

10.09 Standards of Behavior

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Last Updated: **DATE**

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Policy / Purpose:

It is the policy of Wallace Community College – Selma (WCCS) to ensure compliance with Alabama Community College (ACCS) [Board Policy 615.01](#), AL Code 36-25-5, [Code of Alabama Section 16-60-11.4](#), [Section 41-1-5](#), ACCS [Board Policy 205.01](#), [Board Policy 205.02](#), [Board Policy 205.03](#), [Board Policy 205.04](#), [Board Policy 205.05](#), [Board Policy 205.06](#), [Board Policy 615.01](#) and [Chancellor's Procedure 615.01](#), and all other relevant provisions of the Board of Trustees.

In addition, it is the policy of WCCS to ensure that employee's behavior is professional at all time. Relationships between students and employees as well as relationships between managers and direct reports remain professional and appropriate.

Scope:

This policy applies to all WCCS students and employees during any activity involving the College, including the workday. In addition, visitors, vendors, contractors, and all other non-employees are expected to recognize and comply with some items within this policy.

Definitions:

Relatives: Any person within the fourth degree of affinity or consanguinity (aka kinship) of a public employee. For the purpose of this policy, this includes either birth or marriage a parent, child, spouse, brother, sister, grandparent, grandchild, mother in-law, father in-law, daughter in-law, son in-law, great grandparent, great grandchild, uncle, aunt, niece, nephew, grandparent in-law, brother in-law, sister in-law, grandchild in-law, great-great grandparent, great aunt, great uncle, first cousin, grandniece, grandnephew, great grandparent in-law, aunt in-law, uncle in-law, first cousin in-law, niece in law, nephew in-law, and great grandchild in-law.

Secondary Employment: The term used to describe any additional employment in which a College employee is engaged outside of WCCS and it may be paid or unpaid employment.

Details:

1. **Civility:** WCCS encourages and promotes an environment of civility and mutual respect among its diverse employees and students. All employees and students are expected to treat one another in a respectful manner with civility, integrity, and consideration. Each individual is expected to have respect for the dignity and needs of all people, regardless of whether they are peers, students, or visitors with whom we interact.

College employees and students are expected to avoid behavior on or off campus or during College activities that substantially interferes with and creates an intimidating, hostile College environment (including the use of technology). Examples of these behaviors may include, but are not limited to, the following:

- Bullying - e.g., any conduct reasonably perceived as being malicious, intimidating, hostile, humiliating, threatening, disparaging, likely to evoke fear of physical harm or

is motivated by bias or prejudice based upon any actual/perceived characteristic. This includes comments, insults, gestures, graphics, written statements, or physical acts (including, but not limited to, the use of electronically transmitted acts to cyberbully by way of cell phone, computer, or wireless handheld device);

- Screaming and yelling with an intent to humiliate or intimidate;
- Cursing at individuals in anger or with an intent to humiliate or intimidate;
- Insulting or name calling;
- Insubordination; and
- Retaliatory actions.

2. **Conflict of Interest:** Honesty and professional integrity are expected of all employees. It would be a serious violation of this trust if the interests of any institution under the direction and control of the Alabama Community College System Board of Trustees were to be disregarded or compromised in the course of performing professional duties.

- a. **Use of Position for Personal Gain:** The use of official position and influence to further personal gain or that of families or associates is unacceptable behavior and a violation of the Alabama State Ethics Law.

All College employees have the right to acquire and retain status of a professional, personal, or economic nature. In a community as diverse and complex as the institutions that comprise the Alabama Community College System and WCCS, there is always the possibility that the pursuit of individual interest may result in a conflict with those of the College. This places an important responsibility on faculty and staff to recognize potential conflicts and prevent them. It is not expected that every employee will have a complete and current knowledge of the laws and regulations that apply to conflict of interest. However, all persons, particularly those with significant exposure to potential conflict of interest situations, should develop a sensitivity to this issue and seek guidance when appropriate.

- b. **Independent Research and/or Consulting Services:** Full-time employees of the College may, with the approvals described below, contract to perform independent research or to furnish services as a consultant, or both, provided that such activity: (a) does not interfere with the performance of other responsibilities as a college employee; (b) is limited in time; (c) is compatible with the interests of the College; and (d) does not require use of College resources or facilities.

Because of the great variation in the nature of employee expertise and outside activities, it is difficult to establish specific rules or time allocations for outside consulting activities. It is the responsibility of the employee, Department or Division Chair, Instructional Officer, or Supervisor to exercise judicious oversight and control of consulting activities so that no College functions, policies, or procedures are neglected. Written prior approval to participate in any outside consulting activities will be obtained from the President through the appropriate Department or Division Chair, Instructional Officer, or Supervisor. Activities which will be exempt from the requirement for prior approval include those things which, assuming they do not constitute a conflict of interest or conflict of commitment, are generally recognized as professional responsibilities, are limited in time, and do not involve the use of institutional resources. Examples of such activities might include the following: (a) participation in uncompensated manuscript review, grant/contract review, or academic

program review; (b) uncompensated professional studies or services for not-for-profit entities; and (c) occasional compensated or uncompensated seminars, presentations, or performances for civic groups or at schools, colleges, universities, research institutes, or for-profit businesses.

All other external consulting activities which draw upon the knowledge and skill of an employee require prior approval. Such compensated activities usually will include, but are not limited to the following: (a) one-time or multiple visits to a business for the purposes of offering advice and counsel; (b) carrying out investigations or studies which are not institutional grants or contracts; (c) a series of non-institutional lectures or performances; (d) serving as an expert witness; (e) rendering other specific professional services.

3. Nepotism:

- a. The Nepotism Statute (Code of Alabama Section 41-1-5) takes precedent over all Alabama Community College System Board policies regarding employment.
- b. No President will employ any relative within the fourth degree of kinship by either birth or marriage to work in the institution, and any relative of a President within the aforementioned relationship now employed in the institution as of August 1, 2013, will not be assigned to any position which reports directly to the President, or in which the employee makes final decisions concerning the expenditure of funds.
- c. No officer or employee of the state or of any state department, board, bureau, committee, commission, institution, corporation, authority, or other agency of the state will appoint, or enter a personal service contract with, any person related to him or her within the fourth degree of affinity or consanguinity to any job, position, or office of profit with the state or with any of its agencies.
- d. Any person within the fourth degree of affinity or consanguinity of the agency head or appointing authority, the appointing authority's designee, deputy director, assistant director, or associate director will be ineligible to serve in any capacity with the state under authority of such an appointment, and any appointment so attempted will be void. The provisions of this section will not prohibit the continued employment of any person who is employed as a public employee as of August 1, 2013, nor will it be construed to hinder, alter, or in any way affect normal promotional advancements under the state Merit System for the employee.
- e. Any person within the fourth degree of affinity or consanguinity of a public employee will not be the immediate supervisor for or in the chain of command of, or participate in the hiring, evaluation, reassignment, promotion, or discipline of, the public employee within any state department, board, bureau, committee, commission, institution, corporation, authority, or other agency of the state.
- f. Whoever violates this section is guilty of a misdemeanor and will be punished by a fine not to exceed five hundred dollars (\$500) or by imprisonment not to exceed one year, or both. A willful violation of this section will subject the public employee and the person or persons within the fourth degree of affinity or consanguinity of the public employee to disciplinary action, up to and including separation from state service.

g. This section will not apply to any city or county board of education.

4. **Non-Fraternization / Romantic Relationships:** Relationships vest considerable trust in the employee, manager, or person who bears authority and accountability as a mentor, educator, evaluator and/or manager. The unequal institutional power inherent in these relationships heighten vulnerability and the potential for coercion.
 - a. **Non-Fraternization / Romantic Relationships Between Employee and Students:** Faculty and staff must avoid sexual or inappropriate relationships with students over whom they have or might reasonably expect to have direct pedagogical or management responsibilities, regardless of whether the relationship is consensual. Conversely, a faculty and/or staff employee must not directly supervise any student with whom he or she has a sexual relationship.
 - b. **Non-Fraternization / Romantic Relationships Between Manager and Direct Report(s):** Managers are prohibited from having sexual or romantic relationships with any employee within their chain of command or with whom they might reasonably expect to have management responsibilities, regardless of whether the relationship is consensual. Violation of this policy is considered serious misconduct and is cause for immediate termination of employment.
5. **Personal Decorations:** The College allows employees to display personal decorations or items in their work areas as long as the item is not offensive to a reasonable person. Examples of acceptable items or decorations may include family photographs, cartoons of a tasteful nature, small plants, and similar items. Examples of prohibited items may include sexually explicit material, profanity, or other material, which is derogatory. Supervisors are responsible for determining if personal items are or are not appropriate in the workplace.

Certain areas within the College have more contact with customers and other non-employees, and the College reserves the right to restrict the display of personal items in such areas.

6. **Secondary Employment (Outside Employment / Activities):**
 - a. College employees are expected to fulfill their duties and responsibilities with regard to their position at the College. No full-time college employee is to accept regular employment that may interfere with their responsibilities to the College or be in conflict with the mission and goals of the College and/or in conflict with their employment. College employees will inform the President in writing through the appropriate Department or Division Chair, Instructional Officer, or Supervisor by September 1, prior to acceptance of or continuation of outside employment that is in conflict with this policy.
 - b. Employees will not engage in any employment or other business activity on behalf of any person or entity other than the College, which includes but is not limited to, consultative employment, without informing the College in advance of such outside activity and, if known, the working days and hours of such outside activity. Employees will not engage in any outside employment or other outside business activity that would (1) disrupt or interfere with operations of the College, (2) directly compete with the College, (3) impose additional financial burden on the College, (4) violate the Alabama

Code of Ethics for public employees (as set forth in the Code of Alabama), or (5) considered of a nature, character, or subject matter such that the outside employment, when considered in the light of the employee's position and duties with the College, would or tend to decrease the effectiveness of the employee in performing their College employment duties.

- c. Employees will not conduct any outside employment, business activity, or political activity during College working hours, nor will the Employee use any College property, equipment, or facilities for any private personal gain.
 - d. Employees are required to complete the **Notification of Secondary Employment Form** and submit the form to their immediate supervisor for review and approval prior to entering into an agreement of secondary employment. It is the responsibility of the employee to notify the College by submitting a revised Notification of Secondary Employment Form if the status of previously approved secondary employment changes.
7. **Standards of Professional Behavior:** As specified in the applicable Board of Trustees' policy, the activities outlined below are prohibited.
- Sexual Harassment ([Board Policy 601.04](#));
 - Gambling on college campuses (SBE 513.01);
 - Smoking in prohibited area ([Board Policy 514.01](#));
 - Possession of firearms, dangerous chemicals, or other dangerous weapons on campus or at college functions ([Board Policy 511.01](#));
 - Absence from work without approved leave ([Board Policy 618.01](#));
 - Disclosure of confidential information ([Board Policy 616.01](#) and [Board Policy 809.01](#));
 - Failure to report for duty at the beginning of a semester ([Board Policy 618.01](#));
 - Pursuit of individual interest resulting in a conflict with the interest of the College ([Board Policy 615.01](#)) and ([Chancellor's Procedures 615.01](#));
 - Discrimination based on race, color, national origin, religion, age, disability, sexual orientation, marital status, or gender ([Board Policy 601.01](#), [Board Policy 601.02](#), and [Board Policy 601.04](#));
 - Use of official position and influence for personal gain ([Board Policy 615.01](#), [Chancellor's Procedures 615.01](#), and Ala. Code § 36-25-5).
- a. In addition to the behaviors outlined above, WCCS employees are subject to appropriate disciplinary action by the College, including official written reprimand, suspension with or without pay, and/or dismissal, for misconduct occurring on any property owned or controlled by the College off campus at any function which is authorized, sponsored, or conducted by the College, or at any off-campus function or event in which the College is a participant.
 - b. A College employee may be terminated for conviction of a felony or misdemeanor involving moral turpitude of an offense that results in the imprisonment of the employee, or of an offense the nature of which can be reasonably construed to relate to the ability or likelihood of the respective employee to properly carry out their official duties. A WCCS employee who is arrested for, indicted for, or convicted of a felony or crime involving moral turpitude subsequent to the requisite criminal background check must report the arrest, indictment, or conviction to the President of the College within five (5) business days after the arrest, indictment, or conviction. Further, if the

employee's manager/supervisor becomes aware of the arrest, indictment, or conviction of a felony or crime involving moral turpitude they are required to report such activity to the President of the College immediately after becoming aware of the arrest, indictment, or conviction.

- c. Other types of behaviors and/or misconduct for which appropriate disciplinary action may be taken include, but are not limited to, the commission of, or the attempt to commit, any of the following offenses on any property owned or controlled by the College, off campus at any function which is authorized, sponsored, or conducted by the College, or at any off-campus function or event in which the College is a participant:
- 1) Any form of dishonesty, including theft, embezzlement, misappropriation of public funds or property, cheating, plagiarism, fraud, falsification of student records. This offense includes, but is not limited to, dishonesty related to employment applications, or records kept in performance of duties, misrepresentation of a material fact, or furnishing false information to the College or any other educational or governmental institution or agency.
 - 2) Forgery, alteration, unauthorized destruction, or misuse of any College document, record, or identification source.
 - 3) Intoxication, or the display, possession, sale, distribution, or use of any alcoholic beverage or any unprescribed controlled substance or illicit drug, or of any marijuana plant or part of a marijuana plant.
 - 4) The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited by WCCS on any property owned, leased, or controlled by the College or during any activity conducted, sponsored, or authorized by or on behalf of WCCS. A "controlled substance" will include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802) or in the Alabama Uniform Controlled Substance Act (Code of Alabama, Section 20-2-1, et seq.).
 - 5) The unlawful possession of drug paraphernalia as defined by federal, state, or local laws.
 - 6) Use, possession, or distribution of any firearm, ammunition, or any other weapon, or dangerous material of any kind, or fireworks, or any incendiary or explosive device or material. Provided, however, that law enforcement officers properly authorized to carry weapons may do so if they are officially enrolled in classes or are acting in the performance of their duties, and further provided that any College student who is enrolled in an instructional program for which firearms are required equipment may be in possession or control of a firearm to the extent that such possession or control is required by the program.
 - 7) Disorderly or disruptive conduct, including rioting, inciting to riot, or assembling to riot; raiding, inciting to raid, or assembling to raid College property or the property of another person or entity; intentional damage, abuse of equipment or facilities of college property or the private property of another person; or physical or verbal damage to or abuse of another person. This category of offenses also includes any involvement in acts or threatened acts of violence, including hostile behavior,

or any threat of violence, whether made in person, by telephone, in writing, or electronically, toward any person or toward any property of the College or private property of another person. Any such threat made from a location off campus will be considered to have been made on campus if it is received on campus or at a College function.

- 8) Lewd, indecent, obscene, or unduly offensive behavior or expression, including oral, written, photographic, or symbolic expressions or depictions that would be offensive to a person of ordinary and reasonable sensitivity.
- 9) Any behavior that unduly disrupts the safe and efficient operation of the College.
- 10) Participating in, or financially benefitting from, any form of gambling or game of chance except at a licensed gambling facility.
- 11) Unauthorized entry into or upon a College facility, or unauthorized use of college equipment, supplies, or other resources.
- 12) Violation of published safety regulations.
- 13) Unauthorized solicitations on work premises.
- 14) Inappropriate contributions to blogs, message boards, and social networking or content-sharing sites.
- 15) Tardiness.
- 16) Sleeping on the job.
- 17) Insubordination toward a Supervisory College official.
- 18) Misfeasance, malfeasance, or failure to satisfactorily perform assigned duties and responsibilities.
- 19) Making, presentation, distribution, transmission, or promotion of any video or audio recording of any person situated within or upon the premises of WCCS which recording is reasonably determined to be of an obscene, profane, verbally abusive, or sexually provocative nature, or of an unduly violent nature, or which would tend to unduly bring disrepute to WCCS or any student or employee of WCCS, or which would otherwise present WCCS or any student or employee of WCCS in a manner that is contrary to the good name and reputation of WCCS.
- 20) Violation of any valid provision of a College employment contract.
- 21) Violation of the State Ethics Laws for an employee to exploit students for their private advantage.
- 22) Violation of any state or federal law, any local or county ordinance, or any policy, rule, or regulation of the Alabama Community College System Board of Trustees or WCCS.

8. **Dress and Speech:** Personal appearance is important since each faculty and staff member represents the profession and contributes to the professional image. Moreover, faculty and staff members serve as role models for the many students with whom they come in contact each day. Therefore, each College employee is expected to dress and speak in a manner befitting the employee's position and level of influence. All employee's workplace attire must be appropriate for the work environment.
 - a. Workplace attire must be neat, clean, and appropriate for the work being performed and for the setting in which the work is performed. Departments may determine appropriate workplace attire for their area. Supervisors should communicate their department's workplace attire and appearance guidelines to staff. Departments that participate in dress-down days should define what appropriate casual attire will be for that day. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.
 - b. Attire guidelines will accommodate the employee's observance of religious beliefs, customs, and practices to the extent required by applicable law.

Procedure(s):

NOTE: *If applicable, refer to the Employee Complaints and Grievance Policy for additional information.*

Nepotism Procedures

1. Applicants are required to identify kinship to a current WCCS employee in the application process.
2. If two employees become relatives or start a dating/romantic relationship and one of them supervises the other, the one who is the supervisor is required to inform the Director - Human Resources of the relationship. The College will address the issue within 30 calendar days.

Secondary Employment Procedures

1. Employee completes the Notification of Secondary Employment Form. NOTE: Secondary employment includes employment at WCCS that is outside the employee's primary position (for example, Adjunct Instructor).
2. Employee distributes to Supervisor and Dean for review and approval.
3. Employee distributes to the Human Resources Office for review and approval.
4. The Human Resources Office distributes to the President's office for review and approval. Once approved, the form is returned to the Human Resources Office for filing and a copy is provided to the employee.

Additional Provisions / Information:

There are no Additional Provisions / Information applicable to this policy.