



Western Nebraska
Community College

WCCA Board of Governors' Policy

Title:	Institutional Standards of Conduct
Division:	General Institutional
Reference:	Board Policy 116 (Delegation of Authority to College President) Board Policy 410 (Conflict of Interest / Code of Ethics) Board Policy 425.3000.79 (Academic Freedom) Board Policy 426 (Discipline) Board Policy 721 (Sexual Harassment Policy) Administrative Procedure 426 (Discipline Procedure) Administrative Procedure 720 (Discrimination, Harassment, or Retaliation Complaint Operating Procedure) <i>American Association of University Professors 1940 Statement on Academic Freedom and Tenure*</i> <i>WNCC Student Handbook</i>
Number:	BP-726
Date of Approval:	May 17, 2023
Approval:	Lynne Klemke, President, WCCA Board of Governors

Purpose

The purpose of this policy is to establish expectations of professional and civil conduct at Western Nebraska Community College to preserve a community where all members are treated with dignity and respect; where cooperative and constructive discourse and interaction are valued and expected, even when there is disagreement; and where such behaviors are inherent to excellence in teaching and learning and the cornerstone of a thriving educational environment for WNCC students.

Scope

This policy applies to all members of the WNCC community: members of the Board of Governors, administrators, continuing and adjunct faculty, full and part-time staff, guests, vendors, and volunteers.

**Continuing contract rights are recognized by the State of Nebraska for community colleges, but tenure is not.*

Definitions

Tolerance, Respect, Civility – The demonstration of respect and dignity for oneself and others and acting with regard to others. Examples of tolerance, respect, and civility may include but are not limited to:

- a. A willingness to embrace diversity, practice inclusion, consider acceptance and tolerance, and to engage in cooperation.
- b. Treating others with respect meaning honoring the dignity of others and the uniqueness of the individual; embracing civil discourse; and exercising courtesy, politeness, patience, and understanding in professional and personal interactions.
- c. Being respectful of another's right to express their view, even if there is disagreement.
- d. Managing conflict with others in a way that is respectful rather than overly confrontational or passive/aggressive in nature.

Civility does not require conformity or excessive deference to the judgements of colleagues or administrators. These types of behaviors are just as dangerous to the educational community as are those that are uncivil because they are oppositional to the differences of opinion and exploration of diverse views and ideas that are critical to the health of any academic environment.

Intolerance, Disrespect, Incivility – A broad range of behaviors that a reasonable person would find inappropriate for learning and work environments. The behaviors can be subtle or overt; a singular or ongoing event; intentional or unintentional; directed at an individual or group of individuals; physical, verbal, or written, including email or other online communications; or involve the abuse of authority or position.

Examples of intolerant, disrespectful, or uncivil behavior may include but are not limited to:

- a. Bullying –targeted and/or repeated mistreatment through verbal abuse, offensive conduct or behaviors and work interference. Bullying can be physical, verbal, and/or social/relational.
- b. Intimidation – intentional behavior, manifested emotionally or physically, directly or indirectly, that places another in fear of harm of person or property.
- c. Gestures, actions, or comments that cause offense or humiliation or be perceived as threatening.
- d. Comments or behavior that threaten the emotional or physical well-being of an individual or individuals.
- e. Derogatory, pejorative, aggressive, or threatening language directed at an individual or individuals.
- f. Comments or conduct that result in a person feeling antagonized, belittled, taunted, degraded, demeaned, insulted, or frightened.

Differences of opinion, interpersonal conflicts, and occasional or isolated problems in working/living relationships are an inevitable part of work and educational life and do not necessarily constitute incivility.

Reasonable Person - A hypothetical individual who exercises an average degree of care, skill, and judgement and who would be justified in drawing the same conclusions under the same circumstances or having knowledge of the same facts.

Shared Governance – A set of practices under which the College’s governing board, administration, faculty, staff, and students participate in significant planning and policy/procedure development on behalf of the institution. The process recognizes that decision making for the College ultimately rests with the Board of Governors. The day-to-day and operational decisions of the College are entrusted with the President who, in turn, delegates authority to the individuals and groups that possess the expertise necessary to make topic-specific decisions at the institution. Faculty, staff, and students participate in the internal governance of the College through service on various committees and councils and providing input on issues specific to them or in collaboration with other governing entities.

Policy

Western Nebraska Community College is committed to maintaining a welcoming, positive, healthy, and safe learning and work environment wherein all members of the College community can thrive and succeed in their respective endeavors. Fundamental to this is the expectation that all members of the WNCC community and guests of the community will adhere to the requirements of federal, state, and local laws, external regulatory entities, and accreditors; and comply with all College-wide policies and procedures as well as those specific to College departments or divisions. It is expected that all members of the community will act with integrity and honesty in accordance with the highest of academic, professional, and ethical standards.

As an institution of higher education, the Board of Governors is committed to WNCC being a place that recognizes and values the inherent worth and dignity of every person and one that fosters a culture of tolerance, understanding, and mutual respect. To this end, The Board of Governors expects all members of the WNCC community to:

- Be civil when dealing with others.
- Speak candidly and truthfully, maintaining tolerance, respect, and civility in the discourse.
- Avoid all forms of intolerance, disrespect, and incivility.
- Participate in institutional shared governance that includes giving due consideration to diverse viewpoints and a willingness to influence and be influenced by others.
- Promote conflict resolution among individuals and groups.

It is expected that all WNCC members of the College community will uphold these standards and conduct themselves in a manner that supports not only individual members of the College but also contributes to the College's overall mission and reputation.

The Board delegates to the President responsibility for the day-to-day operation of the College. The President and other members of administrative leadership are responsible for overseeing all aspects of teaching and learning, the business operations of the College, service to the community, and the provision of a safe, secure, and accessible environment for all members of the College community. They are responsible for establishing institutional standards and goals and the policies and procedures required to achieve them. Among those institutional standards is the expectation that they must lead by example and cultivate an environment in which civil discourse is the norm and wherein individual members of the community are respected and valued for their contributions. The administration must also ensure that each member of the WNCC community is held accountable for their actions or inactions and afforded due process as applicable.

Issues of discrimination, harassment, sexual harassment, retaliation, or conflicts of interest are covered in institutional policy elsewhere and are not within the authority of this policy.

Freedom of Expression, Academic Freedom, and Management's Authority

This policy is not intended to and will not be applied in such a way that it violates an individual's right to freedom of expression or academic freedom.

The First Amendment provides no guarantee of civility. However, as a community of educators and learners, the College places a high value on civil discourse and respect for one another. The College has an obligation to protect the dignity and security of all members of its community from those who would seek to use speech primarily to deprive others of their freedom to learn, their freedom to contribute, and their freedom to participate fully in the College's mission.

As important as are the rights to debate and discourse, the First Amendment also does not protect all expression. The College will not facilitate or condone expression that is in violation of the law or that poses an unreasonable threat to the safety of the College community or the College's ability to fulfill its teaching and public service missions. Speech that incites violence, speech that defames or defrauds, speech that constitutes a genuine threat, or speech that unlawfully discriminates or invades privacy is not protected speech. Acts or conduct which threaten the safety of persons or property are not protected by the Constitution.

The principles of academic freedom are unique ideals possessed by the teaching profession, separate from an individual's First Amendment rights. WNCC is committed to the tenants of academic freedom and this policy is not intended to interfere with those principles. As established in the *American Association of University Professors 1940 Statement on Academic Freedom and Tenure*, faculty are entitled to freely discuss topics in the classroom, but they should not introduce controversial matters which have no relation to the subject being taught.

Finally, this policy should not be interpreted in a way that undermines a supervisor's authority or management's prerogative to appropriately lead their unit or its work. It does, however, recognize the College's responsibility to further its educational and service missions and to address conduct that is counter to WNCC's core values and impedes individuals in their ability to work, grow, and learn or the College, in general, from thriving in a vigorous and collaborative climate.

Violations of Standards of Conduct

- If an employee or volunteer believes they have been the target of an act in violation of the standards of conduct by another member of the College community, they should discuss the issue with their immediate supervisor. This discussion should occur in a timely manner, typically within three to five days of the incident, to enhance the ability to resolve the concern while the issue is current.
- If an employee or volunteer witnesses an incident that could constitute a violation of a standard of conduct by another member of the College community, they should discuss it with their immediate supervisor. If the conduct took place with an employee outside the supervisor's department or division, the supervisor should provide information to the appropriate supervisor.
- If an employee is not satisfied after discussing the problem with their supervisor, or if it is inappropriate to go to their immediate supervisor, an employee may take the problem or concern to the next higher level of management in the department or division.
- If a supervisor at any level determines that there has been a violation of this policy, Board Policy BP-426 (Discipline) and Administrative Procedure AP-426 (Discipline Procedure) will be followed.
- If a concern is related to behavior of the President, the matter should be referred to the Human Resources Executive Director, who will work with the chair of the Board of Governors as needed.
- If a community member, guest, or vendor is in violation of a standard of conduct, the employee who is the target of or witnesses the behavior should report the concern to their supervisor. The supervisor would then take concern to the senior administrator responsible for the community member, guest, or vendor.

The Human Resources Department will be available to serve as an advisor to employees and management.

Standards of Conduct for Students

Standards of conduct for all WNCC students will be established in the WNCC *Student Handbook*, as well as the actions that may be taken for any violations of the standards of conduct.

Procedures

The College President shall promulgate such procedures as may be necessary for the implementation of this policy

Revising this Policy

This Board Policy supersedes any prior WNCC policy, procedure, guideline, or handbook on this subject matter.

If statutory provisions, regulatory guidance, or court interpretations change or conflict with this Board Policy, the Board retains the right to revise accordingly and for the changes to take effect immediately.

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May 17, 2023 Item H(3)(c)

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Schedule for Review:

Divisions/Department Responsible for Review and Update: President's Office

Sponsoring Division/Department: Board of Governors

Repeal Date and Board of Governors' Minutes Item Number: n/a

Cross Reference:

Procedure(s) for Policy: n/a

Related Policies/References: