

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Emergency Closing

NUMBER: 4:40

1. Preamble

This policy covers canceling classes and emergency closings of universities, special schools and off-campus university centers (referred to herein as campus or campuses) and other regental offices due to natural or human caused emergencies including but not limited to, inclement weather, utility failure, fire, terrorist, or other forced evacuations.

2. Definitions

- A. “Emergency” - any natural, nuclear, man-made or war-related disaster, any health-related catastrophe or any phenomenon which disrupts Board of Regents or facilities or operations.
- B. “COOP” – is defined as the Continuity of Operations Plan for each campus and/or regental offices. This is a plan that defines responsibilities for maintaining office functions in the event of a disaster or other emergency preventing work in the normal business environment and normal staff.
- C. “Essential personnel” – employees designated by the campus COOP plan as being needed for work during a particular emergency or employees so designated by the agency in a time of emergency.
- D. “Non-essential personnel” – employees designated by the agency COOP plan as not being necessary for work during a particular emergency or employees so designated by the agency in a time of emergency.
- E. Non-instructional staff – administrative staff members, CSA staff members who are not assigned to classroom or instructional laboratory support activities, faculty members whose primary responsibilities are for research or service.
- F. “Paid administrative leave” – paid time off for which employees in permanent positions are not required to use leave credits in the event campus offices are closed by authorized personnel. They are required, however, to document Administrative Leave on their time or leave/time report.

3. Canceling Classes

- A. The decision to cancel classes will be made by the appropriate individual. The decision shall be made by the president or superintendent or in their absence the presiding campus officer. At the off-campus centers, it is the on-site director or presiding officer in consultation with the president or presiding officer of the administrative lead university.
- 1) The president or superintendent must also ensure that the Board of Regents Executive Director or presiding officer is notified of the intent to cancel classes and the time and duration of the event.
 - 2) The Governor's Office of Emergency Management should be notified of cancelled classes (Phone 605-773-3231).
 - 3) A decision to cancel classes should be coordinated with all other campuses that have employees or students in the same geographic area. At a minimum, notification to cancel classes should be communicated to all partner institutions at centers or to other Regental institutions within a 100 mile radius.
 - 4) A phone call as well as an e-mail should be used to notify all parties as required by this policy.
- B. Classes may be cancelled for various reasons yet the campus may remain open. When the decision has been made to cancel classes, all non-instructional staff are expected to report to work. However during inclement weather, employees are urged to use their discretion in deciding whether they can safely commute to work.
- C. The president, superintendent, center director or their designee is responsible for announcing to local radio stations and/or other media when classes are cancelled. Such announcements shall reference specifically the cancellation of classes, the duration, and requirement that employees are required to report to work. ("Classes at x campus have been cancelled; however, campus offices remain open so non-instructional staff should report to work.)
- D. Cancelled classes should be continuously re-evaluated during the day so classes can resume normal schedules as soon as possible. The media and local radio stations should again be used to communicate the decision to resume classes.

4. Closing a Campus

- A. Board of Regent's institutions remain open in all but the most extreme circumstances. Unless an emergency closing is announced, all employees including faculty are expected to report to work. However, during inclement weather, all employees are urged to use their own discretion in deciding whether they can safely commute to work.

- B. The decision to close a campus will be made by the appropriate individual. The decision shall be made by the president or superintendent or in their absence the presiding campus officer. At the off-campus centers, it is the on-site director or presiding officer in consultation with the president or presiding officer of the administrative lead university.
 - 1) The president or superintendent must also ensure that the Board of Regents Executive Director or presiding officer is notified of the intent to close a campus and the time and duration of the event.
 - 2) The Governor's Office of Emergency Management should be notified of emergency closings (Phone 605-773-3231).
 - 3) A decision to close a campus should be coordinated with all other campuses that have employees or students in the same geographic area. At a minimum, notification to close a campus should be communicated to all partner institutions at centers or to other Regental institutions within a 100 mile radius.
 - 4) A phone call as well as an e-mail should be used to notify all parties as required by this policy.

- C. The closing of a campus may occur for one or more of the following reasons:
 - 1) Local law enforcement agencies prohibit local travel.
 - 2) Another entity controls the building and has made the Regental office inaccessible. For example, offices located in a leased or shared facility are inaccessible because the controlling entity or landlord has closed the building and employees do not have access to the building.
 - 3) The office is damaged or destroyed due to the emergency.
 - 4) An emergency has incapacitated the office or otherwise made the function non-essential.
 - 5) Local law enforcement or the Department of Public Safety deems the campus or a portion of the campus a danger and orders evacuation of staff.

- 6) Weather conditions could jeopardize people's safety and is determined that it is too dangerous to have people commuting to campus.
- D. The president, superintendent, center director or presiding officer is responsible for announcing to local radio stations and/or other media when a campus is closed. Such announcements shall reference specifically the start time and date of the closing and the duration and whether or not essential employees are to report to work. ("Campus X has been closed and campus offices have been closed and only essential employees are required to report.")
- E. Emergency closings should be continuously re-evaluated during the day so regular business can resume as soon as possible. The media and local radio stations should again be used to communicate the decision to reopen.

4. Employee Compensation

- A. When an emergency closing has *not* been declared, employees who do not report to work or wish to leave early have the option of taking vacation, accrued compensatory time, leave without pay, or adjusting the work week. Supervisory approval is required for any of the options. Employees who feel they cannot safely reach the worksite shall take appropriate action to notify their supervisor that they will be absent from work.
- B. In the event offices at a campus are closed, employees not required to perform essential functions during the emergency will be granted paid administrative leave.
- C. Employees required to work so essential functions can be performed must report to work at prearranged worksites, unless otherwise instructed. The procedure for identifying these employees will be established by each institution. Those overtime eligible employees that are required to work will receive payment for the administrative leave hours (at a straight rate) plus the hours they were required to work.
- D. Administrative leave will be granted when a worksite is closed where access is not controlled by a Regental institution. However, if employees have access to the department, building, and/or facilities then no administrative leave will be approved. The senior administrator at that worksite must notify the institutional president or superintendent and the HR Department of such closings.

5. How Administrative Leave is Paid

- A. If paid administrative leave is *not* approved and an employee is unable to reach work or wants to leave the office early due to an emergency, the employee may do so with the approval of the supervisor. Hourly employees must use vacation

leave, leave without pay or adjust work hours during the remainder of the work week with the approval of the supervisor.

- B. Employees will not receive administrative leave pay in excess of the scheduled shift or more than 40 hours per week.
- C. Only permanent employees are eligible for paid administrative leave. Seasonal and temporary employees are not eligible for any paid leave, including paid administrative leave.
- D. Only employees who were scheduled to work during the office administrative closing are eligible for paid administrative leave. Employees who were on any type of approved leave including leave without pay may not change hours to paid administrative leave.
- E. Administrative leave will be granted only for the number of hours the work location was administratively closed, not to exceed the number of hours for which the employee was scheduled to work.
- F. Permanent employees with hire dates on the date of office administrative closings will be paid administrative leave.
- G. Salaried employees who were absent for any period should record the number of hours of paid administrative leave.

SOURCE: BOR, June 2004, BOR December 2007