuing such activity.
- Either party may withdraw consent at any time. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
- Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

- Consent is not effective if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise her/his own free will to choose whether or not to have sexual contact.

Force

Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

Coercion

Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity.

Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Incapacitation

With incapacitation, an individual lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. Incapacitation may result from the use of alcohol and/or drugs. Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility. Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- decision-making ability
- awareness of consequences
- ability to make informed judgments
- capacity to appreciate the nature and the quality of the act

Evaluating incapacitation also requires an assessment of whether a respondent should have been aware of the complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the respondent's position.

Alcohol or Other Drugs

Alcohol and drugs impair a person’s decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person’s level of intoxication. If there is any doubt as to the level or extent of the other individual’s intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, misconduct, or intimate-partner violence and does not diminish one’s responsibility to obtain informed and freely given consent.

3.1.3.5 Reporting Discrimination, Harassment, Retaliation, and Sexual Misconduct

The College requires all College employees who have a responsibility for student welfare or are in a position of authority (unless required to maintain confidentiality by law), and strongly encourages all other Bryn Athyn community members to report information about any incident of sexual assault, sexual harassment, or other sexual misconduct involving a student, staff, or faculty member, regardless of where and when the incident happened. These employees are considered “responsible employees”. See [Section 3.1.2.1](#) for details regarding employees reporting classifications. In addition, those employees who have been informed by the Department of Public Safety that they are “campus security authorities” under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) are legally required to report such incidents to the Department of Public Safety. All such employees to whom an incident is reported should strongly encourage the reporting party, whether it is the complainant or a third party, to speak directly with the Title IX Coordinator, Title IX Deputy Coordinator, or Public Safety Officer. See [Campus and Community Resources](#) for details on how to contact these and other pertinent persons.

A complainant does not have to decide whether or not to request any specific action by the College at the time the report is made, nor is there a time limit on reporting. Bryn Athyn is committed to supporting the rights of a person reporting an incident of sexual assault, sexual harassment, or other sexual misconduct to make an informed choice among options and services available.

The College will respond to all reports in an integrated, consistent manner that treats each individual with dignity and respect and will take prompt responsive action to end the misconduct, prevent its recurrence, and address its effects.

If you believe that you or anyone else may have been unlawfully discriminated against, harassed or retaliated against, or subject to any inappropriate conduct prohibited by this [Equal Employment Opportunity Policy](#) or other [Non-Discrimination, Non-Harassment, Non-Retaliation policies](#) in this section, by any employee (faculty or staff member including

manager, supervisor, co-worker), or non-employee, you should report the alleged violation immediately to:

The Office of Human Resources, Bryn Athyn College, at 267-502-6038 or HR@brynathyn.edu.

You should also consult HR if you believe that a reasonable accommodation that you requested was not, but should have been, made.

If you are a faculty or staff member, manager or supervisor, and anyone complains to you that they believe they or anyone else may have been subject to unlawful discrimination, harassment, retaliation, or sexual misconduct you must report this by calling the Director of Human Resources/Title IX Coordinator. Do not investigate the complaint on your own. If you are not sure whether you have a duty to report, play it safe and report to the Director of Human Resources/Title IX Coordinator.

All complaints will be investigated promptly, and the existence and nature of your complaint will be disclosed only to the extent necessary to make a prompt and thorough investigation, or as may be necessary to take appropriate corrective measures. For details, see [Procedures for Review, Investigation, and Resolution of Discrimination, Harassment, Retaliation, and Sexual Misconduct Complaints](#).

Further, we will not tolerate any coercion, retaliation, intimidation, or harassment directed against any employee who registers a complaint, serves as a witness on behalf of another employee, or otherwise participates in the investigation process.

If you are not entirely satisfied with how your complaint has been handled initially by the person identified above, for whatever reason, please notify **immediately, in writing**, the President that you wish to appeal your complaint. The President may delegate this responsibility to another officer of the College. Your appeal should be in writing to help ensure that the person you contact is clear that you wish to appeal.

While we encourage you to be detailed, it is sufficient to say “I wish to appeal my EEO/ other Discrimination, Harassment, Retaliation, or Sexual Assault complaint.” Address your correspondence to:

President - Bryn Athyn College
2945 College Drive, Post Office Box 462, Brickman Center
Bryn Athyn, Pennsylvania 19009.

3.1.3.6 Prohibiting Retaliation

In conjunction with the Academy's [Whistleblower Policy](#), we will neither engage in nor tolerate unlawful retaliation of any kind against any person who makes a complaint of unlawful discrimination, harassment, or retaliation, or who serves as a witness or otherwise participates in the investigation process. We also will neither engage in nor tolerate unlawful retaliation against someone who is associated with any person who makes a complaint. As with all other provisions of this Policy, all employees are both protected by and subject to this provision.

Prohibited retaliation includes adverse tangible employment actions, such as denial of a raise or promotion. It also may include, in some circumstances, material changes in the terms and conditions of employment, such as work assignments, if the changes result from a retaliatory motive. Prohibited retaliation also may include adverse actions outside the workplace, such as trying to exclude an employee from membership in an outside professional organization because of a complaint he or she made at work.

It is no defense for retaliation by any person (faculty, staff, supervisor, etc.) that the complaint did not have legal merit. Generally speaking, and subject to applicable law, so long as an individual acts in good faith in making a complaint alleging unlawful discrimination, harassment or retaliation, serving as a witness, or otherwise participating in the investigation process, no adverse action can be taken against him or her because of those actions.

Prohibited retaliation will be handled in the same manner, and employees will be subject to disciplinary/corrective action to the same degree, as with any other violation of this policy.

3.1.3.7 Procedures for Review, Investigation, and Resolution of Discrimination, Harassment, Retaliation, and Sexual Misconduct Complaints

Summary of Procedure

This procedure for review, investigation and resolution of discrimination, harassment, retaliation or sexual misconduct complaints ("Procedure") provides information applicable to students, faculty, staff, administration, visitors and others who may be on the College premises regarding the process for resolving complaints of [discrimination](#), [harassment](#), [retaliation](#) or [sexual misconduct](#). If you have any questions regarding this policy, call or email The Office of Human Resources at 267-502-6038 or HR@brynathyn.edu. The Policy is comprised of the following components:

- Complaints of possible violations of the Policy may be made to the Director of Human Resources/Title IX Coordinator, the Dean of Students or the Public Safety Department by completing a [College Incident Report Form](#)

- An Advisor is assigned to a complainant and respondent only in instances of complaints of sexual misconduct. Advisors are assigned only to students and not employees
- An initial assessment of a complaint is made by the Director of Human Resources/Title IX Coordinator or designee within five (5) business days of receipt of the complaints
- A full investigation follows if there is sufficient evidence of a pattern of violation of this Policy
- An investigation is completed within approximately sixty (60) days, subject to reasonable delays (for example, end of term breaks or holidays)
- The investigative report will assist the Director of Human Resources/Title IX Coordinator to determine if the matter should proceed to a hearing for judicial resolution
- The College cannot ensure the confidentiality of any complaint but will engage in best efforts to comply with the wishes of a complainant. Additionally, College counselors, pastors and others listed in this Policy are required by law to maintain confidentiality
- Following receipt of a complaint, the Director of Human Resources/Title IX Coordinator will determine whether interim measures are appropriate while the investigation is ongoing
- Interim measures may also be used where the investigation of a complaint concludes that they are proper to resolve the complaint
- An investigative report is reviewed by the College Conduct Hearing Panel (members listed in [Appendix E](#)), the Title IX Coordinator, the Title IX Deputy Coordinator, and/or the Dean of Students (if students of the College are involved) to determine if there is sufficient information upon which a hearing panel might find a violation of the policy
- Depending on the allegations involved, judicial resolutions of Policy violations may be achieved [without a hearing](#) or via an [informal hearing](#)
- Only formal hearings involve the [College Conduct Hearing Panel](#)
- When a formal hearing process is necessary, there are [pre-hearing procedures](#) and [pre-hearing review of documents](#)
- The [formal hearing procedures](#) are set forth in the policy

- Following deliberation and decision of the external adjudicator or the formal hearing panel, the [notice of outcome](#) and [sanctions](#) are sent to both the complainant and respondent
- A complainant or respondent may desire to withdraw from the College prior to completion of the investigation and hearing process. If a complainant withdraws, depending on an assessment of the fact involved, the College may continue with the investigation and hearing process. If a respondent [withdraws prior to completion](#) of the investigation and hearing process, the process will proceed. Transcripts may be held and notated if a withdrawal occurs.
- An appeal to the President is permitted.

Definitions

[Judicial Resolution](#) – When a respondent admits to the violation of the Policy, an informal hearing occurs for less serious violations of the Policy. A formal hearing is conducted by the College Conduct Hearing Panel for more serious violations of the Policy.

[External Adjudicator](#) – In lieu of a hearing before the College Conduct Hearing Panel, the Director of Human Resources/Title IX Coordinator may retain an external adjudicator in lieu of the hearing panel.

Complete Outline of Procedure

While a report may emerge through many sources, the College is committed to ensuring that all discrimination, harassment, retaliation, or sexual misconduct reports are brought to the College’s Director of Human Resources/Title IX Coordinator.

The Director of Human Resource/Title IX Coordinator (“Coordinator”) oversees consistent application of its procedure to all faculty, staff, administrators, students, and campus visitors and allows the College to respond promptly and equitably to eliminate the misconduct, prevent its recurrence and address its effects. He/she coordinates the review, investigation, resolution of the report and the implementation of all appropriate interim measures.

College policy requires that *any* employee who receives a report of discrimination, harassment, retaliation, or sexual misconduct must bring the report to the Coordinator or a member of the Title IX team. The Title IX team consists of the Coordinator and Deputy Coordinator.

Filing a Complaint

An individual who wishes to make a report of discrimination, harassment, retaliation, or sexual misconduct is encouraged to make the report directly to the Coordinator, the Dean of Students, or Public Safety Department.

To make an official non-confidential complaint, the complainant must complete a [College Incident Report Form](#) - Appendix G. Following receipt of a complaint and incident form, the Coordinator will assign a College Conduct Hearing Panel member to work as an advisor to the student who reports a sexual misconduct complaint. The advisor's purpose is to provide guidance regarding the policies and procedures of a sexual misconduct complaint to any student who officially files a report. The advisor serves in an impartial role and will not serve as a voting member of the hearing panel for the case in which he/she is advising. See the list of panel members in [Appendix E](#).

Complaints of discrimination, harassment, or retaliation that are of a non-sexual nature, will not have an advisor assigned to the complainant. Advisors are only assigned to students making a sexual misconduct complaint and are not assigned to employees.

Normally, within five business days of receipt of the complaint, an initial assessment is made by the Coordinator or designee whether a policy violation may have occurred and/or whether a judicial resolution might be appropriate. If the complaint does not appear to allege a policy violation or if judicial resolution is not desired by the complainant and appears appropriate given the nature of the alleged behavior, then the complaint does not proceed to investigation.

If a complaint be made against the Coordinator or the Coordinator is otherwise unavailable or unable to fulfill his/her duties, the Coordinator may designate another person to oversee the process below.

An investigation will be pursued if there is evidence of a pattern of discrimination, harassment, retaliation, or sexual misconduct or a perceived threat of further harm to the college community. The College aims to complete all investigations within a 60-business-day time period, which can be extended as necessary for reasonable cause by the Coordinator with notice to the parties. Delays may occur when the College is closed or during academic breaks.

In every report of discrimination, harassment, retaliation, or sexual misconduct, the College, through the coordinated efforts of the Office of Director of Human Resources, Dean of Students, and/or the College Conduct Hearing Panel will conduct an initial assessment. At the conclusion of the assessment, the report will be referred to the Coordinator for an investigation to determine if there is sufficient information to proceed with judicial resolution. Judicial resolution is a sanctions-based approach that may involve discipline up to and including expulsion or termination of employment.

Request for Confidentiality

As described in the [Privacy and Confidentiality -Appendix B](#), all College investigations will respect individual privacy concerns.

Information gathered during the investigation will be used to evaluate the responsibility of the respondent, provide for the safety of the individual and the College campus community, and impose reasonable remedies to address the effects of the alleged conduct. The investigative report will serve as the foundation for all related resolution processes.

If a complainant requests that his/her identity remain confidential or that the College not pursue an investigation, the College must balance this request in the context of its responsibility to provide a safe and non-discriminatory environment for all College community members. The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to investigate may be limited by the request for confidentiality. Under these circumstances, the College will weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment, any potential threats to community safety, the respective ages and positions of the complainant and the respondent, previous history of harassment complaints against the respondent, and the respondent's right to receive information under applicable law.

At all times, the College will seek to respect the request of the complainant, and where it cannot do so, the College will consult with the complainant and keep him/her/them informed about the chosen course of action.

If a complainant prefers confidentiality, he/she may speak with one or more of the following confidential references: on-campus counselors, college health service providers, off-campus local rape crisis counselors, domestic violence resources, private agencies, and or members of the clergy/chaplains all of whom will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor. Students may confidentially access the college counselors in College Health Services Center. These resources are available free of charge and can be seen on an emergency basis during normal business hours. See [Privacy and Confidentiality - Appendix B](#) or [Campus and Community Resources-Appendix D](#) for detailed information.

Non-Confidential Requests

Complainants are encouraged to speak to designated College officials, including the Director of Human Resources/Title IX Coordinator, the Dean of Students, Campus Safety, any responsible employee which include all faculty, staff members, and the Bryn Athyn Police Department to make reports of incidents of sexual misconduct. Only a limited group of officials who "need to know" will be told of an incident. Information will be shared as necessary with investigators,

witnesses and the accused student/respondent. The circle of people with this knowledge will be kept as tight as possible to preserve a complainant's rights and privacy.

Federal Timely Warning and/or Emergency Notification Obligations

Complainants of sexual misconduct should be aware that College administrators must issue timely warnings and/or emergency notifications for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the college community. When reporting, complainants may request that personally identifiable information be withheld. The College will make every effort to ensure that a complainant's name and other personally identifying information is not disclosed, while still providing enough information for community members to make decisions in light of the potential danger.

Initial Assessment

Upon receipt of a discrimination, harassment, retaliation, or sexual misconduct report, the College, will conduct an initial assessment. The first step of the assessment will usually be a preliminary meeting with the complainant and the Coordinator and a designee (Title IX team member or hearing panel member). The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full forensic interview. At this meeting, the complainant will be provided with information about resources, procedural options, and interim remedies.

This initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, the assessment may continue depending on a variety of factors, such as the complainant's wish to pursue disciplinary action, the risk posed to any individual or the college community by not proceeding, and the nature of the allegation.

In the course of this assessment, the College will consider the interest of the complainant and the complainant's expressed preference for the manner of resolution. Where possible and as warranted by an assessment of the facts and circumstances, the College will seek action consistent with the complainant's request.

As part of the initial assessment of the facts, the Coordinator and a designee will:

- Assess the nature and circumstances of the allegation
- Address immediate physical safety and emotional well-being of the complainant
- Notify the complainant of the right to contact law enforcement and seek medical treatment
- Notify the complainant of the importance of preservation of evidence
- Assess the reported conduct for the need of a timely warning and/or emergency notification under the Clery Act
- Provide the complainant with information about on- and off-campus resources

- Notify the complainant of the range of interim accommodations and remedies
- Provide the complainant with an explanation of the procedural options, including judicial resolution
- Identify an advisor, advocate, and/or support person for the complainant and the respondent
- Assess for pattern evidence or other similar conduct by respondent
- Discuss the complainant's expressed preference for the manner of resolution and any barriers to proceeding
- Explain the College's policy prohibiting retaliation

Where a complainant requests that a name or other identifiable information not be shared with the respondent or that no formal action be taken, the College will balance this request with its dual obligations to provide a safe and non-discriminatory environment for all College community members and to afford a respondent fundamental fairness by providing notice and an opportunity to respond before action is taken against a respondent.

Conclusion of Title IX Assessment

Title IX team will determine appropriate manner of resolution and if appropriate, refer report for remedies-based resolution or investigation to determine if there is sufficient information to pursue judicial resolutions.

The determination as to how to proceed will be communicated to the complainant in writing. Depending on the circumstances and requested resolution, the respondent may or may not be notified of the report or resolution. A respondent will be notified when the College seeks action that would impact a respondent, such as protective measures that restrict the respondent's movement on campus, the initiation of an investigation or the decision to involve the respondent in remedies-based resolution.

Even if judicial resolution is not pursued, the College will have the discretion to require the respondent to participate in remedial measures that ensure sufficient education and counseling of the College's policies.

Interim Measures

Upon receipt of a discrimination, harassment, retaliation, or sexual misconduct report, the College will provide interim support and reasonable protective measures to prevent further acts of misconduct, and to provide a safe educational and work environment. The College will determine the necessity and scope of any interim measures. Even when a complainant or respondent does not specifically request that protective action be taken, the College may choose to impose interim measures on the respondent at its discretion to ensure the safety of any individual, the broader College community or the integrity of the review process.

Employees and/or students seeking such assistance should speak with the Director of Human Resources/the Coordinator, who will coordinate such requests on the behalf of the individual. The College will maintain contact with the parties to ensure that all safety and emotional and physical well-being concerns are being addressed.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure.

The College may impose any remedy that can be tailored to the involved parties to achieve the goals of this policy, even if not specifically listed here. The range of interim measures may include a no contact order, emotional support, and/or interim separation. See details regarding [Interim Measures during an Investigation- Appendix C](#).

Conducting an Investigation

Based upon the initial assessment, the Coordinator and a designee may determine if an investigation of the alleged discrimination, harassment, retaliation, or sexual misconduct report is necessary. This determination is based on a variety of factors, such as the complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

If found necessary, the investigation will proceed with the gathering of information from the complainant, the respondent, and any other individuals who may have information relevant to the determination. The investigator will also gather any available physical or medical evidence, including but not limited to, documents, communications between the parties, and other electronic records as appropriate. The investigator may also consider prior allegations of, or findings of responsibility for, sexual misconduct by the respondent.

Information gathered during the investigation will be used to evaluate the allegations of the complainant, provide for the safety of the individual and the college community, and impose interim remedies as necessary to address the effects of the alleged conduct. Any investigative report will serve as the foundation for all related resolution processes.

The complainant and respondent will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information.

The College Conduct Hearing Panel, the Title IX team and/or the Dean of Students in consultation with the Coordinator, will review the investigation report and make a threshold determination as to whether the allegations, if proven, would provide sufficient information upon which the hearing panel could find a violation of this policy. If the Coordinator or Dean of Students (for student complaints only) determines that this threshold has been reached, a notice of charge will be issued to begin the judicial resolution process.

If the Coordinator decides that no policy violation has occurred or that the preponderance of evidence (i.e., whether it is more likely than not that the accused individual committed each alleged violation) collected by the investigator/Coordinator does not support a finding of a policy violation, then the process will end unless the Coordinator is convinced by new evidence to re-open the investigation or to forward the matter for a hearing. This decision lies in the sole discretion of the Coordinator. If there is reasonable cause to believe the policy has been violated, the Coordinator will direct the investigation to continue, or if there is a preponderance of evidence of a violation, then the Coordinator may recommend judicial resolution, a resolution without a hearing or a formal hearing, based on the below criteria.

The investigation will be thorough, impartial and fair, and all individuals will be treated with appropriate sensitivity and respect.

As described in the [Privacy and Confidentiality-Appendix B](#), all College investigations will respect individual privacy concerns.

At the conclusion of the investigation, the investigator/Coordinator will prepare a report setting forth the facts gathered. The report will be factual in nature and will not make a finding of responsibility or an assessment of credibility. The complainant and respondent will have the opportunity to file a written response to the investigation report to the Coordinator.

Timeframe for Investigation

The investigation and resolution will usually be completed within 60 business days of receiving the complaint, but this time frame may be extended depending on the complexity of the circumstances of each case. All time frames expressed in this policy are meant to be guidelines rather than rigid requirements.

Circumstances for extensions may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.

In the event that the investigation and resolution exceed this time frame, the College will notify all parties of the reason for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

At the request of law enforcement, the College may agree to defer its fact-gathering until after the initial stages of a criminal investigation. The College will nevertheless communicate with the complainant regarding Title IX rights, procedural options, and the implementation of interim measures to ensure safety and well-being. The College will promptly resume its fact-gathering as soon as law enforcement has completed its initial investigation.

Hearing and Resolution Options

If warranted by the investigator's report, resolution will occur through the use of a judicial resolution, a conduct panel hearing or external adjudicator.

Because the relationship of students, staff, and faculty to the College differ in nature, the procedures that apply when seeking disciplinary action may differ as well.

Each of the procedures, however, is guided by the same fundamental principles of fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under these procedural guidelines.

Disciplinary action against a respondent may only be taken through a judicial resolution procedure, through a formal conduct panel hearing or an external adjudicator.

The investigative report will serve as the primary evidence in making a determination of responsibility. Both parties must have notice, the opportunity to review the investigative report in advance, and the opportunity to present relevant information to the Coordinator or designee and or the College Conduct Hearing Panel.

Hearing and or judicial resolutions should occur within 60 days of the completion of the investigation. Extenuating circumstances may pose a delay and will be communicated to all parties should more time be required.

Judicial Resolutions

Without a Hearing - A judicial resolution without a hearing is particularly appropriate when the respondent has admitted to the harassment or misconduct and there is no discernible dispute in the relevant facts of the investigation report; however, at the discretion of the Coordinator, it may also be used when the facts are in dispute. In reaching a determination as to whether this policy has been violated, the Coordinator will reach a determination by a preponderance of the evidence— that is, whether the conduct was more likely than not to have occurred as alleged.

Resolution without a hearing can be pursued for any behavior that falls within the Non-Discrimination, Non-Harassment, and Non-Retaliation Policies, at any time during the process. The accused may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If so, the Coordinator will render a finding that the individual is in violation of College policy for the admitted conduct and may or may not proceed to convene a formal hearing on any remaining disputed violations. A formal hearing will only be convened if the violation is one of gross misconduct to include sexual misconduct or violent behavior. Resolutions for other less offensive violations will be determined by the Coordinator only.

For admitted violations, the Coordinator and/or designee will recommend an appropriate sanction or disciplinary action. If the sanction/disciplinary action is accepted by both the complainant and respondent, the Coordinator will implement it, and act promptly and effectively to remedy the effects of the admitted conduct upon the complainant and the college community. If either party rejects the sanction/disciplinary action, a College Conduct Panel hearing will be held on the sanction/disciplinary action only, according to the College Conduct Panel hearing procedures below, based on the results of the investigation.

Informal Hearing

A judicial resolution informal hearing process is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Coordinator and designee will determine if judicial resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to judicial resolution.

A complaint under the informal hearing process is typically resolved by the Coordinator in consultation with the Title IX Deputy Coordinator or a member of the College Conduct Panel. A complainant or respondent may request resolution through an informal hearing, in which the Coordinator and the Title IX Deputy Coordinator or a member of College Conduct Panel will meet with the complainant and respondent to determine responsibility and render a decision as to what sanctions, if applicable, may be implemented.

Both parties must agree to the resolution determined by the informal hearing process. If the parties cannot agree to an informal resolution, the Coordinator will refer the case to the formal Hearing Panel.

Depending upon the nature and severity of the allegations, the Coordinator may decline to handle the matter as an informal hearing and refer the case to a Hearing Panel at any time.

Formal Hearing

Formal hearing processes are **NOT** a form of judicial resolution. Such hearings are initiated by the Coordinator and the Dean of Students (for student reports only) for those complaints that are not appropriate for a judicial resolution and require a hearing. Formal hearings are conducted by the College Conduct Hearing Panel procedures as outlined below.

College Conduct Hearing Panel

A College Conduct Hearing Panel (which will be referred to here as Hearing Panel) is a fact-finding committee comprised of trained faculty, staff, and administrators. The Hearing Panel will have a minimum of three (3) panelists. The individuals who serve as panelists are chosen from a pool of eligible faculty, staff, and administrative members recommended by the Coordinator

and the administration and are approved by their respective supervisors/department chairs and the President. No member of the panel may be a practicing attorney.

The panel will meet at times determined by the Coordinator or the Dean of Students. The College legal counsel may serve as a consultant throughout the process but may not be present at a hearing.

The Hearing Panel is overseen and supported by the Coordinator; however, the Dean of Students will serve as the convener and the observer for all student-related cases, while the Coordinator or designee will serve as the convener and the observer for all employee-related cases. The Dean of Students and the Coordinator or designee will be present at Hearing Panel meetings, respectively as it applies to students and employees, but neither will serve as a voting member of the panel.

The Coordinator and the Dean of Students or designee may/will be present during the hearing to serve as a resource for the Hearing Panel on issues of policy and procedure, and to see that policy and procedures are appropriately followed throughout the hearing.

All Hearing Panelists must participate in annual Title IX training. The training will be coordinated by the Coordinator in conjunction with campus and external partners.

Role of College Conduct Hearing Panel

Members of the College Conduct Hearing Panel will be recommended by the Coordinator and administration and approved by their respective supervisors and the President. They will be notified accordingly. Members of the College Conduct Hearing Panel are trained in Title IX, Title VII, and all aspects of the grievance process, and can serve in any of the following roles, at the direction of the Coordinator:

- To assist in investigation of complaints
- To serve as substitute hearing adjudicator
- To provide sensitive intake and initial counseling of complaints
- To serve in a mediation role in judicial resolution
- To act as advisors to those involved in complaints
- To serve on Hearing Panels for complaints
- To serve on appeal panels for complaints

College Conduct Hearing Panel members also recommend proactive policies and serve in an educational role for the college community. The panel reports to the Coordinator. College Conduct Hearing Panel members receive annual training organized by the Coordinator, including a review of College policies and procedures, so that they are able to provide accurate

information to members of the college community. All panel members are required to attend this annual training internally on campus or per external training resources.

For a complete listing of College Conduct Hearing Panel members please see [Appendix E](#).

The detailed procedures for the hearing process may also be found in [Appendix E](#).

3.1.3.8 Sanctions for Violations of Equal Employment Opportunity/Non-Discrimination, Non-Harassment, or Non-Retaliation Policies

Subject to applicable law, any faculty, staff, administrator, manager or supervisor, employee, agent or non-employee who, after appropriate investigation, has been found to have unlawfully discriminated against, harassed, or retaliated against another person or to have engaged in inappropriate and/or improper conduct (even if not unlawful) inconsistent with this Policy will be subject to appropriate disciplinary and/or [corrective action](#), up to and including termination of his or her employment.

Exempt and non-exempt employees who violate this Policy also may be suspended without pay. Exempt employees will be suspended in full-day increments only.

3.1.4 Recruitment and Hiring Policies

As an equal opportunity employer, the College hires and promotes individuals based solely on their qualifications and ability to do the job. We embrace and support individual development, career progression, and internal promotion. The recruiting and hiring policies outlined in this handbook are applicable to staff and administrative hires. Policies and procedures pertaining to the recruitment and hiring of faculty members may be found in the [Faculty Handbook](#).

3.1.4.1 Responsibility and Authority

The College President has ultimate authority over new staff and administrative positions at the College. Once authorization is obtained, the supervisor in conjunction with Human Resources can proceed to fill the position. The filling of an open position may also require consultation and approval of the President with College Administration and the Director of Human Resources, particularly in times of financial constraints or strategic organizational alignment.

The Office of Human Resources is responsible for the overall management of recruitment and selection processes for staff and administrators, including the internal job posting process, employment agency relationships, maintenance of job descriptions, and the processing of new requisitions, offers, and employees. The dean of faculty and the chief academic officer in coordination with the Office of Human Resources is responsible for the overall management of the recruitment and selection of faculty members. Details can be found the [Faculty Handbook](#).

The Director of Human Resources, in consultation with the appropriate College Administrators, has the authority to change, modify, or approve exceptions to this Policy at any time with or without prior notice, while still remaining consistent with the “at will” employment relationship.

3.1.4.2 Job Postings

As a part of our commitment to professional growth and career development, qualified, current employees usually will be considered when job vacancies occur.

First consideration generally will go to those staff and administrative members (excluding student workers) within the hiring function or department who are considered next in line in the job hierarchy, provided they are qualified for and have the ability to assume the position at the time. Should this occur, it is considered a promotion and therefore no posting is required.

If no individuals in the function or department are interviewed and/or selected for the vacancy, then a formal job posting usually will be made available to all employees via electronic communication (email announcement), the BAC HR website, and other external online venues.

Usually, the posting will be for 10 or more business days. External recruiting efforts may begin concurrently with the internal posting.

The hiring process for internal transfers, promotions, and job moves generally mirror the process used for external candidates, including interviews and assessments to determine the candidate’s qualifications and readiness to move into the open position.

However, with internal candidates who are not hired for the open position, feedback on interviews and selection decisions may be provided in the interest of career development and coaching. Hiring managers or supervisors should not provide feedback to unsuccessful external candidates. They should refer all inquiries by external candidates to HR.

The HR Director must be notified of and approve all postings for external recruitment of potential employees.

3.1.4.3 Additional Employment

Full-time employees are permitted to engage in outside work and/or hold additional jobs on campus, subject to certain restrictions. Activities and conduct not part of an employee’s primary job must not compete, conflict with, or compromise the College’s interests or image or adversely affect job performance and the ability to fulfill all responsibilities to Bryn Athyn College.

Employees are cautioned to consider carefully the demands that additional work activity will create before accepting outside or additional employment. Other employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If other work activity causes or contributes

to job-related problems, it must be discontinued, and, if necessary, normal disciplinary procedures will be followed to deal with the specific problem.

External Employment

External employment refers to any employment held by a College employee outside of their positions on campus. This applies to all full-time faculty (except those on sabbatical), staff, and administrative members.

1. Before beginning or continuing outside employment, employees are required to notify their supervisor or department chair in writing of their involvement with the other employer.
2. Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Employees, who are on a leave of absence, including FMLA leave or Workers Compensation leave, are prohibited from having outside employment during their leave. Fraudulent use of sick leave will result in disciplinary action up to and including termination.
3. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by the College. This prohibition also extends to the unauthorized use of any College tools, materials, or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Internal Employment

Internal employment refers to any employment held by a College employee in addition to their primary position on campus. This applies to all full-time staff and administrative members only.

1. Before beginning or continuing additional employment at Bryn Athyn College, employees are required to obtain the written approval from all of their College or Affiliate supervisors, if they have more than one supervisor, and the Office of Human Resources. Failing to obtain prior approval may be cause for disciplinary action, up to and including termination.
2. Approved additional work responsibilities outside of an employee's full-time, primary position is considered a secondary position. Additional hours of work for secondary positions are allowed as follows:
 - **Non-exempt employee ([See section 3.1.2](#)):** maximum amount of 40 hours per week including their primary position. Overtime pay is not allowed, unless under

extreme circumstances and must be approved by the supervisor and Chief Financial Officer. Non-exempt employees must submit timesheets for each (primary and secondary) department in which they work.

- **Exempt employees ([See section 3.1.2](#)):** maximum amount of 55 hours per week including their primary position.
3. Secondary positions may be acquired on a temporary or permanent basis depending on the need of the college and the availability of the employee. Supervisors for both the primary and secondary positions must agree in writing on arrangements to accommodate the dual roles.
 4. Secondary position compensation is established by utilizing current comparable salary benchmark data for the specific position, responsibilities and level of experience of the employee. Compensation for secondary positions must be fair and equitable to all employees. Secondary position compensation is not included in the 403(b) employer contribution.

3.1.4.4 Employment of Relatives

Relationship by family or marriage shall constitute neither an advantage nor a deterrent to hiring and/or promotion provided the individual meets and fulfills the required criteria for the job.

For purposes of this Policy, a “relative” is defined as an employee’s spouse, ex-spouse, parent, parent-in-law, child, child-in-law, sibling, grandparent, grandchild, and anyone else who resides in the same home as the employee.

No employee may work in a position that involves a direct supervisory relationship with a relative. Further, no employee may work in a position in which he or she has the authority to influence, directly or indirectly, any term or condition of a relative’s employment.

We will not hire an applicant for a position that would conflict with the restrictions set forth in this Policy. If an employment relationship prohibited by this Policy were to develop between existing employees due to marriage, change in responsibilities, promotion, or for any other reason, the employees involved will have three (3) months to work with the HR Director to resolve the situation.

This policy does not apply to working relationships in effect on or before July 1, 2004. However, if a supervisor is responsible for resolving a situation involving the employment relationship that exists between the College and his or her relative, the supervisor should remove himself/herself from any investigation and/or decision-making process in order to avoid a perceived or real conflict of interest.

3.1.5 Onboarding New Hires

3.1.5.1 Employment Eligibility Verification

By law, all employers are to hire only individuals who are legally allowed to work in the U.S., i.e., U.S. citizens, noncitizen nationals, lawful permanent residents, and aliens authorized to work. To comply with the law, the College must verify the identity and employment authorization of every person it hires, which is why within three days of your hire, a new employee must complete Form I-9, *Employment Eligibility Verification*. This is something that every employee must do, with no exceptions.

3.1.5.2 New Hire Orientation

All employees regardless of employment status (full-time, part-time, percentage-time, exempt, non-exempt, etc.), are required to complete a New Hire Orientation upon hire. New hire orientation includes the completion of all payroll and benefits enrollment as well as the review of institutional policies and required training. The Office of Human Resources will schedule a new hire orientation and give instructions regarding required employment training.

3.1.5.3 Training

Training is an integral component of the College's commitment to fostering the success and professional development of our employees. As a small institution, most of our required training is compliance-driven, i.e., provided so that we are in compliance with all applicable federal, state and local laws. Various modes of training, including online and in-person training methods, will be used for all faculty, staff, and administrative members. See [Appendix I](#) for a complete training schedule.

To support the professional development of employees, we generally rely on training opportunities provided through external organizations, such as professional societies, trade groups and training companies, and in some cases, supporting our employees in their personal educational efforts through tuition reimbursement. Training pertaining to faculty professional development can be found in the [Faculty Handbook](#).

If you feel you need additional training to do your job, or if you become aware of specific training opportunities in your field, discuss this with your immediate supervisor.

3.1.6 Reemployment

Former employees who have left the organization in good standing may be considered for reemployment. Former employees who resigned without providing adequate notice or who were discharged for problems with their performance, behavior, and/or attendance may **not** be considered for reemployment. A former employee who is reemployed will be considered a new employee from the date of reemployment unless the break in service is less than three months.

In that case, the employee will retain accumulated seniority. Length of service for purposes of benefits is governed by the terms of each benefits plan. Employees who retire may be eligible for rehire under the same terms and conditions as employees who resign voluntarily.

Faculty members should refer to the [Faculty Handbook](#) for specifics regarding reemployment.

3.1.7 Conflicts of Interest

A Conflict of Interest occurs when an employee in the course of performing his or her work responsibilities influences a business decision that results in personal gain for that employee or for a relative of that employee. One important way to ensure that work-related conduct is ethical is to make certain that business dealings are never influenced by – or even appear to be influenced by – personal interests, and that business decisions never constitute an actual, perceived, or potential conflict of interest. Consequently, and by way of example only, an employee:

- **May not**, directly or indirectly, solicit gifts, money, services, or anything else of value from an employee of the College or Affiliate, supplier, or vendor when such items are intended for the employee’s own personal use or gain (as opposed to use for the College).
- **May** accept (but not solicit) a gift (but not money) valued at not more than \$25 from an employee of the College or Affiliate, supplier, or vendor. However, the employee must report to the supervisor the receipt of the unsolicited gift.
- **May** give gifts (but never money) to an employee of the College or Affiliate, vendors, and suppliers, provided that the gift is reported to your manager or supervisor reports and has a value of less than \$25. Under no circumstances may you give any business gift (money or otherwise) to a government employee or official.

Questions about whether conduct could create an actual, potential, or perceived conflict of interest should be directed to the Director of Human Resources. By checking first, the employee protects not only the organization but also himself.

Violation of this Policy is cause for discipline, up to and including immediate termination.

3.1.8 Gift Solicitation

Due to the sensitive nature of financial and contact information, employees of Bryn Athyn College shall not solicit funds on behalf of the College or its programs, except when working in concert with the Alumni Relations and Advancement office.

3.1.9 Travel Policies

It is the College's policy that business travel must be approved in advance and should be engaged in and reimbursed according to the guidelines below:

- Employees holding jobs that require extensive travel are expected to travel as a condition of employment. For all other jobs, travel is considered only an incidental function of the position but may be required.
- Supervisors must approve any employee travel in advance. Under normal circumstances, employees should make all travel arrangements for transportation and lodging in advance.
- Under normal circumstances, employees should use the most appropriate form of transportation available, book the least expensive fares and stay in, and eat in, moderately priced establishments. Also, key employees who are traveling together should try to schedule their transportation and lodging separately to minimize risks from accidents.
- Employees should provide their supervisor with a copy of their itinerary before leaving on business travel.
- Alternate travel arrangement such as driving rather than flying to a destination will be reimbursed. The total cost of driving should not exceed the combined cost of rental car and direct flight.
- Employee expenses for approved travel will be paid or reimbursed when properly documented by the employee and approved supervisor. Examples of expenses normally paid or reimbursed include transportation, meals, lodging, and limited incidental expenses. Mileage for business use of a personal vehicle will be reimbursed at the standard mileage rate published annually by the Internal Revenue Service, if such travel is reasonable and competitive with alternate modes of travel. The College will not reimburse travel expenses for the spouse of an employee.
- If determined necessary by his/her supervisor, employees may obtain a cash advance for approved business travel by submitting a written request to the Financial Office. Employees whose jobs are designated as requiring extensive travel will be issued a corporate credit card for payment of business expenses. Cash advances and corporate credit cards are College property, and their use must be properly documented and approved as stated above.
- Reimbursement for travel expenses are processed within the Finance Office following submission of appropriate documentation.

- Time spent by non-exempt employees while traveling away from home on College business during normal working hours is considered hours worked for pay purposes.
- Employees traveling on College business are representatives of the College and are expected to maintain a high level of professionalism and to abide by the policies of the College.

3.2 TIME AND ATTENDANCE POLICIES

Note: Attendance policies do not apply to faculty. Faculty should consult Section 2.4.4 (Duties of the Faculty) in the Faculty Handbook.

3.2.1 Recording Time Worked & Leave

Employees classified as **non-exempt** are paid a specific rate for all time actually worked in a work day. Consequently, to comply with all applicable FLSA laws and regulations and to ensure the accuracy of our payroll, these employees are required to record the time they start work, the time they begin and end their Meal Periods, and the time they end their assigned duties in the manner prescribed by their supervisor. You will be instructed on how to use the time recording system to record your time.

If your job is classified as **exempt**, your pay does not depend on the number of hours you work per day and/or per week. Instead you receive a fixed salary each week without regard to the number of hours you work, and your salary is subject only to those deductions specifically authorized by law and consistent with your exempt status. Exempt employees are required to record vacation and sick leave they have taken.

Under no circumstances may you record the time worked by another employee or may you allow another employee to record your time. Only supervisors or their proxies may approve time. Employees are not allowed to approve their own time under any circumstance. These events are acts of dishonesty which will result in immediate disciplinary action of all parties involved.

3.2.1.1 Overtime for Non-exempt Employees

Overtime for non-exempt employees (in excess of forty (40) hours in a work week) is permitted only as **authorized and approved by a supervisor in advance of its being worked**. Consequently, if you are a non-exempt employee and believe you need to work overtime in order to meet job-related demands, you must notify your immediate supervisor in advance.

However, there are times when it may be necessary to require you to work overtime on little or no notice (for example, to address an emergency). We will make an effort to ensure that these

occasions are as few as possible. When these situations occur, we expect you will do whatever you can to arrange your personal affairs to comply.

We will compensate you for overtime worked within a specific work week:

- At your regular hourly rate of pay for all hours worked up to forty (40)
- At one-and-one-half (1½) times your regular hourly rate of pay for all hours worked in excess of forty (40)

If you work overtime without prior approval, you will be paid for the unauthorized overtime worked. However, you also will be subject to appropriate disciplinary action for working overtime without the required prior approval.

For the purposes of calculating overtime, all hours actually worked will be considered as “hours worked.”

Unless within the same work week, time off (e.g., “comp time”) will not be provided in lieu of pay for any regular and/or overtime hours worked, as this violates the Fair Labor Standards Act.

3.2.2 Introductory Period

As a new staff or administrative member, your first ninety (90) days of employment is considered an *Introductory Period*. During this time, your supervisor will discuss with you our expectations, your responsibilities, our policies, and practices. An Introductory Employment Period Review will be given and assessed after the first 90 days of employment. This introductory period does not apply to faculty members. To complete the Introductory Period successfully, you must achieve an overall satisfactory rating on the Introductory Period Review.

You are not guaranteed employment for the entire Introductory Period, nor does completing the Introductory Period guarantee your employment with us for any period of time thereafter.

3.2.3 Attendance and Breaks

3.2.3.1 Hours of Work

Our standard work day is described as beginning at 8:30 am and ending at 5:00 pm with a ½ hour lunch break. Assigned work schedules may vary considerably from department to department and, in some instances, from month to month due to academic agendas, the scheduling of special events, and the responsibilities assigned to each department. For example, your specific job responsibilities may require you to work on Saturdays, Sundays, or during the evenings, to have different starting times from week to week or day to day, or to be assigned irregular work hours or work weeks. Your immediate supervisor will arrange your work hours

in accordance with your employment classification, status, and assigned duties. See [section 3.1.2](#) for details pertaining to status of employment and hours worked.

3.2.3.2 Attendance and Punctuality

Your regular and prompt attendance on each scheduled workday is essential if we are to serve efficiently the needs of our students and members. In the rare instances when you cannot avoid being late to work or are unable to work as scheduled, you are expected to make every effort to notify your supervisor as soon as possible in advance of the anticipated tardiness or absence. Substandard attendance and/or punctuality (including arriving late and/or leaving early) will result in Corrective Counseling, up to and including discharge from employment.

Working from home (i.e. outside of the workplace) must be approved by your immediate supervisor. If it is necessary to work from home for more than 10 consecutive days, subsequent days must be approved by the appropriate senior administrator at that time.

3.2.3.3 Unscheduled Absences and Tardiness

If you are **unable to report** to work because of illness or other unavoidable circumstances, you must make every effort to speak personally via telephone with your immediate supervisor at least thirty (30) minutes prior to your scheduled starting time and furnish your supervisor with the reason for and the expected duration of your absence. If you expect to be **late** for work, you are required to notify your supervisor as soon as you know you will be detained in arriving and provide your supervisor a reason for, and the expected length of, your delay.

If you are unable to speak personally with your supervisor, you must report your absence or lateness in accordance with the instructions established for your department. (Email or text messages concerning an absence or delay in reporting for work sent by you to your supervisor may not be considered acceptable and may not constitute proper notice.)

If your absence continues for more than one (1) day, you are required to contact your supervisor on a daily basis until the probable duration of your absence is established **unless** you provide a written statement from your health care provider indicating how long you are to be absent from work. You will be expected to return to work on the stated return date, unless you give your immediate supervisor a written explanation prepared by your health care provider which describes the reason for this change and the expected time frame for your absence.

Your absence from work for a period of three (3) consecutively-scheduled work days without properly reporting in constitutes an abandonment of your employment and is considered to be your voluntary resignation from our employ.

3.2.3.4 Reporting for Work during Inclement Weather and Other Emergencies

The College generally keeps its offices and facilities open during periods of inclement weather and severe or unusual situations. However, during periods of extreme weather conditions, power failures or other similar emergency circumstances, the College may decide to delay classes or office hours or suspend operations altogether.

If the office/department to which you are assigned remains open during such conditions, but you are unable to report for work, you may use available earned vacation hours to offset your loss of earnings. For staff and administrators who have the ability to work from home, you may work from home in the case of expected/anticipated inclement weather. Vacation will not be deducted if you are working from home. Please be sure to prepare in advance to work from home and clear this with your supervisor.

Vacation leave is only applied if the College is open and an employee chooses not to come in to work due to hazardous road conditions. If the college is closed due to inclement weather, employees will not have to use their vacation leave to cover that absence.

Because employees travel from various locations and distances, some of which may be more seriously affected by adverse weather than others, faculty and staff are encouraged to exercise their judgment on whether or not it is safe to drive to the College. Be certain to communicate with your direct supervisor regarding your intent to come to work.

3.2.3.5 Meal Periods

Meal Periods for non-exempt employees are thirty (30) minutes in length and are unpaid. Depending upon the nature of your assignment and work responsibilities, your supervisor may arrange the time for your Meal Period. Generally, Meal Periods must be taken at times which do not interfere adversely with coverage and/or your department's ability to meet its obligations efficiently.

You must record the beginning of your 30-minute unpaid meal break, and you must record when you complete your 30-minute unpaid meal break. During your 30-minute unpaid meal break, you may not perform any work unless you have prior permission from your supervisor.

You will be paid for your entire meal break if: (a) you do not take a scheduled meal break; (b) your meal break is less than thirty (30) consecutive minutes (for example, because you are called back to work during your meal break); or (c) your meal break (even if 30 minutes) is interrupted in any way (for example, you receive a call or page). If you encounter any of these circumstances, please contact the Director of Human Resources to ensure that you are paid.

You may not skip your meal break, take less than 30 minutes or do any work during your meal break unless you have prior permission from your supervisor. If you skip your meal break, take

less than 30 minutes, or do any work during your meal break without prior permission, you will be paid for the entire meal break, but you will be subject to disciplinary action for working additional time without authorization.

3.2.3.6 Leaving the Premises during the Work Day

If you are a **non-exempt** employee and find it necessary to be away from our premises at times during the work day other than during your Meal Period, you should request permission in advance from your supervisor. If you are an **exempt** employee, you do not need permission to leave the premises. However, you should leave information as to where you can be reached in the event an emergency arises in your absence.

3.2.3.7 Nursing Mother's Break Time

If you are a nursing mother, you are eligible for breaks during the work day to express breast milk in the one-year period following the birth of your child. You are encouraged to use breaks otherwise provided to express breast milk, when possible. Additional breaks, as needed, may be taken. If you need to take a breast milk expression break, you must inform your supervisor so that appropriate coverage can be ensured during the break.

You will be paid for your breaks, unless you express breast milk during an unpaid meal break.

Additional information concerning the location of appropriate areas for taking breaks and the storage of breast milk may be obtained from the Director of Human Resources.

3.3 PERSONNEL RECORDS

3.3.1 Personnel Records and Changes in Personal Information

The Office of Human Resources maintains personnel files for faculty and staff which include application for employment or application letters, faculty transcripts of undergraduate and graduate coursework which must officially certify awarding of degrees, curriculum vitae/resumes submitted at time of application, confidential letters of recommendation, and background checks. The HR files also include letters of employment, faculty contracts/appointment letters, disciplinary documentation, medical records including documentation of disabilities for ADA purposes & FMLA, salary, benefits, retirement, leave records, conflict resolution records, and any other employment-related records.

Access to the personnel file in the HR office is limited to those individuals who need access for the purposes for which the file is maintained. This includes the President, CAO, Human Resources, and may include a direct supervisor or administrative support staff, as authorized by the Director of Human Resources.

Employees may request, in writing, permission to review the contents of her or his personnel file. This request must be made at least 24 hours prior to reviewing the file to allow time for the HR to remove confidential letters of recommendation from the file. The file may be examined in the HR office in the presence of a staff member, but it may not be removed. If an employee requests copies of any non-confidential documents in the file, they will be made for him or her. The employee may request a discussion with HR of the accuracy of any documents in the file. If the HR Director and employee agree that any document is inaccurate, largely or in whole, that document will be removed or corrected. If the HR Director and the employee do not agree, the employee may include in the record a statement reflecting the employee's position. This statement must be submitted to HR no later than five working days after the meeting with the HR Director.

The HR Director will insert into the file a signed and dated summary of the discussion and its outcome and notify the person who submitted the disputed document, provided such person is still in a position that relates to the matter in question.

Because it is **essential** that an employee's information is kept **updated**, you are requested to provide your supervisor and Human Resources written notification within five (5) calendar days of the occurrence of any of the following events:

- Change in your legal name
- Change of your residence address or telephone number
- Change in your social security number
- Change in your marital status/dependents (only if relevant to your participation in our various benefit plans)
- Change in the number of exemptions you claim for income-tax withholding purposes
- Change of designated individual to be notified in case of emergency

3.3.2 Privacy of Certain Employee Information

We take precautions to prevent the disclosure of personnel and payroll information unless you have provided us with your written authorization to do so. With respect to requests for information from prospective employers or creditors, our general policy is to respond only to written requests and to provide only your dates of employment and positions held, unless you have given us specific written authorization to do otherwise. We will, however, *confirm* for prospective creditors who make inquiries via telephone your most recent or last rate of compensation, provided you have given this information to the prospective creditor.

3.4 PERFORMANCE MANAGEMENT

Performance management is the broad collection of activities designed to maximize individual and, by extension, organizational performance. It includes setting expectations, measuring employee behaviors and results, providing coaching and feedback, and evaluating performance over time to use in decision-making. The purpose is to align individual efforts to achieve organizational goals.

A successful performance management program helps an employer retain talented employees, keep employees engaged, enhance employee learning, and build a winning corporate culture.

3.4.1 Staff Performance

All Employees (excluding faculty) at the college will participate in a continuous performance management program with the following structure:

- Goal setting – September
- Goal review – February
- Performance Appraisal - July

The purpose of the Performance Management is to:

- Provide you with appropriate recognition of the vital importance of your assigned duties;
- Offer you ongoing opportunities to discuss with your supervisors in a structured manner your job/career interests and any work-related difficulties you may be experiencing, thereby maintaining or improving job satisfaction; and
- Establish goals and align them with career and organizational objectives.

You are encouraged to actively participate in the review process by completing a self-evaluation and offering your supervisor candid and constructive feedback.

In addition to your annual review, your supervisor will discuss with you throughout your employment his or her observations and recommendations concerning your performance.

3.4.2 Faculty Performance

BAC Faculty should refer to the [Faculty Handbook](#) for specifics pertaining to the College's performance evaluation policies for its faculty members.

3.5 CORRECTIVE ACTION POLICY

This Policy was established for staff and administrators to ensure consistency and fairness of counseling and corrective action measures and to provide a mechanism and opportunity for employees to correct a work-related problem. Faculty members should refer to the [Faculty Handbook](#), section 2.8 for Grievances and Conflict Resolution for any matters that may require corrective action.

Employment with the College is “at will,” that is, either party can terminate the employment relationship at any time, with or without prior notice, for any or no reason, except an illegal reason. Faculty members are contracted employees, in which “at will” employment does not apply. Faculty members should refer to the [Faculty Handbook](#), section 2.1 Faculty Initial Appointments and 2.2 Faculty Contracts, Compensation and Monitoring of Institutional Need for matters regarding their employment status.

We provide a progressive system of corrective action that may be used if you experience certain work-related problems, such as performance, behavior and/or attendance-related issues. This Policy also provides for acceleration of the Corrective Action process depending on, among other factors, the nature, frequency and severity of the violations and your history of work-related problems.

The goal of both **Corrective Action** and **Corrective Counseling** is to preserve employment by providing you with the opportunity to turn around unsatisfactory job performance and/or unacceptable behavior and/or attendance related issues.

3.5.1 Corrective Action/Corrective Counseling Process

The Corrective Action/ Corrective Counseling process may include some or all of the following steps:

Verbal Warning: This consists of a discussion with your manager in which he or she clearly states a problem exists, clarifies his or her minimum expectation(s) for improvement, and outlines the consequences of not correcting the problem. Should you be in this situation, you would receive a written confirmation from your manager of the verbal warning with a copy sent to HR.

Written Warning: A written warning is more serious than a written confirmation of a verbal warning. At this point, you would receive a formal memo from your manager, with a copy sent to HR, that details the issues addressed through the verbal warning, i.e., it would explain the problem with your performance, behavior, and/or attendance, clarify minimum expectations for improvement, and set forth the consequences of on-going unsatisfactory performance, behavior and/or attendance.

Final Written Warning: If you receive this document, again with a copy being sent to HR, the situation is very serious; this is your final warning. The Final Written Warning includes all the

same items as a written warning but clearly states that on-going unsatisfactory performance, behavior, and/or attendance will result in immediate termination without further warning.

Discharge or Termination: After review by HR, your manager will provide you with a formal termination notice.

In conjunction with any step of Corrective Action/Corrective Counseling as described above, you may be given a Performance Improvement Plan (PIP). The PIP will establish a specific period of time during which you will be coached to improve, and your performance will be monitored. You will be expected to make adequate improvement during the PIP period and to sustain adequate performance afterwards. At any time prior to or between the steps described above, your manager will provide you with informal coaching, which may or may not be documented.

Throughout the Corrective Action/Corrective Counseling process, you will be afforded appropriate **due process**.

Due process within the context of Corrective Action will involve your supervisor/manager and HR and may also involve you. If the context of the case involves sexual misconduct, discrimination, harassment, and/or retaliation the [College Conduct Hearing Panel](#) will be involved in the process. Specifically, it can be viewed as a process during which the following factors are considered:

- The performance/behavior/attendance standard has been established and communicated to you
- The performance/behavior/attendance problem has been established by credible evidence
- You have been informed that your performance, behavior, and/or attendance does not meet standards
- You have been given an opportunity to present your viewpoint
- The corrective action imposed is fair and consistent with other similarly situated employees
- You have had repeated communication of expected standards
- The consequences of failing to meet expected standards have been communicated
- Appropriate action is taken if standards continue to be unmet

Suspension of employees must be approved in advance by the Director of Human Resources. Exempt employees may be suspended without pay only in full day increments,

We will not follow the Corrective Action and Corrective Counseling process discussed above if we believe remedial efforts are unlikely to be successful (for example, when an employee has engaged in gross misconduct that falls so far below the expectations that employment cannot be continued).

Examples of workplace conduct that may be cause for immediate discharge include, but are not limited to:

- Any material violation of a core teaching of the General Church of the New Jerusalem
- Violations of the provisions of any of the following policies:
 - Equal Employment Opportunity/ Non-Discrimination, Non-Harassment, and Non-Retaliation
 - Respecting Confidentiality
 - Conflicts of Interest
 - Substance Abuse
 - Preventing Workplace Violence
 - Sexual Assault & Sexual Misconduct
 - Child Protection & Sexual Abuse
- Verbally or physically harassing, coercing, intimidating, or threatening a member of the College, student, supervisor, co-worker, visitor, or any employee
- Theft, including a misappropriation of College property or that of any individual with whom you work or interact within the course of performing your job duties
- Dishonesty, including willful falsification of any pay, time, business expense, or employment record
- Deliberate damage to or destruction of property belonging to the College or to any of our students, supervisors, employees, or visitors
- Insubordination, which is defined as refusal to obey your supervisor's instructions or willful disobedience when directed to perform work
- Possession of a firearm (except where required by position/function, i.e. Security) or other deadly weapon, including the conversion or threatened conversion into a weapon of any tool or other object common to the workplace

- Unethical or illegal conduct in the course of employment
- Reckless disregard for or willful violation of any safety or security rules
- Participation in a fight or other physical altercation on College premises except as reasonably necessary in self-defense under circumstances in which you cannot withdraw safely from the situation
- Gross neglect of duties or job responsibilities
- Gambling or loan-sharking while on College premises
- Absence from work for three (3) consecutive days without notice
- Obtaining or performing other employment during a Leave of Absence without authorization or otherwise manipulating a Leave of Absence to enable you to work elsewhere
- Other serious misconduct

The Director of Human Resources has the authority to change, modify, or approve exceptions to the Corrective Action Policy at any time with or without notice.

3.5.2 Grievance Procedures: Resolving Conflicts for Staff and Administration

Within any employment setting, occasional disagreements and problems occur. What distinguishes workplaces is how these differences are resolved. Faculty members should refer to the [Faculty Handbook](#), section 2.8 for Grievances and Conflict Resolution for any matters pertaining to mitigating conflicts.

We have a Three-Step Problem Resolution Procedure to ensure that all grievances are heard in a fair and unbiased manner.² The Director of Human Resources, who is available to you for advice and counsel at any time during the procedure, will assist you with policy interpretation and help you to clarify your position. If your concern (s) or grievance (s) involve your immediate supervisor or head of department in any of the steps outlined below, you should report your grievance to the Director of Human Resources.

The procedure is as follows:

² If your complaint involves **discrimination, harassment, or retaliation**, please use the Reporting Discrimination, Harassment, Retaliation, and Sexual Misconduct policy and also see the Procedures for Review, Investigation, and Resolution of Discrimination, Harassment, Retaliation, and Sexual Misconduct Complaints.

Step 1

The first step if you have a grievance concerning any aspect of your employment (including the evaluation of your job performance and/or Corrective Counseling) is to discuss your concerns with your immediate supervisor **within ten (10) calendar days** of the event's occurrence. Every supervisor and manager is responsible for listening to their employees' work-related questions and problems and for endeavoring to respond to and resolve these in a positive fashion. Experience has shown that most employment-related problems can be, and usually are, settled at this initial stage.

Step 2

If you are not entirely satisfied with your supervisor's response/resolution to your grievance, you should bring the matter to the attention of your Department Head **within five (5) calendar days** of receiving your supervisor's response. If your immediate supervisor is the Department Head, skip to Step 3.

At this level, you should communicate your concerns in writing, as this not only will help you clarify your own thoughts but also will help ensure that your Department Head has as complete an understanding of the problem as possible.

Your written communication should include a factual discussion of the problem along with your opinion as to how the matter should be resolved. In preparing your communication, you are encouraged to seek the assistance of the Director of Human Resources, who will offer you guidance concerning policy administration and related matters.

Step 3

If you are not entirely satisfied with your Department Head's response/resolution to your complaint, you should request, **within five (5) calendar days** of receiving your Department Head's response, an interview with the Director of Human Resources. In all cases, your request must be made in writing and should be marked "Personal and Confidential."

Your discussion with the Director of Human Resources may occur either in person or via the teleconference. Human Resources will review all decisions and actions with the appropriate organizational head.

If the above procedure is not practical for you (perhaps because of the personalities involved), you may skip the step(s) which you feel would be inappropriate. Otherwise, the procedure described above will make the most sense and should be followed.

If at any level you do not receive a response to your complaint within five (5) working days, you can proceed automatically to the next level.

We welcome your thoughts and suggestions at any step in this process; however, if you do not appeal your situation to the next step(s) at any point in a timely fashion, we will presume the resolution reached at the last step is satisfactory to you.

3.5.3 Incident Investigation Policy and Procedures

Conduct violations of the nature described in [section 3.5.1](#) must be reported immediately to the department manager or immediate supervisor and the Human Resources Director by the individual who witnessed or identified the incident. Breaches of computer security or privacy policies must also be reported to the Chair of the College Information Security Committee.

The manager/supervisor, in concert with the Office of Human Resources, will determine the degree of seriousness of the incident and determine the course of action appropriate to the situation.

You are expected to cooperate fully and honestly in any investigations of alleged unlawful, unethical, unsafe, or improper behavior. Failure to cooperate may be cause for disciplinary action up to and including discharge. If you knowingly and in bad faith provide false, incomplete, or misleading information as part of a complaint or investigation (whether you are the complainant, the accused, or a witness), you will be subject to disciplinary action up to and including discharge. Retaliation for reporting such incidents is strictly prohibited under the [Whistleblower Policy](#).

3.6 PAYROLL, COMPENSATION, & BENEFITS

3.6.1 Compensation Philosophy

The success of the College relies on our ability to attract, retain, and motivate talented employees who espouse our organizational values. These values are:

- A commitment to our mission
- An interest in seeking and developing knowledge in light of the threefold Word
- Honesty and a sense of trust
- Respect for and value of others
- Teamwork and cooperation
- An eagerness to promote, recognize, and support success

- A desire to communicate effectively with others

The College has therefore established this compensation philosophy statement to reflect our commitment to our employees. We will strive to maintain a total compensation program that is:

- Internally equitable, defined as being consistent with what others in similar jobs of equivalent value are paid within the College
- Externally equitable, defined as being reasonably in line with the total compensation levels and practices at other organizations in our industry and geographic area
- Directed toward the personal goals of each individual in relation to the goals and values of the College

The respective compensation structure for the College provides a combination of the following components of pay to all eligible employees:

- Base salary compensation
- Benefits package
- Supplemental pay

The following principles and assumptions apply. We will

- maintain salary scales and current benchmarks for college faculty.
- strive to maintain an internally equitable system of salaries covering all staff positions in the College. We will obtain current benchmarks for staff salaries and salary ranges.
- assess internal equity. Each job will be analyzed and compared to its supervisor, subordinate, and peer positions. Consideration will be given to the required education, experience, accountability, and the scope of the position, as well as other factors identified by the departmental supervisor or manager.
- assess external equity. We will regularly measure salary benchmarks, selected ranges within our salary scales, and total compensation (including benefits) against median (50th percentile) salaries paid by other institutions nationally and within our geographic area. We will communicate this information to our employees upon request.
- strive to organize our personnel along clear lines of reporting responsibility and accountability. We will delegate authority to managers and supervisors to evaluate

performance and make pay decisions while maintaining adequate controls (i.e. budget constraints, and consultation with and/or approval by the President or the Chief Financial Officer.

- provide guidelines and current industry benchmarks to managers to ensure that salary decisions are made on a fair and consistent basis throughout the College. Managers and Supervisors will regularly communicate this rationale to their departments.

The Office of Human Resources will monitor the administration of compensation for the College. HR will assist with the design of and remain responsible for the implementation and communication of details regarding compensation. This includes guidelines and instructions to managers and supervisors as to their role regarding their staffs' compensation and ongoing communications.

Feedback on compensation and benefit matters within the College is provided by the Policy Advisory and Benefits Committee (PABC). The PABC will appoint the Director of Human Resources to manage the responsibilities of communicating to the overall Joint Benefits³ Committee the College's position on shared benefits for its employees.

3.6.2 Pay Levels

Your personal compensation is determined by a range of factors: your job responsibilities and required education, skills, expertise, and competencies, and your classification as either exempt or non-exempt and as regular full-time, regular part-time, part-time, percent-time faculty or auxiliary.

Pay levels for faculty are currently set through salary scales (see the [Faculty Handbook](#), section 2.2 Faculty Contracts). Administrators' pay is set by position.

3.6.3 Payroll Procedures

3.6.3.1 Pay Dates

We pay our employees on a semi-monthly (twice each month) schedule. Pay dates are the 7th and 22nd days of the month.

- If a payday falls on a Saturday, Sunday or Holiday, the Organization normally makes payment on the business day immediately preceding payday.

Pay periods for exempt employees are as follows:

³ The Joint Benefits Committee brings together representatives from the College and its Affiliates to evaluate and approve changes in benefits packages that are purchased by the affiliated groups.

- The first monthly pay period begins just after midnight on the first (1st) day of the month and ends at midnight on the fifteenth (15th) day of the month.
- The second monthly pay period begins just after midnight on the sixteenth (16th) day of each month and ends at midnight on the last day of the month.

Pay periods for non-exempt employees are as follows:

- 2 or 3 weeks long as outlined in a published yearly schedule.

3.6.3.2 Pay Statements and Deductions

You will receive with each pay your personal statement of earnings and deductions. This statement describes all statutory (federal, state, and local withholding tax) deductions as well as voluntary deductions you have authorized (for example, contributions to supplementary retirement programs and toward your portion of the premium required for participation in our Group Medical and Dental Plans or contributions to the College and /or Affiliate). You are encouraged to elect online pay statements through our payroll vendor to reduce printing and mailing expenses and to ensure your timely receipt of this information.

Your pay is your personal business, and only those members of our management and administrative staff with a “need-to-know” are authorized to have knowledge of your pay level. If you have questions regarding your pay, please speak directly with your immediate supervisor.

To ensure timely delivery of pay statements, W2s, 1095s, and benefit statements, these are mailed to employees’ home address rather than through inter-office mail. (An exception is made for those who live on campus and those who use a Bryn Athyn post office box.) This process also ensures that your benefit providers and taxing entities have your correct address.

3.6.3.3 Pay Adjustment Procedures

For Exempt Staff (does not apply to faculty)

Because we do not hold back any pay, the pay you receive is based on the assumption that you have worked a regular schedule during each pay period. Consequently, any adjustment to your pay, for absences not covered by accrued vacation or sick leave, and for other modifications to your regular hours which occur during a pay period, will be made in the immediately-following pay period. When negative adjustments are made, the pay received in the prior pay period for hours not worked is considered an advance to you.

For Non-exempt Staff

You must notify your supervisor or the Director of Human Resources, by phone or e-mail if:

- You do any work before you log in at the beginning of the day
- You do any work after you log out at the end of the day
- You skip your meal break, take less than 30 minutes for your meal break or do any work during your meal break
- You do any work from home or outside of your regular working hours and you did not record your time

If you believe that you have not been paid properly for all hours worked, if you have any other concerns or questions about your pay, or if any supervisor or manager requires, requests, or even encourages you to work “off the clock,” contact:

- The Office of Human Resources, Bryn Athyn College at 267-502-6038 or HR@brynathyn.edu.

We will conduct an immediate investigation of your concerns, disclosing them only to those who have a “need to know” in order to investigate and/or to take corrective action.

If it is determined that you have not been paid properly for all time worked, your pay will be corrected in the next possible paycheck. We also will ensure that, in the future, no similar deficiencies occur.

Regardless of whether an error or other deficiency is found in your pay, we also will ensure that there is no retaliation against you for bringing your concerns to our attention.

If you have expressed concern regarding payment for hours worked, and if you are not entirely satisfied with how your complaint has been handled, please contact the Director of Human Resources so that he/she can look into your concerns. Your appeal should be in writing. While we encourage you to be detailed, it is sufficient to say, “I wish to appeal my compensation complaint.” Again, we will ensure that there is no retaliation and will take corrective action as appropriate. See [Whistleblower Policy](#) for details regarding retaliation.

3.6.3.4 Deductions from Exempt Employees’ Pay

One factor in classifying a job as *exempt* is that the employee is paid on a salary rather than hourly basis. If your job is classified as exempt, the only deductions related to your time worked that will be taken from your pay are those specifically authorized by the FLSA ([see section 3.8.1](#)). No deductions will be taken that are inconsistent with the salary basis requirement of the FLSA definitions of *exempt*. Moreover, no policy or statement in our Handbook or any other College policy or procedure shall be construed as permitting or authorizing an exempt employee’s pay

to be subject to deductions inconsistent with the salary basis requirement for exempt employees.

For example, if you are an exempt employee:

- As a general rule, no deductions for time away from the job will be taken from your pay for absences of less than a full day. If you have absences due to illness, disability or personal reasons, and are not eligible for or have exhausted your eligibility for payments under our sick leave/disability plan(s), deductions from your pay will be in full day increments only.
- If you are suspended for infractions of College policies that have been distributed to all employees, including, but not limited to, the policies detailed in this Handbook (for example, our policies prohibiting harassment and violence), your suspension will be implemented in full day increments only, with corresponding deductions taken.
- For any work week in which you are on witness duty, jury duty or temporary military leave and perform any work for the College, you will receive your full salary (minus only military, jury, or witness fees).
- No deductions will be taken from your pay if you are ready, willing, and able to work, and we shut down for less than a full work week due to inclement weather or for any other reason. (For a limited exception to this rule, see the [Employee Health and Immunization Policy](#).)
- You are not entitled to payment for any work week in which you perform no work for the College. In addition, your salary may be prorated in your first and last weeks of employment.

If you believe your salary has been subject to an impermissible deduction inconsistent with the FLSA's salaried basis requirement, or if you have any other concerns about your pay, contact:

- The Office of Human Resources, Bryn Athyn College, at 267-502-6038 or HR@brynathyn.edu.

- We will conduct an immediate investigation of your concerns, disclosing them only to those who have a “need to know” in order to investigate and/or to take corrective action. If an improper deduction has been taken from your pay, you will be reimbursed for the improper deduction in the next possible paycheck. We also will ensure that, in the future, no similar deductions are taken from your pay. Regardless of whether an improper deduction was taken from your pay, we also will ensure that there is no retaliation against you for bringing your concerns to our attention.

If you are not entirely satisfied with how your complaint has been handled, for whatever reason, you may appeal your complaint to the President. (The President may delegate this responsibility to another officer of the College.) Your appeal should be in writing to help ensure that the recipient of your communication is clear that you wish to appeal. While we encourage you to be detailed, it is sufficient to say, “I wish to appeal my complaint regarding my pay.” Please refer to the [Whistleblower Policy](#) for further details.

3.6.3.5 Direct Deposit of Pay

For your convenience, we encourage you to elect to have your net pay deposited directly to a checking or savings account with any financial institution that is a member of the Automatic Clearing House (nearly all commercial banks and credit unions are members). Alternatively, you may have your net pay deposited directly to the Wisely debit card for the convenience of digital banking with no sign-up costs, no minimum balance requirements, and no hidden fees. Debit cards can be used for anything and anywhere MasterCard is accepted, you can track and manage funds from your phone, you can transfer money from the card to other accounts, and the card is protected from fraud if lost or stolen and is FDIC insured. If you decide to have your pay deposited directly to a bank account or the Wisely debit card, you will still receive your statement of earnings and deductions for each pay period. Both options are available through the ADP portal.

3.6.3.6 Payroll Deductions

If you wish to contribute to the College, or a specific New Church organization, or request other deductions from your pay, you may do so through payroll deductions.

This process allows you to have your donations or deductions, including loan repayments, automatically deducted from your semi-monthly paycheck and forwarded to the charitable organization(s) in your name.

- All contributions and deductions are entirely voluntary and are your responsibility to arrange.

- A request to make voluntary charitable contributions or deductions via payroll may be made at any time during the year. You may complete a voluntary deduction form (found in the online payroll system under resources) and submit to payroll for processing.

3.6.3.7 Garnishments

A garnishment is a legal notice from a court which requires us to withhold a designated portion of your pay and to forward directly to your creditor. Any attachment of wages will be carried out in accordance with applicable federal and/or state laws and only to the extent required by those laws.

3.6.4 Employee Benefits

A part of your total compensation package is made up of employee benefits. In striving for market-competitive compensation, we are constantly measuring ourselves against the marketplace, our employees' expressed needs, and best practices. We provide a comprehensive benefits package for eligible employees which includes several group insured plans for your working years as well as opportunities to grow your savings for retirement.

In all cases, your participation in these plans is subject to the eligibility requirements and other terms, conditions, restrictions, and exclusions set forth in the Contracts of Insurance/Plan Documents governing these benefits and not by the information presented in this handbook or in the benefit booklets. If there is any discrepancy between the descriptions of a benefit program presented in this handbook and the official Contract of Insurance/Plan Documents, the language of the Contract of Insurance/Plan Documents shall govern as the "final word."

Generally, new hires must enroll or select their benefit coverage within 30 days of hire or they will forfeit their benefits until open enrollment. Employees who experience life event changes, i.e. marriage, birth of child, etc. must make changes in their benefit coverage within 30 days of the life event occurrence. If the change is not made within 30 days, the employee must wait until open enrollment to make the change for many of the benefits described below. Open enrollment occurs once a year, usually sometime in May-June, with changes effective July 1.

We further reserve the right, at our sole discretion, to revise, modify, or terminate any benefit plan, option, or coverage at any time, including retiree benefits.

3.6.4.1 Health and Welfare & Pre-Taxed Benefits – General Conditions

Health and Welfare benefits include medical, dental, life, and accidental death and dismemberment. These plans may change from year to year as we work to balance the cost of

these benefits, for both our employees and the College, while continuing to provide comprehensive coverage. In recent years, we, along with companies throughout the U.S., have been moving toward more consumer-driven health care options which make consumers more responsible for their own health care choices.

The cost of these plans is managed through annually set, shared employer-employee premiums. The College pays the greater portion of these premiums, with the employee portion determined by your employment status and the coverage you elect, i.e., you can elect to cover only yourself or yourself and eligible dependents. To the extent permitted by applicable law, your portion of the premiums for medical and dental coverage are paid through pre-tax payroll deductions every pay day. These deductions help reduce the amounts you pay in federal and state taxes.

To participate in our medical, dental, or group life and dismemberment plans, you must complete an online enrollment form and a Pre-tax Salary Reduction Agreement form when you first begin employment, during the open enrollment period, or if you experience a qualifying event (see next section). You must also complete a **beneficiary form** in connection with the life and accidental and dismemberment coverage. Absent a qualifying event, you may change your coverage only during open enrollment, which generally occurs in September of each year and is handled on-line. The plan year runs November 1 through October 31.

3.6.4.2 Causes of Qualifying Life Events

A qualifying event is a change in family status, employment, or other health coverages. Changes include the following:

- Marriage or divorce
- Birth of a child, adoption of a child, or placing a child for adoption or foster care
- Death of a spouse or child
- Moving your residence or gaining citizenship
- Losing other health coverage—due to losing job-based coverage, the end of an individual policy plan year, COBRA expiration, aging off a parent’s plan, losing eligibility for Medicaid or CHIP, and similar circumstances
- Moving from full time to part-time employment (changes in income) by the employee or their spouse.

Disability or FMLA and other qualifying life event changes to medical, dental, and or vision coverage must be made within 30 days of the initial qualifying event occurrence.

If an employee requests a change in medical, dental, or vision coverage with the College and he/she does not meet the criteria of a qualifying event, then the employee must wait until open enrollment to make any changes including dropping or adding coverage.

The amount of your share of the premium expense (if any) is taken via payroll deduction against your **pre-tax earnings** (that is, earnings which are sheltered from federal income and Social Security taxes and state income taxes).

Through this arrangement, you pay lower federal and state taxes. Eligible employees may deduct on a **pre-tax basis** through Voluntary Salary Reduction a portion of their earnings and use these funds to pay for certain medical and dental expenses not covered under the College's Group Medical and Dental Coverages as well as qualified child- or dependent-care expenses.

3.6.4.3 Group Medical, Dental, and Vision Coverage

Regular full-time and percentage-time employees are eligible to participate in the Group Medical, Dental, and Vision Coverages provided by the College subject to its terms, conditions, restrictions, and exclusions (see [Benefits Table](#) for brief summaries of these restrictions and exclusions). Currently, the College offers one medical High Deductible Plan of which the College shares the premium cost of the medical coverage for you, and for specified categories of employment, your eligible dependents. The High Deductible plan is paired with a Health Savings Account (HSA) to assist in offsetting the costs of deductibles and out-of-pocket costs.

The College contributes funds to the HSA account. College contributions to premiums or HSA accounts are subject to change annually, as is the design of the medical, dental, or vision coverage.

Regular employees may buy in to these plans at the employee's sole cost. Part-time employees are not eligible to receive employer contributions for the Health Savings Account.

Dental coverage is provided for all full-time and percent-time employees. Participating employees share premium cost with the College for Dental Coverage. Percent-time employees may purchase group coverage for their dependents.

Vision coverage offers the option to purchase a buy-up vision plan that includes materials (frames, lens, and contacts). The College provides basic vision coverage that includes one annual eye exam per year at no cost to the employee.

Medical, Dental, and Vision Coverages generally become effective on the date eligible employment begins and ends on the last day of the month you are employed.

Medical Buy Back Plan

An employee may elect not to enroll in the College’s medical plan because they are covered under their spouse’s plan or have independent medical coverage elsewhere. The College allows these employees to waive coverage for themselves and/or their dependents in exchange for a semi-annual payment representing the portion of the premium the College would have paid for duplicated coverage.

Employees who receive these buy-back payments are not eligible to receive HSA employer contributions. College employees whose spouse works for an Affiliate are not eligible to receive the buy-back option. Medical buy-back payments, less taxes and social security are distributed as follows:

	<u>AMOUNT PER PAY</u>	<u>AMOUNT PER YEAR</u>
Employee	\$10.42	\$250
Employee’s Spouse	\$10.42	\$250
Spouse & Dependent Children	\$20.84	\$500
Spouse & Employee	\$20.84	\$500
Spouse, Employee & Dependent Children	\$31.25	\$750

Employees who choose the buy-back plan may not re-enter the College’s medical plan until the next open enrollment period, unless a qualifying event occurs. See section above for specifics regarding qualifying events.

A Medical Buy-Back Agreement and Authorization form must be completed with the Office of Human Resources. An employee choosing the Medical Buy-Back Plan must submit proof of his or her spouse’s health insurance.

Medical Premiums Shared Cost

The Medical Premium Shared Cost policy applies only for employees:

- who have a spouse employed by an Affiliate of the College, and

- the medical insurance, HSA contribution, and/or dental insurance for the family is borne fully by the Affiliate employer.

The College will reimburse the Affiliate employer for half of the employer's medical or dental premium cost for that family. The College employee is not eligible for the medical buy-back. The College will also reimburse half of the Affiliate employer's HSA contribution for the family.

The College employee will not receive the HSA family contribution from both the College and the Affiliate concurrently in the same plan year.

3.6.4.4 Group Life and Accidental Death and Dismemberment Coverage

Regular employees may be eligible for inclusion in the Group Life and Accidental Death and Dismemberment Coverage sponsored by the College, subject to its terms, conditions, restrictions, and exclusions. Generally speaking, participation in this benefit begins on the day Regular employment commences. The College covers all costs associated with this benefit.

The College's Group Life and Accidental Death and Dismemberment Coverage provides term life insurance coverage in an amount which is two (2) times your basic annual earnings. After age 55, the death benefit is reduced annually by .1 until it reaches 1.0 (one times basic annual compensation) at age 65. In the event of your death by any covered cause other than accident, the insurance carrier **pays to your named beneficiary** a cash benefit equal to this face amount of coverage. If the cause of your death is accidental, the insurance carrier **pays to your named beneficiary** a benefit equal to two (2) times the face amount of coverage. In addition, if, due to accidental causes, you suffer the loss of a bodily extremity or sensory organ (hand, foot, or eye), the insurance carrier **pays you** a cash benefit. There is no cost to you for this coverage. For further details of this plan contact Human Resources to obtain the complete Plan Documentation.

3.6.4.5 Dependent Care Flexible Spending Accounts

We also provide our employees who are eligible the opportunity to fund a Dependent Care Flexible Spending Account, up to the maximum allowed by law, through payroll deductions. These accounts allow you to make pre-tax contributions, which reduce your tax liability, and then withdraw from the accounts to pay for qualified child and elder care expenses. For eligibility see the [Benefits Table](#).

You must sign up for regular payroll deductions when you first begin employment with us and subsequently during the open enrollment period. You cannot start, stop, or change your deductions except during open enrollment unless you have a qualifying change in family status (change request must be made to HR within 30 days of the change). All contributions must be made within the calendar year and must be used to pay for expenses incurred during that calendar year. Funds unused by the end of the calendar year are forfeited. Therefore, you should

take the time to carefully project your dependent care expenses before deciding to participate and at what level.

3.6.4.6 Disability Insurance Coverage

The College provides eligible employees with both **short- and long-term disability** insurance at no cost to the employee. For eligibility see [Benefits Table](#). **Note:** Any period of time in which you receive disability benefits will run concurrently, not consecutively, with any leave to which you may be eligible under the Family Medical Leave Act (FMLA), Parental/Adoptive Leave Policy and/or any other College policy.

Short-Term Disability Coverage

Regular Full-Time employees are eligible to participate in the College’s Short-Term Disability Coverage, subject to its terms, conditions, restrictions, and exclusions. All expenses associated with this Coverage are paid in full by the College. Coverage normally begins upon commencement of Regular Full-Time employment. You may qualify for income-continuation benefits under this Coverage if you suffer an occupational or non-occupational accident or illness which:

- Is of a duration of ten (10) consecutively-scheduled work days or longer
- Prevents you from performing the core duties of your job and you are not doing any work for any payment
- Requires the continuing care of a licensed physician
- Is certified in writing by a licensed physician as a disabling condition

Under the foregoing circumstances, this Coverage provides you a Weekly Income Continuation Benefit in accordance with the following schedule:

SHORT-TERM DISABILITY PAYMENT CHART

Number of Full Years of Service as of Date of Qualifying Injury/Illness	Number of Weeks of Benefits at 100% Full Basic Earnings	Number of Weeks of Benefits at 80% of Full Basic Earnings	Number of Weeks of Benefits at 70% of Full Basic Earnings
Fewer than One (1)	First Three (3) Weeks	Next Six (6) Weeks	Remaining Sixteen (16) Weeks

At Least One (1) but Fewer than Eight (8)	First Six (6) Weeks	Next Six (6) Weeks	Remaining Thirteen (13) Weeks
At Least Eight (8)	First Nine (9) Weeks	Next Six (6) Weeks	Remaining Ten (10) Weeks

The maximum number of weeks of Income Continuation Benefits available for any specific qualifying episode of disability is twenty-five (25) weeks.

You may obtain additional information concerning this benefit, including a Summary Plan Description outlining the provisions of this coverage, from the Office of Human Resources.

Maternity Leave (Short-Term Disability Event)

The inability of a female employee to carry out her normal duties because of pregnancy, complications resulting from pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any of the above is considered a temporary medical condition. Absences necessitated by medical conditions related to pregnancy are covered by sick leave, vacation time, and short-term disability the same as absences caused by any other medical condition.

Short-term disability for maternity leave is a physiological and medical event and therefore can only apply to pregnant female employees. Male employees seeking leave for the birth or adoption of their child must refer to [Leave Under the Family Medical Leave Act](#) (FMLA) Policy.

Paid **short-term disability** leave for maternity can continue for **six weeks without documentation**. To receive benefits beyond 6 weeks, medical documentation of the ongoing disability is required. For example, an employee with less than one year of service requiring 10 weeks (with doctor certification) will receive full basic earnings for weeks 1-3, 80% compensation for weeks 4-9, and 70% compensation for week 10. Employees with 1 but less than 8 years of service requiring 10 weeks (with doctor certification) will receive full basic earnings for weeks 1-6, and 80% compensation for weeks 7-10. Employees with more than 8 years of service requiring 10 weeks (with doctor certification) will receive full basic earnings for weeks 1-9, and 80% earnings for week 10. See Short-Term Disability Payment Chart above.

Maternity leave is a Short-Term Disability event for a maximum of six weeks without physician certification. Those who wish to take additional time off after the six weeks without physician certification may be eligible for time off under the FMLA (See Section 3.8.1). These leaves are unpaid and can be no longer than twelve (12) weeks in a rolling year.

In lieu of the prescribed leave time from the table above, full-time faculty members who have been employed for at least one year and take parental leave are eligible for a two-course load and service reduction, without physician certification, without reduction of salary or benefits. The course reductions can be in a single term or spread across two terms. If in a single term, the reduction can be taken as a term leave with the third course made up in the previous or subsequent term. Leave must be taken in the first year after the birth or adoption of the child. To receive short-term disability benefits beyond this, medical documentation of the ongoing disability is required. As stated above, the College will also run Short-Term Disability, Parental/Adoptive Leave, and FMLA leave concurrently, limiting the total time allowed under FMLA to no more than 12 weeks. See section 3.6.4.6 for information on Maternity Leave (Short-Term Disability) and section 3.8.4 for information on Parental/Adoptive Leave Independent of the FMLA.

Group Long-Term Disability Coverage

Regular Full-Time employees are eligible for participation in the College's insured Long-Term Disability Coverage, subject to the eligibility requirements and other terms, conditions, restrictions, and exclusions set forth in the Contract of Insurance/Plan Document. All expenses associated with this Coverage are paid in full by the College. Coverage generally begins upon commencement of Regular Full-Time employment.

The College's Group Long-Term Disability Coverage provides monthly indemnity (income continuation) payments to a covered employee who is certified as having been disabled as defined by the Contract of Insurance for a period in excess of six (6) consecutive calendar months. If the nature of your disability qualifies you for benefits under this Coverage, you may be eligible to receive monthly indemnity payments in an amount equivalent to 60 percent of your basic monthly earnings up to a maximum monthly benefit of \$5,000. It is important to remember that payments received under this coverage are subject to offset (reduction) to the extent you receive payment from other sources (for example, Social Security or Workers' Compensation). You may obtain additional information concerning this benefit, including a Summary Plan Description, from the Human Resources Department.

3.6.4.7 Long-Term Care

We also provide our employees with basic individual **Long-Term Care insurance**. This benefit is paid in monthly amounts based on the type of facility in which you stay (long-term, assisted living, or home health care) and the duration for which you receive the benefit. You may also purchase, at your sole expense, additional long-term care coverage through payroll deductions for you and your spouse. Because this long-term coverage is written on an individual rather than a group, it is portable and continues as long as you make the premium payments, even if you leave our employ.

3.6.4.8 Retirement Benefits

403(b) Retirement Savings Plan

If you are eligible (*see the [Benefits Table](#) for eligibility*), you can save for your retirement by contributing pre-tax dollars into a 403(b) retirement savings account and personally direct the investment allocation of those funds, subject to the plan's terms, conditions, restrictions, and exclusions.

If you did not become a Plan Participant when you first began employment with us, you can do so at any time in the future. As a Plan Participant, you may authorize us to withhold as little as \$10 per pay period to as much as allowed by the IRS. Because these are tax advantaged accounts, the IRS establishes a maximum amount that you may contribute each year. This maximum amount can change from year to year.

In addition, for eligible employees, we currently contribute each year an amount equal to a certain percentage of your base pay. This contribution is made in equal payments every payday and does not count toward the IRS-set maximum contribution amount.

Our 403(b) plan is managed by a third party administrator, currently BPAS, a leading provider of retirement plans for public K-12, higher education, healthcare, and government institutions. BPAS representatives are available locally to meet individually with employees and help them with their financial planning and investment decisions.

Defined Benefit Pension Plan

In 2008, final average earnings for non-grandfathered employees in the Defined Benefit Pension Plan were frozen, meaning that pension plan benefits for those employees will be calculated based on final average pay as of the change date in 2008.

Effective January 1, 2014, service credits were frozen for non-grandfathered employees, and both service credits and final average earnings were frozen for grandfathered employees in the plan.

If you have any questions about the Defined Benefit Pension Plan, please contact: The Office of Human Resources at 267-502-6038 or HR@brynathyn.edu. Plan description for the Pension Plan prior to the aforementioned freezes are available upon request.

3.6.4.9 Financial Assistance

Tuition Remission Programs

The College currently provides a tuition remission program to full-time faculty for their spouses or dependent children attending Bryn Athyn Church School, ANCSS, and Bryn Athyn College. To

receive tuition remission, these faculty members must first apply for financial assistance. Tuition remission is intended to cover partial tuition costs not covered by financial assistance programs. Eligibility for financial aid is determined under the policies of the respective schools. Also, an eligible employee is responsible for payment of all expenses associated with the spouse's/dependents' attendance (i.e. fees [includes comprehensive or minimum tuition fees, lab fees, special fees associated with curricular or extracurricular programming, etc.], room, board, books, etc.).

The College currently pays 75% of the stated tuition for qualified employees' children at the Bryn Athyn Church School and ANCSS and 95% of stated tuition (after New Church Grant) for qualified employees' children at Bryn Athyn College.

Full-time staff employed before September 1, 2011 and previously eligible for tuition remission under applicable policies at the time, may be grandfathered for this benefit, but are subject to current limitations.

Additional information concerning eligibility and other aspects of this benefit may be obtained from the Director of Human Resources or the Director of Financial Aid.

In addition, the College offers a discount program for full- and part-time employees intending to take a M.A.R.S. course during the fiscal year in which they are employed, with the following criteria and discounts:

- For courses with sufficient enrollment of regular students (non-College employees)
 - If enrolled in the M.A.R.S. degree program – 80% discount
 - If not enrolled in the M.A.R.S. degree program – 75% discount
 - Faculty members may apply for faculty professional development funding to support any tuition costs not covered by the discount.
- For courses that do not have sufficient enrollment of regular students (non-College employees)
 - There may be financial aid available to Bryn Athyn College employees. Inquire with the director of the M.A.R.S. program.

Bryn Athyn College is also a member of the Council of Independent Colleges Tuition Exchange Program (CIC-TEP). Through this program, full-time employees and faculty may apply for educational scholarships for themselves and eligible dependents at other member institutions. The Director of Human Resources is College's Tuition Exchange Liaison; for more information and to apply for a CIC-TEP scholarship: contact The Office of Human Resources at 267-502-6038 or HR@brynathyn.edu. See [Appendix I](#) for CIC-TEP policy.

Employee 403(b) Loan Policy & Procedure

403(b) Loan Parameters

The parameters of the 403(b) loan feature are as follows:

Number of loans outstanding at any time: 2

Minimum loan amount: \$1,000

Maximum loan: \$50,000 or 50% of vested account balance, whichever is less

For example:

Vested Account Balance	Maximum Amount to Borrow
Less than \$2,000	\$0
\$2,000 - \$100,000	50% of your Account Balance
More than \$100,000	\$50,000

Loan Origination Fee: \$75

Annual Maintenance Fee: \$25

Type of Loan:

- General Purpose
 - Payback Term: 59 months
- Residential
 - Payback Term: 299 months

Interest rate: Prime Interest Rate + 1%

- Note: The interest rate used on your loan may change between the date you modeled the loan and the date the loan is made as loans in your plan are based on the prime interest rate which can fluctuate. Interest is paid back into your account and is not earned by BPAS.

Early payback: Borrowers may choose to pay off their loan early.

Loan Considerations

Loans may sound like a great deal, but there are drawbacks. When you borrow from your retirement account, you borrow from your future. Tapping into your retirement savings for short-term needs reduces the growth potential of your account in many ways:

- The interest at which you repay your account may be lower than the investment return you could potentially have earned if the money had remained invested.
- You may be tempted to decrease or stop your contributions, which will slow down your savings. According to a 2015 Fidelity study, 25% of borrowers reduced their savings rate for five years after taking a loan, while 15% of borrowers stopped saving all together. A decrease in your contributions can significantly impact your future retirement income.

If you're considering taking a loan, be sure you are comfortable with the loan parameters, payoff date and potential default penalties. If you'd like to see how a loan can impact your retirement account balance, try the "Should you Borrow from a 401(k) or 403(b)?" calculator located in the Planning Calculators section of BPAS' Participant Education Center (pec.bpas.com).

403(b) Loan Continuation (for BPAS loans only)

If you leave employment at Bryn Athyn College and still have an outstanding 403(b) loan balance, you are responsible for paying back the loan in a timely manner. BPAS offers a loan continuation policy known as MyPlanLoan which will allow you to continue making loan repayments through your checking account to avoid potential default.

If the loan defaults, it will be treated as a retirement plan distribution and will be paid off with your plan assets. You will be liable for any associated taxes and penalties.

How to Request a Loan from your 403(b)

- Log into your account at www.bpas.com
- From the "**Transactions**" drop down, select "**Loan Modeling and Request**"
- Complete the prompts:
 - What type of loan: General or Residential?
 - How much you would like to borrow?
 - The website will calculate the maximum amount available for a loan based upon your current vested account balance and the loan origination fee.
 - What will be the length of your loan?
- Select "**Model Loan**" to see payment amounts
- Once satisfied with the loan amount and payment features, you can print the forms online or have them mailed to you.
- **Complete and return** the form to Joe Weiss, the Director of Human Resources, at the Academy of the New Church for processing: 267-502-2632; Joe.Weiss@anc-gc.org
- Your loan will be processed with the proceeds forwarded it to you. Payments will be automatically deducted from your paycheck until the loan is paid off.
- **Note:** As 403(b) plan loans are based on the prime interest rate, the interest rate may fluctuate between the date you modeled the loan and the date the loan is made.

Other Key Points

- While plan loans offered through a 403(b) provider are a common practice in the retirement industry, they are not required. Even fewer plans offer an internal loan policy.
- BPAS' capability to offer a loan continuation process decreases the risk of defaulting and potential penalties.

- 403(b) loans are required to pay a reasonable amount of interest, per government regulations. As this interest is paid into your account, and it is not additional income for BPAS, it assists with the primary goal of your 403(b) - to generate growth during working years to provide assets for retirement years.
- Taking a loan from your retirement assets should be used as a last resort, not a first course of action. Since a plan loan directly impacts your balance, the process of taking a loan for a non-essential reason should be carefully considered. The interest paid on your loan may not compensate for the lower investment returns on your 403(b) account after it is reduced by the loan amount.

Questions

If you have questions about the loan procedures, contact BPAS Customer Service at 1-866-401-5272. The Office of Human Resources at Bryn Athyn College, 267-502-6038 or HR@brynathyn.edu

3.6.4.10 Employee Assistance Program

If you are a full- or part-time employee, and you or one of your family members are experiencing difficult personal problems that are negatively affecting your health, happiness, family, and work life, you can take advantage of our Employee Assistance Program (EAP).

Your participation in the EAP is confidential. You are not required to inform anyone at work that you wish to contact the EAP, nor do you or your family members need anyone's permission to do so. The EAP is available 24 hours a day, and is available through:

Growth Opportunity Center
 928 Jaymor Road, Building B-150
 Southampton, PA 18666-3826
 215-947-8654

Experienced, professional counselors can provide you with a free assessment for issues such as depression, marriage and family, relationships, physical illness, grief, finances, drug and alcohol dependency, legal difficulties, and other personal matters. Often, some short-term advice and consultation may be all that is needed, and we cover five (5) sessions per year when obtained through the above provider.

3.6.4.11 Voluntary Supplemental Plans

The College provides supplemental voluntary benefit plans with Met Life, and Liberty Mutual Life Insurance for college employees only. Plans are separate and do not conflict with our medical and life insurance coverages. They provide the convenience of discounted, voluntary coverage and payroll deductions.

Liberty Mutual Auto & Home

The College offers its employees an opportunity to purchase home and auto insurance with Liberty Mutual Insurance via home billing.

Met Life Supplemental Life Insurance

Supplemental life insurance is available for employees, their spouses, and their dependent children. This coverage is in addition to the basic life insurance provided by the College for two times one's salary. Employees are responsible for the premiums for this supplemental insurance via payroll deduction.

3.6.4.12 Service Awards and Recognition Program

The annual Service Awards and Recognition Program recognizes employees at five (5) year intervals and at retirement from Bryn Athyn College. The awards are available to full-time faculty, staff, and administrators based on years of service. All service levels awards will be included in the employee's paycheck, subject to normal tax withholdings. Awards will be paid through the payroll process. The President will advise employees of their award with a special letter of recognition.

These awards are intended to acknowledge the outstanding performance of our employees toward the current and continued success of Bryn Athyn College or any other Affiliate for whom they have worked.

Years of service awards:

- 5 years: \$250.00
- 10 years: \$500.00
- 15 years: \$750.00
- 20 years: \$1000.00
- 25 years: \$1250.00 and every 5 years thereafter

Upon retirement, employees receive a recognition award of \$50/year with no cap. Employees retiring at a five-year increment receive both the years of service award and the retirement award.

Retirees who remain employed after retirement are not eligible for further years of service awards.

Eligibility Criteria:

- Must be employed at the college for 5 years as a full-time employee without a break in service
- Only full-time years of service will be counted for employees hired after 2012
- Percent-time and part-time faculty and staff hired before 2012 will have their years of service grandfathered and counted towards their total years of service
- Breaks in years of service will not be counted
- Employees who have worked with Affiliates will have that time worked counted in their years of service at the College

3.6.4.13 Benefits Table

BRYN ATHYN COLLEGE BENEFITS TABLE

Bryn Athyn College offers a comprehensive benefits package to its employees. The specific benefit eligibility is outlined in the table below as it refers to the employees' employment category and employment status. This benefits table correlates with the Categories of Employment policy.

BENEFIT SELECTION	FULL-TIME		PERCENT-TIME		PART-TIME		AUXILIARY
	Faculty	Administration & Staff	Faculty	Administration & Staff	Faculty	Administration & Staff	Seasonal & Temporary
Comprehensive							
Medical Plan 3.6.4.2	yes	yes	yes 1	yes 1	no 2	no 2	no
Medical Buy Back Plan 3.6.4.3	yes	yes	yes 3	yes 3	no	no	no
Dental Plan 3.6.4.2	yes	yes	yes	yes 1	no	no	no
Health Savings Account Contribution 3.6.4.2	yes	yes	yes 3	yes 3	no	no	no
Life Insurance 3.6.4.3	yes	yes	no	no	no	no	no
Short-Term Disability 3.6.4.6	yes	yes	no	no	no	no	no
Long-Term Disability 3.6.4.6	yes	yes	no	no	no	no	no
Long-Term Care 3.6.4.6	yes	yes	no	no	no	no	no
403b Retirement Plan 3.6.4.7	yes	yes	yes	yes 4	yes 4	yes 4	no
Tuition Remission 3.6.4.8	yes	no	no	no	no	no	no
Employee Assistance Program 3.6.4.9	yes	yes	yes	yes	yes	yes	no
Voluntary Plans							
Supplemental Life Insurance 3.6.5.0	yes	yes	yes	yes	yes	yes	no
Home & Auto Plans 3.6.5.0	yes	yes	yes	yes	yes	yes	no
Leave							
Vacation 3.7.2	no 5	yes	no 5	yes 8	no 5	yes	no
Sick 3.7.3	yes	yes	yes	yes	yes	yes	no
Family & Medical Leave (FMLA) 3.8	yes	yes	yes	yes	yes	yes	no
Bereavement 3.7.4.1	yes	yes	yes	yes	yes	yes	no
Leave of Absence 3.8.1	yes	yes	yes	yes	no	no	no
Holidays 3.7.1	yes	yes	yes	yes	yes 6	yes 6	no
Inclement Weather 3.2.4.4	yes	yes	yes	yes	yes	yes	no
Jury Duty & Witness Duty 3.7.4.2	yes	yes	yes	yes	yes	yes	no

- 1) College covers employee portion less premium sharing. Employee may purchase group coverage for dependents. (For administration and staff, effective July 1, 2015)
- 2) Part-time employees are eligible to buy-in to the College's medical plan for themselves and their dependents. Retirees may be eligible for retiree medical benefits.
- 3) College contribution amount for single employee, not employee and family. (For administration and staff, effective July 1, 2015)
- 4) Eligible to make contributions into the College's 403b; however the college will not make an employer contribution or match the employee's contribution.
- 5) Faculty members do not accrue vacation because their work is based on a 10-month contract or less during the academic year.
They may take vacation during academic break periods.
- 6) Part-time employees will only be paid for the holidays if the holiday falls on a day in which they are scheduled to work.
- 7) Percent-time retired faculty are eligible for retiree medical benefits not shown on this chart. They are also eligible for other limited benefits available to part-time faculty members.
- 8) 10-month full-time employees do not accrue vacation

Student workers are not eligible for any benefits.

3.7 PAID TIME OFF

3.7.1 Holidays

All regular full and part-time employees are eligible for paid holidays. The College observes the following 12 holidays each year:

Independence Day

Labor Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve

Christmas Day

New Year's Day

Martin Luther King, Jr. Day

Good Friday

Memorial Day

New Church Day

(Floating Holiday†)

† Floating holidays are determined by the College President and Administration.

In general, when a holiday falls on a Saturday, the College will observe the holiday on the immediately preceding Friday. Similarly, when a Holiday falls on a Sunday, the College will observe the holiday on the immediately following Monday.

Holiday Pay

If you are a non-exempt employee eligible for holiday pay, your holiday pay is calculated based on your standard earnings. If you are required to work on a holiday, you will receive your regular pay for all hours worked and will be granted an alternate day off with pay within the 30 calendar days following the date on which the holiday was observed.

If you're away on an approved vacation over a holiday, you will be paid for the holiday and won't be charged a vacation day for the holiday. However, if a holiday occurs while you are away on a leave of absence, you generally will receive no pay for the holiday (see more in the section on leaves of absence).

If you are a regular part-time employee, you are eligible only for paid holidays which fall on a day on which you are regularly scheduled to work. Your holiday pay would be equal to the number of hours for which you ordinarily would have worked on the specific holiday. If you are a non-exempt employee, you must be present at work for all hours of work on the scheduled work days immediately preceding and immediately following the holiday to be eligible for holiday pay, unless you have arranged with and secured the approval of your supervisor for your absence on either or both of those days.

Essential Employees and Holiday Pay

Essential employees are considered those that must be available to report to work in emergency situations. During a suspension of campus operations, Essential Employees provide services that relate directly to the health, safety, and welfare of the College. These employees ensure stability of key operations and maintain and protect Bryn Athyn College. Consolidated Plant Operations (CPO) and the Department of Public Safety are considered essential personnel.

If you are a **non-exempt essential employee** who qualifies for holiday pay, and you are **required** to work on a holiday, you should submit a timesheet that reflects the actual hours you've worked, plus additional holiday hours equal to those actually worked or eight hours, whichever is greater. All these hours will be considered in the calculation of any required overtime pay. You will not be granted an alternate day off with pay.

If you are a **non-exempt essential employee** who qualifies for holiday pay, and you are **not required** to and do not work on a holiday, you should submit a timesheet indicating holiday hours only on the date of the holiday. The number of holiday hours submitted should equal the number of hours you would normally work in a daily shift. If your daily shift hours are variable, you should use the lowest number, except in no case should your timesheet be less than 40 hours in a week solely due to not working on a holiday. These hours will be considered in the calculation of any required overtime pay. You will not be granted an alternate day off with pay.

If you are a **non-exempt essential employee** who is required to be **on-call for emergency response during a holiday**, you may submit 4 hours of on-call time, in addition to your normal holiday hours. (These hours are in addition to the 8 hours per week for which essential employees are compensated for being on call outside normal working hours.)

If you are an **exempt essential employee**, holiday pay applies to you in the same manner as it does to regular exempt employees.

3.7.2 Vacation

Note:

1. Faculty are not eligible for vacation benefits
2. Staff or Administration participating in training approved by his/her supervisor for professional development purposes during a regularly scheduled workday will not have to use vacation leave to cover the time taken for training. This includes conferences, workshops, or approved classes (undergraduate & graduate).

If you are a full- or part-time, non-faculty employee, you are eligible for paid vacation time. The amount of vacation you are eligible for depends on your length of service and employment status and classification.

Vacation credit is calculated from an employee’s date of hiring. Vacation credit is accrued monthly up to a maximum accrual amount. Once the maximum amount is reached no additional vacation will be accrued until vacation time is taken.

You will not accrue credit toward vacation benefits for any calendar month during which you are absent from work for the entire month and receive no earnings or other paid leave benefits from the College.

Employees Vacation Accrual: Regular Full-Time				
Years Worked	Vacation Credit Accrual Rate*	Vacation Credit Annual Accrued Days	Vacation Credit Maximum Accrual	Maximum Vacation Accrual Allowed to Roll Over
Less than 1 year	.84 days/month (3.34 hours/pay)	Accrued time	----	----
1 – 5 years	.84 days/month (3.34 hours/pay)	10 days	15 days	40 hours
6 – 15 years	1.25 days/month (5.00 hours/pay)	15 days	25 days	80 hours
Over 15 years	1.70 days/month (6.67 hours/pay)	20 days	30 days	80 hours

Vacation Accrual: Regular Part-Time Employees				
Years Worked	Vacation Credit Accrual Rate*	Vacation Credit Annual Accrued Days	Vacation Credit Maximum Accrual	Maximum Vacation Accrual Allowed to Roll Over
Less than 1 year	.42 days/month (1.67 hours/pay)	Accrued time	----	----
1 – 5 years	.42 days/month (1.67 hours/pay)	5 days	7.5 days	20 hours
6 – 15 years	.63 days/month (2.50 hours/pay)	7.5 days	12.5 days	40 hours
Over 15 years	.85 days/month (3.33 hours/pay)	10 days	20 days	80 hours

* Accrued days will be effective the first of the following month.

Vacation time requires your immediate supervisor’s approval, and all time should be recorded using the online payroll system.

You are responsible for scheduling and taking your full annual vacation time each year. However, in the event you find it necessary due to operational demands to cancel an approved scheduled vacation, you may carry over a number of days based on your accrued amount of vacation days (see chart). For example, if you are a regular full-time employee with three years of service, you could carry up to five of your 10 days of vacation into the following year, or if you had seven years of service, you could carry up to 10 of your 15 days of vacation into the next year.

When your employment ends, you will receive pay for accrued but unused vacation in accordance with the following formula:

One-twelfth (1/12) your annual vacation credit	times	The number of full months of service completed, beginning on your anniversary date through the month in which separation occurs	less	Vacation credits taken during the current calendar year
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Similarly, any paid vacation taken before you leave our employ which exceeds the amount of vacation accrued at the time of separation when computed using this same formula (see above) will be deducted from your final pay in accordance with applicable law. **Note:** failure to provide proper notice of your resignation or termination for cause will result in forfeiture of any vacation pay that would otherwise be paid upon separation of employment.

3.7.3 Sick Days

Full-time and percent-time faculty, staff, and administrators are eligible for **10 days/80 hours of paid sick leave per fiscal year**. Part-time staff are eligible for sick leave equal to the number of hours they work per day. As an example, if a part-time employee works 4 hours a day, they are entitled to 4 hours of sick leave per day at a maximum of 5 days/40 hours per year. Adjunct faculty are not eligible for sick leave. You may request sick days in full or half-day increments (3-1/2- or 4-hour increments based on the length of your scheduled work day).

Paid sick leave will protect you against loss of income when you are unable to work due to:

- your own short-term illness or injury or
- the need for you to care for an ill or injured spouse, dependent child, or parent

To receive sick pay, you must inform your supervisor in accordance with the policies described in [Recording Time Worked](#) as well as the specific procedures set forth for your Department. If you expect your absence to extend beyond one day, you must continue to notify your supervisor daily unless you provide your supervisor with a written statement from your or your spouse's, child's, or parent's health care provider indicating how long you are to be absent from work.

You will be expected to return to work on the stated return date, unless you give your supervisor a written change of return-to-work date prepared by your, your spouse's, child's, or parent's health care provider which describes the reason for this change.

If you request a sick day for a reason described above, make your request at least one scheduled work day in advance of your absence and your request is approved by your supervisor, your time away from work will be considered a *scheduled absence*. However, if you notify your supervisor on the day of your absence that you are unable to report for work on that day, your absence will be regarded as an *unscheduled absence*. An excessive number of absences, either scheduled or unscheduled, places a burden on your co-workers, affects your ability to meet performance expectations, and could result in corrective counseling.

If you are prevented from reporting for work for a period of seven calendar days or longer due to your own or your spouse's, child's, or parent's serious health condition, you must request

leave under the Family Medical Leave Act as per the [Unpaid Leaves of Absence policy](#). The procedure for doing this is discussed in our Unpaid Leaves of Absence policy.

If you have a scheduled or unscheduled absence as defined by this policy after you have exhausted all your sick days, the absence will be considered *unexcused* and you will not be paid for the absence. Unpaid absences associated with approved Leaves of Absence do not constitute unexcused absences. However, four episodes of unexcused absence not associated with an approved Leave of Absence which occur in any rolling 12-month period may be grounds for discipline, up to and including discharge from the employ of the College.

The College may require **written certification** from your health care provider, that of your family member, or a health care provider designated by the College as proof of your inability to work due to your own illness or injury or that suffered by a member of your immediate family for any of the following circumstances:

- absences of three consecutively scheduled work days or longer;
- unscheduled absences which fall on a Friday or a Monday or on the day before or after any scheduled paid time off (such as a holiday or vacation);
- any absence of less than three consecutively scheduled work days if your attendance record discloses an occurrence of *unexcused absence* during the immediately-preceding 12-month period, or
- if there is reasonable suspicion of past abuse of this benefit.

If you fail to furnish a health care provider's certification within the time frame established by the College, you will become ineligible for paid sick days. We further reserve the right to require any employee who is returning to work from an absence of more than three consecutive work days due to personal illness or injury to be examined by a physician designated by the College to certify that the employee is able to return to regularly-assigned duties.

Sick days do not carry over year to year nor are they paid out to employees at the end of a year, so you begin each year with 10 days, regardless of how many or how few sick days you used in the previous year. When you submit your resignation, you become ineligible for paid sick days. When your employment with the College ends, regardless of the reason, all unused sick day are canceled without payment.

3.7.4 Other Paid Leaves

3.7.4.1 Bereavement Leave

If you are eligible, you may take a paid **bereavement leave** to handle your obligations in the event of the death of a close family member without incurring a loss of pay. You may take up to

three consecutively-scheduled days at your regular base pay rate to handle arrangements for, travel to and attend the funeral services for a member of your immediate family. For the purposes of this benefit, your immediate family is defined as your spouse, child, parent, sibling, parent-in-law, grandparent, and grandchild.

To qualify for a paid Bereavement Leave, you must notify your supervisor immediately upon learning of the death of a member of your *immediate family*.

If you are away from work on an approved Leave of Absence at the time a death occurs in your immediate family, you are not eligible for a paid bereavement leave. You may receive no more than nine paid days of Bereavement Leave in any rolling 12-month period.

3.7.4.2 Service as a Juror or Subpoenaed Witness

If you are eligible and are called to serve as a **juror**, you will be paid at your regular daily base pay rate (minus any jury fees you are paid) for all scheduled work days from which you are absent while serving on a jury or awaiting placement on a jury up to a maximum of two work weeks in any rolling 12-month period.

To be paid for your time in court, you must:

- inform your direct supervisor immediately that you have received a summons to report for jury service and provide him or her with a copy of the summons
- report for work whenever the court schedule allows you to do so
- submit to your immediate supervisor and the Director of Human Resources a copy of all documentation received from the court which verifies the days and times during which you served

The College may request that the court excuse you from reporting for service as a juror or to assign you to another time if your presence at work is considered to be essential to the College at the time you are called for service.

If you are subpoenaed to appear as a **witness** on behalf of a party other than the College or Affiliate, you will be compensated at your base rate of pay for up to two regularly-scheduled work days. To be eligible for paid witness leave, you must provide your supervisor with a copy of the subpoena and report for work whenever the court schedule permits.

If you are an exempt employee, you will receive your full week's salary for any work week in which you serve as a juror or witness, minus jury or witness duty payments. If you are away on a Leave of Absence at the time you are called to serve as a juror or appear as a witness, you would be ineligible for benefits under this Policy.

3.8 UNPAID LEAVES OF ABSENCE

3.8.1 Leave under the Family and Medical Leave Act (FMLA)

3.8.1.1 Employee Eligibility Requirements

Employees are eligible for unpaid FMLA leave if they have worked for the College for at least twelve months, if they have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave and if they work at a worksite where 50 or more employees work within 75 miles of that worksite.

In the event spouses work for the College and both are eligible for FMLA leave, the total amount of FMLA Leave available to both spouses (or to each spouse individually) may be additionally limited in accordance with the FMLA.

Definitions of key terms used in this policy are found in Section 3.8.6.

3.8.1.2 Basic FMLA Leave Entitlement

Under the Family and Medical Leave Act (FMLA) the College will provide to eligible employees up to 12 weeks of unpaid leave during a 12-month rolling period, measured backward from the first date an Employee uses any FMLA leave, for the following reasons.

- For incapacity due to pregnancy, prenatal medical care, or child birth
- To care for the employee's child after birth, or placement for adoption or foster care⁴
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition
- For a serious health condition that makes the employee unable to perform the employee's job

3.8.1.3 Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on "covered active duty" (or who has been notified of an impending call to "covered active duty") in the Armed Forces may use their 12-week leave entitlement to address certain "qualifying exigencies." Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, parental care, and attending post-deployment reintegration briefings.

⁴ Leave taken in connection with the birth, placement for adoption, or foster care must be completed within 12 months of the birth or placement.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 work weeks of unpaid leave to care for a covered service member with a serious illness or injury during a single 12-month period.⁵ This is referred to as military caregiver leave.

3.8.1.4 Benefits and Protections During FMLA Leave

During FMLA leave, the College will maintain an employee's health coverage under any group health plan on the same terms as if the employee had continued to work (e.g., an employee is required to continue to pay his or her portion of the applicable premium on a timely basis). With regard to our other insured benefit plans (disability, long term care, etc.), the College will continue to make premium contributions on your behalf as we did during your active employment until the end of the month in which your FMLA leave begins to the extent continued coverage is permitted by the plan. Thereafter, your continued participation, to the extent permitted by the plan, will be at your sole expense. Upon return from FMLA leave, in general, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave will not result in the loss of any paid time off benefits (i.e., Vacation and Sick) accrued prior to the start of an employee's leave. However, an employee shall not accrue additional paid time off benefits during FMLA Leave, except during such portion of the FMLA Leave in which the employee concurrently receives available paid time off benefits directly from the College.

To the extent permitted by law, employees shall be ineligible for Holiday Pay during FMLA leave or during any other leave. Employees shall be ineligible for paid bereavement leave or paid time off for jury duty or to serve as a witness in court during FMLA leave or any other leave.

If an eligible employee needs intermittent or reduced-schedule leave that is foreseeable based upon planned medical treatment for the employee, a family member, or a covered service member, including during a period of recovery from the serious health condition, the College may require the employee to transfer temporarily to an alternative position for which the employee is qualified and which better accommodates the intermittent or reduced leave schedule.

3.8.1.5 Use of FMLA Leave

An employee does not need to use FMLA leave in one block. FMLA leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt

⁵ Note: The definition of a "serious illness or injury" is different than the definition of a "serious health condition."

the College's operations. Leave due to qualifying exigencies as defined above may also be taken on an intermittent basis.

Employees may take intermittent or reduced schedule leave for the birth or placement of a child only with the written consent of the Director of Human Resources, after consultation with an employee's Department Head, taking into account relevant business needs as determined by the College.

3.8.1.6 Payments During Unpaid FMLA Leave

In all cases, employees may use, or may be required to take Vacation days concurrently while taking FMLA leave to the extent the benefits are available.

Employees may use or may be required to take Sick Days concurrently while taking FMLA leave where FMLA leave is being taken for the employee's own serious health condition or that of an ill or injured spouse, dependent child or parent.

An employee may also be eligible for disability payments under the College's disability plan and workers compensation payments under the College's workers' compensation program, subject to their eligibility requirements and other terms, conditions, restrictions and exclusions.

In such cases, for FMLA qualifying events, the College will concurrently designate the period of time in which the employee receives those payments as FMLA leave.

In addition, an employee and the College may agree (but an employee will not be required), to have paid time off benefits supplement any disability or workers compensation benefits/payments, such as when the applicable plan or workers compensation replaces only a portion of the employee's income, subject to restrictions above in terms of taking paid time off first and in the order so stated.

However, in no case may an employee receive more than 100-percent of his or her regular net pay during FMLA leave.

3.8.1.7 Employee Notice Responsibilities

Timing of Notice

Where the need for FMLA leave is foreseeable, an employee must give thirty (30) days advance notice of the need for FMLA leave, where possible.

When the need for FMLA leave is foreseeable but thirty (30) days advance notice is not possible, the employee must give notice as soon as possible and practical. This rule applies both with respect to an employee's initial request for FMLA leave as well as when an employee needs to change the timing of previously scheduled FMLA leave. When an employee becomes aware of a

need for FMLA leave fewer than thirty (30) days in advance, it generally should be practicable for the employee to provide notice of the need for leave (or a change in previously scheduled FMLA leave) either the same day or the next business day.

Note: For foreseeable leave due to a qualifying exigency, an employee must provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable.

Where the need for leave is not foreseeable, an employee must provide notice to the College as soon as practicable under the facts and circumstances of the particular situation.

In addition, absent an emergency or other unusual circumstances, employees are expected to provide notice in accordance with their particular department's call-out procedure.

Content of Notice

Initial Request for FMLA Leave

Absent an emergency or other unusual circumstances, an employee's request for FMLA leave must be in writing. The written request must be submitted to the employee's Department Head or the Director of Human Resources.

Even if an employee does not request FMLA in writing, supervisors and above must report to a Department Head and Human Resources all requests for time off for a medical or family emergency. This is true even if the employee does not use the legal buzz words. If the reason the employee wants time off sounds like it may be covered by the FMLA, supervisors and above must contact their Department Head and/or Human Resources.

An employee must provide sufficient information to the Office of Human Resources to enable the College to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave, specifying, to the extent possible, the beginning and end dates of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for qualifying exigency and/or covered service member leave. An employee merely calling out "sick" is insufficient notice and does not constitute a request for FMLA leave.

Tracking FMLA Absences for Employees to Whom the College Previously Approved FMLA Leave and Who Remain Eligible for FMLA Leave Under the Prior Designation

If an employee requests leave for a reason for which FMLA leave was previously taken or certified (including in the case of intermittent leave), an employee must notify his/her Department Head or Human Resources by specifically referencing the FMLA-qualifying reason or of the need for FMLA leave when calling out in accordance with the College's callout procedures.

Again, merely stating that the employee is “sick,” without providing more information, will not be considered sufficient notice to trigger the College’s obligations under the FMLA. The College may follow up with the employee to inquire further if it is necessary for the College to obtain necessary details.

In addition, in the event an employee seeks an extension of previously approved FMLA leave or the timing or previously scheduled FMLA leave changes, an employee must notify his/her Department Head.

3.8.1.8 Certifications

An employee will be required to provide periodic reports to the College of the employee’s status and intent to return to work.

An employee will be required to provide a complete and sufficient medical certification to determine his or her eligibility for leave and/or continued leave as well as other changes to an employee’s leave schedule. The College may also require a second or third medical opinion. An employee is required to provide the requested certification within fifteen (15) days of the request, unless it is not practicable to do so. In addition, the College may also require recertification of an employee’s need for leave. These requirements apply both in the event an employee is requesting leave for his or her own serious health condition and in the event of the serious health condition of a parent, spouse, or child.

In connection with a request for FMLA Leave due to a qualifying exigency, or to care for a covered service member, the College may also require an employee to provide a complete and sufficient certification and/or other documentation in support of the leave. The College will not obtain a second and third opinion or a recertification in connection with an employee’s request for leave for a qualifying exigency. Depending upon the type of healthcare provider completing the certification for military caregiver leave, the College may be permitted to secure a second or third opinion; however, the College will not obtain a recertification in connection with the certification of a covered service member’s serious injury or illness.

The College will require that an employee provide a fitness for duty certification prior to permitting an employee to return to work from FMLA leave due to his or her own serious health condition. Where an employee is on intermittent or reduced schedule leave for his or her own serious health condition, the employee may also be required to provide a fitness for duty certification periodically if reasonable safety concerns exist. Employees will not be allowed to return to work without a return/fitness for duty certification from their physician.

The College also reserves the right to require an employee to submit to a fitness for duty examination by a healthcare provider selected by the College in accordance with the Americans with Disabilities Act as well as other applicable law.

3.8.1.9 The College's Responsibilities under the FMLA; FMLA Enforcement

The College, through Human Resources, will inform employees requesting leave whether they are eligible under FMLA. If an employee is eligible, the College will provide a notice specifying any additional information required as well as the employee's rights and responsibilities. If the College determines that an employee is not eligible, the College will provide the employee with a reason for the ineligibility.

The College will inform the employee in writing whether the leave requested will be designated as FMLA leave and the amount of leave that will be counted against the employee's FMLA leave entitlement. If the College determines that the employee's leave is not FMLA protected, then the College will notify the employee.

The College cannot and will not interfere with, restrain, or deny the exercise of any right provided under the FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law which provides greater family or medical leave rights.

For additional information: 1-866-4US-WAGE (1-866-487-9243); TTY 1-877-889-5627; www.wagehour.dol.gov.

3.8.2 Medical Leave Independent of the FMLA

This policy applies to all full-time employees who have completed three (3) months employment with the College and are regularly scheduled to work at least 40 hours per week, regardless of whether they are eligible for FMLA or if the employee has exhausted his/her FMLA.

Eligible employees may be provided a total of six (6) weeks of College Medical Leave in any rolling 12-month period, measured backward from the first date an Employee uses any leave, with the potential for additional time as a reasonable accommodation as discussed below.

College Medical Leave is available to an eligible employee who has a serious health condition that makes him/her unable to perform the functions of his/her position.

College Medical Leave runs concurrently with any period of time in which an employee received workers' compensation as well as short term disability payments (under the College's plan). College Medical leave may not be taken for the disability or serious health condition of an employee's family member.

If an employee is eligible for FMLA leave, then the terms of the College's FMLA policy will apply during such time as the employee's FMLA leave runs concurrently with his or her College Medical Leave.

A request for College Medical Leave must be directed to and approved, in writing, by the employee's Department Head.

An employee must provide thirty (30) days' notice in the form of a written request for College Medical Leave, or such notice as is practicable in light of the circumstances.

As a general rule, College Medical Leave must be taken in increments of at least seven (7) consecutive calendar days. However, where reasonable, College Medical Leave may be taken on an intermittent or reduced schedule basis as defined by the College, so long as such intermittent or reduced schedule basis leave constitutes a reasonable accommodation and does not impose an undue hardship on the College.

College Medical Leave is unpaid. However, an employee may use, or may be required to take Vacation and Sick Day benefits during his or her leave, subject to the terms and conditions of these respective policies.

In addition, as noted above, an employee may be eligible for workers' compensation payments or short-term disability payments, subject to the terms and conditions of these benefits programs. However, in no case may an employee receive more than 100% of his or her regular base pay when all sources of income are combined.

An employee may be eligible to participate in the College's group health plan during College Medical Leave as well as other insured benefit plans, at his or her sole expense, to the extent continued coverage is permitted by the applicable plan.

An employee may be eligible to participate in the College's other insured benefit plans to the extent permitted by the plan documents at his or her sole expense.

To the maximum extent permitted by law, the College reserves the right to require medical documentation from, and/or a medical examination of, an employee to determine his or her eligibility for College Medical Leave and/or continued College Medical Leave and/or his or her ability to return to work from College Medical Leave. The College also reserves the right to require an employee to certify his or her intention to return to work.

The College cannot guarantee that the employee will be reinstated to same or any other job upon completion of College Medical Leave (independent of FMLA).

3.8.3 Personal Leave Independent of the FMLA

This policy applies to all full-time employees who have completed twelve (12) months employment with the College and are regularly scheduled to work at least 37 ½ hours per week (40 hours for some positions), regardless of whether they are eligible for FMLA or if the employee has exhausted his/her FMLA. However, FMLA Leave and Personal Leave run concurrently to the extent they both apply.

At the College's sole discretion, eligible employees may be provided up to fifty-two (52) weeks of Personal Leave in any rolling 12-month period, measured backward from the first date an Employee uses any leave, with the potential for additional time as a reasonable accommodation as discussed below.

Personal Leave is available for any reason whatsoever, including for a reason which otherwise would be covered by the FMLA (e.g., to care for the employee's child after birth, or placement for adoption or foster care).

Personal Leave runs concurrently with any period of time in which an employee received workers' compensation as well as short term disability payments (under the College's plan).

If an employee is eligible for FMLA leave, then the terms of the College's FMLA policy will apply during such time as the employee's FMLA leave runs concurrently with his or her Personal Leave.

A request for Personal Leave must be in writing and directed to and approved by the Department Head.

An employee must provide thirty (30) days' notice of a request for Personal Leave, or such notice as is practicable in light of the circumstances.

As a general rule, Personal Leave must be taken in increments of at least seven (7) consecutive calendar days. However, where reasonable, Personal Leave may be taken on an intermittent or reduced schedule basis as defined by the College, so long as such intermittent or reduced schedule basis constitutes a reasonable accommodation and does not impose an undue hardship on the College.

Personal Leave is unpaid. However, an employee may use, or may be required to take Vacation and Sick Day benefits during his or her leave, subject to the terms and conditions of these respective policies.

In addition, as noted above, an employee may be eligible for workers' compensation payments or short-term disability payments, subject to the terms and conditions of these benefits programs. However, in no case may an employee receive more than 100% of his or her regular base pay when all sources of income are combined.

An employee may be eligible to participate in the College's group health plan during Personal Leave as well as other insured benefit plans, at his or her sole expense, to the extent continued coverage is permitted by the applicable plan.

An employee may be eligible to participate in the College's other insured benefit plans to the extent permitted by the plan documents at his or her sole expense.

To the maximum extent permitted by law, the College reserves the right to require medical documentation from and/or a medical examination of an employee to determine his or her eligibility for Personal Leave and/or continued Personal Leave and/or his or her ability to return to work from Personal Leave. The College also reserves the right to require an employee to certify his or her intention to return to work.

The College cannot guarantee that the employee will be reinstated to same or any other job upon completion of Personal Leave.

3.8.4 Parental/Adoptive Leave Independent of the FMLA

3.8.4.1 Faculty Parental/Adoptive Leave

Faculty Parental/Adoptive Leave Policy: Full-time faculty members who have been employed for at least a year are eligible for paid family medical leave as described below. This leave is supplemental to the Family Medical Leave Act (FMLA) and overlaps with any leave taken under FMLA.

Full-time faculty members who are primary caregivers of a child are eligible for a two-course load and service reduction without reduction of salary or benefits. Leave must be taken in the first year after the birth of the child. The course reductions can be in a single term or spread across two terms. The reduction can be taken as a term leave with the third course made up in the previous or subsequent term. Also see section 3.6.4.6 for information on Maternity Leave (Short-Term Disability).

Faculty members will arrange the leave with the Dean of Faculty in consultation with the Director of Human Resources and must provide thirty (30) days' notice of this request or such notice as is practicable in light of the circumstances.

3.8.4.2 Non-Faculty Parental/Adoptive Leave

Full-time employees who have at least one year of service and who are primary caregivers are eligible for up to six weeks leave without reduction of salary or benefits. The leave must be taken in the first year after the birth or adoption of the child (excluding foster care), and employees are ineligible to earn more than their full-time base salary during this leave. The policy runs concurrently with Short-Term Disability, FMLA leave, and any other College policy, and a statement to this effect is located in the Maternity Leave (Short-Term Disability) and FMLA

sections of the Employee Handbook. A request for Parental/Adoptive Leave must be in writing directed to and approved by the Department Head.

An employee must provide thirty (30) days' notice of a request for Parental/Adoptive Leave, or such notice as is practicable in light of the circumstances.

As a general rule, Parental/Adoptive Leave must be taken in increments of at least seven (7) consecutive calendar days.

An employee may be eligible to participate in the College's group health plan during Parental/Adoptive Leave as well as other insured benefit plans, at his or her sole expense, to the extent continued coverage is permitted by the applicable plan.

An employee may be eligible to participate in the College's other insured benefit plans to the extent permitted by the plan documents at his or her sole expense.

The College reserves the right to require an employee to certify his or her intention to return to work. The College cannot guarantee that the employee will be reinstated to same or any other job upon completion of Parental/Adoptive Leave.

3.8.5 Military Leave

All employees shall be eligible for Military Leave for voluntary or involuntary military service in conformity with all applicable law, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). An employee on Military Leave will be reinstated in accordance with applicable law.

Employees must notify Human Resources as soon as possible after learning of their need for Military Leave. Notification may be oral or written. If the employee's order to report for duty is in writing, the employee should provide Human Resources with a copy of the order as soon as possible.

Military Leave is generally unpaid, unless otherwise required by law. However, if you are participating as a Reservist or National Guard personnel in summer training or emergency call-up of a local nature, you will be paid the difference between your regular pay and military pay received for up to four weeks per leave and a maximum of four weeks per calendar year. In addition, the College will pay its exempt employees their full salary for any work week in which they are on Military Leave and do any work for the College, less any compensation the employees receive from the military.

Employees who are on unpaid Military Leave may elect to use their available Vacation and Sick Day benefits, although they are not required to do so. Employees on Military Leave do not accrue additional Vacation and Sick Day benefits during Military Leave, except during such time as they

are being paid directly by the College, including when they use their available Vacation and Sick Day benefits.

Employees on Military Leave will receive all seniority-based benefits (e.g. vacation accrual, service awards, short-term disability payments) which they otherwise would have received had they remained actively employed. The College treats employees on Military Leave the same as employees on other forms of comparable leave with regard to non-seniority-based benefits.

Generally, employees on Military Leave who have health coverage through the College may continue to participate in the College's health plans, as defined by USERRA, at their sole expense under USERRA and COBRA, subject to USERRA's and COBRA's eligibility requirements and other terms, conditions and restrictions, unless otherwise required by state law.

Employees who participate in the College's retirement plan, but who do not continue to contribute while on Military Leave may make catch-up contributions following their return from Military Leave, consistent with the law.

3.8.5.1 Applicable Definitions

- **“Covered active duty”**
 - For members of a regular component of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country
 - For members of the reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a “contingency operation” as defined in section 101(a)(13)(B) of title 10, United States Code
- **“Qualifying exigencies”** – Attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, providing parental care for a covered military member's parent, attending certain counseling sessions, and attending post-deployment reintegration briefings
- **“Covered service member”** – A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; or is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves), was discharged or released under conditions other than dishonorable, and was discharged within the five year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.

Note: For a veteran who was discharged before March 8, 2013, the period of time between October 28, 2009 and March 8, 2013 is excluded in calculating the veteran's five-year period

- **“Serious injury or illness”** – In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating

In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran and that is:

- a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating
 - a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition
 - a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment
 - an injury, including a psychological injury, on the basis of which the veteran is enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers
- **“Serious Health Condition”** – An illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the Employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions also may meet the definition of continuing treatment.

3.8.6 Job Restoration

As stated above, upon return from FMLA, in general, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The College may deny job restoration, however, where the employee is a “key employee” as defined under the FMLA or if the employee would not otherwise have been employed at the time reinstatement is requested (e.g., if an employee’s position is eliminated, where an employee is hired for only a specific term or to work on a specific project, if an employee’s shift is eliminated).

An employee’s employment ordinarily may terminate when he or she reaches the maximum leaves under the above policies. However, if an employee is on a leave for his or her own medical condition, the employee may be eligible for additional leave beyond the maximum leaves set forth in the above policies as a reasonable accommodation if he or she is disabled. The College will contact the employee before he or she reaches the maximum leave to determine (1) whether additional leave may be a reasonable accommodation, as well as (2) whether there are any reasonable accommodations that would enable the employee to return to work.⁶

The College will provide employees with additional leave beyond the leaves set forth above if a reasonable accommodation under the ADA or state law, unless an undue hardship. The College will make reasonable accommodations under the ADA and state law to enable an employee to return to work, unless an undue hardship.

An employee’s employment shall terminate if he or she makes clear that he or she does not intend to return to work at the conclusion of any leave for which he or she may be eligible. In these circumstances, supervisors and above must contact Human Resources before terminating an Employee on any leave of absence, including, but not limited to FMLA.

A leave of absence will not be granted to allow you to obtain or perform employment elsewhere. Other employment during a leave of absence or otherwise manipulating a leave of absence to enable you to work elsewhere will result in immediate termination of employment, unless you have obtained prior, written permission from your Department head and the Director of Human Resources.

3.9 POSITIVE WORK ENVIRONMENT

3.9.1 Moral and Ethical Conduct

The mission of Bryn Athyn College is to serve as an intellectual center for all who desire to engage in higher education enriched, guided, and structured by the study of the Old Testament, New Testament, and theological writings of Emanuel Swedenborg. To protect the culture

⁶ Similarly, if an Employee is not eligible for FMLA leave or College Medical Leave, but needs time off for his or her own disability, the Employee may be eligible for unpaid leave as a reasonable accommodation, so long as it does not constitute an undue hardship.

supporting this mission, employees should not speak or behave in a way that undermines the religious mission. In general, a faculty member should not advocate ideas that are antagonistic to the college's religious mission in the classroom, and an employee should not speak or act contemptuously with students regarding policies and programming related to spiritual life on campus.

Bryn Athyn College bases its principles of ethical behavior on the Ten Commandments as described in the Bible and the book True Christianity #287 (Emanuel Swedenborg): "In their literal meaning, the Ten Commandments contain general principles to be taught and lived...."

Though not exhaustive, the following lists some specific examples of those general principles:

- Support and show consistent respect for regular worship of the Lord.
- Refrain from using the name of God for idle conversation, swearing, or cursing in order to keep a respectful environment for all.
- Refrain from willfully making false statements about colleagues, employees, students, or others with whom you have contact during the course of employment.
- Show consistent respect for the marriage of one man and one woman in both language and behavior.
- Avoid conflicts of interest, or the appearance of conflicts of interest, fraud or the appearance of fraud.
- Refrain from the theft of any property belonging to other individuals or the Church. This includes any personal or private information to which you are privy or that is accessed during the course of employment.

Also valued are

- Honesty and a sense of trust.
- Teamwork and cooperation.
- Promoting, recognizing, and supporting success.
- Presenting oneself as a positive role model, showing support for such New Church values as married love, family, respect in human relationships, and living a useful life.
- Communicating effectively with others.
- Respecting and valuing others.

As an academic institution, protections of academic freedom are held in balance with this commitment towards the religious mission. The first law of Divine Providence is that human beings should act from freedom according to reason (Divine Providence §71). The importance of this freedom extends not only to freedom in making spiritual choices, but also to freedom of inquiry and expression. Thus, Bryn Athyn College embraces intellectual freedom, allowing inquiry in doctrinal matters within the framework of an affirmative engagement with the Old Testament, the New Testament, and the Heavenly Doctrines.

Individuals may come to different conclusions regarding the particulars of faith. It is an expectation of employees that disagreements will be expressed civilly, demonstrating both charity toward individuals holding differing views and respect for the religious mission of the institution.

When both on and off campus, employees are expected to serve as stewards of the reputation of the college.

Corrective action, up to and including dismissal, can be taken against employees whose conduct is not consistent with the principles and values of the College.

3.9.1.2 Professional Conduct

Each of us is responsible for ensuring that our performance and behavior support a respectful and positive work environment. Specifics are set forth in greater detail throughout this Handbook and will also be communicated to you by your supervisor or department head, both formally and informally. In general, you are expected to:

- Provide complete and honest information in connection with all pay, time, business expenses, and employment records
- Ensure that your personal appearance, communication, and physical conduct are consistent with high standards of professionalism
- Behave ethically and honestly, observing at all times all applicable federal, state, and local laws and regulations
- Approach job responsibilities with professionalism
- Promote a positive work environment by handling interactions with all persons, whether co-workers or those served by the College, in a spirit of attentiveness, courtesy, and cooperation
- Deal with all persons in the workplace without unlawful regard to their sex, race, color, creed, age, religion, national origin, ancestry, citizenship, military status, veteran's status, handicap or disability, or membership in any other protected group;
- Refrain from sexual, racial, ethnic, and all other forms of unlawful harassment and/or inappropriate behavior as well as any unlawful retaliation of any kind;
- Report to work physically and mentally ready to work (e.g., free from the influence of either drugs or alcohol)
- Keep a good attendance standard (e.g. report to work promptly and regularly, keeping absences, late arrivals, and early departures to a minimum)

- Provide appropriate notice of an unavoidable absence, lateness, or early departures in accordance with established policy
- Remain actively engaged in the performance of job responsibilities throughout the entire work day
- Perform job responsibilities prudently and carefully, observing all health, safety, and security rules at all times
- Protect the confidentiality of information which may be acquired in the course of performing your job and which is not generally accessible to the public
- Avoid engaging in any conduct which could create an actual or potential conflict of interest⁷, fraud⁸, or even the appearance of a conflict of interest or fraud
- Safeguard the College's property to prevent its damage, loss, misuse, or theft
- Report accidents, injuries (whether related to a co-worker or otherwise), fire, theft, or other unusual incidents to the appropriate supervisor immediately after occurrence or discovery
- Follow all policies, rules, and procedures established by the College as well as any that are specific to a department or established by a supervisor or manager
- Refrain from using the property, resources, and supplies of the College for personal reasons, unless prior permission has been obtained

3.9.1.3 Solicitation and Distribution of Literature

Solicitation and distribution of literature by employees is restricted. As such, you:

- May NOT solicit for any cause or on behalf of any organization during work time and/or the work time of co-workers being solicited
- May NOT distribute literature for any cause or on behalf of any organization in any work areas at any time
- May NOT use the College's communication systems (for example, telephone, voice mail, and email) to solicit or distribute materials at any time for any cause or on behalf of any organization other than for activities related to and/or sponsored by the College

⁷A Conflict of Interest occurs when an employee in the course of performing his or her work responsibilities influences a business decision that results in personal gain for that employee or for a relative of that employee.

⁸ Fraud is a wrongful or criminal deception intended to result in financial or personal gain.

- May NOT, while on College premises, solicit or distribute non-job-related materials to College members or other persons with whom we do business, regardless of the cause or organization

This policy is not to prohibit non-manager employees from discussing terms and conditions of employment.

Solicitation is permitted during the *non-working time* of all persons involved, and distribution of literature is permitted in *non-work areas* during the *non-working time* of all persons involved.

For the purposes of this Policy:

- ***Non-working time*** is defined as time preceding and following your assigned shift, time taken for your Meal Periods, and all other non-work periods as authorized by your supervisor
- ***Non-work areas*** vary based upon your work location. In addition, public areas beyond the boundaries of our property are non-work areas
- ***College premises*** include all facilities, buildings, parking areas, surrounding grounds, and motor vehicles owned or leased by the College and its affiliates

Persons not employed by the College are strictly prohibited from soliciting and distributing literature or other materials on our premises at any time, on behalf of any organization or for any cause or purpose. Any person not employed by the College or one of our affiliates who violates this Policy will be removed immediately from our premises.

If you violate this Policy, you will be subject to corrective counseling, up to and including termination of your employment with the College.

3.9.1.4 Employees' Protected Rights

Employees have a right to discuss vigorously their wages and other terms and conditions of employment. Nothing in this Handbook is intended to or shall be interpreted as interfering with the right of employees to discuss their wages and other terms and conditions of employment.

However, like all other rights, the right of employee to discuss their wages and other terms and conditions is not absolute. By way of example only, an employee cannot threaten someone with physical harm or use language inconsistent with our EEO Policy in discussing, debating, or disagreeing over their wages and other terms and conditions of employment.

Under federal labor law, this policy does not apply to individuals who are supervisors or managers.

3.9.2 Whistleblower Policy

(Approved by the Academy Board of Trustees, May 2, 2014)

College Preface: *The following Whistleblower Policy is an Academy-wide policy. All College employees must abide by and comply with this policy. In applying this policy at Bryn Athyn College, the President and Human Resources Director will play a role in the investigation of the incident or any follow up action (appeal, non-retaliation procedures, etc.) and may prescribe processes for notifying the appropriate parties about an incident. Certain allegations that might otherwise be investigated pursuant to the Whistleblower Policy may follow investigative, judgment, and appeal procedures as prescribed in other policies in this Handbook (e.g. Title IX procedures as referenced in [Section 3.1.3](#)). Incidents that may trigger a whistleblower complaint are noted throughout this Handbook.*

The Academy of the New Church prohibits unlawful or unethical behavior by any employee or volunteer in connection with his or her work for the Academy of the New Church. Such conduct is contrary to high standards of integrity expected of Academy of the New Church employees and volunteers who have a responsibility to the Academy of the New Church school community. Unlawful or unethical conduct of any type will be grounds for appropriate discipline, including termination of the employment or volunteer relationship.

Any Academy of the New Church employee or volunteer who suspects any type of illegal or unethical activity is encouraged to report the suspected activity in writing to any member of senior management, the Chancellor, the President of Bryn Athyn College, the Secondary Schools Managing Director, the Treasurer, the Vice Chair of the Board and/or to one or more members of the Academy of the New Church Finance or Legal Advisory Committees.

In most cases, the responsibility for conducting the investigation will rest with either the President of Bryn Athyn College, the Secondary Schools Managing Director, or the Treasurer or his/her designee unless he or she is the subject of the investigation, in which case the responsibility for conducting the investigation or delegating such conduct will rest with the Chancellor (who will likely seek outside assistance in conducting the investigation). The person receiving the written report has a duty to convey the written report to the person conducting the investigation.

Upon receipt of a report, the Academy of the New Church will conduct a prompt and full investigation. The report will be kept as confidential as possible, disclosing the allegations only as necessary to investigate and/or take corrective action. The requirements as to content and procedure of the investigation are flexible and depend upon the facts and circumstances of each case. The investigation will include interviews of the complainant and the accused, other parties internal or external to the institution that may have information about the matter, and legal counsel or external auditors who may be in a position to review case evidence.

The investigator will prepare a written account of the incident based on the interview and give it to the complainant for review, revision, addition, deletion, or modification. After thorough review, the complainant should date and sign the account in the presence of the investigator. In a timely investigation, the accused shall be privately informed of the complaint and given an opportunity to respond to each specific allegation. The investigator should prepare a written statement of the accused's account, have it reviewed as above, and then have it signed and dated by the accused in the presence of the investigator. Other witnesses identified by the complainant and the accused shall be interviewed in a similar manner. Every effort will be made to preserve confidentiality, but it is likely that the investigator will need to inform other members of Academy leadership, particularly the Chancellor, of the facts and persons involved in the investigation. In cases calling for suspension or termination, the Chancellor shall be fully informed of the facts in the case by the investigator.

The accused shall be given the opportunity to appear before the Chancellor and/or President of Bryn Athyn College, the Secondary Schools Managing Director, or the Treasurer, accompanied by a representative of his/her choosing, in order to respond to the accusations. The Chancellor or President of Bryn Athyn College, the Secondary Schools Managing Director, or the Treasurer will then determine if suspension or termination is warranted and, if so, will administer such sanction. For all cases, the provisions of the Employee Handbook dealing with Corrective Counseling should be consulted. A copy of all information relating to the case will be kept in a confidential file by the Chancellor, or President of Bryn Athyn College, or the Secondary Schools Managing Director, or the Treasurer.

The Academy of the New Church will protect from unlawful discrimination, harassment, or retaliation of any kind any employee or volunteer who makes a report, serves as a witness, or otherwise participates in an investigation pursuant to this policy. Prohibited discrimination, harassment, or retaliation will be grounds for appropriate discipline, including termination of the employment or volunteer relationship. The process for reporting a claim of discrimination, harassment, or retaliation is described in the Employee Handbook under Equal Employment Opportunities, such process being similar to the investigation of illegal or unethical activity described above. A claim of discrimination, harassment, or retaliation should be based on events associated with the immediate allegation of illegal or unethical activity, generally not from prior documented or undocumented allegations of discrimination, harassment, or retaliation.

If during this process the "reporter" is not entirely satisfied with how the report (i.e., the claim of illegal or unethical activity or the claim of discrimination, harassment or retaliation) has been handled, he or she should make an appeal to the Chancellor, President of Bryn Athyn College, the Secondary Schools Managing Director, the Treasurer, Vice Chair, or Chair of the Finance Committee within a reasonable time frame (generally ten (10) days).

Appeals should be in writing to help ensure that the Chancellor, President of Bryn Athyn College, the Secondary Schools Managing Director, the Treasurer, Vice Chair, or Chair of the Finance Committee is clear that an appeal is being filed. While we encourage appeals to be detailed, it is sufficient to say, “I wish to appeal my complaint of suspected illegal/unethical behavior or my claim of discrimination, harassment or retaliation.” The person who conducted the original investigation shall also receive a copy of the written appeal and is expected to respond. Unless the reporter is able to prove to the person receiving the appeal that the case was decided incorrectly, the decision is final and cannot be appealed further. If the appeal is found to have merit, the matter may be sent back to the person originally conducting the investigation for further action. Final decision affirming or denying the claim of illegal or unethical activity or discrimination, harassment, or retaliation after subsequent investigation will rest with the person originally receiving the appeal.

3.9.3 Child Protection Policy

3.9.3.1 Overview

Bryn Athyn College (the College) and its Affiliates strive to create a safe environment for children and youth, employees, and volunteers so that young people can grow, learn, and have fun. Part of creating a safe environment is making sure that young people are not harmed in any way while participating in College sponsored activities. One risk in any organization working directly with young people is child abuse, including sexual abuse.

This policy reflects the standard practices, procedures, and principles of behavior that the College has implemented to be in compliance with the laws of Pennsylvania and which it considers crucial to maintaining the College’s success and standing within the community. The College expects every member of the Board of Trustees, committee members, employees, students, children and youth development consultants or agencies (“Consultants or Agencies”), interns, and volunteers to understand and act in accordance with this Policy to create a safe and respectful learning environment for children and youth.

3.9.3.2 Statement of Policy

The College requires that college community members not engage in abusive or sexually-oriented activities, nor allow such conduct to take place among groups of children.

College community members shall treat children with respect and understanding.

The College does not permit individuals who have a history of child abuse or child sexual abuse to be a college community member.

3.9.3.3 Definitions

“Child”: Anyone under 18 years of age. For purposes of this Policy, the word “Child” is used because that is the legal term.

“Child Abuse”: The Child Protective Services Law (the “Law”) defines child abuse as “any recent act or failure to act by a perpetrator which causes non-accidental serious physical injury to a child under 18 years of age; an act or failure to act by a perpetrator which causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.” Child abuse includes serious physical neglect, the failure to provide the essentials of life, and endangering the child’s life or development.

Sexual abuse or exploitation of a child (which is within the definition of child abuse) is defined in the Law as “the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct” or “to engage in simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting, and filming.” Sexual abuse or exploitation of a child includes the following: “rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, sexual abuse, and sexual exploitation.” See [Appendix F](#) for detailed interpretation of child sexual abuse definitions.

“College Community Members”: This category includes the Board of Trustees, committee members, employees, students, consultants, contractors, vendors, agencies, interns, volunteers and all supporting organizations and Affiliates who deal with children.

3.9.3.4 Screening, Background, and Reference Checks

The College will conduct criminal and child abuse background checks on all applicants for employment (or to volunteer), both adults and adolescents, in any child or youth development program or any position where contact with children occurs to ensure that the individual(s) has no record of child abuse or other criminal history of concern. If an employee/faculty member has a break in service greater than one year, these checks will be repeated. The College will also perform various personal and job-related reference checks.

As mandated under current Pennsylvania state legislation, an FBI fingerprint screening will also be required for new hires and volunteers who will be involved in a College-sponsored child or youth development program and for positions in which routine contact takes place with children who are non-matriculated students at the College.

Failure to register and complete any required background checks in a timely manner will be grounds for dismissal and ineligibility for rehire.

3.9.3.5 Monitoring Behavior

The College will monitor and observe interactions between college community members and children as well as interactions among the children to encourage and develop appropriate interactions.

3.9.3.6 Encouraging Safe Environments

The College will encourage the development and maintenance of safe environments. College community members shall choose work/meeting spaces that are open and visible to other adults. The College requires that at least two adults be present at all times with any child/children who are non-matriculated students at the College.

3.9.3.7 Reporting and Response

The Law requires that persons who come into contact with children in the course of their employment, occupation, or practice of a profession shall report or cause a report of child abuse to be made when there is a “reasonable cause to suspect” an occurrence of such abuse. The Law terms such persons “mandated reporters.” Other persons who have a “reasonable cause to suspect child abuse” may also report but are not required to do so.

College community members who have a reasonable cause to suspect that there has been child abuse or child sexual abuse shall report the matter immediately to the following:

by phone to the Pennsylvania Child Abuse Childline at 1-800-932-0313 or online at <https://www.compass.state.pa.us/cwis/public/home> or in person to the chair, co-Chair, or sub-chair of the College Conduct Committee, or to the College President. If such persons are not immediately available, the college community member shall report to the College Campus Department of Public Safety. The person receiving the report shall immediately make an oral report to the Department of Public Welfare and to the Bryn Athyn Police Department, with a written report to follow within 48 hours after the oral report. For details on how to report a violation and launch an investigation see [Procedures for Review, Investigation, and Resolution of Discrimination, Harassment, Retaliation, and Sexual Misconduct Complaints](#).

3.9.3.8 No Retaliation

The Law prohibits discrimination against required reporters who have made, or caused to be made, in good faith, a report of abuse. Discrimination in any form is prohibited against any person who has exercised his or her right or obligation to report abuse against any college community member or who participates in an investigation under this policy. If you believe that you are being discriminated against as a result of such a report, you should report it immediately to your supervisor or to Director of Human Resources. See the [Whistleblower Policy](#) for details regarding retaliation.

3.9.3.9 Disciplinary Actions for Violations of this Policy

The College will take immediate action if any college community member has violated this policy. Any violation of this policy may require additional reporting to law enforcement, other agencies, reprimand, and/or immediate termination of employment.

The College shall notify its legal counsel and shall cooperate with the Pennsylvania Department of Public Welfare, if requested, to conduct a prompt and appropriate investigation.

Any college community member who is reported as engaging in child abuse, including sexual abuse, will be immediately suspended (with pay, if applicable), pending the outcome of an investigation into the allegations of abuse. See policy regarding [Corrective Action/Corrective Counseling](#) for further details. If the Department of Public Welfare determines that a report of abuse by a college community member is founded or indicated, the college community member shall be terminated from any relationship with the College.

Any college community member who willfully fails to report a case of suspected child abuse commits a misdemeanor of the third degree for the first violation and a misdemeanor of the second degree for the second or any subsequent violation.

3.9.3.10 Confidentiality

Reports made in compliance with the Law shall be confidential and shall only be released as permitted in Section 6340 of the Law.

3.9.3.11 Training

Employees/consultants/volunteers who will have direct access to children under 18 years of age on the College campus will be informed of this Policy at the time of hire or at the time they begin working with the College. Training will be held within a specific timeframe on the job, or as soon as possible for those on a time limited engagement. The two main areas of training include: (1) education specific to child abuse, including sexual abuse and (2) education about the policy and related procedures. The Director of Human Resources for College has overall responsibility for ensuring that training occurs.

A college community member who oversees or is otherwise involved in any programs that involve the participation of children, either those directly managed by the College or those subcontracted to other service providers, will be provided with training as soon as possible after their date of hire, and subsequently on a periodic basis, but no less than annually. They will receive training on: how to recognize child abuse, how to respond to/report incidents (or suspected incidents), requirements of the Law and communication techniques.

The Director of Human Resources may designate a manager or external resource to conduct this training. (For a complete list of required trainings, see [Appendix J.](#))

3.9.3.12 Employee Assistance Program

The College has an Employee Assistance Program (EAP). Employees and students alike can always seek the support of the EAP at:

Growth Opportunity Center
928 Jaymor Road, Building B-150
Southampton, PA 18666-3826
215-947-8654

However, if you have a duty to report, consulting with the EAP does not satisfy the duty to report. Further, the EAP may have a duty to report allegations of sexual abuse brought to its attention.

3.9.4 Workplace Health, Safety, and Security

One of our most important responsibilities as an employer is to provide all employees a safe and healthy working environment which is free from exposures to harmful substances and unsafe conditions. We take this responsibility very seriously.

Our ability to fulfill this responsibility successfully depends on not only our establishing and enforcing appropriate policies and standards for workplace safety but also your willingness to assist actively in the prevention and reporting of hazardous conditions and circumstances which may cause injury and/or illness to yourself, our visitors, and other employees. Safety is everyone's responsibility.

We have established a number of rules and procedures designed to contribute to the overall safety and security of our facilities and general environment. As an employee, you are responsible for knowing and complying with all safety, health, environmental, and security standards, rules, guidelines and programs applicable to the duties associated with your job.

Consolidated Plant Operations (CPO) and the Department of Public Safety maintain all relevant documentation in this area, including OSHA (Occupational Safety and Health Agency) Required Records, Public Safety Policies, and Procedures.

In general, you are responsible for:

- Knowing your job well and always applying safe practices in the operation of any equipment provided for the discharge of your job responsibilities;
- Reporting immediately all accidents and injuries, whether your own or those suffered by others;

- Recognizing the hazards of your job and taking precautions to ensure your safety and the safety of others;
- Reporting hazardous practices or unsafe conditions to your immediate supervisor, the Director of Consolidated Plant Operations, the Safety Committee, and/or the Director of Public Safety;
- Suggesting ways to eliminate safety hazards; and
- Participating actively in the prevention of on-the-job accidents and work-related illnesses.

We aggressively enforce all safety, security and housekeeping rules. Violations of these rules will result in Corrective Counseling.

3.9.4.1 Children at Work

The College welcomes employees to bring their children to visit their worksite, providing that the visits are infrequent, brief, and planned in a fashion that limits disruption to the workplace. Minor children in the workplace must be directly supervised by the host/parent at all times. Minor children would include any child less than 17 years of age. If the frequency, length, or nature of visits becomes problematic or disruptive for others, the employee will be advised of the situation and will be expected to take corrective action immediately.

Employees are not permitted to bring children to work with them when other childcare arrangements are not available, except in the case of a short-term emergency. Employees must inform their supervisor of the situation as soon as possible.

The College will not assume liability for the injury of minor children who are not students of Bryn Athyn College while visiting the campus.

3.9.4.2 Employee Health and Immunization

The Employee Health and Immunization Policy has been established to ensure the health and welfare of all college employees as follows:

- All existing faculty and staff are asked to submit, voluntarily, a vaccination record to College Health Clinic, where it will be reviewed and kept on file. Clinic staff or HR will contact employees with insufficient vaccinations on record to discuss options
- Any employee electing not to be vaccinated for medical, religious, or philosophical reasons may submit a statement specifying this to the College Health Clinic

- In the event of an outbreak of communicable disease on the campus, employees with inadequate vaccination records or vaccine declination statements, or employees who do not have immunities to protect themselves or others, may be asked to remove themselves from the campus by the College or by the federal, state, or county health authorities. Those employees will remain off campus until the College or the health authorities indicate that return is safe
- An employee who is asked to leave the campus may not be paid for days away, unless the employee’s work can be, and is, adequately performed from home. The decision whether an employee can be paid for work performed at home is made by his or her immediate supervisor
- Employees must use vacation or sick leave to cover the days they are required to remain off campus or cannot work from home
- In the event that an employee is unable to return to work for an extended or indefinite period, the college will not be obligated to retain their position

The College requests information from all employees regarding their vaccine history or immune status. Below is a list of vaccines for which we request a record:

• Diphtheria and Tetanus*	• Measles or Measles Serology Titer
• Tdap Booster	• Rubella (German Measles) or Rubella Serology Titer
• Polio**	• Mumps
• Varicella	• Hepatitis B

* Tetanus and Diphtheria are usually received in combined vaccines such as DTP, DT or TD. Three doses required, and Tdap booster.

** Polio—3 doses of Oral or 4 doses of Inactivated (Salk) vaccination.

3.9.4.3 Workplace Violence

We have established the following standards to minimize the possibility that violence will occur in our workplace. These standards prohibit you from:

- Threatening to harm any College employee, supervisor, student or any other person who has business with us (regardless of when or where the prohibited behavior occurs). This includes expressed or implied threats, regardless of whether written, verbal, or electronic. The fact that a threatening comment may have been conditional or hypothetical or made “in jest” is no defense

- Threatening to cause damage to, or the destruction of, College property or the property of any College employee, supervisor, student, or any other person who has business with us (regardless of when or where the prohibited behavior occurs). Again, the fact that a threatening comment may have been made in jest is no defense
- Possessing or concealing a weapon (except where required by your position/ function) while on our premises or anywhere else while conducting business on our behalf or representing the College. For purposes of this prohibition, a *weapon* is defined to include guns, rifles, firearms, knives, explosives, bombs, and any and all other tools or instruments capable of inflicting harm to persons or property. Our premises include all facilities, buildings, parking areas, surrounding grounds, and motor vehicles that we own or lease. In the case of guns, rifles, and other firearms, it is irrelevant that the person has a license or that the gun, rifle, or firearm has no ammunition in it
- Converting, or threatening to convert, a tool or other item regularly used in the workplace into a weapon
- Physically assaulting, attacking, or otherwise intentionally causing injury to, or otherwise engaging in a fight or physical altercation with, any College employee, supervisor, student, or any other person with whom you interact in connection with your employment (regardless of when or where the prohibited conduct occurs). The only narrow exception to this rule is self-defense, i.e., you may use physical force under circumstances in which you cannot withdraw safely from the situation without the use of physical force. In such circumstances, you may use only as much force as is necessary for you to remove yourself from the situation
- Intentionally causing damage to, or destruction of, College property or that belonging to any College employee, supervisor, student, or any other person who has business with us (regardless of where the prohibited behavior occurs)

If you violate any of the prohibitions set forth above, you will be subject to immediate discharge and also may be subject to criminal prosecution.

Exempt and non-exempt employees who violate this policy also may be suspended without pay. Exempt employees will be suspended in full-day increments only.

Because the responsibility for ensuring the safety and security of our workplace is something we all share, you are encouraged to speak immediately with the Director of Human Resources or the Director of Public Safety if you:

- Feel you are being intimidated, threatened, or harassed, verbally or physically, by a co-worker or by anyone else with whom you come into contact in the course of performing your job responsibilities
- Have been intimidated, threatened, or harassed, verbally or physically, by someone not employed by the College, but feel that this person may look for you at the workplace
- Become aware of the presence on or near our premises of an individual who you believe has no appropriate business reason for being here
- Become aware of any other act, situation, or occurrence which you believe may threaten your personal safety or the well-being of those around you
- Have any ideas as to how we can make our workplace safer

We need your eyes and ears to help alert us to potential problems. Ensuring workplace security is a responsibility we all share.

3.9.4.4 Substance Abuse

Our ability to maintain a safe workplace and to successfully promote high standards of employee health is directly dependent on having a workplace free from the adverse effects of drug use and alcohol abuse. Consequently, you are required to be “ready to work” at all times while on College premises and during the work day whether you are on or off premises. For the purposes of this policy:

- Our premises include all facilities, buildings, parking areas, surrounding grounds, and motor vehicles that we own or lease
- The work day includes, in addition to actual working time, your Meal Period and other authorized non-work times if you return to work after these periods, regardless of whether you are on our premises during those non-work times, and regardless of whether you receive pay for those periods

You are not considered ready to work if, during the work day or while on College premises, you are under the influence of alcohol or illegal drugs and/or you have an impermissible level of alcohol or illegal drugs in your system. The term “illegal drugs” includes:

- Any chemical substance whose manufacture, use, possession, or sale is prohibited by law
- Any legally-dispensable controlled substance (medications available only as prescribed by a licensed physician) obtained fraudulently or used by any individual other than the person for whom it was prescribed

- Any over-the-counter medication capable of impairing a person's alertness and/or physical or mental reflexes that is taken for purposes of abuse or misuse
- Inhalants, such as chemical thinners, aerosol lacquers, and certain types of glues that can impair physical and/or mental faculties and produce medical problems

We reserve the right to determine your readiness for work by means of drug and alcohol testing when there is reason to believe you may be under the influence of illegal drugs or alcohol during the work day or while on College premises. If you test positive, you will be deemed unready for work and subject to immediate discharge. The College also reserves the right to determine that an employee is unfit for duty without regard to the need for a drug and/or alcohol test.

You will be subject to immediate discharge if you fail to submit to testing on the day and at the time requested. You also will be subject to immediate discharge if you provide an adulterated, substituted, invalid, or otherwise tampered-with specimen.

All employees are prohibited from using, possessing, manufacturing, selling, distributing, or dispensing illegal drugs or drug paraphernalia while on College premises and/or during the work day. If you violate this prohibition, you will be discharged immediately. Also, any off-duty, off-premise involvement with illegal drugs under circumstances where such involvement may have an adverse effect on our reputation and/or operations may result in Corrective Counseling, up to and including discharge.

Generally speaking, your use or possession of alcohol while on College premises and/or during the work day is strictly forbidden and will result in immediate discharge. As a narrow exception to this rule, however, you may drink alcoholic beverages served at social events and other functions we host or sponsor which take place on our premises. Under these circumstances, you must:

- Be twenty-one (21) years of age or older to consume alcohol
- Limit your consumption of alcoholic beverages to an amount which will not result in your becoming impaired or under the influence

If you believe you may have a drug and/or alcohol problem, you are encouraged to contact in confidence **Growth Opportunity Center at 215-947-8654** which is a designated provider under our Employee Assistance Program (EAP). Because your consultation with the EAP is confidential, we will be unaware that you have sought assistance unless you make this known to us. Accordingly, if you need an accommodation because of a substance abuse (or any other) problem, you are responsible for notifying the Director of Human Resources of that need.

If you are taking any prescription or over-the-counter medication which could interfere with your ability to perform your job safely, please inform the Human Resource Department so that alternate work responsibilities can be explored.

Exempt and non-exempt employees who violate our Substance Abuse Policy also may be suspended without pay. Exempt employees will be suspended in full day increments only.

3.9.4.5 Smoking Regulations

Medical research has established that second-hand smoke can be harmful to the health of non-smokers. Accordingly, smoking is prohibited in all indoor areas owned and occupied by the College and any outdoor areas designated as non-smoking.

Smoking is permitted only outdoors and away from the entrances to our buildings. If you smoke outside our buildings, we urge you to be considerate of non-smokers and remind you of your responsibility to maintain the cleanliness and appearance of our property.

3.9.4.6 First Aid and Health Safety Measures

We maintain first-aid supplies (for example, topical antiseptic, bandages, tape, disinfectants, etc.) at various locations around campus. During your first few days of employment, your supervisor or delegated co-worker will show you the location of basic first-aid supplies and our provisions for first aid services at your assigned work site. You also will be shown the location and use of materials necessary to provide universal precautions (latex gloves and sodium hypochlorite) against the spread of blood-borne pathogens in the event a blood spill occurs as a result of an accident.

3.9.4.7 Incident Investigation Policy and Procedures

If you become aware of any violations of policies in this section 3.9, incidents must be reported immediately to the department manager or immediate supervisor, *as well as to the Human Resources Department*, by the individual who witnessed or identified the incident. These individuals will determine the degree of seriousness of the incident and determine the course of action appropriate to the situation. Please reference our [Whistleblower Policy 3.9.2](#) for further details.

You are expected to cooperate fully and honestly in any investigations of alleged unlawful, unethical, unsafe, or improper behavior. Failure to cooperate may be cause for disciplinary action up to and including discharge. If you knowingly and in bad faith provides false, incomplete, or misleading information as part of a complaint or investigation (whether you are the complainant, the accused, or a witness), you will be subject to disciplinary action up to and including discharge.

3.9.4.8 Reporting Fire Emergencies, Threats to Security and/or Unsafe Conditions

If you discover fire or smell smoke, you are responsible for responding in accordance with the fire and life-safety rules and procedures posted at your assigned work site. In the event of a fire, activate the nearest fire alarm, evacuate the building, call 911 and Public Safety.

In the event you become aware of any out-of-the-ordinary situations or occurrences which may threaten your personal safety or well-being or that of those around you or compromise the security of our premises or property, immediately notify your immediate supervisor, the Director of Consolidated Plant Operations, or the Director of Public Safety. To further ensure your safety and the security of our workplace:

- Do not leave valuables (purses, wallets) in plain view, since we are not responsible for personal items you bring onto our premises
- Bring to work only enough money for your personal needs
- Before leaving a rest room or other area, check to make sure you have not left behind any personal valuables
- Before leaving your parked vehicle, be sure to close all windows and lock all doors. Also, place any loose items in the vehicle's locked trunk
- When you go to your vehicle, always approach with keys in hand, ready to unlock the door

If you become aware of an unsafe condition (for example, a slippery floor or damaged surface which could result in a slip or fall), contact your immediate supervisor or the Director of Consolidated Plant Operations immediately so that the appropriate maintenance/repairs can be performed. In addition, notify your supervisor and the Director of Public Safety as soon as you witness or become aware of an incident which results in injury to a visitor to our premises. The Director of Public Safety is responsible for making a prompt and accurate report of all such situations.

3.9.4.9 Workers' Compensation

All employees are covered by our Workers' Compensation insurance policy from the moment employment with us begins. This coverage provides medical treatment for you in the event you are injured or become ill as a result of your job duties and also provides for income-continuation payments should job-related injuries or illnesses prevent you from reporting for work.

Emergency medical treatment will be paid for by the College's or an Affiliate's designated insurance provider. To ensure that employees' non-emergency medical treatment is paid for, you must be treated by one of the licensed physicians or practitioners listed on the Workers'

Compensation panel. You may obtain this list from the Office of Human Resources or on the HR page of the College website under Benefit Forms.

If a job-related injury or illness prevents you from reporting to work for more than seven (7) calendar days, you must request a Leave of Absence. Your absence may be covered by the provisions of the Family Medical Leave Act (FMLA), if you have met the FMLA leave eligibility requirements at the time you need the time off. If you are eligible for leave under the FMLA or College policy, the period of time in which you receive workers' compensation benefits will run concurrently, not consecutively, with such leaves.

3.9.4.10 Reporting On-the-job Accidents and Work-related Illnesses

If you become ill while at work or injure yourself in the course of performing your responsibilities, no matter how minor, notify your supervisor and the Office of Human Resources as soon as practicable.

This is necessary to provide us with time to prepare and forward to government agencies and our Workers' Compensation carrier the necessary documents and to implement preventative measures.

3.9.5 Information Security Policies (See also [Appendix K](#))

The Red Flags Clarification Act (Part 681 of Title 16 of the Code of Federal Regulations) is an umbrella Federal Statute that covers many information privacy laws, in an effort to place more requirements on organizations to prevent Identity Theft. The Payment Card Industry (PCI) has imposed Data Security Standards (DSS) that are mandated by all organizations and merchant areas who transact business with credit/debit cards.

In the course of performing your duties, you may, from time to time, receive or contribute to the creation of confidential information. This confidential and proprietary information includes, but is not limited to:

- Lists containing the names, addresses, telephone numbers, and other personal identifying information of the clergy, students, members, or employees of the College, other than that used in public directories or for routine internal communications
- All knowledge you may have concerning the private or business affairs of College employees or students enrolled in our schools, including academic or financial information.
- Information relating to the College which is not considered public information

- Financial information associated with College or school operations which is not public information.
- Any other data or information relating to the students, College employees, or operations which is not public information

Confidential and Sensitive Information (CSI) includes, but is not limited to, the following, whether contained in hard copy or electronic format:

- Personal Information
 - Social Security Number
 - Social Insurance Number
 - Date of Birth
 - Mother's Maiden Name
 - Driver's License Information
 - Professional License Information
 - Pay checks; Pay stubs; Pay rates
 - Passport Information
- Financial Information
 - Credit Card Numbers
 - Credit Card Expiration Dates
 - Credit Card CCV Numbers
 - Bank/Credit Union Account Numbers
 - Credit Reports
 - Billing Information
 - Payment History
- Medical Information
 - Medical Records
 - Doctor Names and Claims
 - Health, Life, Disability Insurance Policy Information
 - Prescription Information
- Business Information
 - Federal ID Numbers
 - Proprietary Information

- Trade Secrets
- Business Systems
- Security Systems
- Employee Identifiers
- Access Numbers / Passwords
- Customer, Student, Patient Identifiers
- Vendor Numbers
- Account Numbers
- Legislatively Protected Information
 - The Health Insurance Portability and Accountability Act (HIPPA) -Medical information
 - Gramm-Leach-Bliley Act (GLBA) - Financial information
 - The Family Educational Rights and Privacy Act (FERPA) - Student records

College Preface: *The following Information Security Policy and the Incident Response Plan referenced in the CSI Security Breach Reporting Policy are Academy-wide policies. All College employees must abide by and comply with these policies. The College is within its authority to adopt its own policies for securing its facilities and work areas and for storing, securing, and retaining CSI in various departments. The Registrar's Office and the Financial Aid Office have adopted policies for managing student records in accordance with FERPA and Red Flags. The Office of Human Resources has adopted policies for managing employee records in accordance with Red Flags. The student health clinic has adopted policies for managing health records in accordance with HIPPA and Red Flags. The College maintains an Information Security Committee for managing its responsibilities under these Academy-wide policies and reporting to the Academy-wide Information Security Compliance Officer.*

3.9.5.1 General Church and Academy Information Security Policy

Employees and others subject to this Policy must adhere to all of the Organizations' information security-related policies in respect to how they work with, transmit, share, store, dispose and protect the Personal Information that their jobs require them to handle. The following policies and procedures relate to information security within the Organizations or within Academy Divisions/ departments:

- Information Security Incident Response Plan
- Payment Card Processing Policy; Payment Card Processing Procedures

- Electronic and Physical Records storage, retention and destruction policies (by Division/ department)
- Secure building and visitor policies; secure work area policies (by Division/ department)
- Online privacy policies (by Division/ department)

Several of the above policies address specific information security requirements under the following laws:

1. The Family Educational Rights and Privacy Act (FERPA)
 - The Health Insurance Portability and Accountability Act (HIPAA)
 - The Payment Card Industry Data Security Standards (PCI DSS)

Policies/ procedures may be developed by separate Divisions or departments in accordance with the Division/ department's standard procedures for policy approval. It is the responsibility of the designated Information Security compliance officer of each Division to determine whether division or department policies may conflict with Organization-wide or Academy-wide policies and to determine how to resolve such conflicts after consultation with the General Church Executive Director or the Academy Treasurer and the Joint Information Security Committee.

For full policy see Appendix H.

3.9.5.2 CSI Security Breach Reporting Policy and Procedure

The following information regarding reporting and identifying a suspected ISI (Information Security Incident) was extracted from a longer Academy-wide Information Security Incident Response Plan developed by the Joint Information Security Committee. The remainder of the policy is primarily relevant for the IT department and the defined incident response team. Anyone who wishes to see the full policy should contact the Chair of the Bryn Athyn College Information Security Committee (currently Dan Allen), or the director of Network Services (currently Richard Daum).

Protocol in Event of a Suspected ISI

Reporting

It is imperative that any suspected ISI be immediately reported to an immediate supervisor. This reporting is required when an individual becomes aware of, or reasonably suspects that an ISI is or has occurred or that there is unauthorized or otherwise anomalous activity involving the Organization's handling of Sensitive Information. The notified supervisor must promptly contact the Chair of the Information Security Committee and report the incident, or if the Chair is not immediately available, notify the manager of Network Services.

Reporting Considerations

1. An ISI may consist of one or more of the following events:
 - Scanning, probing, and/or attempted access to portions of the Organization computing system and/or IT equipment.

- Unauthorized intrusion into the Organization’s computer system, or unauthorized access (including viewing, manipulating, or exfiltration) of information on the system.
 - Introduction of malware onto the Organization’s computer system, network, or its computing equipment.
 - Theft, loss, or unauthorized exposure of information contained on the Organization’s computer system or Organization computing equipment.
 - Inappropriate use or the abuse of computer usage privileges granted by the Organization.
 - Unauthorized or improper use of computer usage privileges granted to 3rd parties by the Organization.
 - Denial of service attacks.
 - Ransomware attacks.
 - Improper acquisition, use, or exposure of Sensitive Information by an authorized user of the Organization’s computer system or computing equipment.
 - Sui Generis and/or long-term cybersecurity investigations.
2. Examples of Symptoms of an ISI. The following may indicate or represent an ISI:
- loss or theft of a laptop, flash drive or any other electronic media;
 - unauthorized physical access to computers, servers, or physical records;
 - a computer system alarm or alert from an intrusion detection tool;
 - suspicious entries in computer system administrative accounts;
 - unexplained creation of user accounts or files;
 - unexplained modification or deletion of data;
 - unexplained system crashes or exceptionally poor system performance;
 - unusual time of usage (many computer security incidents take place during non-working hours); and
 - unusual computer system usage patterns.

3.9.5.3 Secure Building and Visitor Policy

The purpose of this policy is to establish a culture of information security for all employees at the College. All employees should familiarize themselves with the guidelines of this policy.

Secure buildings can protect the College against the following:

- a. Damage to unsupervised facilities (accidental or malicious)
- b. Theft of property or Confidential and Sensitive Information (CSI). Please see the *General Church and Academy Information Security Policy* for a list of various types of CSI; this list is not all inclusive
- c. Facility misuse

Scope

This policy applies to:

- All departments, affiliates, employees, and students of the College
- All external organizations contracted by the College to provide outsourced services

Statement of Policy

At known extended periods when employees and supervisors will be away from the College buildings (e.g., evenings, weekends, holidays, etc.), buildings must be secured in the following ways:

- a. Employees: lock offices/rooms and cabinets where CSI or important equipment exists
- b. Department of Public Safety: lock buildings. Generally, this is done via a centrally scheduled card access system for pre-established times after business hours, weekends, and after the school year. See the Department of Public Safety's [Building Access Policy](#) for the "after hours" schedule for College buildings and mixed-use buildings used by the College. You may request the list of College buildings from the Department of Public Safety
- c. Department of Public Safety: set alarms. You may request the summary of alarms and conditions from the Department of Public Safety

Public Safety personnel will review access logs periodically and provide reporting to President or College administrator(s) on request. Any access to College buildings between the hours of 12AM and 5AM will be reported by the Department of Public Safety as directed by the President.

The College maintains a Use of Campus Facilities policy that permits students to be present in the Brickman Center for study purposes after hours; this assumes that the student has already gained access to the Brickman Center prior to 12:00AM.

The Department of Public Safety will refer to this policy if issues arise after hours as it makes its normal rounds of College buildings. They may request that individuals identify themselves and state the purpose of their presence in the building after hours.

Cleaners, Information Technology, or other staff with access to College buildings after hours must follow relevant College and Organization policies in the conduct of their job. Cleaners may enter locked offices only where a cleaning tag has been placed on the door or an e-mail request to clean has been sent to Consolidated Plant Operations (CPO) by the occupant of the office. Cleaners are to dispose of trash only in public areas or trash that has been placed outside an office by the office's occupant.

Doors to College buildings must not be propped open. This will trip alarms and can result in unauthorized entrance to a building.

If College personnel need to have access to a College building after hours or on weekends, holidays, or after the school year (except for their office or administrative support areas designated for their office), the building request process is as follows:

- a. Students should contact the Director of Student Activities to initiate their requests
- b. For classroom reservations in Pendleton Hall or the Doering Center, Monday through Friday, during the academic-year (with the exception of holidays and breaks), faculty and staff should request the use of rooms through the appropriate room calendar (currently through MS Outlook).
- c. For Fridays after 5pm, weekends, holiday, academic breaks, and summertime requests, or requests for the Brickman Center or College Center use, College employees should request space using the appropriate room calendar (currently through MS Outlook).
- d. Persons making a request must not assume their request is granted until an approval is received from the facility space manager. For Friday after 5:00pm, weekends, holidays, academic breaks, and summertime requests, questions should be directed to the Director of Events and Business Development.

Bryn Athyn College facility requests entered into FS Direct are routed to the Manager of Events Planning & Rentals for approval.

Visitors are permitted on campus during College operating hours. They must obtain a parking pass, which can be obtained at various reception areas, or the visitor may be fined or towed. Employees who arrange to admit visitors are responsible for escorting the visitors to the lobby of the building at the conclusion of the visit. If the visitor has further business within the College, that employee is responsible for escorting the visitor to the other location. If the employee who

is to receive the visitor in that second location is not available, the escorting employee must remain with the visitor until another College employee is able to receive the visitor in that second location.

Visitors to the following secure areas of the College will be on a controlled basis. Secure areas include the College Office and the Admissions wing at Brickman Center and any other area or location that the President designates as a secure area subject to this policy (the Swedenborg Library also includes secure areas and maintains a separate visitor policy). The visitor must sign in and sign out at the reception desk and the inviting employee or department must escort the visitor throughout the area for the duration of the visit. This policy is not intended to discourage visitors. It is intended to ensure that visits are properly arranged and documented, to protect the confidentiality of material within the College. The following additional visitor policies apply:

- a. Visitors to a secure area who will be allowed to work independently in the area (copy repairmen, contractors, etc.) must obtain authorization from the department arranging for their visit. Once that authorization is confirmed by the receptionist for the secure area, a badge should be provided to the visitor by the receptionist indicating that the visitor has permission to work independently in the secure area. If the receptionist is unable to confirm authorization from the department arranging for their visit, the receptionist should contact the Department of Public Safety as an alternate authorization source. Visitors who do not have reason to work independently within a secure area must be escorted by an employee through the secure area at all times
- b. Any visitor to a secure area who is not wearing a badge should be challenged politely as to who they are and what is their business with College. The visitor should then be escorted to the reception area to confirm the purpose of the visit and to either locate the party that invited the visitor or obtain an identity badge. **It is the responsibility of ALL employees to verbally and respectfully challenge any individual in the College's secure areas who is not wearing a Visitors' Pass**
- c. In the event that the visitor refuses to comply, he/she should be asked to leave the site immediately. The Department of Public Safety should be informed promptly. If the visitor becomes abusive or aggressive, the Department of Public Safety will evaluate the situation and decide if it is necessary to call for police assistance

Enforcement; Handling of Breach

If *the* Department of Public Safety or College personnel determine that access to a secure area has occurred by an unapproved or unknown person at any time, this must be escalated to the President (or to an administrator designated by the President) and to the College Information Security Committee for determination of corrective action.

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Any student found to have violated this policy may be subject to disciplinary action, up to and including expulsion. Any independent contractor found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Criminal violations stemming from violation of this policy may be subject to prosecution.

3.9.5.4 Secure Work Area Policy

The purpose of this policy is to establish a culture of information security for all employees at the College. The participation and support of all employees in maintaining a secure work area can greatly protect paper documents and electronic data that contain sensitive information about our students, parents, donors, employees, and vendors. All employees should familiarize themselves with the guidelines of this policy.

Scope

This policy applies to:

- All departments, affiliates, and employees of the College who work with documents that contain Confidential and Sensitive Information (CSI) for both the College and our constituents (e.g., donors, students, parents, employees, vendors). Please see the General Church and Academy Information Security Policy for a list of various types of CSI; this list is not all inclusive
- All external organizations contracted by the College to provide outsourced services for storage of CSI

Statement of Policy

At known extended periods away from your desk or office (such as an out of office meeting, a lunch break, or end of workday), CSI that may be within working papers and electronic devices must be secured. It is preferable that such papers or devices be placed in locked drawers, but this is not always practicable. Alternatively, your office door should be locked. When you will be away for longer periods of time (vacation, holiday, leave of absence), CSI should be locked away securely in your desk and your office should be locked.

The College provides locking desks and filing cabinets for this purpose. If you do not have access to locking desks or cabinets, please contact your department head to remedy the situation.

CSI that is to be disposed of must be shredded and should be taken to the secure central shredding bin each day for disposal. If it is not practicable to do this each day, you may request

a secure temporary holding bin for CSI (with approval from your supervisor) to be stored within your locked office until you are ready to take it to the central shredding bin for disposal.

This secure work area policy applies to electronic devices within your office that contain CSI on the hard drive. They should be locked away in the same manner as paper documents. However, most of us also access CSI from the College (or Academy-wide) computer network or from hosted networks of third-party vendors. When you leave your office for more than just a few minutes, your desktop computer should be locked by pressing Windows L. This will merely require you to re-enter your password to return to your desktop, but files you are currently handling will not be shut down or closed.

Enforcement; Handling of Breach

If the Department of Public Safety or College personnel determine that access has occurred by an unapproved or unknown person at any time, this must be escalated to the President (or to an administrator designated by the President) and to the College Information Security Committee for determination of corrective action.

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

3.9.5.5 BYOD (Bring Your Own Device) Policy (see also APPENDIX M)

The BYOD policy governs the use of a personal device on systems associated with Bryn Athyn College business. It establishes the steps that users and Network Services must follow to initialize, support, and remove personal devices from Bryn Athyn College system access. These requirements protect the College's systems and data from unauthorized access or misuse and they must be followed.

Employees who choose to use a personal device to access the College's network system are responsible for checking with Network Services about their specific device to make sure that it meets the required level of security. This may include, but is not limited to, making sure that the device is encrypted, and that the device is password protected to prevent unauthorized access. Users are also required to keep their device up to date with all available security patches related to the operating system and applications.

Before a device is permanently removed from the use of Bryn Athyn College resources, the owner is responsible for contacting Network Services to make sure that protected, sensitive, corporate, or proprietary information is appropriately removed from the device.

Please see [Appendix M](#) to review the full policy.

3.9.6 Searches

To maintain a safe, healthy, and productive work environment, Bryn Athyn College reserves the right at all times to search or inspect employees' surroundings and possessions. This right extends to the search or inspection of your work area or office, desks, cabinets, lockers, packages, containers, boxes, any employer-owned or leased vehicles, and any vehicles parked on company property where items prohibited by the College's policies may be concealed.

Employees should have no expectation of privacy while on the College's premises, except in restrooms, locker rooms, showers, and changing areas.

Refusal to allow search or inspection under this policy may result in termination of employment.

3.10 INFORMATION TECHNOLOGY SYSTEMS POLICY

Our information systems include data networks, phone systems, computers, mobile devices, fax, photocopier equipment, the Internet, local and hosted software, as well as any other information system or equipment used in the course of your employment. Our information systems are intended only for purposes related to our administrative and business activities unless prior permission has been obtained from your supervisor for limited personal use.

Acceptable use is always charitable and ethical, reflects honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of data, system security mechanisms, and individuals' rights to privacy and to freedom from intimidation and harassment.

In conjunction with Human Resources the Bryn Athyn IT department implements periodic information security training for all Bryn Athyn College associated personnel to minimize the risk of information theft. Employees are required to take this training when offered.

3.10.1 General Usage Guidelines

In making acceptable use of resources (both school-owned and personally-owned) you must:

- Use resources only for authorized purposes
- Protect your passwords, user ID and system from unauthorized use. You are responsible for all activities on your user ID or that originate from your system or device.
- Access only information that is your own, that is publicly available, or to which you have been given authorized access
- Use only legal versions of copyrighted software in compliance with vendor license requirements

- Be considerate in your use of shared resources. Refrain from monopolizing systems, overloading networks with excessive data, degrading services, or wasting computer time, disk space, printer paper, manuals, or other resources.
- In conjunction with Human Resources, the Bryn Athyn IT department has implemented periodic information security training for all Bryn Athyn College associated personnel to minimize the risk of information theft. Employees are required to take this training when offered.

In making acceptable use of resources you must NOT:

- Use another person's user ID or password. On a limited exception basis, it is permissible for a staff person to share key business passwords with his/her immediate supervisor in order to manage unforeseen situations to sustain business continuity in the event of employee sickness, absence, termination, or death. This is not best practice, however. Departments should minimize such situations to those that are absolutely necessary and should consider the use of secure shared accounts for the department.
- Use another person's system, files, or data without permission
- Use computer programs to decode passwords or access-controlled information
- Attempt to circumvent or subvert system or network security measures
- Engage in any activity that might be purposefully harmful to systems or to any information stored on them, such as creating or propagating viruses, disrupting services, damaging files, or making unauthorized modifications to College data
- Use our information systems for commercial or partisan political purposes, such as using electronic mail to circulate advertising for products or for political candidates
- Make or use illegal copies of copyrighted materials or software, store such copies on our systems, or transmit them over our networks
- Disclose or transmit confidential or sensitive information, except as required in the course of your employment
- Use mail or messaging services to harass or intimidate another person, for example, by broadcasting unsolicited messages, by repeatedly sending unwanted mail, or by using someone else's name or user ID
- Waste computing resources or network resources, for example, by intentionally placing a program in an endless loop, printing excessive amounts of paper, or by sending chain letters or unsolicited mass mailings

- Use our systems or networks for personal gain; for example, by selling access to your user ID or to our systems or networks, or by performing work for profit with our resources without our explicit authorization
- Engage in any other activity that does not comply with the General Usage Guidelines presented above

3.10.2 Personal Use Guidelines

3.10.2.1 Voicemail

Although voice mail capabilities are intended to facilitate work-related business, you may make occasional personal use of the voice mail. However, voice mail may not be used to harass other employees and/or to send anonymous messages. Further, because the voice mail system is the property of the College, it is subject to monitoring. See [Right to Monitor](#) section (Section 3.10.3.3) for details.

3.10.2.2 Office Equipment

Photocopy machines, shredders, and other office equipment and supplies maintained on the premises are intended for business purposes only unless you have obtained prior permission from your supervisor for limited personal use.

3.10.2.3 Email

- Our policy on [Equal Employment Opportunity](#) applies to email communications. For example, sexually suggestive email messages are prohibited and will not be tolerated
- Because the email system is the property of the College, you should have no expectation of privacy with respect to emails stored or received on these systems., We reserve the right to monitor, access, search, block, copy, delete, review, and disclose at any time messages or documents created, sent, stored on, or received on these email systems, whether accessed on site or via remote locations. By using the email system, you have given implied consent to the monitoring, accessing, searching, blocking, copying, deleting, reviewing, and disclosing, both real-time and after the fact, of any documents or messages which you have created, sent, stored, or received on our email system
- Hacking or spamming activities are prohibited
- Confidential or Sensitive Information (CSI) should not be sent to an internal addressee (i.e., @brynathyn.edu or @anc-gc.org) via email unless encrypted. CSI should not be forwarded via email to an external addressee. Generally, vendors or customers who require CSI for valid College business purposes will maintain secure processes for transmitting CSI. Ensure that you understand such processes and review them before

establishing any arrangements for submission with the chair of the College's Information Security Committee. Failure to follow these procedures are violations of our Information Security Policy. See policy at Section 3.9.5.1 for further details.

3.10.2.4 Computer Systems

You may make occasional, incidental personal use of our computer systems, Internet connections, and electronic-mail capabilities provided:

- It has been approved by your supervisor or manager
- You use it for personal reasons only during non-working time
- Your personal use does not interfere with the conduct of the business
- You observe all rules and policies related to the use of these capabilities

3.10.2.5 Social Media

We recognize that from time to time you may use social media (e.g., Facebook, Twitter) and/or engage in other social networking activities, including various modes of publishing content on line (collectively, "social networking"). With respect to your use of social networking, the following guidelines apply:

- Unless social networking is an approved part of your job, you may not engage in any social networking while on our premises, or by using our Internet server or other communication systems. If you are also a resident on campus, the use of social networking activities during non-working hours, while on campus, is permitted if it is in keeping with the remaining policy parameters.
- When engaging in personal social networking, use personal accounts, such as your personal email address or profile. Do not use your work e-mail address, unless the social networking is an approved part of your job.
- "Friend-ing" of students on social networking sites by faculty, staff, administrators, coaches, managers, or other supervisory personnel is highly discouraged. It creates potential for unexpected and unauthorized use of personal information and the personal information of others to whom you are linked. An exception can be made for professional networking sites, such as LinkedIn. Judgment and care should be applied to any information you post and the persons with whom you choose to "friend."
- If you engage in social networking activities for personal purposes, we encourage you to include wherever possible a statement such as the following: "The views expressed in

this communication are mine alone and do not reflect those of my employer.” Of course, you should never refer to the College or affiliated organization by name.

- If you engage in social networking on behalf of the College as an approved part of your job, you must mention the College or affiliated organization by name. This is particularly important with respect to “promotional content,” which is defined as communications that are designed to endorse, promote, sell, advertise, or otherwise support the College and its mission. This is required in order to comply with regulations published by the Federal Trade Commission (“FTC”). You must obtain permission from your direct supervisor or department manager before engaging in any promotional postings to ensure that you comply not only with our requirements but also applicable laws.
- With regard to all social networking, you may not use or disclose confidential and/or proprietary or sensitive information that you acquired in the course of your employment with us.
- All social networking is subject to other policies contained in this Handbook, including, but not limited to, Equal Employment Opportunity (which includes our anti-harassment policy), Conflicts of Interest, Confidentiality, and policies governing the acceptable use of technology and communications systems.
- No supervisor or manager can take adverse action against an employee as a consequence of social media use without checking with the Human Resources Office, because some postings adverse to the College, Affiliates, or other persons (including the employee) may be protected by law.
- Violations of this policy will result in appropriate corrective action, which may include discipline, up to and including discharge.

3.10.2.6 Software

If you require software that our IT department does not provide, seek approval from the IT department before adding it to your computer. Certain software may be approved for use but not supported by the IT department.

Adhere to all software licensing and other restrictions. Many of us use copyrighted computer programs in the course of our daily assignments. Making copies of such programs and any other copyrighted materials is unlawful and can subject us as an organization to legal liability.

3.10.2.7 Enforcement

We consider any violation of these acceptable use principles or guidelines to be a serious offense and reserve the right to copy and examine any files or information on our systems allegedly

related to unacceptable use, and to protect our network from systems and events that threaten or degrade operations. Violators are subject to disciplinary action and may also be prosecuted under applicable local, state, and federal laws.

When you use our computer systems, you do so subject to applicable College policies and federal, state and local laws.

3.10.3 Security

3.10.3.1 Physical Security of Computer, Laptop, Smart Phone, or Other Portable Devices

If you use a computer, laptop, smart phone, or other portable electronic device during the course of your employment, and you have access to private information, you are responsible for the physical security of these devices.

- Physical security means either having actual possession of the device at all times, or locking the device, in an unusable state, in or to an object that is immovable. Methods of accomplishing this include having a special key/password to unlock the computer so it can be used, thereby ensuring that the computer, laptop, or smart phone cannot be simply rebooted to get around the protection.
- If the device is portable, never leave it alone in a conference room or on an airplane seat, etc.
- When leaving the office for the day, make sure your office door is locked or secure the device in a locked drawer or cabinet.
- If you take your device from the workplace, you are responsible to secure it in a locked room, drawer, or cabinet in your residence or hotel when it is not in use.
- If you have confidential and sensitive information on your laptop, mobile device, or portable storage device such as a USB stick or external hard drive, ***it must be encrypted*** if you take it from the workplace. You can have your laptop encrypted at a local computer store or use encrypting software. Neglecting to have your laptop encrypted is in violation of our policies protecting security and privacy of information.
- The Bryn Athyn IT department is implementing Multi Factor Authentications (MFA) for all Bryn Athyn College associated personnel. MFA is a second line of defense to help secure your office 365 accounts and protect it from information theft. When MFA is implemented for the College IT system, MFA will be required for account access on our system.
- The Bryn Athyn IT department is implementing encryption for all computers used by Bryn Athyn College associated personnel to minimize the risk of information theft. When

this implementation is complete, encryption will be a requirement for computer access on our system. **This includes personal devices used by employees to conduct College business.**

- Refer back to [3.10.1 General Usage Guidelines](#), especially password protection procedures.

3.10.3.2 Breaches of Security

Reference the [Whistleblower Policy](#) regarding this policy. Contact the Director of Network Services if you believe that any employee or person not employed by the College is using our computers, software programs, or computer network services in violation of any of the requirements, restrictions, or prohibitions outlined in this Policy. We will ensure that no retaliation will be brought against an employee who makes a good faith report as a result of this policy.

If you witness or identify any computer security or breach of privacy incident, refer to the [Security Breach Reporting Policy](#).

3.10.3.3 Right to Monitor

Our computer systems, communications systems, and storage devices (including portable drives, other portable data storage devices, voice mail, email, etc.) are the sole property of the College, and as a result you should have no expectation of privacy. We reserve the right to monitor, access, search, block, copy, delete, review, and disclose at any time messages or documents created, sent, stored, or received on our computer system or storage devices, as well as any websites visited using these resources. By using these computer systems and storage devices, you consent to the monitoring, accessing, searching, blocking, copying, deleting, reviewing, and disclosing, both real-time and after the fact, of any documents or messages which are created, sent, stored, or received on our systems or devices as well as websites visited using these resources.

3.10.3.5 Third-party Service Providers

We contract with certain third-party service providers (for example, electronic communication service providers and/or remote computing service providers) to deliver and store certain communications which are sent or received on our communications systems, including by way of example instant messages, text messages, and email. By using our communication systems, whether accessed on our premises or remotely, you consent to our third party service providers monitoring, accessing, searching, blocking, copying, deleting, reviewing, and disclosing to us, both real time and after the fact, any documents or messages which you create, send, store, or receive on our communications systems or which may be received and stored by our third-party

service providers, including any electronic communication service provider or a remote computing service provider.

3.10.3.6 Policy Violations

If we conclude that you have violated the requirements, restrictions, or prohibitions set forth in this policy, we will take appropriate action, including imposing restrictions on your ability to change settings on your personal computer, suspending your computer privileges, imposing an appropriate level of Corrective Counseling, up to and including discharge from employment, and contacting law enforcement authorities.

If you fail to cooperate with us in our exercise of any rights described in this policy, it will be considered cause for your immediate discharge. In addition, if you engage in conduct intended to interfere with or prevent our exercise of any of our rights as described in this Policy, you will be disciplined, up to and including termination.

3.11 WHEN YOU LEAVE THE EMPLOY OF THE COLLEGE

3.11.1 Resignation of Staff and Administrators

Because employment with the College is “at-will,” either you or the College has the right to end your employment at any time and for any reason – or for no reason at all, with or without prior notice. Faculty members should refer to the [Faculty Handbook](#) , section 2.9.2 Resignation for matters pertaining to separating from the College.

However, if you are considering resigning, we encourage you to discuss the matter with your immediate supervisor or the Director of Human Resources. There may be opportunities that can be pointed out to you, problems resolved, or misunderstandings corrected. Whatever the reason motivating your possible resignation, it is generally of mutual benefit for you to review your situation with us before you make a final decision.

Regardless of whether you share your plans with us, we encourage you to give *proper notice* of your intent to resign your position. *Proper notice* is defined as **written** notification of your intent to resign which is addressed to your **immediate supervisor** and presented at least **fourteen (14) calendar days** prior to the last day on which you will be actively at work.

Proper notice is necessary because separation procedures take time, and notice will allow us time to prepare the necessary documents relative to your final pay and continuation/conversion of certain benefits as well as to attempt to recruit and train a replacement. In addition, by giving proper notice, you will leave in good standing.

We expect you to be present as scheduled for each work day during your notice period. However, if you fail to give proper notice or fail to report for work on each day of your notice period, any accrued Paid Leave Benefits for which you otherwise may be eligible will be reduced by the number of days your notice was short. You will also become ineligible for rehire.

We may, at our sole discretion, waive your notice period, in whole or in part, with pay.

3.11.2 Leaving Without Notice (Job Abandonment)

If you are absent from work for three (3) consecutively-scheduled work days without reporting in to your supervisor or the HR office, this constitutes an abandonment of your employment and is considered your **voluntary resignation**. Leaving Without Notice will result in forfeiture of those benefits normally paid upon separation which may be legally withheld by us (for example, accrued but unused Vacation credits). If you abandon your job, you will not be eligible for rehire.

3.11.3 Discharge from Employment

We would initiate this form of employment termination, also referred to as Involuntary Separation, if we believe your separation from the College is in our best interest. If you are discharged for fault, including violation of Handbook policies, you will not be eligible for rehire. If you are discharged for performance reasons, you may be eligible for rehire in an alternative position. Faculty members should refer to the [Faculty Handbook](#), section 2.9.4 Dismissal and section 2.9.5 Separation Due To Mental or Physical Illness for matters pertaining to involuntary separation from the College.

Employees discharged at no fault of their own, due to a reduction in force (RIF) or because of an organization retrenchment will be eligible for rehire. Faculty members should refer to the [Faculty Handbook](#), section 2.9.6 Termination for matters pertaining to a reduction in force.

3.11.4 Separation Procedure and Exit Interview

Regardless of the reason for your departure, you are required to complete an Exit Interview. Application for final benefits (for example, accrued but unused vacation and election to continue/convert certain benefits) is part of this procedure. Also, arrangements must be made for settlement of all outstanding cash travel expenses and the return of all property belonging to the College which you have in your possession (for example, your ID card, business records, equipment, corporate credit card, keys, etc.) no later than your last day of work.

Moreover, upon the termination of your employment with the College, whether driven by our decision or yours, regardless of the reason, you shall return to us, no later than your last day of work, and retaining no copies, any and all files, correspondence, documents, drawings, specifications, computer printouts, disks and other writings which relate to or reflect our business, operations, customers, employees, suppliers, etc., regardless of where such files,

correspondence, documents, drawings, specifications, computer printouts, disks, and other writings were kept or prepared and regardless of whether you created or prepared these files, correspondence, documents, drawings, specifications, computer printouts, disks, and other writings.

During the Exit Interview, you may comment upon the particular aspects of specific duties and responsibilities as well as upon the College in general. Your comments, based on your first-hand experience, can be extremely helpful.

3.11.5 Medical Benefits Continuation after Resignation

Employees who resign are expected to contact the carriers of medical insurance directly to inquire about continuation of coverage, at their sole expense. Employees must arrange for conversion from group policies, where available, within 30 days of your departure. The Payroll and Benefits Administrator will ensure that a COBRA (Consolidated Omnibus Budget Reconciliation Act) package will be mailed directly to their home.

3.11.6 Other Benefits

All benefits, where applicable, will be terminated as of the last day of the month you are employed.

If you resign, be sure to contact the Office of Human Resource to arrange for an exit interview to review your benefit options and to obtain a Health Benefit Plan Certification of Coverage, in compliance with the Health Insurance Portability and Accountability Act of 1996.

3.11.7 Unemployment Compensation

Unemployment Compensation is a statutory benefit designed to assist certain individuals who become unemployed. Employees of the College are eligible for Unemployment Compensation, with some exceptions. Excluded from eligibility, for example, are those who have voluntarily resigned gainful employment or have been discharged for willful misconduct. If you are an employee of the College, you must file a claim with the Office of Employment Security of the Department of Labor of the state in which you reside to apply for these benefits. Because the events surrounding the reason for your departure from the College will determine your eligibility for unemployment benefits, you should ask the Director of Human Resources about Unemployment Compensation.

3.12 PROCEDURE FOR AMENDING THIS EMPLOYEE HANDBOOK

3.12.1 Review, Approval, & Implementation of Changes to the *Employee Handbook*

Proposals to amend sections of this *Employee Handbook* will be submitted by the College's Policy Advisory and Benefits Committee (PABC) for review and approval.

Amendments proposed by faculty, staff, and/ or administrators or policies deemed necessary by new local/federal laws and regulations shall be submitted to the PABC for review and consideration. Upon approval via a majority vote by PABC, the amendment(s) shall be presented to the President for final approval and transmission to the Board of Trustees. The President or designee (Chief Financial Officer or Director of Human Resources) will notify the Board of Trustees, Legal Advisory and By-Laws Committee of all proposed changes to the *Employee Handbook* prior to implementation of that change.

Amendments proposed by the Board of Trustees, Legal Advisory and By-Laws Committee shall be submitted by the College President or designee to the PABC for its consideration and recommendation.

Amendments become effective upon approval of the President and the Policy Advisory and Benefits Committee, unless otherwise specified.

3.12.2 Submission of Materials to Revise the *Employee Handbook*

Proposed revisions to an Employee Handbook section, along with supporting documentation, shall be submitted to the Director of Human Resources, who will shepherd the proposal through the review and approval process of the Policy Advisory and Benefits Committee (PABC).

The material to be submitted shall include:

- Identification of specific Handbook sections(s) to be amended
- Specific language being proposed for addition, modification, and/or deletion
- A statement of the rationale in support of the proposed amendment

To be included in the next official update of the *Employee Handbook*, proposed revisions to handbook sections must be received by November 1.

3.12.3 Official Copy and Annual Updates

The Office of Human Resources shall maintain an official copy of the *Employee Handbook*.

The official copy of the Employee Handbook will be updated by April 15 each year. By February 15 the Director of HR or designee (Chief Financial Officer-CFO) will inform the Board of Trustees, Legal Advisory and By-Laws Committee Chair and the Faculty Matters Chair of any changes to the Employee Handbook's sections or appendices. By March 31 all changes will be confirmed.

By March 31 any inconsistencies should be reported to the Policy Advisory and Benefits Committee. Any inconsistencies should be resolved by April 15. Upon confirmation of the accuracy of the Employee Handbook update, the Director of HR will publish the official copy of the Employee Handbook by April 15 of each year.

APPENDICES

APPENDIX A - Title IX: Notice of Non-Discrimination

Bryn Athyn College does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, marital status, or other characteristic protected by law, in its educational programs and activities, admissions, or employment, as required by Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, and other applicable laws and College policies.

Inquiries concerning the Americans with Disabilities Act, the Rehabilitation Act, and related issues may be directed to: The Office of Human Resources at 267-502-6038 or at HR@brynathyn.edu.

This policy addresses all forms of sexual discrimination, including sexual assault and harassment. Bryn Athyn College does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of admissions or employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Bryn Athyn College, as an educational community, will promptly and equitably respond to all reports of sexual assault and harassment in order to eliminate the harassment, prevent its recurrence, and address its effects on any individual or the community.

Any student, employee, or applicant for employment with, or admission to, the College who believes that he or she has been discriminated against on the basis of sex, in violation of Title IX, or has been a victim of sexual assault, sexual harassment, or other sexual misconduct, may file a complaint with the Title IX Coordinator or Deputy Coordinator designated below. The Title IX Coordinator or Deputy Coordinator will assist the complainant in identifying the appropriate College policy (and accompanying grievance procedure) to resolve the complaint in a prompt and equitable manner. The Title IX Coordinator or Deputy Coordinator may consult with other College administrators, as needed, to resolve the complaint in the most effective manner.

Retaliation against a person who has reported an instance of sexual misconduct in good faith, whether the victim of such behaviors or not, is prohibited by Title IX. Reports of retaliation will be investigated under the same procedures as for other Title IX allegations.

The Title IX Coordinator is knowledgeable and trained in state and federal laws that apply to matters of sexual assault, sexual harassment or other sexual misconduct, as well as College policy and procedures.

Director of Human Resources
& Title IX Coordinator

Brickman Center, Room 103

P.O. Box 462

Bryn Athyn, PA 19009

Tel: 267-502-6038

HR@brynathyn.edu

APPENDIX B - Title IX: Privacy and Confidentiality

Privacy

Privacy generally means that information related to a report of sexual misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Confidentiality

Please note that the Title IX Coordinator and Deputy Title IX Coordinator are not confidential resources.

If you are concerned about confidentiality, you may wish to discuss this issue first with the College’s confidential counselors, who will be able to explain various options you may take and the implications for each option and direct you to other on- or off-campus resources as appropriate.

On campus, these professionals include the counselors at the Student Health Service Center: Allie Abraham (telephone (267) 502-2949, or by email at allie.abraham@brynathyn.edu) and Tiara Brock (telephone (215) 839-9554 or by email at tiara.brock@brynathyn.edu), and College’s chaplain, Coleman Glenn (telephone (267) 502-2605 or by email at coleman.glenn@brynathyn.edu).

Information shared with these confidential resources will not be shared with the College without consent, unless there are circumstances posing an imminent risk of harm to self or others. Title IX requires the College to balance the needs of the individual reporting an incident who may request confidentiality with its obligation to end the conduct and consider the well-being of the community at large. Depending on the facts of the alleged incident, further action may be necessary, such as a timely warning campus security alert. The alert, however, would never contain any information identifying the individual who brought the complaint. If the misconduct is reported to the Title IX Coordinator, the College must respond appropriately.

Throughout the course of an investigation, information will be disclosed only to select officials who have an essential “need to know” in order to carry out their College responsibilities. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted.

While the College takes seriously a complainant’s request for confidentiality, in certain instances where a health or safety emergency exist, or if the College determines such communication is otherwise deemed appropriate, a student’s parent may be contacted.

If you disclose to another College employee, they are required to report this information to the Title IX Coordinator for investigation. If the complainant is reluctant to report identifying information, Bryn Athyn College's response may be limited.

When a report involves suspected abuse of a minor under the age of 18, see our [Child Protection Policy](#).

APPENDIX C - Title IX: Interim Measures During Investigation & Resolution

Upon receipt of a sexual misconduct report from employees or students, the College will provide interim support and reasonable protective measures to prevent further acts of misconduct, and to provide a safe educational and work environment. The College will determine the necessity and scope of any interim measures. Even when a complainant or respondent does not specifically request that protective action be taken, the College may choose to impose interim measures at its discretion to ensure the safety of any individual, the broader College community or the integrity of the review process.

Those seeking such assistance should speak with the Title IX Coordinator, who will coordinate such requests on the behalf of the employee and or student. The College will maintain contact with the parties to inquire if their safety and emotional and physical well-being concerns are being addressed.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce measures previously ordered or implemented by the College.

The College may impose any remedy that can be tailored to the involved parties to achieve the goals of this policy, even if not specifically listed here. The range of interim measures for students may include:

No Contact Order

A complainant or respondent may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction. These communication and contact restrictions generally preclude in person, telephone, electronic or third-party communications. In some cases, an individual may also wish to consider an Abuse Prevention Order or a Harassment Prevention Order from the local courts. This is a civil proceeding independent of the College. If a court order is issued, the College will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on-campus compliance with the order. The College may also limit an individual access to certain College facilities or activities as part of the no contact order.

Academic, Employment, or Residence Modifications

A complainant or respondent may request, or the College may impose, an academic or employment accommodation or a change in residence after a report of sexual misconduct. An individual who requests assistance in changing their academic or living situation after an incident of sexual misconduct will receive appropriate and reasonably available accommodations.

Academic Accommodations

Accommodations would include a change in class schedule, taking an incomplete, dropping a course without penalty, attending a class via the Internet or other alternative means, providing an academic tutor, or extending deadlines for assignments. Other accommodations would include:

- Change of dormitory assignment; restriction of visitation to other party's residence
- Change in work assignment or schedule
- Providing an escort to ensure safe movement between classes and activities

Emotional Support

The College will provide counseling services through the Counseling Center or Employee Assistance Program (EAP) and will assist in providing a referral to off campus agencies as detailed in the Campus and Community Resources section of this policy (see Appendix D). Counseling and emotional support is available to any member of the campus community.

Interim Separation

If either the President or the Dean of Students decides at any point that the well-being of an employee or student, respectively, is at stake, an interim suspension may be imposed on either the employee or student who is suspected of violating the [Professional Conduct](#) (as outlined for employees) or Student Code of Conduct (as outlined in the [Student Handbook](#)), any rules, regulations, or procedures of the College, or otherwise poses a risk of safety to the campus, until the time of judicial resolution, disciplinary action, or a hearing can be completed. This action assumes no determination of guilt, and the hearing will be held as soon as possible.

APPENDIX D - Title IX: Campus and Community Resources

Overview

The College is committed to treating all members of the community with dignity, care, and respect. Any individual affected by sexual assault or harassment, whether as a complainant, a respondent, or a third party, will have equal access to support and counseling services through the College. The College recognizes that deciding whether to make a report and choosing how to proceed can be difficult decisions. The College encourages any individual who has questions or concerns to seek the support of campus and community resources. These professionals can provide information about available resources and procedural options and assistance to any party in the event that a report and/or resolution under this policy are pursued. Individuals are encouraged to use all available resources, regardless of when or where the incident occurred.

ALWAYS DIAL 911 FOR EMERGENCIES

Bryn Athyn College Department of Public Safety

Pitcairn Hall, Upper Floor

Tel: 267 -502-2424 (officer on duty)

Available Anytime

Pennsylvania Coalition Against Rape (PCAR)

325 Swede Street, Suite 2

Norristown, PA 19401

Hotline: 1-888-772-7227

Available Anytime

Bryn Athyn Police Department

2825 Buck Rd, Bryn Athyn, PA 19009

Tel: 215-947-0118

Available Anytime

Title IX Coordinator

Office of Human Resources

Bryn Athyn College

Brickman Center, Room 103

Tel: 267-502-6038

Available Monday-Friday

8:30 am - 5:00 pm

Dean of Students

Bryn Athyn College
Pendleton Hall, Room 109
Tel: 267-502-2482

Available Monday-Friday
9:00 am - 5:00 pm

BAC Center for Student Health & Wellness*

College Center, Lower Level
Tel: 267- 502-2949

See website for availability

BAC Counseling Services*

College Center, Lower Level
215-839-9554

See website for availability

Bryn Athyn College Chaplain*

Pendleton Hall, Room 106
Tel: 267-502-2605

Available:
9:00 am - 5:00 pm

**These are confidential resources and will not report your incident unless you give permission to do so. See Appendix B for further details regarding privacy and confidentiality.*

Education and Prevention Programs

Bryn Athyn College is committed to the prevention of sexual misconduct, intimate-partner violence, and stalking through education and awareness programs. Throughout the year, programs designed to promote awareness are presented by a variety of campus resources. Prevention programs include an overview of the College's policies and procedures, relevant definitions, including prohibited conduct, discussion of the impact of alcohol and illegal drug use, effective consent, safe and positive options for bystander intervention, and information about risk reduction.

Incoming first-year students and new employees will receive primary prevention and awareness programming as part of their orientation. Returning students and employees will receive ongoing training on a periodic basis. Bryn Athyn College's Title IX Coordinator oversees the education and prevention calendar and tailors programming to campus needs and climate. All educational programs include a review of resources and reporting options available for students, faculty, and staff.

Emergency Support Services in the Event of a Sexual Assault

Confidential Resources and Support

For individuals who are seeking confidential consultation, there are several resources available to provide confidential support, both on campus and in the local community. The trained professionals designated below can provide counseling, information, and support under legally protected confidentiality. Because these relationships involve privileged conversations, these confidential resources will not share information with the Title IX Coordinator or any other employee of the College without the individual's express permission. They may, however, submit non-identifying information about the incident for purposes of making a statistical report under the Clery Act, as described below.

On Campus Confidential Resources

When an employee thinks that a student or employee may be about to report an act of sexual harassment, discrimination, or assault, the employee should, if at all possible, tell the student or employee that the College will maintain the privacy of the information, but the employee cannot maintain complete confidentiality and, is required to report the act and may be required to reveal the names of the parties involved. If the student or employee wishes to proceed, the employee should inform him/her of the implications of sharing the names of the parties involved, which puts the College on notice.

Rather than speaking to the student or employee about confidential information, the employee should offer to refer or accompany him/her to Counseling Services or Health Services during the hours that those offices are open. Students or employees may also contact and speak with members of the clergy, who also do not have obligation to report to the Title IX Coordinator.

The College encourages all individuals to seek assistance from a medical provider and/or law enforcement as soon as possible after a sexual assault. This is the best option to provide physical safety, emotional support, and medical care to the complainant. It is also the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The College will escort any Bryn Athyn College community member to a safe place, provide transportation to the hospital, assist in coordination with law enforcement, and provide information about the College's resources and complaint processes.

Assistance is available from the College and local law enforcement 24 hours a day, year-round, by calling the Department of Public Safety, the local police (911), or, if a student is involved, the Dean of Students. Any individual can request that a member of the Department of Public Safety and/or Bryn Athyn Borough Police respond and take a report.

An individual can also contact a Health and Wellness Center nurse practitioner (during the academic year) and/or a local medical provider 24 hours/day.

Health and Wellness Center (<https://brynathyn.edu/student-life/student-health-services/>)

The Health and Wellness center is available (during the academic year) to assist students and employees as a confidential resource. Please see website for current hours.

The complainant will be interviewed and evaluated by a nurse who will assess the complainant's injuries. If the complainant does not have injuries requiring emergency attention, the complainant still has the option—and is encouraged—to go to the hospital for care. The primary purpose of the medical evaluation is to check for physical injuries and reduce risk of pregnancy, as appropriate, or complications from sexually transmitted diseases as a result of the assault. The complainant will be encouraged to have evidence collected. If the complainant chooses to have evidence collected, the complainant will be escorted to the nearest hospital by Public Safety or will be escorted by a taxi to the medical provider of the complainant's choice. The complainant can later return to the Health and Wellness Center for follow-up medical care. While at the Health and Wellness Center, the complainant may request to speak with a counselor through Counseling and Psychological Services (CAPS).

The employee or student can also be referred to the [Pennsylvania Coalition Against Rape](#) (PCAR) which works in concert with a statewide network of rape crisis centers that provide immediate and long-term services to victims of sexual assault.

Immediate crisis hotline assistance, [Victim Services of Montgomery](#) Hotline: (610) 277-5200 or (888) 521-0983. For more hotline options, PCAR can be directly reached at 1-888-772-7227. The Health and Wellness Center will provide non-identifying information about an incident to the College for the purposes of compliance with the Clery Act.

Community Medical Providers

A medical provider, such as Abington Memorial Hospital and Holy Redeemer Hospital, can provide emergency and/or follow-up medical services and provide a forum to discuss any health care concerns related to the incident in a confidential medical setting. These are the current local hospitals which identify as having Sexual Assault Nurse Examiner (SANE) nurses who are trained to work to collect evidence in a manner consistent with evidence-collecting requirements in Pennsylvania.

Under Pennsylvania law, a medical provider may be required to notify law enforcement of a sexual assault under certain circumstances. The medical provider, however, will share limited information with law enforcement, and a complainant may decline to speak with a law enforcement officer or participate in a criminal prosecution. The medical provider will typically also notify the local rape crisis counseling center.

The medical exam obtained from a hospital or sexual-assault response center has two goals: first, to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infection [STI] or possibility of pregnancy) and, second, to properly collect and preserve evidence. The exam may include testing and prophylactic treatment for HIV/AIDS, STIs, and pregnancy; a vaginal examination; collecting fingernail scrapings and/or clippings; examining for injuries; and a blood draw. There is a limited window of time (typically 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any course of action. The decision to seek medical attention and gather any evidence will preserve the full range of options to seek resolution through the College's complaint processes or criminal action.

APPENDIX E - Title IX: Hearing Process Details

Note: The Dean of Students will be involved for all incidents in which a student is involved.

Pre-Hearing Procedures for Formal Hearing Process

When a hearing is deemed necessary based on the review of the investigation report, the Title IX Coordinator (Coordinator) or his/her designee will contact the complainant and respondent in writing to schedule separate meetings with each party. The letter will contain the time, date, and location of the pre-hearing, the name (s) of the panel member or adjudicator presiding over the meeting, and a reminder that attendance is mandatory, superseding all other campus activities.

If any party does not appear at the scheduled pre-hearing, the hearing will be held in their absence. For compelling reasons, the Coordinator or his/her designee may reschedule the hearing.

At this pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions before the hearing occurs. If the complainant and/or respondent have elected to have Advisors throughout the hearing process, the Advisor is encouraged to be present at this initial meeting.

Pre-Hearing Review of Documents

The complainant and the respondent will each have the opportunity to review all investigative documents, subject to the privacy limitations imposed by state and federal law, at least ten (10) business days prior to the hearing. The investigative documents will include the investigation report, any witness statements, any other documentary information, and the initiation of charges that will be presented at the hearing.

The complainant is not required to write a complaint in preparation for the pre-hearing. Both the complainant and the respondent will be given notice of the specific charges and the opportunity to be heard before a final determination is reached.

Initiation of Charges

If the Coordinator makes the threshold determination to resolve the complaint through a panel hearing, the Coordinator or his/her designee will also issue an initiation of charges letter to both parties during the pre-hearing meeting. It will include the following information:

- A description of the alleged violation(s), a description of the applicable procedures and a statement of the potential sanctions/responsive actions that could result

- The time, date and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If any party does not appear at the scheduled hearing, the hearing will be held in their absence. For compelling reasons, the Coordinator or the Dean of Students may reschedule the hearing.

The parties may have the assistance of an Advisor at the hearing. Typically, Advisors are members of the college community or a member of College Conduct Hearing Panel, but the Coordinator or his/her designee may grant permission for an outside advisor upon request. The Advisor may not be a practicing attorney. The complainant/respondent are expected to ask and respond to any questions they may have regarding the hearing process

Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College to remain within the 60-day goal for resolution.

Notice of Hearing

Following the pre-hearing meeting after each party has met with the Coordinator and/or his/her designee, a notice of hearing is sent to the complainant and the respondent. The notice of hearing provides each party with a statement of the policy violation(s) that are alleged to have taken place and a summary of the facts underlying the allegations.

In addition, the notice provides the parties with the designated manner of adjudication (judicial resolution, hearing, or external adjudicator), the name of the adjudicator or panel members, and the date, time, and place of the hearing. The notice will inform the complainant and the respondent that each may bring an Advisor, support person or witnesses to speak on their behalf as a character witness. In general, the hearing will be scheduled within approximately fifteen (15) business days after the notice of hearing is sent. Under extenuating circumstances, this time frame may be extended.

Contesting a Member of the Hearing Panel

The complainant and the respondent may submit a written request to the Coordinator or his/her designee to remove a member of the Hearing Panel or contest the external adjudicator, if there are reasonable articulable grounds to suspect bias, conflict of interest, or an inability to be fair and impartial. This challenge must be raised within four (4) business days of receipt of the notice of hearing. All objections must be raised prior to the commencement of the hearing. The Coordinator or his/her designee will make the determination whether to remove the panelist or seek an alternative external adjudicator.

Hearing Procedures

A hearing is intended to provide a full and fair opportunity for the complainant and respondent to present their account of events and for the panelists to determine the facts of the case, make a determination regarding the alleged violations of College regulations, and to recommend appropriate sanctions, if necessary.

The Hearing Panel/external adjudicator is expected to review all information pertinent to the incident in question. The investigative report will be made available for the hearing panel/adjudicator/ to review at least five (5) business days prior to the hearing. Other relevant information supporting the violation(s) alleged may be offered in the form of written statements, documents, items, or oral information from the complainant, the respondent, and witnesses.

A hearing will be called to order by the Coordinator and/or his/her designee, who will explain the hearing process and will provide an opportunity for all parties to ask procedural questions prior to initial statements and the presentation of information. The Coordinator will provide a brief opening statement summarizing the investigation. The opening statement should focus on the areas of agreement and disagreement in order to assist the panelists in prioritizing areas of inquiry. The external adjudicator/panelists, complainant, or respondent may make brief inquiries of the investigator at this juncture, as there will be additional opportunity to ask questions of the investigator after the Hearing Panel has heard from the complainant, the respondent, and any witnesses.

The complainant may present a brief written and/or oral narrative statement. The external adjudicator/Hearing Panel may pose questions to the complainant. The respondent is encouraged to compile a written list of questions to pose to the complainant. The list will be provided to the external adjudicator/Hearing Panel, who will determine the relevance of the questions and ask the complainant those questions deemed relevant and appropriate.

After the complainant is finished, the respondent may present a brief written and/or oral narrative statement. The external adjudicator/Hearing Panel may pose questions to the respondent. The complainant is encouraged to compile a written list of questions to pose to the respondent. The list will be provided to the external adjudicator/Hearing Panel, who will determine the relevance of the questions and ask the respondent those questions deemed relevant and appropriate.

Witnesses on behalf of the complainant and the respondent may then be proffered. Each witness will be permitted to give a brief narrative statement but need not do so. Each witness will then be questioned by the external adjudicator/Hearing Panel.

The complainant or respondent may present a list of written questions to be posed to the witness to the external adjudicator/Hearing Panel, who will determine the relevance of the questions and pose any questions deemed relevant.

The external adjudicator/Hearing Panel, complainant, and respondent may then question the investigator.

At the conclusion of the presentation of all witnesses, the complainant and respondent will each be given the opportunity to give a brief closing statement.

External Adjudicator

At the discretion of the Coordinator, the College may retain an external adjudicator, whenever, in the exercise of judgment, doing so will best serve the fair and equitable resolution of the complaint. In such cases, unless otherwise stated in this policy, the external adjudicator will assume the role of convener of a Hearing Panel. In making the determination to select an external adjudicator, the Coordinator will consider, among factors, the nature of the allegations, the complexity of the case, whether there is any issue of conflict of interest, the availability of trained panel members for the hearing, whether the College is in session or on break, and any other appropriate factors.

The external adjudicator, if selected, will be a neutral party, usually an attorney, who is familiar with dispute resolution, the dynamics of sexual assault and harassment, and is trained in the College's policies and procedures. The external adjudicator is supported by the Coordinator or the Dean of Students, who will meet with all involved parties prior to the hearing, be present during the hearing to serve as a resource for the external adjudicator on issues of policy and procedure, and to see that policy and procedure are appropriately followed throughout the hearing.

Deliberation & Decision

After all of the information has been presented, all parties will be dismissed from the hearing room so that the external adjudicator/Hearing Panel may deliberate in private. The Coordinator or his/her designee may remain for deliberations but may not participate in the deliberations and may not vote. In the case of an external adjudicator, the external adjudicator will make a decision. In the case of a panel, the Hearing Panel will first try to reach a determination by consensus, but a simple majority vote as to responsibility will suffice. Only the decision on responsibility will be shared with the complainant and the respondent. The vote itself shall not be shared with the parties.

The external adjudicator/Hearing Panel will determine a respondent's responsibility by a preponderance of the evidence. This means that the external adjudicator/Hearing Panel will decide whether it is "more likely than not," based upon the evidence provided at the hearing, that the respondent is responsible for the alleged violation(s).

The findings of the external adjudicator/Hearing Panel will be reduced to writing by the external adjudicator or Hearing Panel. The findings will detail the findings of fact and determination of responsibility, making reference to the evidence that led to the finding.

Notice of Outcome

The Coordinator will communicate the decision of the Hearing Panel to the respondent and the complainant simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official College records; or emailed to the parties' college-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

The notice will include notification of appeal options.

Any change in the outcome that occurs prior to the time that the outcome becomes final will also be communicated simultaneously in writing. Generally, the outcome of the hearing will be final and communicated to the parties within five (5) business days from the date the hearing is concluded.

The respondent will be informed of any sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements. The complainant will be informed of any sanctions that directly relate to the complainant. The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of the appeal.

Sanctions

If the Hearing Panel or external adjudicator finds an employee, student, group, department, or organization responsible for a violation of the Policy, the panel or the adjudicator will decide on appropriate sanctions. The Hearing Panel or external adjudicator will make the determination of sanctions in consultation with the Coordinator or his/her designee.

The sanctions may include, but are not limited to those set forth in the [Student Handbook](#), [Employee Handbook](#) or [Faculty Handbook](#). In particular, a violation of this policy may result in employment termination, suspension, or expulsion from the College. The sanctions may include remedial or corrective actions as warranted. The various sanctions for students and employees are listed at the end of this section.

The Hearing Panel (or the Coordinator when an external adjudicator is used) may broaden or lessen any range of recommended sanctions based on serious mitigating circumstances or egregiously offensive behavior.

The Hearing Panel (or the Coordinator) will not deviate from the range of recommended outcomes unless compelling justification exists to do so. The Hearing Panel or the Coordinator may issue a single sanction or a combination of sanctions.

In considering the appropriate sanction within the recommended outcomes for students and employees, the Hearing Panel or the Coordinator will consider the following factors:

- The respondent's prior discipline history
- The nature and violence of the conduct at issue
- The impact of the conduct on the complainant
- The impact of the conduct on the community, its members, or its property
- Whether the respondent has accepted responsibility
- Whether the respondent is reasonably likely to engage in such conduct in the future
- The need to deter similar conduct by others
- How the college has sanctioned similar incidents in the past
- Any other mitigating or aggravating circumstances, including the college's standards and values

Absent compelling justifications, if the respondent has engaged in the same or similar conduct in the past, the sanction will be expulsion (student)/termination (employee).

The Hearing Panel or the Coordinator may also consider other remedial actions that may be taken to address and resolve any incident of discrimination or harassment and to prevent the recurrence of any discrimination, including strategies to protect the complainant and any witnesses from retaliation; provide counseling for the complainant; other steps to address any impact on the complainant, any witnesses, and the broader student body; and any other necessary steps reasonably calculated to prevent future occurrences of harassment.

Student Sanctions

The following are the usual sanctions per the student handbook that may be imposed upon students or student organizations singularly or in combination:

- *Warning:* A formal statement that the behavior was unacceptable and a warning that further infractions of any College policy, procedure, or directive will result in more severe sanctions/responsive actions
- *Probation:* A written reprimand for violation of the Code of Student Conduct, providing for more severe conduct sanctions in the event that the student or organization is found in violation of any College policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate
- *Suspension:* Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at the College. A suspension is noted on transcripts during the time it is in effect

For further details regarding student sanctions, please refer to the Bryn Athyn College [Student Handbook](#).

Employee Sanctions

Disciplinary actions for an employee who has engaged in discrimination, harassment and/or retaliation include warning, required counseling, demotion, suspension with pay, suspension without pay and termination. For details, see the [Corrective Actions & Corrective Counseling Policy and Sanctions for Violations of the Equal Employment Opportunity](#).

Withdrawal or Resignation While Charges Pending

The College will not permit a student to withdraw if that student has a complaint pending for violation of the Policy or for charges under the Code of Student Conduct. Should a student decide to leave and not participate in the investigation and/or hearing, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to Bryn Athyn College until completion of the hearing process unless(if any) all sanctions have been satisfied. A hold may be placed on the student's account to prohibit re-enrollment and the release of transcripts.

In compliance with FERPA and the Clery Act a notation of student misconduct or college expulsion may be placed on a student's transcript.

Appeals

Either party may appeal the determination of responsibility or sanction (s) in writing to the President or designee. The appeal must be filed within five (5) business days of receiving the written notice of outcome.

The complainant and/or respondent may appeal only the parts of the determination of responsibility or sanctions directly relating to him/her. Dissatisfaction with the outcome of the hearing is not grounds for appeal. The limited grounds for appeal are as follows:

- New evidence that could affect the outcome of the hearing which was unavailable at the time of the hearing
- Procedural error(s) that had a material impact on the fairness of the hearing
- The sanctions imposed were grossly disproportionate to the violation committed

The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for the appeal. Upon receipt of an appeal, the President will notify both parties. Each party has an opportunity to respond in writing to the appeal. Any response to the appeal must be submitted within five (5) business days from receipt of the appeal.

The appeal will be conducted in an impartial manner by an impartial decision-maker. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The appeal is not a new review of the underlying matter. The President shall consider the merits of an appeal only on the basis of the three (3) grounds for appeal and supporting information provided in the written request for appeal and the record of the original hearing. The President can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal. If the appeal is based on procedures not having been followed in a material manner, the President can ask that a new hearing occur before a newly constituted Hearing Panel.

In the case of new and relevant information, the President can recommend that the case be returned to the original Hearing Panel/external adjudicator to assess the weight and effect of the new information and render a determination after considering the new facts.

The President will communicate the result of the appeal to the complainant and respondent within ten (10) business days from the date of the submission of all appeal documents by both parties. Appeal decisions are final.

Failure to Complete Sanctions/Comply with Disciplinary Actions

All respondents are expected to comply with conduct sanctions/responsive/corrective actions within the time frame specified by the Coordinator. Failure to follow through on conduct sanctions/disciplinary/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive/corrective actions and/or suspension, expulsion and/or termination from the College (which would be noted on a student's official transcript or in an employee's personnel records). A suspension will only be lifted when compliance is achieved to the satisfaction of the Coordinator. For students or student organizations this decision will be made in consultation with the Dean of Student.

Records

The Coordinator will retain records of all reports, allegations, and complaints, regardless of whether the matter is resolved by initial assessment, judicial resolution, or panel hearing process. Complaints resolved by Title IX assessment are not part of a student's conduct file or academic record.

Affirmative findings of responsibility in matters resolved through judicial resolution are part of a student's conduct record. Such records shall be used in reviewing any further conduct or in developing sanctions and shall remain a part of a student's conduct record. The conduct files of students who have been suspended or expelled from the College are maintained in the Dean of Students Office for no fewer than seven years after their departure from the College.

Further questions about record retention should be directed to the dean of students.

Employee's records will be kept in the Office of Director of Human Resources/Title IX Coordinator.

Other Important Areas of the Process

Group Infractions

When members of an employee/ student group, department, organization, or team of individuals acting collusively operate in concert of a violation of the Policy, they may be charged as a group or as individuals, and a hearing may proceed against the group as joint respondents or against one or more involved individuals as appropriate given available information and the circumstances.

Advisers and Support Persons

Advisor. In any hearing, the complainant and respondent have the right to be assisted by a trained Advisor, who will be a person made available by and through the College. The Advisor

may accompany the employee/student to any meeting with a College employee and to the hearing. The Advisor may not speak during the hearing.

Support person. The complainant and respondent have the right to be assisted by a support person of her/his choice. The person must be a member of the Bryn Athyn College community (current student, faculty member, staff member, or administrator).

To serve as a support person, the individual will be required to meet with the Coordinator or the Dean of Students in advance of any participation in the proceedings, preferably during the pre-hearing meeting.

The support person cannot be a witness in the proceedings. The support person is a silent and non-participating presence who is there solely to observe and provide moral support during the pre-hearing itself. This person is not to address the panel, except to ask for a short recess if one of the parties requires some time to compose her/himself or collect her/his thoughts. The Coordinator or the Dean of Students has the right at all times to determine what constitutes appropriate behavior on the part of a support person and whether the person may remain at the proceedings. While the support person may be present to hear testimony, no written materials are to be shared with a support person.

Absent extenuating circumstances, witnesses and others involved in an investigation or hearing are not entitled to have a support person.

Role of the Attorney/Outside Agreements

A complainant or respondent may choose to seek the advice and assistance of an attorney at their own expense. An attorney may serve as a support person but must abide by the Advisor and support person guidelines (see above). Additionally, the College will not recognize or enforce agreements between the parties reached outside of these procedures. If the support person is an attorney, the College's attorney may also attend the hearing.

Witnesses

The complainant, respondent, and College Conduct Hearing Panel (or adjudicator) all have the right to call witnesses. Witnesses must have observed the acts in question or have information relevant to the incident and cannot be participating solely to speak about an individual's character.

In general, neither party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the College's investigation. If either party wishes to call witnesses, whether or not they were previously interviewed as part of the College's investigation, the following must be submitted no later than ten (10) business days before the hearing to the Coordinator or the Dean of Students by email or in hardcopy format:

- The names of any witnesses that either party intends to call

- A written statement and/or description of what each witness observed
- If not already provided during the investigation a summary of why the witness' presence is relevant to making a decision about responsibility at the hearing
- The reason why the witness was not interviewed by the investigator, if applicable

The Coordinator or the Dean of Students will determine if the proffered witness (es) have relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the investigator. The Coordinator or the Dean of Students may also require the investigator to interview the newly identified witness.

If witnesses are approved to be present by the Coordinator or designee, the complainant and respondent are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than five (5) business days before the hearing. All parties have the opportunity to pose questions of witnesses (through the panel), regardless of who called them to the hearing.

Relevance

The Coordinator will review the investigation report, any witness statements, and any other documentary evidence to determine whether the information contained therein is relevant and material to the determination of responsibility given the nature of the allegation. In general, the Coordinator may redact information that is irrelevant, more prejudicial than probative, or immaterial. The Coordinator may also redact statements of personal opinion, rather than direct observations or reasonable inferences from the facts, and statements as to general reputation for any character trait, including honesty.

In cases where an external adjudicator will hear the case, the Coordinator may forego redaction of investigative materials to allow the external adjudicator to determine the relevance and/ or weight to give to any information.

Prior Sexual History and/or Pattern Evidence

Prior sexual history of a complainant. In general, a complainant's prior sexual history is not relevant and will not be admitted as evidence at a hearing. Where there is a current or ongoing relationship between the complainant and the respondent, and the respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties.

As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the complainant with other individuals is typically not relevant and will not be permitted. See the Policy's "[consent](#)" definition for further details.

Pattern evidence by a respondent. Where there is evidence of a pattern or conduct similar in nature by the respondent, either prior to or subsequent to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and probative to the panel's determination of responsibility and/or assigning of a sanction. The determination of relevance will be based on an assessment of whether the previous incident was substantially similar to the present allegation or information and indicates a pattern of behavior and substantial conformity with that pattern by the respondent. Where there is a prior finding of responsibility for a similar act of sexual assault or harassment, there is a presumption of relevance and the finding may be considered in making a determination as to responsibility and/or assigning of a sanction.

Any party seeking to introduce information about prior sexual history or pattern of evidence should bring this information to the attention of the investigator at the earliest opportunity. The College, through the Coordinator or designee (or the external adjudicator, if appropriate) may choose to introduce this information, with appropriate notice to the parties.

A party who has provided this information to the investigator may submit a written request to the Coordinator seeking its admission at the hearing. If this information was not previously submitted, the College will refer the new information to the investigator, which may cause the scheduling of the hearing to be delayed.

Where a sufficient informational foundation exists as determined by the Coordinator, the Coordinator, in consultation with the Title IX team or College Conduct Panel, will assess the relevance, form, and reliability of the information and determine if it is appropriate for inclusion at the hearing. (In cases heard by an external adjudicator, the Coordinator may decide to have the external adjudicator make this decision.)

To aid in an advance determination of relevance, the following must be submitted to the Coordinator via email or in hardcopy format no later than five (5) business days after the notice of the charge has been made:

- A written statement and/or description of the proposed information, if not already provided during investigation
- A summary of the relevance of this information to making a decision of responsibility at the hearing
- If not provided during the investigation, a brief explanation of why this information was not shared with the investigator

If this information is approved as appropriate for presentation at the hearing, the respondent and complainant will be provided with a brief description of the approved information no later than five (5) business days before the hearing.

Request to Reschedule Hearing

Either party can request to have a hearing rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the Coordinator at least three (3) business days prior to the hearing. A request to reschedule a hearing must be supported by a compelling reason for the delay. The Coordinator may also reschedule the hearing, without a request by the parties, when there is reasonable cause to do so.

Consolidation of Hearings

The Coordinator has the discretion to consolidate multiple reports against a respondent in one hearing if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident.

Rules of Hearing Procedures (for Panel Hearing or External Adjudicator)

Attendance at Hearing

If a party misses a hearing for any non-emergency or non-compelling reason, the hearing may be held in the individual's absence at the discretion of the Coordinator.

If a respondent chooses to withdraw from the College prior to the conclusion of an investigation or judicial resolution under this policy, for non-medical- or non-disability-related reasons, the student will not be permitted to return to Bryn Athyn College until completion of the hearing process unless all sanctions (if any) have been satisfied.

If employee respondent chooses to resign from the College prior to the conclusion of an investigation or final resolution, the employee personnel files will be documented accordingly and he/she will be prohibited for rehire.

A complainant or respondent may request participation by other suitable means that would not require physical proximity to the other party. This can include, but is not limited to, partitioning a hearing room or using technology, such as Skype, to facilitate participation. Any proposed alternative must be reviewed in advance to ensure that it is consistent with the goals of a fair and equitable process.

Participants in Hearing Procedures

The hearing is closed, meaning it is not open to the public. The complainant, the respondent, any individuals serving as Advisors, and any individuals who are witnesses may appear before the Hearing Panel. Witnesses may only be present for their own testimony. Attorneys are not permitted.

Safeguarding of Privacy

All parties involved in a hearing are required to keep the information learned in preparation for the hearing and at the hearing private. Consistent with the Family Educational Rights and Privacy Act (FERPA) regulations, the parties, panel members, and external adjudicators may not share any copies of documents. All copies provided must be returned to the College at the conclusion of the hearing and any appeals. Any breach of this duty is subject to disciplinary action by the College.

Questioning of Witnesses

It is the responsibility of the external adjudicator/ Hearing Panel to assure that the information necessary to make an informed decision is presented. The external adjudicator/panel members may play an active role in questioning both parties and witnesses involved in the case. At times, the external adjudicator/panel members may need to ask difficult or sensitive questions in order to understand areas of factual dispute or gain a full understanding of the context.

At no time will the complainant or the respondent be permitted to directly question one another. As outlined above, the parties may submit questions to the external adjudicator/Hearing Panel in writing, which may be posed at the discretion of the external adjudicator/Hearing Panel. Similarly, the external adjudicator/panel members are under no obligation to allow either party to directly question witnesses, and the external adjudicator/panel may require that questions to witnesses be submitted in writing.

Parties and other individuals who offer information at a hearing are expected to respond honestly and to the best of their knowledge. The external adjudicator/ panel reserves the right to recall any party or witness for further questions and to seek additional information necessary to make a decision. A complainant, respondent, or witness who intentionally provides false or misleading information may be subject to discipline under this policy.

Recording of Proceedings

The College will not audio record the judicial proceedings or deliberations, nor is any other individual permitted to record the proceedings.

APPENDIX F - Child Protection Policy Addendum

Definition of Sexual Abuse

For purposes of this policy, sexual abuse of a child shall be interpreted broadly to also include, but is not limited to, any adult engaging in, encouraging, facilitating, or allowing any of the following activities, directly or indirectly:

- Asking a child to expose himself or herself
- Discussing sexual desires, fantasies, or experiences with a child (except for legitimate educational, counseling, or other purpose)
- Engaging in any form of voyeurism or exhibitionism
- Engaging in any sexual act or practice involving a child deemed illegal under any applicable law
- Exposing oneself to a child
- Having a child witness a live sexual activity
- Incest
- Oral-genital contact or oral-anal contact with a child (giving or receiving)
- Rape
- Rubbing an adult's genitals on the child
- Using a child in the production of or as a model in pornographic materials or producing a visual depiction (filming, videotaping, or other recording) of a child in a sexual or suggestive way
- Vaginal or anal intercourse with a child and/or penetrating the child's vagina or anus, including digital penetration

Notes:

1. Examples given above may be broader than under applicable law but will not be tolerated.
2. Consent is NEVER a defense to any of the foregoing activities involving a child.

Best Supervisory Practices

To the extent reasonably possible, all College activities with children will take place in open, visually accessible, and safe areas.

Whenever reasonably possible, all activities with children should be directly supervised by an adult over the age of 21 who has undergone a background check. Whenever reasonably possible, two adults should be present to supervise the activities. Where it is not possible (school classrooms, Sunday school classrooms, academic or confidential counseling settings, etc.), there should be a second adult in the building or vicinity who has visible and physical access to the setting. (Note: Ongoing individual psychological or pastoral counseling of a child requires approval by a parent or guardian of that child.)

During day-long or overnight trips involving children, two adults should be present whenever reasonably possible. One should be an individual over 21 years of age who has undergone a background check. Whenever reasonably possible and appropriate, there should be both a male and female adult, preferably a married couple, present for any day-long or overnight trip. On overnight trips, separate accommodations are required for adults and children, unless there is an extenuating circumstance, such as a health or safety issue involving a child.

Ordinarily, in the absence of special circumstances, no employee, contractor, or volunteer will be alone in a room, automobile, or any secluded setting with a child. If an employee, contractor, or volunteer is giving an automobile ride to a child, a parent or guardian of that child must give prior approval, and a supervisor or pastor must be notified.

Adults participating in Church activities and trips must ensure that children have adequate personal privacy, particularly when using restrooms, changing clothes, and showering. Appropriate, modest attire is required for everyone at all times. Unauthorized and/or inappropriate use of cameras, imaging, and digital or electronic devices is prohibited.

A child will be released from an activity only to a parent or guardian of that child. A child will not be released to anyone else unless it can be ascertained that permission has been given by a parent or guardian of that child.

All contact with children will be within the bounds of the sanctioned role and competence of each individual employee, contractor, or volunteer.

Employees, contractors, and volunteers will at all times maintain a professional relationship with children, avoiding inappropriate:

- Language
- Topics
- Humor
- Questions or requests
- Messages or signals
- Disclosures or sharing
- References
- Physical contact

If an employee, contractor, or volunteer is not sure whether any speech or action might be, or could be, construed as inappropriate or unprofessional, or otherwise a violation of this policy, he or she should not engage in that speech or action and, if necessary, should seek guidance from his or her immediate supervisor or a pastor before proceeding.

APPENDIX G - College Incident Report Form

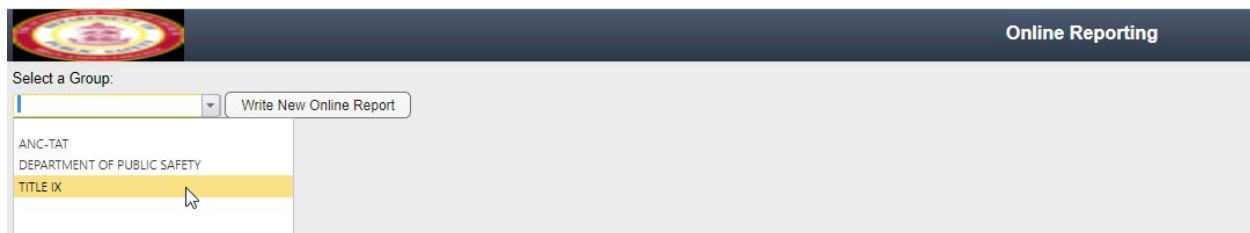
The College has an expectation that students and employees will share information they receive about campus crime. This form is intended to convey information needed to track the College's response to campus incidents being reported, as well as to assess the danger the incident represents to the community at large. Annual statistical information will be based on this report, as will the need to make timely warnings to the community, for the protection of those who may be at risk.

The online form for reporting incidents can be found on the [Title IX page](#) of the college website or by visiting the [Title IX report form directly](#). Please note: **Pop-ups must be enabled**.

Filling out a Title IX Online Report will generate an automatic email to the Title IX Coordinator who will be the only person that receives the report.

The following guide shows step by step instructions for how to fill out a report:

Select a Group:

The image shows a screenshot of a web application interface. At the top right, there is a dark blue header with the text "Online Reporting". Below the header, on the left, is a circular logo. To the right of the logo, the text "Select a Group:" is displayed above a dropdown menu. The dropdown menu is open, showing three options: "ANC-TAT", "DEPARTMENT OF PUBLIC SAFETY", and "TITLE IX". The "TITLE IX" option is highlighted in yellow, and a mouse cursor is pointing at it. To the right of the dropdown menu is a button labeled "Write New Online Report".

Users will select "Title IX" from the drop-down menu and click the "Write New Online Report" button.

Start

Upon selecting a group and starting a new Online Report, users will be brought to the Start page. From this page, users will choose to either create a new report or view an existing one. The Start page is shown below.

Continue

Select Report Type for

Please select the report type: Original or Supplemental.

Select	Report Type	Definition
<input checked="" type="radio"/>	Original	This is the first report you have filed for this incident.
<input type="radio"/>	Supplemental / View Report Status	You are adding information to a <i>previous report</i> which was <i>submitted online</i> .

Original – If a user chooses to continue and make an original Online Report, then they will get taken through the process of adding all of the various pieces of information to a new report before finally submitting it.

Supplemental/View Report Status – If a user selects this option, they will be prompted to provide the report number of an already existing Online Report and to complete a captcha in order to view a previously submitted report.

Incident Type

If the user decided to create an original report, they will then get brought to the Incident Type page. From this page, users must choose one or more of the Incident Types.

Continue

Select Incident Type(s)

Select	Incident Type	Definition	Examples
<input type="checkbox"/>	Dating Violence		
<input type="checkbox"/>	Domestic Violence		
<input type="checkbox"/>	Non-consensual Sexual Contact	touching, grabbing, fondling, kissing	
<input type="checkbox"/>	Non-consensual Sexual Penetration	oral, anal, vaginal penetration by penis or object	
<input type="checkbox"/>	Other		
<input type="checkbox"/>	Sexual Exploitation	non-consensual recording, photographing, etc. of an individual or sharing recording or photographs without consent	
<input type="checkbox"/>	Sexual Harassment		

Reporting Persons

After selecting the desired Incident Type and continuing, users will be brought to the Reporting Persons page. On this page users must first select the reporting person type, individual or business. Users should select individual and then enter their information in the form.

Select Reporting Person Type

Please select a proper person type according to the definition below.

Select	Person Type	Definition
<input checked="" type="radio"/>	Individual	If you are reporting this for yourself.
<input type="radio"/>	Business	If you are responsible for reporting this for your employer or your own business.

Enter Reporting Person Information

Please enter your information as completely as possible. You may be contacted regarding this incident. An email address is required if you would like to be notified when this report is received and approved.

Contact Type:	<input type="text"/>
Employee ID:	<input type="text"/>
First Name:	<input type="text"/>
Middle Name:	<input type="text"/>
Last Name:	<input type="text"/>
Home Address:	<input type="text"/>
City /State /Zip Code: /Country	<input type="text"/> , <input type="text"/> , <input type="text"/> , <input type="text"/>
Home Phone:	<input type="text"/>
Mobile Phone:	<input type="text"/>
Email (To get a copy of this report):	<input type="text"/> <input type="checkbox"/> Email report to this address
Confirm Email	<input type="text"/>
Race:	<input type="text"/>
Sex:	<input type="text"/>
DOB:	<input type="text"/>
Driver License Number:	<input type="text"/>
Licensing State:	<input type="text"/>

After filling out the desired amount of information, the user must then click the “Save/Update Reporting Person” button in order to add that person to the report.

Note: Users can add as many people as they would like to the Reporting Person section.

Involved Contacts

From this tab, users can enter in any contacts that were involved in the incident. In order to add a contact to the report, users must first enter information into any field and then click “Save/Update Involved Contact”.

Note: Users can add as many people as they would like to the Involved Contacts section.

Incident

The Incident tab allows users to enter specific information regarding the incident that they are reporting. It is from this tab that users can turn on the tabs for vehicles, property, and digital media. In order to turn on those tabs, users must select the Yes button for each tab individually. The buttons are highlighted below.

The screenshot shows a multi-step reporting process with 10 numbered steps: 1 Start, 2 Incident Type(s), 3 Reporting Persons, 4 Involved Contacts, 5 Incident, 6 Vehicle, 7 Property, 8 Digital Media, 9 Review, and 10 Finish. Step 5, 'Incident', is currently selected and highlighted in blue. Below the progress bar are 'Back' and 'Continue' buttons. The main heading is 'Enter Incident Information'. A note reads: 'Please enter all the information that applies. If you do not know the address of the incident, use the nearest intersection such as Market St./ 10th St.' The form fields include: 'Street Address:' (text input), 'City /State /Zip Code: /Country' (text input with dropdowns for state and zip), 'Incident Time (start):' (time selection), 'Incident Time (end):' (time selection), and three highlighted rows for optional information: 'Have Vehicle Info to Enter?' (radio buttons for Yes/No), 'Have Property Info to Enter?' (radio buttons for Yes/No), and 'Have Digital Media to Enter?' (radio buttons for Yes/No). Below these is a large text area for 'Incident Description:' with a '3000 (Characters Left)' counter and a 'Spell Check' button.

Vehicle

From this tab, users can enter information regarding a vehicle that was involved in the incident. Only one vehicle can be added to an Online report. In order to add a vehicle, the user must simply enter the information into the fields and then click the continue button.

Property

The Property tab works similarly to the Vehicle tab in the aspect that only one can be added for each Online Report. Adding a piece of property to an Online Report follows the same process as the vehicle tab, enter the information and click the continue button.

Digital Media

The Digital Media tab allows users to choose up to ten pieces of media, such as pictures or documents, and attach them to the Online Report. To do this, the user must click on the Browse button and then select their pieces of media. After the media has been selected it will be uploaded to the report. ****Note – video files are not currently supported by the software****

Review

From the Review tab, users can take one final look at the information they entered before submitting it to be reviewed. This tab also gives users the ability to modify information that they already entered by clicking on the Modify button next to the corresponding section that they wish to modify.



The screenshot shows a dark-themed interface with three sections, each with a 'Modify' button:

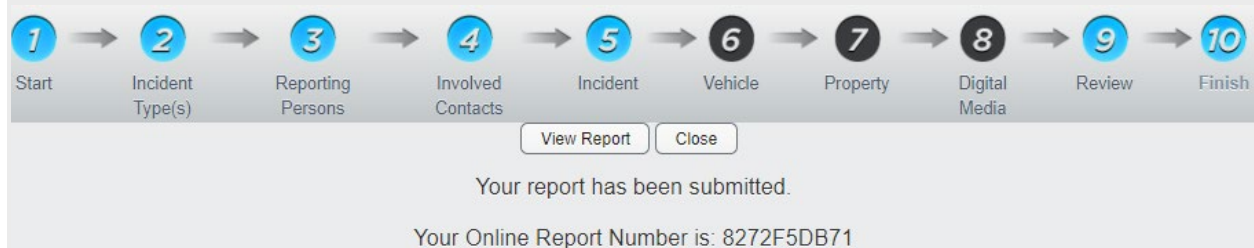
- General Information:** Incident Type: Other
- Reporting Person Information:** Modify
- Incident Information:** Modify

The 'Modify' buttons for 'Reporting Person Information' and 'Incident Information' are circled in red.

Once the user is satisfied with their report, they can then click the Submit button in order to send the report to the reviewer.

Finish

The final tab that users will see is the Finish tab. This tab gives users their OLR number and allows users to view the report, but not change it.



OLR – Online Reporting

APPENDIX H - Information Security Policies

GENERAL CHURCH OF THE NEW JERUSALEM AND ACADEMY OF THE NEW CHURCH INFORMATION SECURITY POLICY

Policy and Procedures for: All Divisions, Departments, Affiliates, Employees, and Vendors

Authorized by: The Boards

Issued by: Executive Director & Treasurer

I. Objective

The objective of this Information Security Policy (“Policy”) is the protection of the Personal Information (defined below) of students, parents, employees, vendors and suppliers of the General Church of the New Jerusalem¹ and the Academy of the New Church (Academy) (together referred to as “the Organizations”) and the prevention of unauthorized access, use or dissemination of Personal Information.

II. Scope

The Policy applies to:

- All Divisions², departments, affiliates, and employees of the Organizations that handle Personal Information for the Organizations’ constituents (e.g., students, employees, donors and vendors).
- All external organizations contracted by the Organizations to provide outsourced services that handle, store or dispose of Personal Information for the Organizations’ business.

III. Personal Information

For purposes of this Policy, Personal Information is defined as a person’s first name and last name or first initial and last name in combination with any one or more of the following data elements that relate to such person (provided, however, that Personal Information shall not include information that is lawfully obtained from publicly available information, or from government records made available to the general public):

- a. Social security number;
- b. Driver’s license number or government issued identification card number;
- c. Financial account number, or credit or debit card number, with or without any required security code, access code, personal identification number or password, that would permit access to a person’s financial account;
- d. Medical records or insurance information;
- e. Mother’s Maiden name;
- f. Date of Birth (if combined with one other element above);
- g. Student records;
- h. Payment history.

The Academy of the New Church is affiliated with the General Church of the New Jerusalem. In the day to day course of business, Academy employees regularly interface with information involving General Church employees, members, donors, volunteers, vendors, etc. Similarly, General Church employees regularly interface with information involving Academy employees, members, donors, volunteers, vendors, etc. This policy applies to information obtained by both Academy and General Church departments, divisions, affiliates, employees, or vendors.

² For the Academy of the New Church, its Divisions include the Academy of the New Church Secondary Schools, Bryn Athyn College of the New Church (including the Theological School), Glencairn Museum and the Cairnwood Estate.

IV. Responsibility

The intent of this Policy is to create and maintain effective administrative, technical and physical safeguards for the protection of Personal Information from both internal and external risks. The security of such information is the responsibility of all employees of Organizations.

Overall guidance and policy direction will be provided by the General Church's Executive Director or the Academy's Treasurer. The primary responsibility for securing Organizations' network and the electronic data stored within it rests with the Information Technology Departments of each Organization or Division. The primary responsibility for securing physical records containing Personal Information rests with the Executive Director of the General Church or the Academy's Treasurer in conjunction with each of the Organizations' departments that handle Personal Information.

A Joint Information Security Committee, including officers and personnel with responsibility for information security within the Organizations and within Academy Divisions, supports the General Church Executive Director and the Academy Treasurer in this effort. A designated Information Security compliance officer for each Division will generally serve on the Joint Information Security Committee. See Appendix A for a list of the Joint Information Security Committee members, including their titles and Division responsibilities with respect to information security; such list will be updated from time to time.

The General Church Executive Director and the Academy Treasurer, supported by the Joint Information Security Committee, is responsible for the following activities: (1) regular monitoring of compliance with this Policy to ensure that it is operating in a manner reasonably calculated to prevent unauthorized access to or unauthorized use of Personal Information; (2) upgrading information safeguards as necessary to limit risks; and (3) reviewing the scope of the security measures at least annually or whenever there is a material change in business practices that may reasonably implicate the security or integrity of records containing Personal Information.

V. Policy

Employees and others subject to this Policy must adhere to all of the Organizations' information security-related policies in respect to how they work with, transmit, share, store, dispose and protect the Personal Information that their jobs require them to handle. The following policies and procedures relate to information security within the Organizations or within Academy Divisions/ departments:

- Information Security Incident Response Plan³
- Payment Card Processing Policy; Payment Card Processing Procedures

³ A draft of this Plan is currently under review, pending approval by the Joint Information Security Committee. Until approved, a policy/ procedure entitled CSI Security Breach Reporting Policy and Procedure, dated April 2014 applies.

- Electronic and Physical Records storage, retention and destruction policies (by Division/ department; see Appendix B for list)
- Secure building and visitor policies; secure work area policies (by Division/ department; see Appendix B for list)
- Online privacy policies (by Division/ department; see Appendix B for list)

Several of the above policies address specific information security requirements under the following laws:

3. The Family Educational Rights and Privacy Act (FERPA)
 - The Health Insurance Portability and Accountability Act (HIPAA)
 - The Payment Card Industry Data Security Standards (PCI DSS)

Policies/ procedures may be developed by separate Divisions or departments in accordance with the Division/ department's standard procedures for policy approval. It is the responsibility of the designated Information Security compliance officer of each Division to determine whether division or department policies may conflict with Organization-wide or Academy-wide policies and to determine how to resolve such conflicts after consultation with the General Church Executive Director or the Academy Treasurer and the Joint Information Security Committee.

A. **Storage of Information**

The amount of Personal Information collected, and the time period for retention, should be limited to that amount reasonably necessary to accomplish the Organizations' legitimate business purposes, or necessary for the Organizations to comply with other applicable legal requirements.

Physical Records - Each site must store such records containing Personal Information (as defined above) in locked facilities, secure storage areas or locked containers.

Electronic Records – To the extent technically feasible, the following security protocols must be implemented:

1. Secure user authentication protocols including:
 - a. control of user IDs and other identifiers;
 - b. a reasonably secure method of assigning and selecting passwords, or use of unique identifier technologies, such as biometrics or token devices;
 - c. control of data security passwords to ensure that such passwords are kept in a location and/or format that does not compromise the security of the data they protect;
 - d. restricting access to active users and active user accounts only; and
 - e. blocking access to user identification after multiple unsuccessful attempts to gain access or the limitation placed on access for the particular system.
2. Secure access control measures that:
 - a. restrict access to records and files containing Personal Information to those who need such information to perform their job duties; and

- b. assign unique identifications plus passwords, which are not vendor supplied default passwords, to each person with computer access, that are reasonably designed to maintain the integrity of the security of the access controls;
3. Encryption of the following:
 - a. all transmitted records and files containing Personal Information that will travel across public networks, and encryption of all data containing Personal Information to be transmitted wirelessly.
 - b. all Personal Information stored on laptops or other portable devices;
4. Reasonable monitoring of systems, for unauthorized use of or access to Personal Information;
5. For files containing Personal Information on a system that is connected to the Internet, there must be reasonably up-to-date firewall protection and operating system security patches, reasonably designed to maintain the integrity of the Personal Information.
6. Reasonably up-to-date versions of system security agent software which must include malware protection and reasonably up-to-date patches and virus definitions, or a version of such software that can still be supported with up-to-date patches and virus definitions and is set to receive the most current security updates on a regular basis.

B. Secure Work Areas

At known extended periods away from your desk or office (such as an out-of-office meeting, a lunch break or end of workday), Personal Information that may be within working papers and electronic devices must be secured. It is preferable that such papers or devices be placed in locked drawers; where this is not practicable, your office door should be locked. When you will be away for longer periods of time (vacation, holiday, leave of absence), Personal Information must be locked away securely in your desk and your office should be locked.

The Organizations' divisions/ departments provide locking desks and filing cabinets for this purpose. If you do not have access to locking desks or cabinets, please contact your department head to remedy the situation.

This applies to electronic devices within your office that contain Personal Information on the hard drive. They should be locked away in the same manner as paper documents. However, most of us also access Personal Information from the Academy computer network or from hosted networks of third party vendors. When you leave your office, your desktop computer should be locked by pressing the "Windows" key and "L." This will merely require you to re-enter your password to return to your desktop, but files you are currently handling will not be shut down or closed.

C. Access to Information

Access to records containing Personal Information shall be restricted to current employees who are reasonably required to know such information in order to accomplish Organizations' legitimate business purpose or to enable each company to comply with legal requirements.

Employees and other persons subject to this Policy shall not access, acquire, use, copy, transfer or disclose Personal Information — including, for example, academic records, compensation, and other financial information — except to the extent necessary to fulfill their employment duties, and shall

take all appropriate action, whether by instruction, agreement, or otherwise, to insure the protection, confidentiality, and security of all such information.

Records containing Personal Information shall only be removed from a site with specific authorization from the department supervisor responsible for such information. Employees who have access to Personal Information will logoff their computers when not in use for an extended period of time. During short periods of inactivity, these employees will lock their computers at the operating system level. Visitors to the Organizations' premises in locations where Personal Information is stored shall not be permitted to visit any area of the premises that contains Personal Information unless they are escorted by an Organization employee or otherwise operating in accordance with an approved policy within a particular Division/ department. Employees are encouraged to report any suspicious or unauthorized use of Personal Information.

D. Disposition/Destruction of Information

Paper and electronic records containing Personal Information must be disposed of by shredding or equivalent destruction of paper records and/or destruction or erasure of the physical medium on which data is stored in accordance with Organizations' or each Organizations' Division/ departments' Record Retention Policy.

Personal Information that is to be disposed of must be shredded and should be taken to the secure central shredding bin⁴ each day for disposal. If it is not practicable to do this each day, you may request a secure temporary holding bin for Personal Information (with approval from your supervisor) to be stored within your locked office until you are ready to take it to the central shredding bin for disposal.

VI. Training

A copy of this Policy will be distributed to each employee (as well as consultants and vendors and other third parties as appropriate), who will have access to Personal Information. All such persons shall, upon receipt of the Policy, acknowledge in writing that he/she has received, read and understood the Policy. When the Policy is first issued, there will be training of employees and temporary employees who have access to Personal Information on the detailed provisions of the Policy. All employees shall be retrained regularly. All attendees at such training sessions are required to certify their attendance at the training and their familiarity with the company's Policy and procedures for the protection of Personal Information.

VII. Violations of the Policy

Persons in violation of this Policy are subject to sanctions based on the severity and willfulness of the actions, including loss of access privileges to data (physical or electronic), disciplinary action, suspension and termination of employment, as well as legal action. Some violations may constitute criminal offenses under local, state or federal laws. The Organizations will carry out their responsibility to report such violations to the appropriate authorities. Any employee can report a suspected violation by notifying the highest-ranking officer of his/her Division or department and to the designated Information Security compliance officer of his/her Division. (See Appendix A which will be updated from time to time.)

VIII. Information Security Incidents

Reporting and investigation of information security incidents or suspected information security incidents must be handled strictly in accordance with the Organizations' Information Security Incident Response Plan as may be amended from time to time.

Information security incidents and suspected information security incidents that involve Personal Information must be immediately reported and investigated in order to minimize potential damage, and to ensure that persons who may be adversely affected by the information security incident are appropriately informed so that they take steps to protect themselves. An information security incident may have occurred in any situation where Personal Information is accessed by someone other than an authorized user, or by an authorized user for an unauthorized purpose.

If an Organization employee determines that elements of this Policy have been violated at any time, this must be escalated to the highest-ranking officer of his/her Division or department and to the Information Security compliance officer of his/her Division (See Appendix A which will be updated from time to time) for determination of corrective action. In addition to any enforcement or any actions within a division or department to handle a policy violation, it is the responsibility of the Information Security compliance officer of a Division to report such enforcement or actions to handle a violation to the General Church Executive Director or the Academy Treasurer and the Joint Information Security Committee. It is the responsibility of the General Church Executive Director or the Academy Treasurer to determine whether this violation must be reported to the Organization's Boards. Such additional reporting may be necessary if there is any legal risk that affects the Organizations, if insurers need to be notified to register a claim, if there is any joint Organization public relations work needed, etc.

Whenever there is an information security incident that requires notification to government or other authorities, there shall be an immediate post-incident review of events and actions taken by the Joint Information Security Committee in coordination with outside legal counsel, if any, with a view to determining whether any changes in the security practices are required to improve the security of Personal Information for which Organizations are responsible. Any information security incident will be logged, as will the actions taken in response to the incident. Such log will be kept by the General Church Executive Director, Academy Treasurer/ Joint Information Security Committee.

IX. Third Parties

The contents of this Policy will apply to third parties who are intended to receive, and process Personal Information and a similar policy or contractual restrictions must be in place before any such information is shared with them. The Organizations' Division/ department will evaluate the third party's capacity to comply with the provisions of this Policy. The operative contract will contain the requirement that the third party will maintain safeguards consistent with this Policy. The designated Information Security compliance officer for the particular Division/ department will report periodically to the Joint Information Security Committee about the Division/ departments management of information security through such third parties.

X. Revisions and Exceptions

This Policy may be revised only by the Organizations' Board after review by the Joint Information Security Committee.

Divisional or departmental policies may be revised by such Divisions or departments in accordance with the Division/ department’s standard procedures for policy approval. It is the responsibility of a designated Information Security compliance officer of each Division to determine whether division or department policies may be in conflict with Organization-wide or Academy-wide policies and to determine how to resolve such conflicts after consultation with the General Church Executive Director or the Academy Treasurer and the Joint Information Security Committee.

Any exceptions to this Policy require prior written authorization and approval from the General Church Executive Director or the Academy Treasurer.

EMPLOYEE ACKNOWLEDGEMENT FORM

I have received, read and understand the Information Security Policy. I understand that it is my responsibility to comply with it.

Appendix A
Joint Information Security Committee Members

<u>Name</u>	<u>Title</u>	<u>Responsibilities with Respect to Information Security</u>
Duane D. Hyatt	Treasurer - Academy of the New Church	Overall guidance and policy direction
David O. Frazier	Executive Director - General Church	Overall guidance and policy direction
Daniel T. Allen	BAC CFO	Compliance Officer for BAC
Wendy Cooper	Controller - Academy of the New Church	Compliance Officer for ANC
Karen D. Stoeller	Director of HR - General Church	Compliance Officer for Human Resources
James Kalavik	Director of Public Safety	Compliance Officer for Department of Public Safety
Lelia Howard	BAC Chief Information Officer	Securing network and electronic data
Cara Hyatt-Nelson	Administrative Assistant	

Appendix B Policies by Division/Department

APPENDIX B

IDENTITY THEFT PREVENTION POLICIES								
POLICY	LEVEL	Department	STATUS *					
			ANC WIDE	BAC	SS	GC	Glencairn	Cairwood
Identify Theft Prevention Policy	ANC Wide		Approved			Approved		
Payment Card Industry (PCI) Policy	ANC Wide/By Division/By Department		Approved			Draft		
Handling CSI Policy	ANC Wide		Draft			Approved		
CSI Security Breach Reporting Policy	ANC Wide							
Secure Work Area	By Division			Approved	Approved	Approved		Approved
Secure Building And Visitor Policy	By Division			Approved	Approved	Approved		
Building Access (via keys and swipe card)	By Division			Approved	Approved			
Records Storage And Retention	By Division/By Department		Some in place			Draft		
		Student Records		Approved	Approved			
		Financial Aid		Approved	Approved	Need Electronic		
		HR/Payroll		Approved				
		Financial Office	Approved					
		HIPPA		Approved				
Privacy Policy	ANC Wide			Approved	Approved	Approved	Approved	Approved
Vendor Management	ANC Wide/By Division/By Department							
Secure Interoffice Mail Transportation								

APPENDIX I - CIC – TEP PROGRAM

FOR BRYN ATHYN COLLEGE

Introduction: The Council of Independent Colleges Tuition Exchange Program (CIC – TEP) is a network of CIC member colleges and universities willing to accept, tuition-free, students from families of full-time employees of other participating institutions. Each participating institution in the network agrees to import a limited number of students on the same admission basis as they accept all other students, without regard to the number of students it exports.

Purpose: To provide employees, their spouses, and dependent children with an opportunity to receive tuition scholarships at institutions other than Bryn Athyn College. CIC scholarships cover full tuition, while scholarship recipients are responsible for all other expenses such as room and board, books, fees, etc.

Eligibility: Upon completion of three months of full-time service, faculty, staff who are regularly scheduled to work at least 40 hours per week, their legal spouses, and their dependent children are eligible to participate in the CIC-Tuition Exchange Program. Tuition exchange scholarship awards are individually governed by the guidelines of each importing/host institution.

Dependent child, for purposes of this policy, is defined as the employee's natural or adopted child or stepchild, up to 25 years of age, over half of whose support was received from the employee, the employee's legal spouse, or the employee's domestic partner. A child of a divorced full-time employee will be considered to be a dependent child of both of the parents if the parents jointly provide more than half of the child's support. This approach is nondiscriminatory and in compliance with IRS Regulations.

Graduate study is limited to employees and spouses. Employees should contact the CIC-TEP liaison at his/her home institution for specific eligibility guidelines. Student applicants must be admissible at the host/importing institution in accordance with regular institutional admission standards and must comply with all of the host institution's financial aid policies and procedures. Applicants must maintain good academic and social standing and satisfactory academic progress.

Multiple members of the same family may receive CIC, and it is possible that there will be some overlap in the years they receive these scholarships.

CIC-TEP scholarships are limited to a maximum of eight semesters of continuous undergraduate enrollment elsewhere, 12 trimesters of continuous undergraduate enrollment at Bryn Athyn College, 4 semesters of graduate enrollment for some CIC schools, or until completion of the degree, whichever comes first.

Eligibility for graduate program benefits is limited to the employee and spouse. A list of CIC participating institutions and their eligibility guidelines can be found at <http://www.cic.edu> .

Application Process: Admission is determined by the host institution. Participation in CIC-TEP in no way guarantees admission nor does admission to the participating school guarantee a scholarship. The annual CIC-TEP application is to be submitted to the Tuition Remission Liaison (Director of Human Resources, Bryn Athyn College) for confirmation of eligibility and subsequent processing.

Bryn Athyn College reserves the right to limit use of CIC-TEP scholarships to maintain any required ratios required for program participation.

Renewal: Students must apply for renewal of CIC-TEP benefits each year. Renewal eligibility for the CIC-TEP scholarship requires annual re-certification of eligibility by the Tuition Remission Liaison, satisfactory academic standing, and compliance with CIC-TEP renewal requirements at the awarding exchange institution.

Change In or Termination of Employment: A change in the status of employment (i.e., full-time to part-time) or termination of employment will result in continuation of the scholarship through the end of the academic term in which the event occurs. In the event of the death or permanent disability of the employee, the scholarship may continue until the student has completed eight continuous semesters of course work (four semesters for graduate studies) or he or she is awarded the degree being sought, whichever occurs first.

Compliance: Bryn Athyn College is committed to complying with all CIC-TEP guidelines and regulations and reserves the right to change this policy at any time in order to so comply.

Taxation of Benefits: This Policy is not intended to imply or state the taxable status of benefits covered by the Policy. Benefits under this Policy are taxable to the employee only to the extent directed by the Internal Revenue Code which may be amended from time to time.

Importing Guidelines

Completed applications may be submitted to the Human Resources Office on a rolling basis (at any time). All CIC-TEP applicants must also go through Bryn Athyn College's regular admissions and financial aid procedures. Bryn Athyn College agrees to accept up to three (3) incoming CIC-TEP scholarship students each year. Selection of CIC-TEP scholarship recipients is done by the host (importing) school. Awards are made on a competitive basis and are not automatic. Because the scholarship awards are not guaranteed, applicants are encouraged to apply to more than one CIC-TEP institution.

CIC-TEP scholarships may be awarded for full time undergraduate programs by the Tuition Exchange Liaison in consultation with the Director of Financial Aid and the Director of Admissions. Bryn Athyn College provides CIC scholarships for full-time, undergraduate studies only; study abroad programs are ineligible for coverage.

For incoming scholarship, a maximum of 12 trimesters are eligible for coverage under the CIC-TEP program.

Administration: The CIC Tuition Exchange Program is administered by the Tuition Remission Liaison, and policy and procedural details can be obtained in that office. Employees should contact the Tuition Remission Liaison in advance of the student's anticipated matriculation date in order to meet all application deadlines.

Questions regarding scholarship eligibility should be directed to the Liaison Officer at each participating institution. The Liaison Officer at Bryn Athyn College is the Director of Human Resources.

APPENDIX J - Bryn Athyn College Mandatory Training List

Bryn Athyn College Mandatory Training List

Title	Target Audience	Frequency	
Anti-Hazing	All New Hires	Once	
BAC Employee Handbook	All New Hires	Once	
BAC Title IX Policy Acknowledgement	All New Hires	Once	
Campus SaVE Act for Employees	All New Hires	Once	
Child Abuse: Mandatory Reporting	All New Hires	Once	
Clery Act Overview	All New Hires	Once	
Title IX Mandated Reporter	All New Hires	Once	
Title IX and Sexual Misconduct	All New Hires	Once	
Information Technology			
BAC IT Policy	All New Hires	Once	
Browser Security Basics	All New Hires	Once	
Cybersecurity Overview	All New Hires	Once	
Email and Messaging Safety	All New Hires	Once	
Encrypted Email and Secure Filesharing	All New Hires	Once	
MS Teams – Introduction (Suggested)	All New Hires	Once	
Password Security Basics	All New Hires	Once	
Protection Against Malware	All New Hires	Once	
Saving Files	All New Hires	Once	
Using a Password Manager (Keepass)	All New Hires	Once	
Back Injury and Lifting	All New Hires	Once	
Electrical Safety	All New Hires	Once	
Fire Extinguisher Safety	All New Hires	Once	
Office Ergonomics	All New Hires	Once	
Slips, Trips, and Falls	All New Hires	Once	
New Hire Orientation	All New Hires	Once	
NC Orientation	Req'd for all new faculty and some admin.; available to all	Once/as needed	
			Last Completed
BAC Employee Handbook – Updates	All Employees	Annually	
Anti-Hazing	All Employees	As needed	Winter 2018
Title IX Mandated Reporter	All Employees	Annually	
Title IX and Sexual Misconduct	All Employees	Annually	
Information Technology			
BAC IT Policy	All Employees	Once	March 2019
Browser Security Basics	All Employees	Once	May 2019
Cybersecurity Overview	All Employees	Once	February 2019
Email and Messaging Safety	All Employees	Once	April 2019
Encrypted Email and Secure Filesharing	All Employees	Once	February 2019
MS Teams – Introduction (Suggested)	All Employees	Once	April 2019
Password Security Basics	All Employees	Once	January 2019
Protection Against Malware	All Employees	Once	March 2019
Saving Files	All Employees	Once	May 2019
Using a Password Manager (Keepass)	All Employees	Once	January 2019
Title IX 15-16 (HR led)	All Employees		May 2016
FERPA 17-18 (HR/Registrar led)	All Employees		Fall 2017
Drug & Alcohol Awareness (Guest Speaker)	All Employees		September 2016
Power Dynamics (Guest speaker)	Supervisors & Faculty		January 2017
Title IX Investigator (HR led)	Investigative Team	As needed	January 2019
Credit Card Processing	Those w/merchant account access	Annually	
New Manager Training	Newly hired/appointed supervisors	As needed	Spring 2021
Hiring and Interviewing	Search committees	As needed	Under development

APPENDIX K - Credit/Debit Card Policy and Procedure Standards

General Church of the New Jerusalem and Academy of the New Church

Payment Card Processing Policy

Subject: Payment Card Processing Policy

Date: December 2016

Policy for: All Departments

Authorized by: Treasurer's Office for the Academy of the New Church and the General Church

Issued by: Finance Office

1. Executive Summary and Purpose

This payment card processing policy provides requirements and guidance for all credit and debit card processing activities and defines the standards for the General Church of the New Jerusalem, Academy of the New Church, and Bryn Athyn College (together referred to as "the Organizations").

The Payment Card Processing Policy applies to both manual processes as well as access to the Organizations' computing, network, internet e-commerce websites and third-party resources with regard to credit and debit card processing. This Payment Card Processing Policy pre-empts all other policies and procedures for all issues related to the scope of this policy. The implementation of this policy is documented in the Payment Card Processing Procedures document.

This policy supports and is compliant with Payment Card Industry Data Security Standards (PCI DSS) that are mandated to all organizations and their merchant areas who transact business with credit or debit cards.

2. Scope

The Payment Card Processing Policy applies to:

- All departments, affiliates, employees and volunteers (including students) of the Organizations who accept credit or debit card payments for the Organizations' business.
- All external organizations contracted by the aforementioned parties to provide outsourced services for credit or debit card processing for the Organizations' business.
- All departments, affiliates employees and volunteers (including students) of the Organizations who provide credit or debit card processing services for third parties.

3. Statement of Policy

Security Standards

All departments that manage cardholder data must adhere to strict procedures for ensuring that data and processing equipment are secure at all times. The Organizations face steep penalties, including fines and lost business if payment card data is breached.

An inventory must be maintained by the Financial Office of all payment card processing machines, terminals, servers, and Merchant accounts used for such purposes. The inventory

must include the make and model of the device, location of the device, device serial number or other method of unique identification, and the contact details of the MRP. All requested location changes must be approved by the Financial Office before relocation occurs.

All payment card processing machines, terminals, and servers must undergo periodic inspections. Employees must be trained to detect tampered or replaced devices as well as how to report suspicious behavior around devices to the appropriate personnel.

Administrator access to payment card processing Websites requires a secure user login (unique user IDs and passwords) and user role-based access permissions. All employees who have administrator rights to processing websites should have background checks and should be registered with the Financial Office.

Physical Protection of Cardholder Data

Cardholder information is obtained either by cardholder being present or being transmitted by other means such as telephone, fax, or mail where the card is not physically present. Payment card information obtained when card is not present must not be recorded electronically. It may only be recorded on paper and handled in a secure manner as stated in the Payment Card Processing Procedures document. In no event should magnetic stripe data, CVV2/CVC2 or personal identification number (PIN) be saved or stored by any department.

Access to card processing systems and related information must be restricted to appropriate employees who have been screened via background checks and who require access to this information in order to perform their job. MRP for a Merchant department that has been issued compliant equipment may permit volunteers and students who have not had background checks to process credit card transactions subject to appropriate supervision. MRP must ensure that personnel and volunteers involved in card processing activities are trained upon hire and annually and provide written or electronic acknowledgement annually that they have read the Payment Card Processing Policies and Payment Card Processing Procedures.

Record and Documentation Storage and Retention

Records and reports will be properly stored and inaccessible to unauthorized staff.

When payment card information is obtained and recorded, the information must be secured and not accessible to unauthorized individuals. The information once used is to be properly destroyed in accordance to the current version of the PCI DSS. Cardholder data must not be stored for more than 14 days. Exceptions to storing cardholder data must be approved by the Treasurer along with an approved plan for maintaining security and confidentiality.

Other General Standards

The approval process for all card processing activities will be as follows:

- The Treasurer or delegate(s) must approve all payment card processing activities at the Organizations before a unit enters into any contracts or purchase of software and/or equipment. This requirement applies regardless of the transaction method used (e.g. e-commerce, POS device, or e-commerce outsourced to a third party). Approved departments must register their card processing information with the Treasurer's Office, the Financial Office and the IT Department.
- All technology implementations (including approval of authorized payment gateways) associated with the payment card processing must be in accordance with the Payment Card Processing Procedures and approved by the Treasurer and IT Department prior to entering into any contracts for purchase of software and/or equipment.
- Sensitive cardholder data must never be stored in any fashion on the Organizations computers or networks as stated above.

All employees (business managers, operations personnel, and technical staff) involved in e-Commerce or POS transactions must understand all requirements as outlined in the Payment Card Processing Procedures.

Where reasonable, processing of payment card transactions will be separated from the reconciliation of the bank deposits.

Each department responsible for payment card processing must maintain PCI Compliance and participate in the annual assessment process.

4. Revisions and Exceptions

The Payment Card Processing Policy may be revised only with approval of the Treasurer or Director of the Financial Office for the Organizations. They may grant exceptions to the Payment Card Processing Policy or revise the procedures documents by mutual agreement.

5. Compliance and related Sanctions

Failure to comply with the Payment Card Processing Policy and the associated required procedures will be deemed a violation of the Organizations' policy. Systemic, persistent or repeated violations by any employee will result in disciplinary action. Persons in violation of this policy are subject to sanctions based on the severity and willfulness of the actions, including loss of access privileges to payment card technologies or computer network, suspension and termination of employment, as well as legal action. Some violations may constitute criminal offenses under local, state or federal laws. The Organizations will carry out its responsibility to report such violations to the appropriate authorities. Additionally, if appropriate, any fines and assessments that may be imposed by the affected card brand (i.e. Visa, MasterCard) will be the responsibility of the affected department.

Technology that does not comply with the Payment Card Processing Policy and the associated required procedures is subject to disconnection from network services.

6. Communication

Upon approval, the Payment Card Processing Policy shall be published on the appropriate Organization's web site(s). The following offices and individuals shall be notified in writing of any subsequent revisions or amendments made to the Payment Card Processing Policy.

- General Church: Red Flags/PCI Compliance Officer, David Frazier 267-502-4919
- Academy of the New Church: Red Flags/PCI Compliance Officer, Duane Hyatt 267-502-2635
- BAC: Chief Information Officer, Lelia Howard 267-502-2535

APPENDIX L - Secure Building Access

Justification

Building access is controlled to protect the students, employees and visitors to our campus, as well as the physical properties and the equipment and materials inside.

Scope

This policy applies to the College, Secondary and Elementary campuses, and to all buildings in the Historic District. This policy describes access control by means of physical keys, and by means of identity (ID) proximity cards. Key fobs may also be used as alternatives to ID cards.

Procedures

Physical keys and ID cards will be issued to employees, students, volunteers and others as appropriate. Access will be granted based on job responsibilities, school enrollment, and other considerations. Computer records track which keys/cards operate which doors, along with who was issued which keys and ID cards. The term 'doors' also includes padlocks on chains, gates and other outside locations.

Criteria

ID cards

ID cards are redesigned and re-issued for each school year. They show the school-year dates (e.g. 2011-2012), along with the individual's picture, their organization, department, title and name. They do not show sensitive information such as birth date, employee/student number or social security number. These cards are not intended to serve as 'photo ID' for governmental agencies.

ID cards will operate specified doors, either exterior or interior within defined time specifications. There may be some exceptions, but the general time criteria are as follows.

All buildings:

24-hour access is granted to staff from Information Technology, Public Safety Officers, CPO (maintenance and cleaning), and a few administrative employees.

Academic buildings:

Most employees will have access from 5:00 am until 12:00 midnight, seven days a week.

College students have the same access as faculty and staff.

Secondary School students have access from 7:15 am until 6:00 pm, Monday through Friday.

College and Secondary School student access is disabled during school breaks.

Residential halls:

Residential directors, staff and Resident Assistants (RAs) have 24-hour access.

Resident students have access according to the curfew rules in each building.

Administrative and other buildings:

Employees working in those buildings usually have access from 5:00 am to 12:00 midnight.

Hours may be extended for staff in the Dining Hall, Mitchell Center and Asplundh Field House.

Physical keys

Since physical keys cannot be ‘turned off’ if lost or stolen, their use is more controlled. The general design is as follows. The intent is to minimize the number of keys a given person must carry, while still limiting their access to the appropriate spaces.

Master keys

Each building will have a distinct master key, with limited distribution. The master key will open most interior doors – classrooms, offices, labs, etc. Exterior doors are not part of the master key – they will either have separate keys, or no keys (when a card reader is present).

Sub-master keys

Multiple rooms with common usage may be keyed alike or accessed using a sub-master key. One example is ‘all classrooms on the College campus. Rooms such as mechanical space and janitorial closets share common keys, which are not under the building master.

Sub-sub-master keys

These can be used to further separate specific keys into groups.

Operating keys

An operating key is a key which opens one specific lock. This is usually a single room, padlock or gate. Multiple locks can be set to open with a single operating key.

Other Access

Public Safety Officers will open buildings and rooms as needed for activities such as public events, staff meetings, and other times when the participants do not have routine access to the buildings. Doors will be unlocked either electronically or physically, based on the Department of Public Safety's schedule which is developed based on building permits and other scheduling calendars.

Any such event should have defined starting and ending times. The Department of Public Safety will open the building in advance and secure the building after the event concludes. When time permits, Public Safety Officers will check exterior doors and possibly interior doors. It should be understood that not every one of our sixty buildings can be checked every day or night, due to time constraints.

APPENDIX M – Information Security Policy: Personal Devices

Information Security Policy

BRYN ATHYN COLLEGE (AS DEFINED)

PERSONAL DEVICE USAGE ON BAC SYSTEMS WITH INTERNET CONNECTION

APPLIES TO: All Divisions, Departments, Affiliates, Employees, Customers and Vendors

Authorized by: Bryn Athyn College Board Committee

Issued by: Daniel Allen, CFO

Date Updated: May 24, 2021

I. PURPOSE

A. This policy governs the use of a personal device (“PD”) on systems associated with BAC business. It establishes the steps that users and Network Services (NS) must follow to initialize, support, and remove PDs from BAC system access. These requirements protect BAC systems and data from unauthorized access or misuse and must be followed.

II. DEFINITIONS & SCOPE

A. Definitions. As used in this policy, the follow references/words shall be given the meaning indicated:

1. **“BAC”** or **“Organization”** refers to Bryn Athyn College and any other group or organization of the Academy of the New Church that utilizes or accesses the network systems of Bryn Athyn College.
2. **“Personal Device”** or **“PD”**, regardless of whether owned, leased or provided to the user, includes (but is not limited to) the following:
 - a) Desktops, laptops, and tablet computers;
 - b) Smartphones (defined as any cellular telephone that connects to the internet via Wi-Fi or a mobile provider network)
 - c) Gaming consoles.
 - d) External storage (Flash/thumb drives, external hard drives, etc.); and
 - e) Wearable devices such as watches, VR headsets, and augmented reality glasses with WiFi or Bluetooth.
3. **“NS”** means the Network Services Department at BAC.
4. **“System Access”** means any access to data, services or hardware provided by the Organization that is accessible by a "user-based authentication" method controlled by an employee or agent of the Organization. This would

include third party applications/services that have been purchased by the Organization (i.e. hosted databases).

- B. Applicability: Unless otherwise stated herein, this policy
 - 1. Applies to all full-time, part-time or temporary employees, students, volunteers, and other persons granted system access to BAC systems, networks, software, and/or data; and
 - 2. Incorporates the requirements, rules and responsibilities relating to system access and use contained in any student or employee handbook of BAC or GC or in any written agreement with any vendor having such system access.

III. POLICY GUIDELINES

To use BAC's systems, the user accepts and acknowledges that:

- A. Whenever a computer device is connected to the BAC's network, systems, or computers, opportunities exist for:
 - 1. Introducing viruses, spyware, or other malware,
 - 2. Purposefully or inadvertently copying sensitive and/or proprietary BAC information to unauthorized devices;
 - 3. Introducing a technical or network incompatibility to the BAC that the user is not even aware of; and
 - 4. Loss of data that may adversely affect the BAC if it falls into the wrong hands; and
- B. These circumstances can result in disruptions of
 - 1. business operations,
 - 2. unplanned downtime for multiple users,
 - 3. data breach, releasing BAC, client, and/or partner data to unauthorized parties and
 - 4. civil and criminal penalties for the user and/or substantial costs and expenses to the BAC.

IV. USER RESPONSIBILITIES

The User of a PD on the BAC system has these responsibilities:

- A. To know whether the device is a PD (NS maintains records of BAC-owned devices but it is not responsible for tracking all PDs' access on the network).
- B. To contact NS about each PD subject to this Policy so that NS can evaluate and assess the PD as required by Part V.B. of this Policy.

- C. To ensure that any PDs that are personal desktop or laptop computers used by employees on or connected to the College IT network or system, are encrypted. Because student access to sensitive network systems is restricted, students are not required to encrypt their PDs. Users must note that Apple phones and tablets are encrypted, but phone and tablet brands from other vendors may not be encrypted for certain applications. Consult with NS to determine if any risks exist that require restrictions.
- D. To ensure that security patches to applications, operating systems, and systems that protect against viruses, spyware, and malware are up to date at all times.
- E. To not change or disable any security settings required or applied by NS.
- F. To consult with the manufacturer/vendor/carrier for their device for hardware or software/apps support, but if the support relates to a College system or application, to consult with NS first.
- G. To immediately notify NS of a potential security risk, should a user suspect that an authorized PD might be infected with a virus, spyware, or other malware threat or might otherwise be somehow compromised.
- H. To immediately notify NS and cooperate in taking actions to limit unauthorized use of the PD if an authorized PD is lost or misplaced.
- I. To notify NS if an authorized PD will no longer be used or will no longer be connected to BAC resources so that NS can take the protective actions specified in Part V.B. of this policy.
- J. To notify NS prior to disposing of, giving, selling or transfer to another an authorized PD so that NS can take the protective actions specified in Part V.B. of this policy.
- K. Sign an affirmation as provided in Part IX of this policy during their annual employee or student handbook affirmation.

V. NS RESPONSIBILITIES

To facilitate PD access to BAC resources, NS will provide consultation with the User regarding the following:

1. Determine if a PD needs to be encrypted and will help the user implement encryption;
2. How to confirm that the PD does not have a virus, spyware, or malware infection;
3. How to configure screen lock/password settings on a cellular/mobile phone;
4. How to determine if all critical and security patches are installed and how to keep these up to date;
5. How to ensure secure access to BAC systems when not physically at BAC locations e.g. VPN access.

B. When a personal device is to be permanently removed from use of BAC resources, NS will:

1. Support the user in the removal of any required encryption, VPN, and anti-malware licensing from the user's device;
2. Support the user in determining if the PD contains protected, sensitive, corporate, or proprietary information and
3. Support the user in ensuring that any protected, sensitive, corporate, or proprietary information is removed from the PD and handled appropriately.

C. NS retains the right and will proceed to restrict access or remotely wipe BAC information from a device if it has been lost or the employee has been terminated and has not consulted with NS for decommissioning.

VI. LIMITATION OF LIABILITY

A. Even though this policy imposes certain duties and responsibilities on persons associated with the use of PDs on the BAC's systems or network, the user hereby accepts and agrees that as a condition to gaining access to BAC's resources, systems or networks, the user agrees to accept all risks associated with the loss of data or information on the PD and/or the loss of function or functionality of the PD, regardless of who or how caused and that the BAC, and no person employed by it, including members of the NS, shall have any legal liability to user for such loss, even if caused by such persons or such persons could have prevented such loss.

VII. ACKNOWLEDGEMENT OF PERSONAL DEVICE USAGE POLICY

A. This policy is included with BAC's Employee and Student Handbooks. Employees and students are required to annually acknowledge having read and understood handbook policies. The GC and other Academy of the New Church affiliates that use the BAC network accept the conditions of these policies by signing the annual Service Level Agreements with BAC

B. Disclaimer: This policy is not a substitute for legal advice. If you have legal questions related to this policy, see your lawyer.

Last Page of Handbook