



SNOW COLLEGE

College Council Agenda

Monday, September 9, 2019 • 3:45 – 5:00 PM

Lorenzo and Erastus Snow Conference Room • Noyes Building

	1. Welcome		Brad Cook President
Action			
	2. Meeting Minutes	Attachment 1	President Cook
Final Review			
	3. Email Communication Policy	Attachment 2	Jake Dettinger Vice President for Admin Services
	4. Hiring, Promotions, and Transfers Policy	Attachment 3 & 4	Vice President Dettinger
Initial Review			
	5. Library Copyright Policy	Attachment 5	Steve Hood Vice President for Academic Affairs
	6. Nepotism Policy	Attachment 6	Vice President Dettinger
	7. Performance Evaluation Policy	Attachment 7	Vice President Dettinger
	8. Compensation Philosophy & Governance Policy	Attachment 8	Vice President Dettinger
	9. Amorous Relationship Policy	Attachment 9	Vice President Dettinger
Discussion & Informational			
	7. Report & Listening Tour Update		President Cook
	8. Calendaring Details		
	September 20 November 7 November 11 November 22	Board of Trustees Meeting Inauguration College Council Meeting Board of Trustee Meeting	

Committee Membership:

Mike Brenchley, Nate Caplin, Brad Cook, Jacob Dettinger, Renee Faatz, Steve Hood, Janalee Jeffrey
Brad Olsen, Landon Peterson, Paul Tew, Ben Scheffner, Larry Smith, Jason Springer, Bryce Warby

SUBJECT: INSTITUTIONAL BUSINESS COMMUNICATIONS

1.0 PURPOSE

- 1.1. To ensure Snow College collects and maintains all business email communications in the institution's enterprise email systems for security, auditability, records management, document preservation, personnel actions, archiving and destruction, and other purposes as appropriate.

2.0 DEFINITIONS

- 2.1. ENTERPRISE EMAIL SERVICE - The email system by which Snow College engages in official business. This is currently @snow.edu. Enterprise email service does not include a separate, affiliated email service the institution offers to alumni or other groups.
- 2.2. INSTITUTIONAL BUSINESS EMAIL COMMUNICATIONS - Email communication that an employee, officer, or other designated individual has sent as part of his or her duties on behalf of the institution, and other email communications the college has designated as business communications either through this policy or through internal procedures.

3.0 POLICY

- 3.1. Snow College requires its employees, officers, and other designated individuals to use only the institution's Enterprise Email Service when conducting institutional business by email.
- 3.2. Active accounts in the Enterprise Email Service are only available to active employees, new hires, and others as approved by the applicable Vice President.
- 3.3. Employees are specifically prohibited from using any private or non-Enterprise Email Service for institutional business by email.
- 3.4. Employees shall maintain institutional business email communication in compliance with records retention regulations, records management regulation, or any applicable law or policy.
- 3.5. The information security office, with the approval of the College President, may approve additional Enterprise Email Services.
- 3.6. The information security office, with the approval of the college president, may approve or restrict additional non-email communication platforms over which employees can conduct college business.
- 3.7. The office of Information Technology will establish and enforce guidelines related to mailbox size, archiving, email aliases, and other issues related to managing the Enterprise Email Service

SUBJECT: Hiring, Promotions, and Transfers

1.0 PURPOSE

- 1.1. To establish policy, procedures, and guidelines that will promote fairness and rigor around decisions to hire, transfer, and promote employees at Snow College
- 1.2. To provide opportunities for upward mobility for current employees who are qualified for higher-level positions.

2.0 DEFINITIONS

- 2.1. Adjunct Faculty: A person who is not Faculty but who is employed to teach classes. All Adjunct Faculty are considered At-will Employment Employees.
- 2.2. Administration Employee: Officers of the administration whose primary responsibilities are management and general business operations including the President, Vice-Presidents, Associate Vice Presidents, Assistant Vice Presidents, and other administrative employees as designated by the employee's MOU. All Administration Employees are considered At-will Employment Employees.
- 2.3. Faculty: A person who is a member of the College's full-time Faculty as defined in Policy. A person may be a Faculty member and in a Staff position in which case this Policy applies to employment in the Staff position. Rights as a Faculty member are addressed in the College's Advancement and Tenure Policy or Professional Track policy
- 2.4. Hiring Committee: A short-term committee established by a hiring manager to evaluate candidates for an open position at the college.
- 2.5. Hiring manager: The person who will be the immediate supervisor of the selected employee, whether or not salaried.
- 2.6. Human Resources or HR. The office in the College charged with the administration and record maintenance of personnel matters or such other person as may be specially designated by the President to act in regard to this Policy.
- 2.7. Immediate Supervisor: the lowest level of salaried supervision of an Employee. The Immediate Supervisor may designate a Line Supervisor or higher level as the Immediate Supervisor for purposes of this Policy.
- 2.8. Part-time or Temporary Staff Member: a Staff Member assigned to work less than full-time, or in a position considered temporary or expected to be of short duration. Normally, a Part-Time Staff Member is one assigned to work less than 75%. A Temporary Staff Member is an Employee in a position that is not expected to last more than 9 months. All Part-time and Temporary Staff Employees are considered At-will Employment Employees.
- 2.9. Permanent Part-time Employees: Part-time employees in positions expected to remain funded for the foreseeable future

- 2.10. Promotion: Moving or advancing an employee to a different position within the college that has increased pay, authority, and/or other job characteristics as the previous position.
- 2.11. Regular Staff Member: a staff member whose employment is of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by a similar faculty procedure, but excludes Probationary Regular Staff Employees, At-will Employment Employees, Administration Employees, Part-time Staff Employees, Temporary Employees and Adjunct Faculty. Normally, a Regular Staff Member is one assigned to work 75% or more (For example 30 or more hours per week, or 9 or more months in a year) in a position expected to last more than 6 months that is a full-time benefits eligible position and defined as a Regular Staff Member in an employment MOU. May also be referred to as Regular Staff Employee.
- 2.12. Student Employees: Employees who are taking at least six credits worth of classes and are in positions typically reserved for students.
- 2.13. Transfer: Moving an employee to a different position within the college that has comparable pay, authority, and other job characteristics as the previous position.

3.0 POLICY

- 3.1. Snow College is committed to hiring those persons who are most qualified for the positions for which they have applied based on their experience, knowledge, skills, and abilities in relation to the requirements of the position, and based on their ability to strengthen the college and help it meet its mission. In addition, the college is committed to creating a diverse and inclusive workplace, providing opportunities for underrepresented classes of employees including honoring statutory obligations in connection with this such as Veteran preferences.
 - 3.1.1. In general, having standardized hiring processes serve this Policy best. The Human Resources Department shall maintain such standardized processes and oversee the hiring process. While deviations from a standardized process may be authorized on a case-by-case basis where such deviations do not undermine this Policy, such deviations should be rare, documented and justified. The standardized processes shall be designed to accomplish the following:
 - 3.1.1.1. Attract and hire talented individuals by providing hiring authorities with the tools to find, interview and select the best candidates.

- 3.1.1.2. Provide clear and reasonable procedures for searches that are standard for each type of position.
 - 3.1.1.3. Balance the cost of employee searches with the needs of the College. For example, temporary positions may justify shortened or summary searches.
- 3.2. Snow College is committed to providing employees with promotion opportunities within the College. This may include starting search processes for higher level positions by first looking within the College, providing for advancement, and/or providing for development of employees and greater opportunities and responsibilities within their existing positions.
- 3.3. At times transferring employees to different positions is beneficial for the employee and the College by better aligning strengths, skills, and interests of employees and positions. Vice Presidents may transfer employees within their jurisdiction. The College President may transfer employees across Vice President jurisdictions.
 - 3.3.1. Human Resources should be involved in transfer decisions. The commitments outlined in 3.1 should be considered in all transfer decisions.
- 3.4. Human Resources shall maintain and publish procedures implementing and assuring compliance with this policy and shall prepare guidelines to help Hiring Committees and Hiring Managers implement this policy and the Procedures.
- 3.5. Human Resources shall be involved in all hiring, promotion and transfer decisions to assure consistency, fairness and compliance with law and policy.
- 3.6. All decisions related to hiring, transfer, or promotion must be compliant with policies on Equal Employment Opportunity, Nepotism, and any other applicable law or policy.

Hiring and Promotion Procedures

The selection of people into positions is one of the most important people decisions made at the college.

All positions belong to the college, and the college, either through established procedures or at the discretion of the president, may modify or refuse to fill a vacated position, establish additional approval processes beyond these procedures, and/or reassign positions to different departments.

These procedures represent the minimum steps and standards for hiring employees at the college. Hiring managers and committees may go beyond these procedures as needed.

General Guidelines

- Hiring managers and committees should be thorough in their evaluations, but should not needlessly delay the process.
- All employment offers are contingent upon successful completion of a criminal background check as outlined in Policy 316.
- All employees must complete I-9 paperwork within 3 business days of the first day of work.
- All Adjunct Employees, Permanent Part-time Staff, Full-time Staff, Full-time Faculty, Athletic Coaches, and Administration Employees will be given a “Memo of Understanding at the Time of Hire” outlining the major duties, terms, and conditions of employment for the position.
- With the exception of student, temporary, or adjunct employees, all selections must be made either by presidential appointment or after review by a hiring committee.
- Hiring committees should:
 - Be selected to represent the major stakeholders of the position
 - Be selected to bring a diverse perspective to the committee
 - Include at least one member outside of the hiring department
 - Be free of any member who may be unduly influenced by personal relationships or biases. Any hiring committee member who has a significant personal or familial relationship with one of the job candidates should withdraw from the committee
- All hiring committee members are subject to the approval of the area’s Vice President and Human Resources
- At their discretion, the College President and/or the area’s Vice President may elect to interview the selected candidate before granting approval
- The Human Resource Office will develop additional selection criteria and procedures.
- Job posting times may be modified upon the approval of the HR Director
- If no qualified candidates are found in a normal search process, hiring committees should restart the search rather than hire a sub-optimal candidate

- If a hired position is vacated again within 6-months, the hiring committee may select an additional qualified candidate from the original hiring pool

Student and Temporary Workers

- Student and Temporary Workers may be selected by the hiring manager or designee
- The hiring manager or designee must follow the anti-discrimination policy and anti-nepotism policy when making a decision
- The process for recruiting student workers is supervised by career services.

Temporary Worker Search Procedure

(work less than 9 months with breaks of at least 3 months +)

- Position Announcement Request & Official Approval Form
 - Completed including number of months' contract
 - Committee of at least 3 individuals who represent the major stakeholders of the position including member of Diversity and Inclusion Committee
 - Signatures required:
 - Budget
 - HR
- Position will be posted as 'review as received' and 'open until filled'
- Search committee screens, interviews and conducts reference checks
- Committee Chair prepares Salary Offer Checklist
 - Signatures required
 - Budget
 - Committee Chair
 - HR
- After HR grants approval, Committee Chair makes offer
 - HR recommends Committee Chair notify all interviewees within a week following interviews with the option to defer notifications to HR via email notification
 - Committee Chair notifies any internal interviewees of position status
 - Committee turns in all search related paperwork to HR

Adjunct Employees

- Department Chairs have the authority to select adjunct faculty, but these selections will be vetted by the Department Dean and the Office of Academic Affairs
- The office of Academic Affairs will establish procedures to ensure adjunct faculty have the necessary credentials to teach their assigned subjects
- The department chair must follow the anti-discrimination policy and anti-nepotism policy when making a decision

Adjunct Faculty PT

- Snow College Semester/Term Adjunct Teaching Agreement Form
 - Payroll Action Form (purple)
 - Signatures required
 - Employee
 - Supervisor
 - VP

Internal Searches

- Any hiring committee may elect to conduct an internal search before conducting an external search. Following are steps for conducting the search:
 - Human Resources will advertise the position to Internal Candidates for a period of 5 business days
 - Interested internal candidates will be evaluated by the search committee
 - After reviewing Internal Candidates, the committee may elect to:
 - Make an offer to an internal candidate, or
 - Begin an external search following the appropriate procedure

Permanent Part-time Staff

- Hiring managers begin a search for a permanent part-time position by submitting the required paperwork to Human Resources
- For external searches, Human Resources will advertise the position for a minimum of 15 calendar days

Permanent Part-Time

(Less than 75% time, more than 6 months)

- Position Announcement Request & Official Approval Form
 - Completed including level and number of months' contract
 - Committee of at least 3 individuals who represent the major stakeholders of the position including member of Diversity and Inclusion Committee
 - Signatures required:
 - Budget
 - VP
 - HR
- Position posted 15 calendar days
- Search committee screens – interviews – conducts reference checks– notifies unsuccessful interviewees
- Prepare Salary Offer Checklist
 - Signatures required
 - Committee Chair
 - Budget

- VP
- HR
- After HR grants approval, committee chair makes offer
 - HR recommends Committee Chair notify all interviewees within a week following interviews with the option to defer notifications to HR via email notification
 - Committee Chair notifies any internal interviewees of position status
 - Committee turns in all search related paperwork to HR

Full-time Staff

- Hiring managers begin a search for a full-time staff position by submitting the required paperwork, approved by the area Vice President or designee, to Human Resources. New positions also require the approval of the President.
- External search procedures:
 - Human Resources will advertise the position for a period of at least 30 calendar days
 - The search committee will be responsible for vetting applicants and making a recommendation on who to hire
 - Before an offer can be made to the successful candidate, the hiring committee must:
 - Obtain approval from the area Vice President of Academic Affairs
 - Obtain approval from the College President

Faculty/Full-Time Staff

- Position Announcement Request & Official Approval Form
 - Completed including level and number of months' contract
 - Committee of at least 5 individuals who represent the major stakeholders of the position including member of Diversity and Inclusion Committee
 - Signatures required:
 - Budget
 - VP
 - President (*All FT staff; only if new Faculty position*)
 - HR
- Position posted 30 calendar days
- Search committee screens – interviews – conducts reference checks– notifies unsuccessful interviewees
- Prepare Salary Offer Checklist
 - Signatures required
 - Committee Chair
 - *If applicable – A & T Committee*
 - Budget
 - *VP (Faculty only; VP will conduct phone interview)*

- President
- HR
- After HR grants approval, committee chair makes offer
 - HR recommends Committee Chair notify all interviewees within a week following interviews with the option to defer notifications to HR via email notification
 - Committee Chair notifies any internal interviewees of position status
 - Committee turns in all search related paperwork to HR

Full-time Faculty

- Department Chairs begin a search for a full-time faculty position by submitting the required paperwork, approved by the Vice President of Academic Affairs or designee, to Human Resources. New positions also require the approval of the President.
- The Department Chair will establish a committee of at least 5 individuals who represent the major stakeholders of the position.
- External search procedures:
 - Human Resources will advertise the position for a period of at least 30 calendar days
 - The search committee will be responsible for vetting applicants and making a decision on who to hire
 - Before an offer can be made to the successful candidate, the hiring committee must:
 - Obtain approval from the Vice President of Academic Affairs
 - Obtain approval from the College President
- Additional requirements for Tenure-track positions:
 - No faculty member may be hired into a tenure track faculty position without having the minimum qualifications required by accrediting bodies.
 - All tenure-track faculty will be hired at levels that correspond to guidelines established by Advancement and Tenure policy and procedures.
 - No special provisions relating to Advancement and Tenure (i.e. a different rank or a reduction in tenure) may be offered to a job candidate without the approval of the chair of the Advancement and Tenure Committee and the Vice President of Academic Affairs

Athletic Coaches

- The Athletic Director begins the search for a Head Coach by submitting the required paperwork, approved by the College President, to Human Resources.
- Head Coaches begin the search for assistant coaches by submitting the required paperwork, approved by the Athletic Director, to Human Resources.
- The Athletic Director or Head Coach will establish a committee of at least 3 individuals who represent the major stakeholders of the team.
- External search procedures:
 - Human Resources will advertise the position for at least 15 days

- The search committee will be responsible for vetting applicants and making a decision on who to hire
- Before an offer can be made to the successful candidate, the hiring committee must:
 - Obtain approval from the Athletic Director for all coaches
 - Obtain approval from the College President for Head Coaches and full-time assistant coaches

Athletic Coaches

Head Coaches/Full-Time Coaches

- Position Announcement Request & Official Approval Form
 - Completed including level and number of months' contract
 - Committee of at least 5 individuals who represent the major stakeholders of the position including member of Diversity and Inclusion Committee
 - Signatures required:
 - Athletic Director
 - Budget
 - President
 - HR
- Position posted 30 calendar days
- Search committee screens – interviews – conducts reference checks– notifies unsuccessful interviewees
- Prepare Salary Offer Checklist
 - Signatures required
 - Committee Chair
 - Budget
 - Athletic Director
 - President
 - HR
- After HR grants approval, committee chair makes offer
 - HR recommends Committee Chair notify all interviewees within a week following interviews with the option to defer notifications to HR via email notification
 - Committee Chair notifies any internal interviewees of position status

Committee turns in all search related paperwork to HR

Assistant Coaches

- Position Announcement Request & Official Approval Form
 - Completed including number of months' contract

- Committee of at least 3 individuals who represent the major stakeholders of the position including member of Diversity and Inclusion Committee
- Signatures required:
 - Budget
 - Athletic Director
 - HR
- Position posted 15 calendar days
- Search committee screens – interviews – conducts reference checks– notifies unsuccessful interviewees
- Prepare Salary Offer Checklist
 - Signatures required
 - Committee Chair
 - Budget
 - Athletic Director
 - HR
- After HR grants approval, committee chair makes offer
 - HR recommends Committee Chair notify all interviewees within a week following interviews with the option to defer notifications to HR via email notification
 - Committee Chair notifies any internal interviewees of position status
 - Committee turns in all search related paperwork to HR

Conversion of a position to a higher level

- If a position is being converted into a higher level position, the hiring committee may invite the incumbent to apply for the position before initiating an internal or external search.
- Like all full-time positions, this decision requires the approval of the applicable Vice President and the College President
- Rank Advancement is not considered a conversion of a position into a higher level

Hiring an Adjunct Faculty Member or Limited-term Faculty Member into a Tenure-track position

- Occasionally an adjunct faculty member or a limited-term faculty member may be qualified for an open tenure-track position. The hiring committee may invite this person to apply for the position before initiating an internal or external search.
- The adjunct or limited term faculty member must have received a formal peer evaluation within the past 12 months to be considered.
- The hiring committee should consider the results of peer evaluations and student evaluations for the instructor in making their selection decision.

- Like all full-time faculty hires, this decision requires the approval of the Vice President of Academic Affairs and the College President.

SUBJECT: LIBRARIES COPYRIGHT POLICY

1. PURPOSE

- 1.1. The Snow College Libraries are dedicated to providing an environment where learning occurs. The library provides research instruction and quality curriculum supporting information sources in the most appropriate formats.
- 1.2. As many of the materials provided by the Libraries in support of its role and mission are copyrighted, this Policy provides guidance on the application of copyright law to materials and resources provided by the College Libraries.

2. DEFINITIONS

- 2.1. Exclusive Rights: Federal law (primarily the Copyright Act of 1976 and the Digital Millennium Copyright Act of 1998 found in Title 17 of the United States Code) protects original works of authorship through the U.S. Copyright Act. The owner of a copyright under the Copyright Act has the exclusive rights to do and to authorize any of the following:
 - 2.1.1. To reproduce the copyrighted work in copies or phonorecords.
 - 2.1.2. To prepare derivative works based upon the copyrighted work.
 - 2.1.3. To distribute copies or phonorecords of the copyrighted work to the public by sale or other transfer of ownership, or by rental lease, or lending.
 - 2.1.4. In the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works, to perform the copyrighted work publicly.
 - 2.1.5. In the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work, to display the copyrighted work publicly.
 - 2.1.6. In the case of sound recordings, to perform the copyrighted work publicly by means of a digital audio transmission.
- 2.2. Fair Use Exception: A reasonable noninfringing use, including reproduction, of copyrighted material for such purposes as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research, as determined from consideration of all relevant circumstances, including (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole (generally less than 10% or one chapter of a book); and (4) the effect of the use upon the potential market for or value of the copyrighted work.
- 2.3. Library & Archives Exception: It is not an infringement of copyright for a library or archives, or any of its employees acting within the scope of their employment, to reproduce no more than one copy of a work or to distribute such copy or phonorecord under certain conditions.
- 2.4. Face-to-Face Teaching Exception: It is not an infringement of copyright to perform or display a copyrighted work a work by instructors or pupils in the course of face-to-face

teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruction, of a lawfully made copy.

- 2.5. Copying: Making a reproduction of materials including paper copies and electronic versions.
- 2.6. Other definitions are as stated in 17 USC 101.

3. POLICY

- 3.1. Snow College Libraries protect the rights of holders of copyright in accord with Federal and state law, rules and regulations (“law”). Libraries materials may not be copied or used except in accord with the law and this Policy and Procedures.
- 3.2. Snow College Libraries abides by disability and accommodation rules and regulations and this Policy and Procedures shall be implemented in accord with those.

4. PROCEDURES

- 4.1. Copying of copyrighted works by library employees and patrons within the library.
 - 4.1.1. General reserve desks may circulate single reproduction copies of library-owned copyrighted materials, provided that in the preparation of such circulating copies, library personnel do not exceed the standards for permissible copying under the law of fair use. A copy shall include a notice of copyright as found in the original or a notice that the work may be protected by copyright.
 - 4.1.2. With respect to interlibrary loans, Snow College libraries as borrowing libraries shall keep and retain records of filled loan requests for three full years following the end of the calendar year in which the requests were made in order to insure that during said period of three years:
 - 4.1.2.1. The library did not request and receive more than five articles from any copyrighted periodical title published within the five years immediately prior to the date of a request; and
 - 4.1.2.2. the library did not request and receive more than five copies of or from any given copyrighted work, including a collection of copyrighted works, during the entire period such material was protected by copyright.
 - 4.1.3. Snow College libraries as lending libraries may make isolated and unrelated reproductions of a single copy of the same copyrighted materials on separate occasions as long as the libraries and their personnel are not aware of and have no reason to believe they are engaging in related or concerted reproduction of multiple copies.
 - 4.1.4. College libraries shall refuse:
 - 4.1.4.1. to fill an interlibrary loan request where prior contractual obligations prohibit copying of such copyrighted material;
 - 4.1.4.2. to honor a request from a borrowing library which has not verified on its order form that the request conforms to the copyright law and guidelines.
 - 4.1.5. For the purpose of preserving and maintaining library collections, College libraries are permitted to make:

- 4.1.5.1. facsimile reproductions of unpublished works that are currently in the library-owned collection for purposes of preservation, security, or deposit in another library; and
- 4.1.5.2. a copy of published copyrighted work to replace a work that is damaged, deteriorating, lost or stolen, if:
 - 4.1.5.2.1. the library determines, after a reasonable effort, that an unused replacement cannot be obtained at a fair price, and
 - 4.1.5.2.2. the copy includes a notice of copyright.
- 4.2. Copying for Personal Use
 - 4.2.1. Copies for personal use may only be made in accord with the Fair Use Exception.
- 4.3. Copying for Classroom Use
 - 4.3.1. Copies for classroom use may only be made in accord with the Fair Use Exception. For guidance on this topic see sections ***How does fair use apply to photocopying of course materials?*** and ***How does fair use apply to use of third-party materials on a course website?*** found in the Harvard Office of General Counsel publication **Copyright and Fair Use** found at <https://ogc.harvard.edu/pages/copyright-and-fair-use> (Copyright © 2016 President and Fellows of Harvard College).
- 4.4. Copying for those with disabilities and in aid of accommodations.
 - 4.4.1. Copies for those with disabilities and in aid of accommodations may be made in accord with disability law, rules and regulations.
- 4.5. Performance or display of copyrighted works in the library.
 - 4.5.1. The performance or display of copyrighted works may occur in the library in the course of face-to-face teaching activities in an area such as a classroom, study area or auditorium devoted to instruction including showing a lawfully made copy of a full-length movie, playing a lawfully made recording of a song, or showing a lawfully obtained image without a license.

SUBJECT: PREVENTION OF NEPOTISM POLICY (ALL EMPLOYEES)

1.0 PURPOSE

- 1.1. Snow College abides by the nepotism laws of the State of Utah. This Policy emphasizes and clarifies that compliance.

2.0 DEFINITIONS

- 2.1. Relative—a father, mother, husband, wife, legal domestic partner, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepmother, stepfather, stepbrother, stepsister, stepson, and stepdaughter and equivalent relationships.
- 2.2. Household member—a person who resides in the same residence as the public officer.
- 2.3. Employee— Faculty, Regular Staff, Probationary Staff, Part-time staff, Administration and Adjunct Faculty.
- 2.4. Public Officer—Employees of Snow College and the members of the Board of Trustees.
- 2.5. Indirectly Supervise—an Employee in the chain of supervision such as a Vice President of a Department.
- 2.6. Employment Opportunity: Any opportunities or privileges associated with employment at Snow College. This includes, but is not limited to: work assignments, compensation, benefits, promotions, and job titles.

3.0 POLICY

- 3.1. Employees shall be appointed or employed on the basis of qualifications and merit. Therefore, all employee positions shall be filled in accord with College Policies, Procedures and the rules administered by Human Resources.
- 3.2. A public officer may not employ, appoint, or vote for or recommend the appointment of a prospective employee if the prospective employee will be directly or indirectly supervised by a relative or household member, unless:
 - 3.2.1. the Prospective Employee is eligible or qualified to be employed by a department or agency of the College as a result of the Prospective Employee's compliance with civil service or merit system laws or regulations;
 - 3.2.2. the Prospective Employee will be compensated from funds designated for vocational training;
 - 3.2.3. the Prospective Employee will be employed for a period of 12 weeks or less during an academic year;
 - 3.2.4. the Prospective Employee is a volunteer as defined by the employing entity; or

- 3.2.5. the President of the College or his or her designee determines in writing that the Prospective Employee is the only or best person available, qualified, or eligible for the position.
 - 3.3. A public officer may not directly or indirectly supervise a Prospective Employee or Employee who is a relative or household member of the public officer, unless one of the following exceptions applies. If an exception applies, Human Resources shall determine if direct supervision is appropriate and, in most cases, should provide for direct supervision by a non-relative or household member:
 - 3.3.1. the Employee was appointed or employed before the public officer assumed the public officer's supervisory position, if the Employee's appointment did not violate the provisions of this chapter in effect at the time of the Employee's appointment;
 - 3.3.2. the Prospective Employee is eligible or qualified to be employed by the College as a result of the Prospective Employee's compliance with civil service or merit system laws or regulations;
 - 3.3.3. the Prospective Employee will be compensated from funds designated for vocational training;
 - 3.3.4. the Prospective Employee will be employed for a period of 12 weeks or less during an academic year;
 - 3.3.5. the Prospective Employee is a volunteer as defined by the employing entity;
 - 3.3.6. the President of the College or his or her designee determines in writing that the public officer is the only individual available or best qualified to perform supervisory functions for the Prospective Employee or Employee.
- 3.4. A part-time, temporary, or student employee cannot be hired to work in a department where a relative or household member is currently employed full-time unless Human Resources approves the hiring and arranges for direct and indirect supervision by a nonrelative or household member.
- 3.5. Relatives and household members should not be hired or assigned to work as full-time employees in the same department. Exceptions may be made only by Human Resources for sufficient justification.
- 3.6. No employee shall use their position at the college to influence the employment or employment opportunities of a relative or household member. To prevent undue influence, the following rules apply:
 - 3.6.1. If an employee directly or indirectly supervises a relative or household member, he/she may not evaluate the relative or household member's job performance or recommend a pay increase or other compensation for the relative or household member.
 - 3.6.2. Any time an employee has a relative or household member in their reporting chain, that employee must be recused from any employment decision that impact the relative or household member.

- 3.6.3. No employee shall serve on a hiring committee when a relative or household member is a candidate for the position. Even a relationship that is not defined as a relative or household member should be disclosed to Human Resources and others on the hiring committee; if that relationship may create actual, or reasonably perceived, bias from the employee.
- 3.6.4. An employee should not otherwise use their position to unduly influence the employment opportunities of a relative or household member.
- 3.7. A violation of this policy may result in college discipline regardless of whether state law has been violated as well.

SUBJECT: PERFORMANCE EVALUATION (FACULTY AND REGULAR STAFF) POLICY

1.0 PURPOSE

- 1.1. A culture of accountability is necessary for Snow College to continue its tradition of excellence. Regular feedback on performance facilitates that culture of accountability and helps employees with their own professional development.
- 1.2. This policy sets forth the minimum requirements for performance evaluations at Snow College.

2.0 DEFINITIONS

- 2.1. Tenure-Track Faculty: Faculty who are eligible for advancement and tenure as outlined in their Memorandum of Understanding.
- 2.2. Professional Track Faculty: Faculty members who are neither Tenure-Track nor Adjunct.
- 2.3. Adjunct Faculty: A person who is not Faculty but who is employed to teach classes. All Adjunct Faculty are considered At-will Employment Employees.
- 2.4. Administration Employee: Officers of the administration whose primary responsibilities are management and general business operations including the President, Vice-Presidents, Associate Vice Presidents, Assistant Vice Presidents, and other administrative employees as designated by the employee's MOU. All Administration Employees are considered At-will Employment Employees.
- 2.5. Regular Staff Member: a staff member whose employment is of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by a similar faculty procedure, but excludes Probationary Regular Staff Employees, At-will Employment Employees, Administration Employees, Part-time Staff Employees, Temporary Employees and Adjunct Faculty. Normally, a Regular Staff Member is one assigned to work 75% or more in a position expected to last more than 6 months that is a full-time benefits eligible position and defined as a Regular Staff Member in an employment MOU. May also be referred to as Regular Staff Employee
- 2.6. Probationary Regular Staff Employees: Regular Staff Members during their initial period in which they are considered in At-will Employment status and under evaluation. At the sole discretion of the College, the probationary period for Probationary Regular Staff Employees may be extended with approval from Human Resources with or without prior Corrective Action or Discipline in accordance with Policy 323 - Probationary Period
- 2.7. Part-time or Temporary Staff Member: a Staff Member assigned to work less than full-time, or in a position considered temporary or expected to be of short duration. Normally, a Part-Time Staff Member is one assigned to work

less than 75%. A Temporary Staff Member is an Employee in a position that is not expected to last more than 9 months. All Part-time and Temporary Staff Employees are considered At-will Employment Employees.

- 2.9. Formal Performance Evaluation: An evaluation where a manager follows a set evaluation process and assigns the employee a rating that indicates the extent to which the employee is meeting the expectations of their position.

3.0 POLICY

- 3.1. Managers and supervisors shall regularly assess the performance of their employees and use that assessment to help employees improve their performance.
- 3.2. Regular informal assessments should also occur during the course of a year. These should result in either written or verbal feedback to the employee.
- 3.3. Managers and supervisors shall hold a Formal Performance Evaluation with each of their employees at least once per fiscal year, or more often as determined by the process established by the College through its Office of Human Resources. The Evaluation shall use the forms and criteria provided by Human Resources, the Advancement and Tenure Committee, or the Professional Track committee, as applicable, which may be customized by Human Resources for a particular Department.
- 3.3.1. The Formal Performance Evaluation may be used in determining eligibility for salary increases, promotions, training needs and other purposes.
- 3.4. The process for evaluating Tenure-Track Faculty is governed by Policy 410 – Advancement and Tenure Policy
- 3.5. The process for evaluating Professional-Track Faculty is governed by Policy 411 – Professional Track, Non-Tenure Promotion
- 3.6. The process for evaluating all other Faculty, including Adjunct Faculty, is maintained and monitored by the Office of Academic Affairs, in consultation with the Office of Human Resources.
- 3.7. The process for evaluating Administration Employees, Regular Staff, Part-Time Staff, and Temporary Staff is maintained and monitored by the Office of Human Resources.
- 3.8. The process for evaluating Probationary Regular Staff Employees is governed by Policy 323 – Probationary Period
- 3.9. Each employee will have an opportunity to review and discuss their performance evaluation before it is finalized and recorded.

SUBJECT: COMPENSATION PHILOSOPHY AND GOVERNANCE

1.0 PURPOSE

- 1.1. Snow College strives to provide a competitive total compensation package, including salary and benefits, that will attract, retain, and reward high-performing employees at all levels. Snow College strives to make employee compensation externally competitive, internally equitable, and performance-based.
- 1.2. Snow College recognizes the need to attract and retain capable, motivated, and dedicated employees to carry out the College's mission and support College strategies and values. In support of this philosophy, Snow College has established a total compensation package that includes a contribution towards retirement and health insurance premiums.

2.0 DEFINITIONS

- 2.1. Compensation Committee: An advisory committee organized to provide feedback on compensation related matters. This committee consists of:
 - 2.1.1. The Director of Human Resources
 - 2.1.2. The Budget Director
 - 2.1.3. One officer of the Staff Association chosen by the Vice President over Finance.
 - 2.1.4. One officer of the Faculty Association chosen by Academic Affairs.
- 2.2. Compensation Structure: A set of guidelines and procedures created to align compensation decisions across the college. The structure should outline:
 - 2.2.1. How pay is determined
 - 2.2.2. How pay is benchmarked internally and externally

3.0 POLICY

- 3.1. The Compensation Structure supports department managers and employees by adhering to the extent possible the following principles:
 - 3.1.1. **Competitiveness**: Salary ranges for a majority of positions are based on benchmark data acquired from labor market surveys.
 - 3.1.2. **Internal Equity**: Jobs with similar qualifications, scope, complexity of duties, and impact are assigned to similar salary grades.
 - 3.1.3. **Consistency**: Policies and procedures are provided with an aim to ensure that similar jobs are paid equitably across the College.
 - 3.1.4. **Transparency**: Managers and employees have access to job-related content, pay guidelines, and salary grades.
 - 3.1.5. **Performance**: Clear job description; linking individual to organizational goals through clear performance expectations, formulated in observable and measurable terms; the planning of

individual training and competency development; and regular performance evaluation and appraisal.

- 3.2. The Human Resources Office is primarily responsible for developing and executing the Compensation Structure at Snow College.
- 3.3. The Human Resources Office will seek the feedback and advice of the Compensation Committee when making changes to the Compensation Structure
- 3.4. The College President must approve all changes to the Compensation Structure
- 3.5. Any pay increases outlined within the Compensation Structure are always contingent on available funding.
- 3.6. Any deviations from the compensation structure must be approved, in writing, by the College President.

**SUBJECT: RESTRICTIONS ON RELATIONSHIPS BETWEEN EMPLOYEES AND STUDENTS
OR OTHER EMPLOYEES**

1.0 PURPOSE

- 1.1. Voluntary consent in amorous relationships where one party has the real or perceived ability to evaluate or influence the educational or employment opportunities of the other is difficult to determine because of the asymmetric nature of the power structure in the relationship.
- 1.2. Because any employee can have a perceived, if not an actual, ability to influence the educational opportunities of a student, amorous relationships between employees and students are discouraged, and in most cases, prohibited. In all cases, employees should guard their own reputation and the reputation of the College. All conduct between employees and students should be above reproach.
- 1.3. Employees should be cautious when engaging in amorous relationships with another employee to ensure that the relationship does not interfere with the meritocratic learning and work environment for which Snow College strives.
- 1.4. This policy is intended to match or exceed the standards restricting relationships with students found in Regent's Policy R842 and will thus be interpreted as matching or more restrictive than that policy.

2.0 DEFINITIONS

- 2.1. Amorous Relationship – Any romantic relationship or sexual conduct outside of a marriage.
- 2.2. Romantic Relationship – A relationship between two individuals that is sexual and/or involves a strong attraction towards another person and who mutually and consensually agree to the relationship. This includes a dating relationship.
- 2.3. Sexual conduct – Any intentional touching for sexual gratification (including intentional contact with the breasts, buttocks, groin, or genitals, including touching another with an object or any of these body parts, or making another touch you or themselves), however slight, by any person upon any other person. This definition excludes consensual conduct occurring within a preexisting marital relationship. This includes sharing any sexually explicit or lewd communication, image, or photograph.
 - 2.3.1. Sharing sexually explicit or lewd communication, image or photograph does not include any communication, image, or photograph that faculty shares with students as part of a legitimate academic exercise, such as pedagogical requirements for health, science, literature, or art courses.
- 2.4. Employee – For purposes of this Policy an Employee is any member of the College who is paid by or volunteers for the College including but not limited to Faculty, Regular Staff, Probationary Staff, Part-time staff, Administration

- and Adjunct Faculty. Student employees are not considered Employees in this policy unless otherwise noted in this policy.
- 2.5. Faculty - A person who is a member of the College's full-time Faculty as defined in Policy.
 - 2.6. Adjunct Faculty – A person who is not Faculty but is employed or volunteers to teach classes.
 - 2.7. Administration Employee – For purposes of this Policy an Administration Employee is any employee with general, higher level duties at the College. This includes the President, Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents.
 - 2.8. Special Trust Employee - An employee of a higher education institution who is in a Position Of Special Trust, as defined in Utah Code 76-5-404.1 with a higher education Student. This includes the following employees at Snow College:
 - 2.8.1. Athletic Managers
 - 2.8.2. Coaches
 - 2.8.3. Counselors
 - 2.8.4. Advisors
 - 2.8.5. Athletic Trainers
 - 2.8.6. Faculty and Adjunct Faculty including Lecturers, Instructors, Assistant Professors, Associate Professors, Professors
 - 2.8.7. Teaching Assistants
 - 2.8.8. Supervisors (including direct supervisors, indirect supervisors in the chain of supervision, and those with significant influence over student employees)
 - 2.8.9. Recreational leaders (including those who work in summer camps)
 - 2.8.10. Any employee with religious leadership outside of the college
 - 2.8.11. Any individual in a position of authority, other than those individuals listed above, which enables the individual to exercise undue influence over a student
 - 2.9. Student – Anyone taking, or enrolled in, classes at the college for credit. This includes all concurrent enrollment students.
 - 2.10. Educational Opportunities - a student's admission to an institution or programs within an institution; receipt of financial aid; assessment of academic performance (grades); placement in academic opportunities such as internships, assistantships; and graduation.
 - 2.11. Subordinate Student - a Student of a higher education institution whose educational opportunities could be adversely impacted by an Employee including those Employees who have academic or other professional responsibilities towards that Student.
 - 2.12. Teaching Assistant – A student employed to assist instructors and professors in their teaching, grading, and grade reporting responsibilities.

- 2.13. Evaluative Authority – The perceived or actual ability to impact the outcomes of professional or educational evaluations or opportunities
- 2.14. Marriage -A legal relationship between two persons as defined by and entered into pursuant to state law or an equivalent relationship where two persons are cohabitating; have mutually assumed marital rights, duties, and obligations; and who hold themselves out as in a committed, mutual relationship; and where the Marriage occurred before one or both of the persons became a student or employee of the College.

3.0 POLICY

3.1. Relationships between Employees and Students

- 3.1.1. Nonconsensual sexual conduct and sexual harassment between and Employee and Student is expressly prohibited.
- 3.1.2. The following amorous relationships between employees and students are prohibited:
 - 3.1.2.1. Between special trust employees and subordinate students. This includes Faculty and Adjunct Faculty towards Students in their classes. This includes a prohibition against the sharing of any sexually explicit or lewd communication, image, or photograph, consensual or nonconsensual, between a Special Trust Employee and Subordinate Student.
 - 3.1.2.2. Between Administration Employees and Students
 - 3.1.2.3. Between any student and an employee who has a reasonably perceived influence over the Educational Opportunities of that student, or any employee who has direct or indirect supervisory authority over someone with perceived influence over the Educational Opportunities of that student such as Department Chairs or Deans.
 - 3.1.2.4. Any Sexual Conduct or Amorous Relationship, consensual or nonconsensual, between an Employee and a Student under the age of 18 or otherwise not legally capable of consent.
- 3.1.3. All other Amorous Relationships between employees and students are discouraged. Prior to continuing an Amorous Relationship that preexists this Policy or beginning, engaging in, or reciprocating an Amorous Relationship after enactment of this Policy it must be disclosed in writing to the Human Resources Office. The Human Resources Office, in consultation with the employee, student, and Title IX office, will develop a written management plan to ensure the

relationship is consensual and does not appear to violate policy or state or federal law.

3.1.4. Students who are employed as Teaching Assistants may not evaluate or record the coursework of someone with who they are engaged or with who they intend to engage in an amorous relationship. If a student employed as a Teaching Assistant is engaged, or intends to engage, in an amorous relationship with someone for whom they have evaluative responsibility, that Teaching Assistant must disclose the relationship or intention with their immediate supervisor as soon as reasonably possible. The teaching assistant and immediate supervisor will then develop a plan for the student's work to be evaluated and recorded by someone other than the teaching assistant. This plan must be filed with the Human Resources Office before an Amorous Relationship is considered in compliance with this Policy.

3.2. Relationships between employees

3.2.1. No employee may have supervisory or evaluative responsibility over someone with whom that employee is engaged in or was formally engaged in an amorous or married relationship. Consistent with this rule:

3.2.1.1. To the extent possible, no employee shall be hired or transferred into a position for which the current manager is, or was, engaged in an amorous or married relationship.

3.2.1.2. If two employees wish to begin an amorous or married relationship, and one of those employees has existing supervisory or evaluative authority over the other, the employees must contact Human Resources.

3.3. Any use of actual, or reasonably perceived, authority to willfully exercise undue influence over a student or employee in regards to an amorous or nonconsensual sexual relationship is considered a violation of this policy regardless if it is prohibited elsewhere in this policy.

4.0 ENFORCEMENT

4.1. The college will thoroughly investigate all reports of potential violations of this policy according to procedures established by the Human Resources office-

4.2. Discipline up-to and including termination will be administered if it is determined that a violation of this policy has occurred.

- 4.2.1. If it is determined that the employee used their position to willfully exercise undue influence over a student or another employee in regards to an amorous relationship, the presumed discipline is termination.