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SECTION 1: ORGANIZATION OF THE COLLEGE

1.1 Mission *(Adopted 12-6-1994; Revised 10-6-2003, 12-2-2013, 8-26-2019)*
Institutional Mission - Empowering students and enriching communities through education.

1.2 Legal Authority *(Adopted 12-3-1968; Revised 2-4-2002, 11-12-2007, 3-8-2021)*
The Junior College District of East Central Missouri, its Board and employees will comply with all applicable community college laws of Missouri. Other sections and statutes, not specifically written for community colleges but applicable to them, will be complied with as interpreted and defined by the Coordinating Board for Higher Education and by legal counsel.

1.3 Authority and Responsibilities of the Board of Trustees *(Adopted 6-6-1988; Revised 11-12-2007)*
The Board of Trustees of the Junior College District of East Central Missouri is the sole statutory legislative governing body responsible for the control and operation of East Central College.

Procedures *(Revised 3-8-2021; 11-6-2023)*

1.3.1 The statutory responsibilities of the Board of Trustees include, but are not limited to, the following:

1. Approve the appointment, retention, and dismissal of employees of the College, define and assign their powers and duties, and fix their compensation.
2. Levy such taxes as are required for the operation of the College.
3. Establish tuition and fees for students in the amount necessary to maintain College courses.
4. Provide instructional programs and services and physical facilities.
5. Approve all contracts unless delegated to the College President for approval.
6. Adopt and oversee disciplinary policy regarding students.
7. Comply with all applicable federal, state, and local mandates.

1.4 Organization of the College *(Adopted 2-7-1991; Revised 2-4-2002, 3-8-2021)*
The organization of the College shall be proposed by the President of the College and approved by the Board annually. Changes to the organizational structure during the fiscal year shall be presented to the Board for approval prior to implementation.

Procedures *(Adopted 3-8-2021)*

1.4.1 The staffing plan shall be developed by the Human Resources Director in conjunction with the President and Vice Presidents.

1.4.2 Changes to the staffing plan shall be proposed to the President by the appropriate Vice President as required to ensure the efficient operation of the College. Upon

approval by the President, changes resulting in the addition or deletion of a full-time position or reclassification of a contracted employee shall be presented to the Board for acceptance.

1.5 Trustee Qualifications *(Adopted 11-12-2007)*

Members of the Board of Trustees shall be citizens of the United States and at least twenty-one (21) years of age. They shall also have been voters of their respective sub-district for at least one (1) whole year preceding their election or appointment.

1.6 Officers and Staff of the Board of Trustees *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 2-4-2002, 3-8-2021)*

The Board of Trustees shall select members and other personnel to serve as officers and staff. The Board officers shall serve in their positions until the first meeting of the Board following an election held by the College District unless replaced by a majority vote of the whole Board.

Procedures *(Revised 3-8-2021)*

1.6.1 Officers

The officers of the Board of Trustees shall be a president, a vice president, a secretary, and a treasurer who shall be members of the Board, and a recording secretary, who need not be a member of the Board.

1.6.2 Officers – When Elected

Officers shall be elected at the first meeting of the Board following elections held by the College District in each even numbered year. In the case of a vacancy in any office, such vacancy shall be filled as soon as practicable by electing a successor to the unexpired term of office.

1.6.3 Election – How Conducted

The election of all officers may be by secret ballot and shall be held at a regular meeting or at a special meeting of the Board held for that purpose.

1.6.4 Term of Office

Each officer of the Board shall be elected for a term of two (2) years, shall assume office immediately upon election, and shall hold office until their successor shall be elected and qualified by a majority vote of the whole Board.

1.6.5 Duties of the Officers and Staff *(revised 11-6-2023)*

President

The duties of the President shall be, specifically:

1. To preside over all meetings of the Board of Trustees.

2. To appoint or provide for the election of Board committees and appoint Board liaisons to College committees as appropriate.
3. To call special meetings as required.
4. To perform other such duties as may be prescribed by law for action of the Board of Trustees.
5. To sign checks and conduct financial transactions in the absence of the treasurer.

Vice President

The duties of the Vice President shall be, specifically:

1. In the case of the resignation, absence, or other disability of the President, to perform all duties of the President.
2. To perform further duties as shall from time to time be assigned to them by the President of the Board of Trustees.

Secretary

The duties of the Secretary shall be, specifically:

1. To sign documents, contracts, and other instruments on which the signature of the secretary is required or appropriate.
2. To record meeting minutes in the absence of the Recording Secretary.

Treasurer

The duties of the Treasurer shall be, specifically:

1. To keep or cause to be kept complete records of the financial transactions of the College District, to sign or cause to be signed all checks, and to report or cause to be reported the financial status of the College District.
2. Such other duties as are required of the Treasurer under the Laws of Missouri.

Recording Secretary

1. May be appointed by the Board of Trustees and may or may not be a member of the Board. Any compensation for serving as Recording Secretary shall be fixed by the Board of Trustees.
2. The duties of the Recording Secretary shall be, specifically:
 - to be the custodian of the official seal of the College,
 - to prepare and post Board of Trustees meeting agendas,
 - to post notices of Board of Trustees meetings,
 - to attend meetings of the Board of Trustees and to record minutes of the proceedings,
 - to be the official custodian of Board proceedings and records,
 - and to sign all legal documents in the absence of the Secretary of the Board of Trustees at the direction of the Board of Trustees.

1.7 Board Member Service *(Adopted 8-12-1991; Reaffirmed 8-29-2005; Revised 11-12-2007)*

No member of the Board shall directly or indirectly receive any compensation or remuneration nor derive any profit or gain from membership on the Board or from services rendered to the College. No Board member of East Central College will use any

College equipment, supplies, or personnel for any purpose other than the College's business.

1.8 Board Member Code of Ethics *(Adopted 3-7-2022)*

The Board of Trustees, as the sole governing body of the district, will adhere to this Code of Ethics to ensure autonomous governance of the College. In conjunction with policies established concerning the authority, responsibilities, accountability, and operations of the Board, the Code of Ethics establishes standards and expectations for the actions of each Trustee.

Each member of the Board of Trustees of East Central College shall:

1. Hold the educational welfare of the students attending East Central College as the primary concern.
2. Devote time, thought, and study to the duties and responsibilities of a Trustee to render effective and creditable service.
3. Work with fellow Board members in a spirit of cooperation and collaboration.
4. Recognize and communicate that authority rests only with the whole Board and that a Trustee has no legal authority outside the legally constituted meetings of the Board.
5. Refrain from acting independently or directing College employees or operations.
6. Conduct all College business in open public meetings unless, in the judgment of the Board and only for those purposes permitted by law, it is more appropriate to hold a closed meeting.
7. Hold confidential all discussions occurring in closed meetings of the Board, to the extent allowed by law.
8. Base decisions upon all available facts in each situation; vote their conviction in every case, unswayed by partisan bias of any kind; and abide by and uphold the final majority decision of the Board.
9. Speak with one voice as a Trustee once a Board decision or policy is made.
10. Make no commitments to constituents on behalf of the Board.
11. Uphold, implement, and enforce all laws, rules, regulations, court orders, and standards pertaining to East Central College.
12. Resist every temptation and outside pressure to use the position of Trustee to benefit themselves or any other individual or agency apart from the total interest of the College.
13. Exemplify ethical behavior and conduct that is above reproach.
14. Endeavor always to remain accountable to the community.

1.9 Personal Financial Disclosure Statements *(Adopted 11-12-2007; Reaffirmed 8-28-17, 8-26-2019, 8-30-2021)*

The Board of Trustees hereby adopts a policy establishing and making public its own method of disclosing financial interests of Board members, candidates and specified administrators, in accordance with law. Personal financial disclosure statements as described below shall be filed with the Missouri Ethics Commission and the East Central College Board of Trustees, on or before May 1 for the preceding calendar year, unless the person filing is a Board candidate. Candidates who are required to file reports (i.e., those who have engaged in reportable transactions in the previous calendar year) must file their reports within 14 days after the last day to file for office. The reports will be made available for public inspection and copying during normal business hours.

This portion of the policy dealing with the financial interest statement will be adopted in an open meeting every other year by September 15. A certified copy of this policy/resolution shall be sent to the Missouri Ethics Commission within ten (10) days of adoption.

Procedures

1.9.1 Board Member Disclosure

All trustees and candidates for trustee shall disclose the following transactions in writing if they occurred during the calendar year:

1. Each transaction in excess of \$500 per year between the College and the individual, or any person related within the first degree by consanguinity or affinity to the individual. The statement does not need to include compensation received as an employee or payment of any tax, fee, or penalty due the College. The statement shall include the dates and identities of the parties in the transaction.

"First degree of consanguinity or affinity" includes parents, spouse, or children by virtue of a blood relationship or marriage.

2. Each transaction in excess of \$500 between the College and any business entity in which the individual has a substantial interest. The statement does not need to include any payment of tax, fee, or penalty due the College District or payment for providing utility service to the College District. The statement shall include the dates and identities of the parties in the transactions.

"Substantial interest" is ownership by the individual, their spouse or dependent children, either singularly or collectively, directly or indirectly, of ten (10) percent or more of any business entity, or of an interest having a value of \$10,000 or more, or the receipt of a salary, gratuity, or other compensation of \$5,000 or more from any individual, partnership, organization, or association within any calendar year.

1.9.2 College President and Chief Financial Officer Disclosure *(Revised 11-6-2023)*

The College President and the Chief Financial Officer (i.e., the Vice President of Finance and Administration) will disclose the information required in 1) and 2) above in writing. In addition, these employees will disclose the following information for themselves, their spouses, and dependent children:

1. The name and address of each employer from whom income of \$1,000 or more was received during the year covered by the statement.

2. The name and address of each sole proprietorship the individual owned.
3. The name, address, and general nature of business conducted by each general partnership or joint venture in which they are a partner or participant.
4. The name and address of each partner or co-participant in the partnership or joint venture unless the information is already filed with the Secretary of State.
5. The name, address, and general nature of business of any closely held corporation or limited partnership in which the individual owned ten (10) percent or more of any class of the outstanding stock or limited partners' units.
6. The name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the individual owned two (2) percent or more of any class of outstanding stock, limited partnership units or other equity interests.
7. The names and addresses of each corporation for which the individual served in the capacity of director, officer, or receiver.

1.10 Board Member Conflict of Interest *(Adopted 11-12-2007; Reaffirmed 8-28-2017, 8-26-2019, 8-30-2021)*

All trustees of the College shall adhere to the laws regarding conflict of interest and take steps to avoid situations where their decisions or actions in their capacity as Board members conflict with the mission of the College.

As used in this policy, "businesses owned by Board members" includes sole proprietorships, partnerships, joint ventures, or corporations where the Board member is the sole proprietor, a partner having more than a ten (10) percent partnership interest, or a co-participant or owner of more than ten (10) percent of the outstanding shares of any class of stock.

Procedures

1.10.1 Sale, Rental, Lease or Provision of Personal Property

Board members or businesses they own shall not sell, rent, lease or provide personal property to the College District.

1.10.2 Sale, Rental or Lease of Real Property (Real Estate)

Board members and businesses they own may sell, rent, or lease real estate to the College. Public notice of the transaction must be given prior to execution if the payment to the Board member or business exceeds \$500 per transaction or \$5,000 per year.

1.10.3 Employment

The College shall not employ Board members for compensation even on a part-time basis. While a Board member remains on the Board of Trustees, the College will not accept an application of employment from a Board member, consider a Board member for employment, or decide to employ a Board member. Board members may provide services on a volunteer basis.

1.10.4 Independent Contractor

Board members may provide services to the College as independent contractors through businesses they own. If payment for the service exceeds \$500 per transaction or \$5,000 per year, the College must give public notice and competitively bid the service, and the bid or offer of the Board member's business must be the lowest received. Businesses owned by Board members may provide services on a volunteer basis.

1.10.5 Businesses That Employ Board Members

Board members may participate in discussions and vote on motions for the College to do business with entities that employ the Board member as long as the business is not owned by the Board member and the Board member will not receive any financial benefit from the transaction. The Board member may need to submit a statement of interest as described in Procedure 1.10.6.

1.10.6 Statement of Interest

If a Board member has a substantial personal or private interest in a decision before the Board, before voting the Board member shall provide a written report of the nature of the interest to the Board secretary. The written statement will be recorded in the minutes. A Board member will have complied with this requirement if the Board member has disclosed the interest in a personal financial disclosure statement that was filed or amended prior to the vote.

A "substantial interest" exists when the Board member, their spouse or dependent children, either singularly or collectively, directly or indirectly:

1. Own(s) ten (10) percent or more of any business entity; or
2. Own(s) an interest having a value of \$10,000 or more in any business entity;
or

3. Receive(s) a salary, gratuity, or other compensation or remuneration of \$5,000 or more from any individual, partnership, organization, or association within any calendar year.

1.10.7 Self-Dealing

A Board member shall not favorably act on any matter that is specifically designed to provide a special monetary benefit to the Board member, their spouse, or dependent children.

A "special monetary benefit" means being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected.

A Board member will not directly or indirectly influence or vote on a decision when the Board member knows the result of the decision may be the acceptance by the College of a service or the sale, rental, or lease of property to the College and the Board member, their spouse, dependent children in their custody, or any business with which they are associated will benefit financially.

"Business with which a person is associated" means:

1. A sole proprietorship owned by the Board member, their spouse, or any dependent children in their custody.
2. A partnership or joint venture in which the Board member or spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the Board member is an officer or director or of which the Board member, their spouse, or dependent children in their custody, whether singularly or collectively, own more than ten (10) percent of the outstanding shares of any class of stock or partnership units.
3. Any trust in which the Board member is the settlor or trustee, or in which the Board member, their spouse, or dependent children, singularly or collectively, are beneficiaries or holders of a reversionary interest of ten (10) percent or more of the corpus of the trust.

1.10.8 Use of Confidential Information *(Revised 11-6-2023)*

A Board member shall not use confidential information obtained in the course of their official capacity in any manner with the intent to achieve financial gain for themselves, any other person, or any business.

1.10.9 Nepotism

A Board member shall not vote to employ or appoint any person who is related within the fourth degree to such Board member by consanguinity or affinity. If an individual is recommended for employment or appointment and the individual is related within the fourth degree to a Board member, the related Board member shall abstain from voting and shall leave the room during consideration of the question and the vote.

"Fourth degree of consanguinity or affinity" means parents, grandparents, great-grandparents, great-great-grandparents, spouse, children, siblings, grandchildren, great-grandchildren, great-great-grandchildren, nieces or nephews, grand-nieces or grand-nephews, aunts or uncles, great-aunts or great-uncles, and first cousins by virtue of a blood relationship or marriage.

1.11 Sub-districting *(Adopted 12-2-1991; Revised 2-4-2002)*

For the purpose of electing trustees, a sub-districting plan will be adopted by the Board of Trustees, approved by the Coordinating Board for Higher Education, and reviewed following publication of each decennial census.

1.12 Elections *(Adopted 11-12-2007; Revised 3-8-2021)*

All elections related to College issues and elections of College trustees will be carried out in accordance with Missouri Law.

The qualified voters of the Junior College District of East Central Missouri shall elect two (2) trustees for terms of six (6) years each on municipal election day in April of each even-numbered year. Unexpired vacant terms will be filled in accordance with law.

Procedures *(Revised 3-8-2021)*

1.12.1 Candidate Filing *(Revised 11-6-2023)*

Before the sixteenth Tuesday preceding the election, the Board shall publish in at least one (1) newspaper of general circulation in the College District the opening filing date, the offices to be filled, the place for filing, the closing date for filing, and a statement that candidates filing on the first day of filing will be listed on the ballot in random order.

Qualified applicants for the Board may file a declaration of candidacy during business hours in the Franklin County, Missouri, County Clerk's office commencing at 8:00 a.m. on the sixteenth Tuesday prior to the election and ending at 5:00 p.m. on the thirteenth Tuesday prior to the election. The candidate shall declare their intent to become a candidate in person and in writing to the Franklin County, Missouri, County Clerk or designee.

The names of qualified candidates shall be placed on the ballot in order of filing, except that for candidates who file a declaration of candidacy prior to 4:30 p.m. on the first day of filing, the order in which such candidates' names shall appear on the ballot will be determined by random drawing. Each candidate filing on the first day shall draw a number at random at the time of filing. The Franklin County, Missouri, County Clerk or designee shall record the number drawn with the candidate's declaration of candidacy. The names of candidates filing on the first day of filing shall be listed in ascending order of the numbers so drawn and ahead of the names of candidates filing on a later date.

The notice of election and certification of candidates must be submitted to the various election authorities by the tenth Tuesday prior to the election in the manner provided by law. After the tenth Tuesday prior to the election, the candidate list may only be modified pursuant to court order, in accordance with law.

Prior to the College's certification of candidates to the election authorities, a candidate may withdraw from the election by presenting to the Board Recording Secretary a notarized written statement of their intention to withdraw. After the deadline for certification of candidates to the election authority, a candidate may only withdraw pursuant to court order, in accordance with law.

The Franklin County, Missouri, County Clerk or designee will notarize each candidate's Affidavit of Tax Payments and Bonding Requirements, which shall be filed with the Missouri Department of Revenue. The Franklin County, Missouri, County Clerk or designee shall also provide each candidate a copy of the Notice of Candidate's Obligation to File Financial Interest Statement and a plain language summary of the applicable laws provided by the Missouri Ethics Commission as required by law. Candidates must comply with laws concerning eligibility, campaign financing and campaign disclosures.

1.12.2 No Election Held

No election will be held if, after the last date of candidate filing, the number of candidates who have filed is equal to the number of positions to be filled by the election in the appropriate subdistricts. However, if the number of candidates filing exceeds the number of positions in a subdistrict, the election will be held even if a sufficient number of candidates withdraw so that the remaining candidates are equal to the number of positions to be filled.

1.12.3 Certification of Results

Within seven (7) business days after receipt of the official election returns from the election authorities, at least a majority of the then-qualified members of the Board of Trustees will tabulate the results so received and declare and certify the

candidate or candidates receiving the greatest number of votes and the result of balloting upon any question. Said certification will be duly noted in the official minutes of the Board meeting.

1.13 Assuming the Office *(Adopted 12-3-1968; Revised 2-4-2002, 3-8-2021)*

At the meeting of the Board of Trustees where the election of a member or members of the Board of Trustees has been certified, said member or members so elected and certified shall present themselves for the purpose of being seated.

Procedures

1.13.1 Oath *(Revised 11-6-2023)*

All members of the Board of Trustees shall be required to take and subscribe to an oath of office in the following form:

“I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the State of Missouri, and that I will faithfully conduct myself in the office of Trustee of the Junior College District of East Central Missouri.”

1.14 Seating of Members *(Adopted 12-3-1968; Revised 2-4-2002, 11-6-2023)*

After the oath of office is administered the President of the Board shall recognize newly elected members as members of the Board of Trustees, and they shall thenceforth be entitled and qualified to perform the duties of the office of members of the Board of Trustees.

1.15 Vacancy on the Board of Trustees *(Adopted 12-3-1968; Revised 2-4-2002, 3-1-2021, 11-6-2023)*

Any vacancy shall be filled by an act of the Board.

In the case of a vacancy occurring in the membership of the Board of Trustees for any reason, it shall be the duty of the Secretary to certify such fact to each remaining member of the Board.

After such certification, the Trustees at a regular or special meeting shall nominate and appoint a successor Trustee to serve until the next election held by or for the College District when a Trustee shall be elected for the unexpired term.

When a person becomes a member of the Board of Trustees by appointment, the new member shall be seated as soon as possible, but no later than the next regular meeting after said appointment and after having taken the prescribed oath of office.

1.16 Board Meetings *(Adopted 12-3-1968; Revised 2-4-2002, 3-8-2021)*

Board meeting procedures and schedules shall be established by the Board in conjunction with the College President.

Procedures *(Revised 3-8-2021)*

1.16.1 Regular Meetings *(Revised 11-6-2023)*

Regular meetings of the Board of Trustees will be held once per month at a time to be established by the Board unless otherwise canceled.

All Board meetings shall be held at a place of sufficient size to accommodate the anticipated members of the public or via videoconference, and at a time that is reasonably convenient. In addition, reasonable efforts shall be made to make the meeting accessible to individuals with disabilities. If any of these statutory requirements are not met, the nature of the cause for noncompliance for the meeting will be stated in the Board minutes.

Recording open meetings by is allowed by law. However, the Board will establish guidelines regarding the manner in which such recordings are conducted to minimize disruption to the meeting. Recording a closed meeting is prohibited unless permission has been granted by the Board.

1.16.2 Meetings to be Public

All regular meetings of the Board shall be open to the public unless closed as authorized by law.

1.16.3 Representatives of the Employee Associations and Student Government *(Revised 11-6-2023)*

The Board of Trustees will officially recognize a member of each employee association and the Student Government selected by these bodies as their representatives. These representatives will receive notices of the Board meetings and agendas and will be invited to attend the Board meetings to provide an update on the activities of the associations.

1.16.4 Notification of Meetings

It is the policy of the College to inform the public of Board of Trustee meetings in accordance with the law. The Recording Secretary has the responsibility to post notice of Board meetings.

1. All Meetings

In addition to the criteria listed below, notice of all Board meetings (regular, special, and closed) shall be given at least 24 hours in advance of the meeting, exclusive of weekends and holidays when the College is closed, unless for good cause such notice is impossible or impractical, in which case as much notice as reasonably possible shall be given. The nature of the good cause must be stated in the minutes.

The notice shall be posted outside the Board of Trustees meeting room in Buescher Hall and on the College's website.

All interested news media organizations will be notified of all meetings of the Board of Trustees.

2. Open Meetings

Public notice of an open meeting will include the time, date, place, and tentative agenda advising the public of the matters to be considered.

3. Closed Meetings

Public notice of a closed meeting will include the time, date, and place of the meeting and the specific statutory exemption under which the meeting is closed.

1.17 Closed Meetings *(Adopted 11-7-1988; Revised 1-2005)*

The Board of Trustees will comply with RSMo sections 610.010 - 610.030 regarding open meetings, records, and votes. All meetings, records, and votes shall be open to the public unless closed as authorized by law. The Board reserves the right, as provided by law, to conduct closed meetings, including any records or votes, to the extent allowed under the Missouri Sunshine Law.

Procedures *(Revised 3-8-2021)*

1.17.1 Authorizing a Closed Meeting

Public notice of closed meetings shall be given in accordance with Board policy and law. A majority of a quorum of the Board shall vote to close a meeting, in accordance with law. The reason for holding the closed meeting, with reference to the specific statutory exemption relied upon for closure and the roll call vote of each member on the question of holding a closed meeting, shall be announced publicly at an open session and entered into the minutes. Only business directly related to the specific exemptions may be discussed or voted upon at a closed meeting.

1.17.2 Objection

In the event a motion is made to close a meeting, record, or vote and a Board member believes that the motion would violate the Missouri Sunshine Law if passed, the Board member may state his or her objection to the motion before or at the time the vote is taken. The Recording Secretary will enter the objection in the minutes. Once the objection has been made, the Board member shall be allowed to fully participate in the meeting, record, or vote even if it is closed over the member's objection. If the Board member voted against the motion to close

the meeting, record, or vote, the recorded objection and the vote is an absolute defense to any claim filed against the Board member pursuant to the Missouri Sunshine Law.

1.17.3 Meeting Location

The Board shall only close that portion of the meeting facility needed to house the Board in closed session. Members of the public must be allowed to remain in the meeting facility so that they may attend any open meeting that follows the closed meeting.

1.17.4 Confidentiality

The Board members and employees in attendance are honor-bound not to disclose the details or discussions of the closed meetings, records, or votes. College employees who fail to keep closed information or closed meetings confidential may be disciplined or terminated. The Board may publicly admonish Board members who fail to keep closed meetings, records, or votes confidential in violation of this policy.

1.17.5 Reasons for Holding Closed Meetings

Unless otherwise determined by the Board, any meeting, record, or vote pertaining to the following topics shall be considered a closed meeting, closed record, or closed vote:

1. Legal actions, causes of action or litigation involving the College District and any confidential or privileged communication between the College District or its representatives and its attorneys. However, any minutes, vote, or settlement agreement relating to legal actions, causes of action, or litigation shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court, except that the amount of any monies paid by the College shall be disclosed.
2. The lease, purchase, or sale of real estate by the College District where public knowledge of the transaction might adversely affect the amount to be received or spent by the College District. Any minutes, vote, or public record approving such a contract shall become available to the public upon execution of the lease, purchase, or sale of the real estate.
3. Hiring, firing, disciplining, or promoting of particular employees by the College District when personal information about the employee is discussed or recorded. However, any vote on a final decision to hire, fire, promote, or discipline an employee shall be made available to the public, along with a record of how each member voted, within 72 hours of the close of the

meeting; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the 72-hour period before such decision is made available to the public.

4. Proceedings involving the mental or physical health of an identifiable individual.
5. Scholastic probation, expulsion, or graduation of identifiable persons, including record of individual tests or examination scores, except that such records will be open to inspection by the student(s) and their parent(s), guardian(s), or other custodian(s) as permitted by law.
6. Testing and examination materials until the test or examination is given for the final time.
7. Welfare cases of identifiable individuals.
8. Preparations on behalf of the College District or its representative for negotiations with employee groups, including any discussion or work product.
9. Software codes for electronic data processing and documentation thereof.
10. Competitive bidding specifications until officially approved or published.
11. Sealed bids and related documents until the bids are opened; sealed proposals and related documents until all proposals are rejected; or any documents related to a negotiated contract until a contract is executed.
12. Individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment. However, the names, positions, salaries and lengths of service of College District employees shall be available to the public.
13. Records protected from disclosure by law.
14. Scientific and technological innovations in which the owner has a proprietary interest.
15. Records relating to municipal hotlines established for reporting abuse and wrongdoing.
16. Confidential or privileged communications between the Board and its auditor, including all auditor work product. However, all final audit reports issued by the auditor are to be considered open records.

17. Existing or proposed security systems and structural plans of real property owned or leased by the College District where public disclosure would threaten public safety.
18. Records that identify and would allow unauthorized access to or unlawful disruption of the configuration of components or the operation of a computer, computer system, or computer network of the College District if released.
19. Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes, or authorization codes that are used to protect the security of electronic transactions between the College District and a person or entity doing business with the College District.

1.18 Special Meetings *(Revised 11-12-2007, 11-6-2023)*

Special meetings may be called at any time by the Board President, or by the Board Secretary upon written request of a majority of the members of the Board of Trustees. Written notice of the special meeting, including the starting time and place of the meeting and the business to be conducted, will be given to each member and to the public at least 24 hours (exclusive of weekends and holidays) prior to the commencement of the meeting. The only exception to this is when, for good cause, such advance notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. No business will be transacted at special meetings other than that stated in the notice.

1.19 Telephone/Videoconference Meetings *(Adopted 11-12-2007; Revised 3-8-2021)*

The Board may hold a meeting with all or a majority of the Trustees participating by telephone or videoconference. Such meetings shall be open to the public. Trustees may cast votes other than roll call votes at a telephone or videoconference meeting. However, issues that require a roll call vote, including issues to be discussed and decided in closed session, may not be voted on at a telephone meeting. The College President will arrange for the meeting to take place in a location with the appropriate equipment so that Board members participating in the meeting by telephone or videoconference may interact and the public may observe or hear the comments made. The College President will take measures to verify the identity of any remotely located participants.

1.20 Quorum *(Revised 11-12-2007)*

At all meetings of the Board of Trustees a majority of the Board will constitute a quorum to do business, but no contract shall be let, faculty member employed or dismissed, or bill approved unless a majority of the whole board (i.e., four Trustees) votes therefor.

1.21 Rules of Order *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 8-14-2006)*

Rules of order shall be established and followed by the Board.

Procedures

1.21.1 Order of Business *(Revised 5/11/2015)*

The Board President, upon taking the chair, shall call the members to order on the appearance of a quorum. The order of business unless modified by the Board shall be as follows:

1. Call to Order
2. Recognition of Guests
3. Public Comment
4. Consent Agenda/Agenda
5. Minutes
6. Financial Reports
7. Bids
8. Actions
9. Personnel
10. Reports
11. Adjournment

1.21.2 Rules of Order

In all matters not covered by the rules of the Board, parliamentary procedures shall be governed by Robert's Rules of Order Revised, Part I, Articles I through VIII.

1.21.3 Recognition *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 5/11/2015, 3-8-2021, 11-6-2023)*

No person other than a member of the Board of Trustees, the President of the College, or other chief administrative personnel of the College District designated by the President shall be recognized to speak at any meeting of the Board of Trustees except upon the consent of the majority of the Board or as designated under Policy 1.24 Public Comment and Procedure or Procedure 1.16.3 Representatives of the Employee Associations and Student Government. Approval of the agenda shall constitute recognition to speak at the appropriate time.

1.22 Voting Procedures *(Adopted 12-3-1968; Revised 11-12-2007, 3-8-2021)*

Voting at meetings of the Board of Trustees shall be conducted in accordance with the provisions set out below:

1. In General
All motions will be recorded in the minutes, including the name of the person seconding any motion and the record of the vote. Minimally, the number of “yes” and “no” votes on any question shall be recorded in the minutes unless a roll call vote is required by law. When a member abstains from voting, such abstention shall

not be counted as a vote either for or against the proposal but shall be entered in the minutes as an abstention. The President of the Board shall have a vote on all questions.

Upon request, any member may have a brief explanation of their vote recorded on any question. Any member may also change their vote if such request is made prior to consideration of the next order of business.

Motions pass with an affirmative vote from the majority of the quorum present at the meeting, unless otherwise limited by Policy 1.20.

2. Voting in Open Session

Voting in open session must be conducted in a manner that allows the Recording Secretary to accurately discern and record the number of persons voting for or against the motion as well as the persons abstaining from the motion.

The Board may decide to vote by roll call in open session. Any member desiring a roll call vote shall so request it of the President and upon being recognized shall proceed to cast their vote first, the vote then proceeding in a clockwise manner until all have voted, and the vote shall be so recorded. When voting to adjourn to closed session, the specific reason for closing the meeting must be announced publicly by reference to a specific section of the law and the vote must be taken by roll call.

3. Voting in Closed Session

All votes taken in closed session shall be taken by roll call, including the vote to adjourn.

4. Additional Provisions

- a. No member of the Board may vote by proxy.
- b. Every member present shall vote in accordance with Missouri law.
- c. The reconsideration of a vote may be moved only by a member who voted with the majority and only at the same meeting at which the vote was taken.
- d. If the motion to reconsider prevails, the matter under consideration shall be decided at that or the next regular session, and the matter as thus finally decided shall not be revived within a period of three (3) months unless by consent of a majority of the entire Board.

1.23 Board Agenda *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 11-12-2007)*

The agenda for all regular and special Board meetings will be developed by the President of the College.

Procedures *(Revised 3-8-2021)*

1.23.1 An individual Board member may present any additional item for the agenda to the Board under the item "Approval of Agenda." It shall be added to the agenda upon the approval of a majority of the Board members present.

1.23.2 Any individual or group who wishes to have an item placed on the agenda shall submit the item to the College President at least seven (7) business days prior to a regular or special Board meeting and the College President may place it on the agenda upon approval by three (3) Board members.

1.24 Public Comment *(Adopted 5/11/2015)*

To provide for full and open communication between the public and the Board of Trustees, the Board has established a Public Comment period during regular meetings of the Board of Trustees.

Procedures *(Adopted 5/11/2015)*

1.24.1 Rules for Public Comment

A designated time will be set aside on the Board of Trustees regular meeting agenda for public comments on items either posted on the agenda or not posted on the agenda. The following rules will apply to the public comment portion of the meeting:

1. Each person wishing to address the Board will enter their name and the topic to be addressed on the form available in the meeting room prior to the start of the Board meeting.
2. Each speaker will be limited to no more than three (3) minutes for their comments.
3. Individuals will be permitted to address the Board only once during the public comment period.
4. Students and College employees have certain rights of confidentiality under state and federal law that the College scrupulously protects. The Board reserves the right to limit comments to the extent allowed by law to protect confidentiality.
5. The Board will not provide a response at the time of a speaker's presentation but may ask questions or request clarification to ensure understanding of the speaker's comments. The Board will take all comments under advisement. The Board President may make clarifying remarks at the end of the public comment session to address any misstatements of fact.
6. Any exceptions to the above Rules for Public Comment are subject to approval by the Board of Trustees.

1.25 Approval of Contracts *(Adopted 11-12-2007; Revised 3-8-2021, 11-6-2023)*

The Board of Trustees shall approve all contracts where the consideration to be paid under the contract is \$20,000 or more. Approval requires an affirmative vote of at least four (4) Trustees. A contract requiring Board approval may not be signed by a representative of the College unless and until the Board has approved the contract. The Board hereby delegates to the College President or designee the authority to approve and sign contracts where less than \$20,000 is to be paid.

1.26 New Instructional Programs *(Reaffirmed 12-2-1991; Revised 11-12-2007, 3-8-2021)*
The Board will approve all new instructional programs and the deactivation of instructional programs that are no longer viable.

1.27 Board Minutes *(Adopted 12-3-1968; Revised 1-2005, 11-12-2007)*
Minutes of all meetings will be kept in accordance with the provisions set out below.

Procedures *(Revised 3-8-2021)*

1.27.1 Minutes of open and closed meetings shall be taken and retained by the Board Recording Secretary, including a record of any votes taken at such meetings. The minutes shall include the date, time, place, members present, members absent, and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each “yes” and “no” vote, or abstinence if not voting, to the name of the individual member of the Board.

1.27.2 The Recording Secretary will keep the official minute book of all Board meetings. These minutes must be approved by a majority vote of the Board of Trustees and signed by the President and Secretary of the Board.

1.27.3 Minutes are not considered official until approved by a majority of the Board of Trustees and signed by the President and Secretary of the Board. A draft version of the minutes shall be available for public inspection and/or copying once they are completed by the Recording Secretary and reviewed and approved by the President of the College. Draft versions shall be clearly marked "DRAFT" and are subject to revision until adoption by the Board of Trustees.

1.27.4 The minutes of all open meetings shall be published in the next Board of Trustees meeting agenda for approval and/or correction. All approved minutes of open meetings shall be maintained in a permanent file in the office of the Recording Secretary and made available for public viewing on the College’s website.

1.27.5 Minutes of all closed meetings shall be reviewed and approved by the Board at the next closed meeting and shall be maintained in the office of the Recording Secretary. Minutes of closed meetings are not available for inspection or copying by the public, except as provided in Procedure 1.17.5.

1.28 Release of Information to the Public *(Adopted 11-12-2007)*
Records of the College are open to the public unless closed in accordance with the action of the Board of Trustees in adopting this policy, state, or federal law. All records of East Central College subject to closure pursuant to Missouri’s Sunshine Law (Chapter 610, Section 610.021 RSMO, as amended) are hereby closed.

For purposes of release of records not closed pursuant to this policy, the Recording Secretary of the Board serves as the College’s Custodian of Records. Members of the

public may request the Custodian of Records to provide access to public records. After receipt of the request, the custodian will provide access within three (3) business days or sooner if possible or explain in writing the reason for denial of access or for delay.

Members of the public may request copies of public records. A charge of up to ten (10) cents per page may be made for copies no larger than 9 x 14 inches. The College may also charge a fee for search, research, and duplication time in responding to requests for copies of public records. Such charges shall be in accord with Missouri's Sunshine Law (Section 610.026 RSMO). Prior to producing copies of requested records, the person requesting the records may obtain an estimate of the cost upon request. The College may require the payment of such fees prior to the making of copies.

1.29 Board Committees *(Adopted 12-3-1968; Revised 1-2005, 3-8-2021)*

The President of the Board of Trustees will appoint all Board committees and outline specific responsibilities of each committee. Board members may be appointed to serve as liaisons to standing committees of the College as deemed appropriate by the College President. Board liaisons to College standing committees shall be non-voting members.

Procedures *(Revised 3-8-2021)*

1.29.1 No permanent Board committee will be established. Board committees appointed on a temporary basis to accomplish specific goals will be terminated at the conclusion of their duties.

1.29.2 Any committee appointed by or at the direction of the Board and which is authorized to report to the Board, or any committee appointed by or at the direction of the Board for the specific purpose of recommending, directly to the Board or the President of the Board, policy or policy revisions, or expenditures of public funds shall be subject to the Missouri Sunshine Law in connection with the committee's meetings, records, and votes.

1.30 Board Travel *(Adopted 2-4-2002; Revised 3-8-2021, 11-6-2023)*

The Board recognizes the benefits derived by the College through Board member attendance at local, state, and national meetings and similar events on behalf of the College. The College will reimburse Board members for normal expenses for hotel, food, registration, and transportation costs incurred while attending authorized conferences and meetings. Trustees will abide by Policy 4.17 regarding reimbursement of travel expenses.

1.31 Responsibilities of the President *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 2-4-2002, 3-8-2021)*

The President of the College shall be the Chief Executive Officer through which the Board carries out its program and exercises its policies. The President may delegate to subordinate officers of the College such powers as the President may deem desirable to be exercised under their supervision and direction.

Within the framework of policies adopted by the Board, the President shall exercise discretionary authority in carrying out responsibilities of the position. Subject to Board of Trustees overview, the President shall provide leadership for the College to fulfill its stated educational mission by providing for an effective organization and administration, providing sound stewardship and development of all College resources, providing stewardship of the College's image, conducting appropriate planning, and establishing effective links between the College and its students, communities, and educational constituencies.

Procedures *(Revised 3-8-2021)*

1.31.1 The President shall perform the following functions and be responsible for:

1. Designing and overseeing the organization and administration of the College.
2. Making policy recommendations to the Board on all matters that affect the College and overseeing the implementation of all Board policies.
3. Recommending all additions or changes in personnel and in personnel policies.
4. Submitting an annual budget and administering the Board-approved budget.
5. Formulating of all reports as may be required by the Board and by local, state, or national agencies.
6. Recommending to the Board site locations and site utilization.
7. Directing the development of the campus building program.
8. Creating appropriate committees and appointing representative employees to such committees, both standing and ad hoc, as deemed necessary to support and enhance the mission and effectiveness of the institution.
9. Recommending the establishment of citizen advisory committees.
10. Lending influence in the development of higher education programs in local, state, and national committees and organizations and linking the institution's stakeholders to the wider community.
11. Performing such other duties as may be assigned or delegated by the Board of Trustees.

1.32 Role and Relationship Between the Board of Trustees and the Chief Executive Officer *(Adopted 6-6-1988; Reaffirmed 12-2-1991; Revised 2-4-2002)*

The Board of Trustees recognizes and maintains the distinction between those activities which are appropriate to the Board as the sole statutory legislative governing body of the College District and those administrative functions and duties which are to be performed by the Chief Executive Officer (CEO) and their staff. In that regard, the Board views the legislative authority vested within itself as a body of the whole rather than as individuals acting unilaterally.

Procedures *(Revised 11-6-2023)*

1.32.1 Based upon the premise of mutual respect and trust, the Board encourages a shared governance relationship that is characterized by open, honest, two-way flow of continuous communications based upon accurate, reliable information resulting from thorough study and analysis. In that regard, the Board looks toward the CEO to provide recommendations, suggestions, and options relating to both short- and long-term goals and objectives of the College District in a routine and timely manner. This should allow the Board an adequate period of deliberation which would ultimately result in the adoption of policies that would enhance the well-being of the overall College District.

1.32.2 The Board recognizes that if the CEO is to be responsible for the prudent management of the College District and its resources, likewise, the Board must also be fully informed and recognize its responsibility to be fully supportive of the CEO by granting them full authority to carry out and implement the administration of the College District in accordance with those policies adopted by the Board.

1.32.3 The Board will maintain an understanding and respect for the delineation of policy versus administration and will maintain a self-discipline that will avoid direct interference in the administrative functions of the College District. The Board will encourage and be supportive of an atmosphere that will allow the CEO the flexibility and creativity to successfully exercise their administrative style necessary for successfully carrying out the administrative functions of the College District.

1.33 Presidential Succession *(Adopted 11-6-2023)*

In the absence of a College President, to ensure the College's operations are not interrupted while the Board of Trustees assesses the leadership needs and recruits an executive officer, the Board shall appoint an interim College President. Until an interim College President is appointed, the Vice Presidents will assume presidential responsibilities. The interim College President shall ensure that the College continues to operate without disruption and that all organizational commitments previously made are adequately executed.

Procedures *(Adopted 11-6-2023)*

1.33.1 Appointment of Interim College President

The Board will meet as soon as possible following a vacancy in the position of College President to appoint an interim College President. The vacancy can be either unexpected or planned. The interim College President may be selected from either internal or external candidates for the position and would not be precluded from applying for the position of College President when a search process is opened.

The term of the interim College President will be set by the Board at the time of appointment.

1.33.2 Search Process

The Board will determine whether the search process will be open to internal candidates, external candidates, or both. The Board may choose to hire a search firm to assist with the process.

A pool of candidates will be developed, and the Board will assess the leadership needs of the College to help ensure the selection of a qualified and capable leader whose skills align with the College's mission, vision, values, goals, and objectives.

The Board will establish the interview process to be utilized.

After the completion of interviews, the Board will select an appropriate candidate for the position. The Board has sole hiring authority for the College President position.

1.34 Evaluation, Planning, and Assessment *(Adopted 6-4-1973; Reaffirmed 12-2-1991; Revised 11-12-2007)*

To determine the effectiveness of the College, the President of the College shall implement a process of planning and assessing College operations and shall report findings to the Board of Trustees on a periodic basis.

1.35 College Governance Associations *(Adopted 3-10-2003)*

The Board of Trustees encourages the formation of voluntary associations representing employee classification groups for purposes of communication and participation in the business of the College. Each association must operate under a constitution and/or bylaws. No constitution and/or bylaws will in any way be written or be understood to limit the authority of the Board or the President in the governance of the College.

1.36 Shared Governance *(Adopted 5-7-2018)*

East Central College is committed to a model of shared governance that reinforces the College's mission to serve students and other stakeholders. Shared governance is a systematic decision-making process that requires representation from all areas of the

College to actively collaborate with transparency, accountability, and responsibility. Shared governance fosters an institutional culture of inclusion, integrity, open communication, and good faith.

The principles of shared governance shall include:

1. Due diligence in every aspect of communication, transparency, and decision-making.
2. Mutual trust and respect for each other and for the collaborative process.
3. Efficient and timely communication of decisions, including an implementation timeline for decisions made.
4. Collaboration among the Board of Trustees, administration, faculty, staff, and, where appropriate, students to strengthen the quality of the education and services provided at the College.
5. A culture of inclusion by thoughtfully considering the ideas and opinions of those most impacted by decisions, while working to ensure meaningful involvement of all stakeholders in the decision-making process.
6. Utilizing relevant data and expert opinions in the decision-making process, including both quantitative and qualitative data where possible.
7. Using current policy documents to ground initial deliberations within the decision-making process and developing and recommending policy revisions where outcomes are not satisfactory.
8. Setting standards for accountability at all levels of the shared governance model by defining goals, reporting progress, and assessing the decision-making process itself.

Procedures *(Adopted 5-7-2018; Revised 3-8-2021, 11-6-2023)*

- 1.36.1** Shared governance is intended to promote open communication for discussion of College issues and development of recommendations to the College administration, with the appropriate person or body making decisions after consideration of provided input. Issues of focus may include but are not limited to curriculum, assessment, retention, strategic planning, student support, physical facilities, technology, budget priorities, and professional development.
- 1.36.2** The College will maintain internal documents related to shared governance within an appropriate software platform.
- 1.36.3** A web page dedicated to shared governance shall be established and maintained, and will include the following components:
 - Definition of Shared Governance
 - Mission of Shared Governance
 - Model (flowchart and explanation)
 - Link to the internal document database
- 1.36.4** A list of all standing and ad hoc committees along with each committee's purpose, membership, meeting dates, and contact information shall be maintained on the internal document database.

1.36.5 A report on the status of shared governance and the effectiveness of the governance model shall be presented annually to the Board of Trustees.

1.36.6 A Shared Governance Council shall be established, with representation from the Board of Trustees, College administration, faculty, professional staff, and classified staff.

The Shared Governance Council shall make recommendations on policy and other matters of institutional concern.

Representatives to the Shared Governance Council will be elected for a two-year term by each governing body and shall consist of the following:

- a) Faculty – 2 members
- b) Professional Staff – 2 members
- c) Support Staff – 2 members
- d) Representative from Rolla – 1 member
- e) Vice Presidents – 4 members
- f) President of College – 1 member
- g) Board of Trustees – 1 non-voting member

1.36.7 The Shared Governance Council is charged with developing, maintaining, and revising procedures for seeking input and providing communication from and to employee associations.

1.37 Citizens Advisory Committees *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 2-4-2002)*
Citizens Advisory Committees may be used to advise the College in specific areas of responsibility.

Procedures

1.37.1 Such committees will be appointed to serve in a recommending capacity to College officials.

1.37.2 Committee members will be selected by the College administrative staff and approved by the Board of Trustees.

1.37.3 All committees will be chosen for a specific purpose and will be terminated when that purpose is fulfilled.

1.38 Amendments to Policy *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 11-12-2007)*
The policies of the Board of Trustees of East Central College may be amended, repealed, or added to upon motion made in writing for that purpose and an affirmative vote of four (4) Trustees.

Procedures *(Adopted 3-8-2021)*

1.38.1 Recommendations for amending, repealing, or adding Board policies shall be presented to the Board for a first reading and then presented for approval at the next Board meeting. The Board of Trustees has the authority to waive the first reading and vote on a policy recommendation at the same meeting in which it is proposed.

SECTION 2: INSTRUCTION POLICIES AND PROCEDURES

2.1 Accreditation *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 5-12-2008, 6-14-2021, 4-11-2024)*
East Central College will meet all standards and criteria for accreditation by the Higher Learning Commission (HLC). In addition, individual programs will meet licensure standards as required by the State of Missouri and accreditation standards as appropriate to ensure quality education for its students.

2.2 Degree Programs *(Adopted 12-2-1991; Revised 4-2-2007; Revised 2-2-2015, 6-14-2021, 4-11-2024)*
East Central College offers a variety of degree programs approved by the Board of Trustees, the Missouri Coordinating Board for Higher Education, the Higher Learning Commission, and specific accreditors.

The Associate of Arts (AA) degree is the institutional transfer degree. The degree is comprised of the Department of Higher Education's statewide general education requirement and electives in the academic discipline of choice.

The Associate of Fine Arts (AFA) degree is the institutional transfer degree for students studying in a fine and performing arts program in studio art or music. A specifically articulated degree with selected Missouri public universities, the AFA degree is comprised of a general education core and the necessary coursework to prepare students for a course of study in studio art or music. The degree allows students to elect appropriate specialized coursework related to the respective fine and performing arts baccalaureate program.

The Associate of Applied Science (AAS) degree is the career technical and workforce preparation degree consisting of a combination of general education and program-based coursework. Many of the career fields offering the AAS degree also offer options in certificates.

The Associate of Arts in Teaching (AAT) degree is the institutional transfer degree for students preparing to study in teacher education programs. The degree is comprised of the Department of Higher Education's statewide general education requirements and electives in education and other disciplines related to teacher education. The AAT degree encompasses the foundational requirements for education preparation defined by the Department of Elementary and Secondary Education.

The Associate of Science (AS) degree is an institutional transfer degree comprised of a general education core and the necessary coursework to prepare students for a course of study in Science, Technology, Engineering, and Mathematics (STEM) fields. The degree allows students to elect appropriate specialized coursework for various STEM majors.

Degree requirements may be updated, altered, and revised through appropriate College procedures. Students must satisfy the set of degree requirements in effect at the time of enrollment at East Central College or the degree requirements current at the time of completion.

2.2.1 Graduation Requirements for the Associate of Arts (AA) Degree *(Revised 10-19-2015, 6-14-2021)*

Candidates for an AA degree must meet the following degree requirements:

1. Completion of a minimum of 60 college semester credit hours (a combination of the general education requirements and elective coursework), excluding developmental coursework, in an approved program of study.
2. A minimum cumulative grade point average of 2.00 on all college credit earned.
3. Satisfaction of the College residency requirement (a minimum of 15 credit hours must be completed at East Central College).
4. Hold a high school diploma or high school equivalency certificate.

2.2.2 Graduation Requirements for the Associate of Fine Arts (AFA) Degree *(Revised 10-19-2015, 6-14-2021)*

Candidates for an AFA degree must meet the following degree requirements:

1. Completion of an approved program of study, consisting of a minimum of 60 college semester credit hours (a combination of the general education requirements and elective coursework), excluding developmental coursework.
2. A minimum cumulative grade point average of 2.00 on all college credit earned.
3. Satisfaction of the College residency requirements (a minimum of 15 credit hours must be completed at East Central College).
4. Hold a high school diploma or high school equivalency certificate.

2.2.3 Graduation Requirements for the Associate of Applied Science (AAS) Degree *(Revised 10-19-2015, 6-14-2021)*

Candidates for an AAS degree must meet the following degree requirements:

1. Completion of an approved program of study, consisting of a minimum of 60 college semester credit hours (a combination of the general education requirements and program requirement coursework), excluding developmental coursework.
2. A minimum cumulative grade point average of 2.00 on all college credit earned.

3. Satisfaction of the College residency requirement (a minimum of 15 credit hours must be completed at East Central College).
4. Hold a high school diploma or high school equivalency certificate.

2.2.4 Graduation Requirements for the Associate of Arts in Teaching (AAT) Degree *(Revised 10-19-2015, 6-14-2021, 4-11-2024)*

Candidates for an AAT degree must meet the following degree requirements:

1. Completion of an approved program of study, consisting of a minimum of 60 college semester credit hours (a combination of the general education requirements, program requirements, and elective coursework), excluding developmental coursework.
2. A minimum cumulative grade point average of 2.75 on all college credit earned.
3. Satisfaction of the College residency requirement (a minimum of 15 credit hours must be completed at East Central College).
4. Hold a high school diploma or high school equivalency certificate.
5. Demonstrate proficiency in the areas of math, reading, and writing using one of the assessment methods defined by the Missouri Department of Elementary and Secondary Education (MoGEA, ACT, SAT, or the Paraprofessional Assessment).

2.2.5 Graduation Requirements for the Associate of Science (AS) Degree *(Revised 10-19-2015, 6-14-2021)*

Candidates for an AS degree must meet the following degree requirements:

1. Completion of an approved program of study, consisting of a minimum of 60 college semester credit hours (a combination of the general education requirements and elective coursework), excluding developmental coursework and career technical coursework.
2. A minimum cumulative grade point average of 2.00 on all college credit earned.
3. Satisfaction of the College residency requirement (a minimum of 15 credit hours must be completed at East Central College).
4. Hold a high school diploma or high school equivalency certificate.

2.2.6 Second or Subsequent Degree or Certificates

Any student seeking an AAS, AS, AAT, AFA, or a certificate as a second or subsequent degree or certificate must complete all requirements for the desired degree or certificate. A student may not receive more than one (1) Associate of Arts degree.

2.2.7 Regulatory Agency Approved Programs or Accredited Programs *(Revised 4-11-2024)*

Degree programs with external regulatory approval or accreditation will follow the rules of the regulatory body or accreditor regarding the transfer in of credit, residency in the program, or other action related to the program of study. Such rules will be made available to the students in program documents, admissions packets, Academic Pathways webpage, or the College catalog.

2.3 Certificate Programs *(Adopted 6-14-2021)*

The Certificate of Specialization and the Certificate of Achievement are awarded to students completing the established requirements.

Procedures *(Adopted 6-14-2021; Revised 4-11-2024)*

- 2.3.1** Credit hours required for the Certification of Specialization vary by program. A Certificate of Achievement requires at least 30 credit hours of coursework.
- 2.3.2** Each certificate is earned after completing the requirements stated in the student's assigned catalog.
- 2.3.3** Through the Curriculum Committee, procedures have been developed to allow for curriculum revisions that may apply to the Certificate of Specialization and Certificate of Achievement.
- 2.3.4** Certificate requirements are subject to approval by the Missouri Department of Higher Education and Workforce Development and the Higher Learning Commission.
- 2.3.5** In order for a certificate to be awarded, a minimum of nine (9) hours must be completed in residence. An institutional grade point average of 2.00 is required for graduation.
- 2.3.6** The student must hold a high school diploma or high school equivalency certificate to be awarded a Certificate of Specialization or a Certificate of Achievement.

2.4 Non-credit Programs *(Adopted 5-12-2008)*

The College will develop and provide non-credit courses and programs and services to meet identified community needs. Such courses will not appear on official student credit

course transcripts. Students enrolled in non-credit courses will not be required to meet the College's admission criteria for credit programs.

Certificates of Completion may be granted to students satisfactorily completing a single course, a seminar, conference, workshop, or similar instructional activity.

2.5 Definition of Credit Hour *(Adopted 7-12-2010)*

East Central College measures units of coursework by the semester credit hour. The semester credit hour is a recognized unit for college credit coursework and is used to determine degree requirements and course equivalency in transfer.

Procedures *(Revised 6-14-2021)*

2.5.1 Traditional Coursework

For a traditional face-to-face lecture course, the Carnegie unit and state regulations determine a semester credit hour value (i.e. a minimum of 750 minutes of instruction or "seat time" per credit hour per semester period). For non-lecture courses (i.e., science laboratories, studio coursework, career technical courses, music activities) additional instructional time per credit hour is necessary to achieve the learning outcomes determined for the course.

2.5.2 Distance/Web-Based/Hybrid Learning

For the College's distance learning courses (i.e., online and hybrid), the credit hour value is based on the learning outcomes determined in the traditional model of the coursework. Students will be required to spend an amount of time comparable to that in a traditional course to achieve the desired learning outcomes. To earn the credit hour value assigned to the course, students must demonstrate achievement of the course-based learning outcomes at a satisfactory level.

2.6 Course Credit Options *(Adopted 4-7-2003; Revised 5-12-2008, 8-31-2009, 6-14-2021, 4-11-2024)*

East Central College provides options regarding college credit. Students may receive credit in any of the following ways:

Satisfactory Course Completion

Transfer Credit

Dual Credit

Dual Enrollment

Credit by Articulation

Credit for Prior Learning

Military Credit

Credit by Exam:

CLEP

DANTES

Advanced Placement

Departmental Examination

Other sources, including non-regionally accredited institutions, will be considered on a case-by-case basis. Guidelines, limitations, and exclusions for each option are stated in the procedures below.

Procedures

2.6.1 Credit Earned at Other Institutions *(Revised 6-14-2021)*

Students must request that official transcripts be sent to East Central College from all previously attended post-secondary institutions. The Registrar's office will review the transcripts and credit will be accepted if the course(s) correspond to East Central College coursework and are consistent with the transfer policy outlined in Board Policy 2.7.

2.6.2 Dual Credit *(Revised 6-14-2021, 4-11-2024)*

Dual Credit is defined as credit that can be earned by a student at both their home high school and the College as determined by the respective institution. Dual credit courses are taught by East Central College credentialed high school faculty in the high school. Students attending participating taxing district and service area high schools may elect to take part in the East Central College dual credit program. College-level courses will be offered to high school students in adherence to all college standards of quality and academic rigor. The College follows the Missouri Coordinating Board for Higher Education (CBHE) Policy Guidelines for Dual Credit Delivery. CBHE policy reflects quality standards set forth by the National Alliance of Concurrent Enrollment Partnerships (NACEP) and the Higher Learning Commission (HLC).

Participating school districts must satisfy the criteria for faculty qualifications and development, required minutes of instruction, assessment and outcome measures, and any other contractual requirements as stipulated by the Missouri Department of Higher Education and Workforce Development. Students meeting the eligibility criteria are admitted to the College and can elect enrollment in available coursework. Students participating in the program will pay one-half of East Central College's in-district tuition rate, do not pay general fees, and are entitled to the privileges and services of on-campus students but are not eligible for federal financial aid.

2.6.3 Dual Enrollment *(Adopted 6-14-2021; Revised 4-11-2024)*

Students enrolled in high school or homeschool are eligible to take college credit courses on campus or online. They must meet all course prerequisites to enroll, according to the course description and current placement guidelines. Students participating in the program will pay one-half of East Central College's in-district

tuition rate, along with all general fees, and are entitled to the privileges and services of on-campus students but are not eligible for federal financial aid.

2.6.4 Credit by Articulation

Under arrangements with agencies providing post-secondary programming, East Central College grants credit by articulation agreement. Through signed and authorized articulation agreements entered into with regional career centers, union education and training programs, and state agency education and training programs, students may receive credit. Credit may be awarded on a course-by-course basis, associated with coursework offered at East Central College or credit may be awarded in “block” form upon completion of a post-secondary program of study for which students will be required to produce completion documents. Credit by articulation may also be awarded in partnership with post-secondary institutions providing the program content delivery. Guidelines, restrictions, procedures, and any costs associated with the articulation process are available through the school district, East Central College, or other participating educational entity.

2.6.5 Military Credit *(Revised 6-14-2021)*

Students with coursework and course credits acquired during military service must provide an official transcript for review. Credit transcription will occur upon receipt of all official documentation.

2.6.6 Credit for Prior Learning *(Adopted 4-11-2024)*

Credit for Prior Learning (CPL) is college credit awarded for validated college-level skills and knowledge gained outside of a college or university classroom. Students who have acquired knowledge and skills will petition for CPL. Students will contact the Registrar’s office to petition their request. If the petition is approved, discipline or program faculty will make the recommendation for course equivalency and/or provide the test or other instrument to validate proficiency. CPL final decisions are approved by the Chief Academic Officer.

2.6.7 Credit by Exam

A. Credit by Nationally Recognized Examination *(Revised 6-14-2021)*

Students may complete nationally recognized achievement performance tests (CLEP, DANTES, Advanced Placement) and have official results sent to the Registrar for processing. Credit transcription will occur upon receipt of official results that reflect achievement of a minimum score as determined by the College.

B. Credit by Departmental Examination/Review

Students who demonstrate a high level of proficiency within a subject area may petition the academic discipline or program faculty for credit by examination or review. If this petition is approved, discipline or program faculty would prepare an appropriate measure (test or other instrument) of proficiency and establish with the student guidelines for passing. The decision of the faculty is final. A fee per course will be assessed.

2.7 Transfer Credit *(Adopted 8-31-2009; Revised 6-14-2021)*

East Central College is committed to assisting student transfer to and from East Central College and facilitating credit transfer to and from other post-secondary institutions. All in-coming transfer credit will be analyzed in terms of level, course content, comparability, and compatibility with degree programs and course offerings at East Central College.

Procedures *(Revised 6-14-2021, 4-11-2024)*

- 2.7.1** Courses completed at any Missouri public institution in compliance with the Missouri Department of Higher Education's guidelines and agreements concerning the transfer and articulation of credit will be accepted in transfer if appropriate to a student's program of study.
- 2.7.2** Courses completed at any institution maintaining current articulation agreements with East Central College will be accepted in transfer as outlined in the agreement.
- 2.7.3** Courses completed at any institution accredited by an agency recognized by the U.S. Department of Education will be reviewed for course equivalency and program relevance and accepted for transfer accordingly.
- 2.7.4** Courses completed at institutions not accredited by an agency recognized by the U.S. Department of Education will be reviewed as follows:
 - 1. The transfer institution's accreditation status will be examined.
 - 2. Information provided by the school or the student regarding the completed coursework (e.g., transcripts, catalog descriptions, course syllabi, faculty credentials, etc.) will be distributed to the appropriate program/academic department official for recommendation to the Chief Academic Officer (CAO).
 - 3. After an evaluation has been completed and the results communicated to the student, the student may appeal the decision regarding transfer to the Registrar and the CAO. The decision of the Registrar and the CAO is final.
- 2.7.5** Courses completed at a foreign institution will be reviewed as follows:

1. The student will be required to provide an official transcript, along with an English translation, and an explanation of the foreign institution's grading procedures.
2. Information regarding the completed coursework will be distributed to the appropriate program/academic department official for recommendation to the CAO.
3. After an evaluation has been completed and the results communicated to the student, the student may appeal the decision regarding transfer to the Registrar and the CAO. Such an appeal will require a review through an international credit evaluation service, as directed by the Registrar's Office. The decision of the Registrar and the CAO is final.

2.7.6 Experiential learning will be reviewed as follows:

1. The student will submit a written request to the Registrar describing the experiential learning and provide supporting documentation. The student will make a formal request for course/credit equivalency.
2. Information regarding the request will be distributed to the appropriate program/academic department official for recommendation to the CAO.
3. After an evaluation has been completed and the results communicated to the student, the student may appeal the decision regarding transfer to the Registrar and the CAO. The decision of the Registrar and the CAO is final.
4. Students receiving experiential learning credit must satisfy East Central College's residency requirement (Policy 2.2). Therefore, the maximum number of experiential learning hours accepted toward a degree will be 45.

2.7.7 Military credit will be reviewed as follows:

1. The student will provide an official transcript from the student's military service.
2. Courses completed through the military will be reviewed for course equivalency and program relevance using ACE credit recommendations and accepted for transfer accordingly.
3. After an evaluation has been completed and the results communicated to the student, the student may appeal the decision regarding transfer to the Registrar and the CAO. The decision of the Registrar and the CAO is final.

2.7.8 Dual credit coursework will be reviewed based on the policies and guidelines of the Missouri Department of Higher Education and Workforce Development and the Higher Learning Commission with respect to the acceptance of dual credit coursework.

2.8 **Course Placement** *(Adopted 5-12-2008)*

The College may enroll students in programs and courses on the basis of placement tests, pre-enrollment interviews, physical examinations, achievements in previous work, or other appropriate criteria.

2.9 Verifying Student Identity in Distance Education Courses *(Adopted 6-14-2021)*

A student who enrolls in online courses must be the same student who participates in, completes, and receives credit for that course.

Procedures *(Adopted 6-14-2021)*

2.9.1 Each instructor of an online course shall verify the identity of each student enrolled in that course using one (1) or both of the following methods:

- Students complete assignments in a learning management system that requires a secure login and password.
- Students participate in a proctored event.

2.10 Final Examinations *(Adopted 6-14-2021; Revised 4-11-2024)*

All credit courses will include a final assessment.

Procedures *(Adopted 6-14-2021; Revised 4-11-2024)*

2.10.1 Each credit course will have an assessment or other learning activity to be administered during the scheduled final assessment period regardless of the course location or delivery method.

2.10.2 Any deviation from these procedures must be approved prior to the scheduled assessment period by the Chief Academic Officer or designee.

2.11 Graduation and Academic Honors *(Adopted 5-6-1974; Revised 6-23-2003; Revised 6-8-2020)*

The College will establish appropriate procedures for selecting and recognizing students who exemplify the tradition of outstanding academic achievement.

Procedures *(Adopted 6-8-2020)*

2.11.1 President's List: At the conclusion of each fall and spring semester, East Central College will publish a President's List recognizing students who have completed at least twelve (12) credit hours in that semester, earning a semester GPA of 3.85 or above.

2.11.2 Vice President's List: At the conclusion of each fall and spring semester, East Central College will publish a Vice President's List recognizing students who have completed at least twelve (12) credit hours in that semester, earning a semester GPA of 3.50 – 3.84.

2.11.3 Dean's List: At the conclusion of each fall and spring semester, East Central College will publish a Dean's List recognizing students who have completed between six (6) and eleven (11) credit hours in that semester, earning a semester GPA of 3.50 or above

2.11.4 Graduation Honors: The cumulative grade point average at the end of a student's program of study will determine if graduation honors are awarded. Candidates with a 4.0 cumulative grade point average shall graduate summa cum laude. Candidates with a cumulative grade point average of at least 3.85, but less than 4.0, shall graduate magna cum laude. Candidates with a cumulative grade point average of at least 3.50, but less than 3.85, shall graduate cum laude.

2.12 Curriculum Development and Review *(Adopted 5-12-2008; Revised 6-14-2021, 4-11-2024)*

The faculty, academic deans, and Chief Academic Officer will be responsible for proposing, regularly evaluating, and revising the College's educational programs and courses.

Procedures *(Adopted 4-11-2024)*

- 2.12.1** All courses and programs will be periodically reviewed and evaluated by program faculty and administrators to ensure the College's educational offerings remain current, cost-effective, and relevant to the needs of students and the community.
- 2.12.2** A committee with broad representation from across the college will review and approve curriculum changes, including changes in courses, recommended changes to existing programs, and the addition of new programs. As appropriate, transfer institutions will be contacted to determine the transferability of courses and programs.
- 2.12.3** For career programs, advisory committees made up of knowledgeable professionals will inform the faculty on developments in the field and provide input on possible changes in the educational program.
- 2.12.4** Additions or deletions of career and transfer programs will be reviewed by the College President and submitted to the Board of Trustees for approval.

2.13 Review of Instructional Programs *(Adopted 6-4-1979; Revised 5-6-2002, 6-14-2021)*

The Chief Academic Officer (CAO) will submit to the College President an annual status report making recommendations with respect to the College's instructional programs. Recommendations to enhance, continue, reduce, restructure, or discontinue any program(s) may be based on the results of comprehensive review, program consolidation/reorganization, Board staffing decisions, or declared financial exigency.

Procedures *(Revised 5-12-2008, 6-14-2021, 4-11-2024)*

- 2.13.1** Prior to the development of an annual staffing plan, the CAO, assisted by faculty in related disciplines and academic deans, will analyze selected instructional programs with questions similar to the following:

1. What are the employment or transfer opportunities for students enrolled in that area, both immediate and short-range?
2. What is the size of the yearly reservoir of potential students in that area?
3. Is the instructional area necessary to support other instructional areas within the College and/or the College mission?
4. Are there value-added benefits to the student's career and/or transfer opportunities and potential income by completing the program of study?
5. What changes in technology have or will likely affect the instructional area?

2.13.2 Upon completion of the analysis, the CAO will consult with the program advisory board, if applicable, to develop a status report on the instructional program, including any recommendations for action, that will be submitted to the President of the College.

2.13.3 Upon review of the CAO's report, the College President will, in concert with the administrative leadership of the College, make an administrative decision regarding the College's instructional programs.

2.13.4 The President will make recommendations to the Board of Trustees as appropriate.

2.13.5 In cases of retrenchment, affected faculty and staff may submit a written appeal of such decisions to the Board of Trustees. The decision of the Board will be final.

2.13.6 If the Board accepts retrenchment recommendation(s), the Board will follow procedures as outlined in Full-time Faculty Non-reappointment procedures.

2.14 Academic Committees *(Adopted 6-14-2021; Revised 4-11-2024)*

The Chief Academic Officer (CAO) shall be authorized to create appropriate academic committees, both standing and ad hoc, and to appoint representative employees to each committee.

The CAO will annually recommend to the President the appointments of advisory committee members to ensure the academic currency and economic development potential of each A.A.S. program and other programs as warranted.

Procedures *(Revised 6-14-2021)*

2.14.1 The President of the College authorizes the CAO to create appropriate committees, both standing and ad hoc, necessary to support the mission and effectiveness of the Academic Affairs Division.

2.14.2 Career and Technical Advisory Committees *(Adopted 10-1-1990; Revised 4-7-2003, 6-14-2021, 4-11-2024)*

1. The program committees should have a minimum of 12 members to ensure reasonable meeting attendance with representation from business, industry,

and labor. In addition, members should be selected to represent diverse geographic, gender, and ethnic viewpoints. Program graduates and personal friends of the instructor(s) involved should be only minimally represented.

2. Members will be appointed to three (3)-year terms.
3. Two (2) advisory committee meetings will be scheduled each academic year (one in the fall term and one in the spring term). Advisory committee meetings are intended to serve as opportunities to receive advice and counsel on current workforce needs, the relevance of programs to meet these needs, the development of plans to support the programs, faculty qualifications, curricular content, equipment facilities and placement of graduates. Each meeting date will have an agenda published and distributed two (2) weeks prior to the meeting. Minutes will be recorded for each meeting and distributed electronically to members. Minutes will be stored in an appropriate software platform such as SharePoint or its equivalent.
4. Programmatic accreditation standards may have additional requirements for advisory boards.

2.15 Library Materials *(Adopted 6-1-1987; Revised 8-28-2003, 4-11-2024)*

Library materials are intended to support the mission of the College and to provide information and enlightenment to ECC students and the community. Thus, the library should provide the fullest practical access to materials presenting all points of view concerning the problems and issues of our time. The principles of academic freedom and the freedom to read will be defended.

Procedures *(Revised 6-14-2021)*

2.15.1 Selection of Materials

1. Library materials will be selected by the Director, Library Services with assistance from faculty and qualified members of the library staff.
2. The materials selection process will operate within the policies of the Board of Trustees.
3. Materials will not be excluded because of the race, sex, gender, nationality or the political, ethical, or religious views of the writer or artist.
4. No item shall be removed from the library in response to a Request for Reconsideration except by order of the Board of Trustees or a court having jurisdiction over such a decision.

2.15.2 Accepting Gifts

Specific procedures for accepting donation of materials, including criteria for such acceptance, may be found in the ECC Library Policies and Procedures. Any

potential donor should contact the Executive Director of the Foundation or the Director, Library Services about donations.

2.15.3 Complaints

The procedures for lodging and receiving complaints as contained in the Library Bill of Rights, Freedom to Read Statement, and Code of Ethics adopted by the American Library Association will be followed. Request for Reconsideration forms are available upon request from the Director, Library Services.

SECTION 3: STUDENT SERVICES POLICIES AND PROCEDURES

3.1 Admissions *(Adopted 2-6-1989; Revised 12-4-2000, 6-23-2003; Reaffirmed 8-25-2014; Revised 12-6-2021)*
The administration of the College will develop and implement admissions procedures in accordance with the Revised Statutes of Missouri, guidelines of the Coordinating Board for Higher Education and the Department of Higher Education and Workforce Development, and best practices recommended by The Higher Learning Commission. Some programs and majors have specific admission requirements, such as educational prerequisites, cumulative grade point averages, and/or test scores. Admission to the College does not ensure a student's admission to a specific program.

Procedures *(Revised 5-12-2008; Revised 8-25-2014, 12-6-2021)*

- 3.1.1** All graduates of accredited high schools and those who hold a High School Equivalency (HSE) certificate are eligible to enroll at East Central College.
- 3.1.2** Graduates of high schools not accredited by a regional accrediting agency or appropriate state agency must, before admission, present evidence to the Early College & Admissions Office of a High School Equivalency certificate. In the event of extenuating circumstances, the applicant should discuss their application with the Director, Early College & Admissions.
- 3.1.3** Graduates of home schools must present a final high school transcript from a parent, guardian, or external correspondence program with evidence of final cumulative GPA and a graduation date or a High School Equivalency certificate.

Home school students under the age of 17 must also complete the Special Admissions Form when they apply to the College.

- 3.1.4** Students who have not completed high school or home school are eligible to enroll as a dual credit or dual enrollment student. Dual credit students earn both college and high school credit simultaneously. Dual credit classes are taught by ECC-certified high school faculty in the high school. Dual enrollment students enroll in classes taught by ECC faculty, either on campus or online. Dual enrollment also includes the Early College Academy, a program in which students enroll during junior year in high school and complete an associate degree at the same time as their high school diploma. Students in the Academy are selected for participation by their high school administrators.

Upon enrollment, dual enrollment and dual credit students are also subject to the Coordinating Board of Higher Education Student Eligibility Criteria outlined by grade level, which includes specific grade point average requirements, permissions from school administrators and/or parent/legal guardian, or ACT or SAT scores.

Dual enrollment students under the age of 17 must also complete the Special Admissions Form when they apply to the College. Secondary students enrolled in dual credit classes at the high school campus are exempt from this requirement.

- 3.1.5** Upon admittance, all students are subject to the placement guidelines in place at that time, which will include review of the high school or home school transcript, college transcripts, and/or placement testing.

3.2 International Student and Non-U.S. Citizen Student Admissions *(Reaffirmed 12-2-1991; Revised 9-27-2007, 7-14-2014, 12-6-2021)*

East Central College is approved by the United States Department of Immigration and Customs Enforcement (Permit STL-214F-220, 3 April 1973) as a Student and Exchange Visitor Program (SEVP) certified institution of higher education for non-immigrant international students. The term “International Students” is defined as students who are in the United States pursuant to valid, non-immigrant student visas and students who wish to come to the United States pursuant to valid, non-immigrant student visas to attend East Central College. Typically, International Students seeking admission to East Central College apply for admission from their home country. International Students already physically present in the United States may be admitted to East Central College by transfer from another college or university in the United States if they have attained a grade point average of 2.0 or higher, based upon a 4.0 scale or the equivalent, and they are entitled to an honorable dismissal from that college or university. Individuals already physically present in the United States in another lawful visa status (i.e., in a valid visa status other than a student visa) may also be eligible for admission to East Central College if such admittance is permitted by the applicant’s current visa status and is in accordance with all relevant immigration laws.

International Students and non-U.S. citizen students seeking admission to East Central College must submit the proper documents and information, as outlined herein, in addition to meeting the general College admission requirements.

Procedures

3.2.1 International Students *(Revised 7-14-2014; 12-6-2021)*

International Students seeking admission to East Central College must:

1. Complete an East Central College Application for Admission.
2. Submit an original copy of an Affidavit of Support [U.S. Citizenship and Immigration Services (USCIS) Form I-134] indicating minimum support as designated in the catalog.
3. Verify proficiency in English through one of the following: (revised 12-23-14)
 - Successful completion of the Test of English as a Foreign Language (TOEFL) (minimum score of 497 on the written test or 60 on the Internet-

based test); or a score of 5.5 from the International English Language Testing System (IELTS), B1 on the Common European Framework of Reference (CEFR), or PTE Academic score of 44.

- Successful completion of a course equivalent to English Composition I taken in residence at a U.S. college or university.
 - Successful completion of an English as a Second Language Program.
 - English is the native language of the applicant's home country.
4. Submit original transcripts from secondary schools and universities previously attended translated into English and accompanied by an explanation of the grading system used. Transcripts must be sent directly from school/college records/registrar's offices. These records cannot be received directly from students or sponsors unless they are in sealed envelopes with the issuing school's or university's official stamp or seal.

If an International Student's admission is approved, an I-20 Form will be issued within 30 days of receipt of the above records.

5. Show evidence of health insurance covering a 12-month period. This insurance coverage must be maintained during the entire period that the student is attending East Central College, and documentation of such coverage must be on file with the International Student Advisor.
6. Pay International Student tuition rates.

3.2.2 Non-U.S. Citizen Students Who Are Not International Students *(Adopted 7-14-2014; Revised 12-6-2021)*

Non-U.S. citizen students, lawfully present in the United States, who do not qualify as International Students may be admitted to the College under the regular admissions requirements and should submit the following information as part of the admissions process:

- An East Central College Application for Admission
- Verification of high school completion or its equivalent
- Proof of lawful presence in the United States through any document issued by the federal government that confirms such lawful presence
- Official college transcripts from all colleges where credit was attempted or earned, including dual credit

If admitted, non-U.S. citizen students who do not qualify as International Students will be charged tuition as follows:

- Students in lawful permanent resident status will be charged tuition according to their district residency status at the time of their application for admission.

- Students present in Missouri as representatives of a foreign government or at the convenience of the United States and Missouri governments who hold a G visa (except for those who are government-funded students) will be charged tuition according to their district residency status at the time of their application for admission.
- Students who hold A or L visas and who are individually designated as representatives of their governments and whose education is not government-funded will be charged tuition according to their district residency status at the time of their application for admission.
- All other non-U.S. citizen students who are lawfully present in the United States [including, but not limited to, students who have been granted Deferred Action for Childhood Arrivals (“DACA”)] will be charged out-of-state tuition rates.

3.3 Admission of Students with Past Felonies *(Adopted 5-6-2019)*

To enhance student success and the safety of the East Central College community, all applicants are responsible for informing the College on the application for admission if they have pled guilty to or been convicted of a felony. The College may admit, admit with restrictions, defer, or deny admission based on the nature and circumstance of the crime(s). Admission to the College does not guarantee admission to selective admission programs.

Upon pleading guilty to or being convicted of a felony, admitted students are required to self-report in writing to the Chief Student Affairs Officer. The College may deny continued enrollment based upon the nature and circumstances of the allegation or conviction.

Procedures *(adopted 5-6-2019)*

3.3.1 Application Review Process

- A. If an applicant responds “yes” to either of the criminal background questions on the application for admission, the application will be placed in pending status, which prohibits applicants from enrolling in or accessing other College services.
- B. The applicant will be required to submit a personal statement form. The form requires students to list all prior felony convictions, provide a statement regarding the positive changes made since conviction, and provide a declaration of academic and career goals. Additionally, if a student is currently on probation and/or parole, the student is required to list their probation and/or parole officer.
- C. The applicant will be required to submit a certified criminal background check. If the applicant’s criminal record extends beyond the state of Missouri, it will be the responsibility of the applicant to obtain a certified background

check for each state, as appropriate. The applicant is responsible for payment of all costs associated with the background check.

- D. After the supplemental application and the background check are submitted, the documents will be reviewed by members of the Behavioral Intervention Team (BIT). The BIT will determine if the applicant should be admitted or be required to interview with the members of the BIT.
- E. If an applicant is required to participate in an interview, the applicant will receive notification from the College of the time, date, and location for the interview. If the applicant cannot attend the scheduled interview, they must notify the office of the Chief Student Affairs Officer (CSAO) and request to reschedule the interview. Failure to reschedule or attend the interview will result in the application remaining in pending status until such a time the interview can take place. Admission will not be approved for any applicant whose status is pending.
- F. For each file review and/or interview, three members of the BIT will participate. Each member will have one vote. A simple majority vote is necessary to make any decision or recommendation.
- G. A simple majority vote is sufficient for the BIT panel to require a psychological assessment of an applicant as a condition of admission. The applicant will pay all costs related to such assessment. The panel will specify a timeline for assessment and provisions for communicating the assessment outcome to the BIT panel.
- H. Based on a majority vote, the BIT panel will issue a short rationale for its recommendation, which shall be shown to the applicant upon request. The BIT panel may recommend to:
 - (1) Admit the applicant
 - (2) Admit the applicant with restrictions or conditions
 - (3) Continue the applicant's status as pending, awaiting the outcome of a psychological assessment or other required information
 - (4) Continue the applicant's status as pending, deferring admission for a specified period of time
 - (5) Deny admission
 - (6) Void an admission that was obtained inappropriately.
- I. The BIT panel will make recommendations to the CSAO on admission to the College and conditions of enrollment if applicable. Final determinations regarding enrollment of students with past criminal activity rests with the CSAO. The CSAO may require the student to meet with them and other designees prior to an admission decision. If the CSAO does not concur with the recommendation of the BIT panel, a short rationale regarding the decision will be issued, which shall be shown to the applicant upon request.

- J. Upon pleading guilty to or being convicted of a felony, an admitted student is required to notify the CSAO in writing. The student will then be required to meet with a BIT panel. The panel will make a recommendation to the CSAO on whether enrollment should continue.
- K. If a student incorrectly indicates on their application that they have a felony conviction(s), the student may sign a statement indicating an error was made. A signed statement will allow the student to continue the admission process without participating in the review process.

3.4 Program Admission *(Adopted 5-9-2005; Revised 12-6-2021)*

The faculty, staff, and Chief Academic Officer will devise, implement, and monitor an objective, timely and nondiscriminatory method for selecting applicants for admission to specific College programs with admissions criteria. These programs are identified annually in the course catalog. The selection process and criteria will be made available to interested parties in the departmental offices or academic advisement.

Procedures *(Adopted 5-31-2007)*

3.4.1 Criminal Background Check/Drug Screening

In response to external agency requirements and as a condition of required participation in activities at these agencies, students in designated programs must consent to a criminal background check and/or drug screening and must be responsible for all costs involved.

Students who do not consent to or do not pass the drug screening cannot remain a student in the designated program. Any information derived from the criminal background check and/or drug screening will not result in disciplinary action by the College, nor will it be made part of the student's College record. The student may remain enrolled at the College and continue in another program that does not have a criminal background and/or drug screening examination requirement.

3.5 Residency Status *(Revised 10-7-1985, 6-23-2003, 12-6-2021)*

Student residency status will be determined at the time of admission to East Central College. Student residency guidelines followed by the College will be those adopted by the Coordinating Board for Higher Education. In the case of international students or resident aliens, residency will be determined based upon both federal determination of status and state guidelines. A copy of such guidelines may be found in the Office of the Registrar.

Procedures *(Revised 8-17-2007; 12-6-2021)*

3.5.1 If the student disagrees with the College's assessment of their resident/non-resident status, the following procedure should be followed to appeal the decision:

A. Informal Appeal

Meet informally with the Registrar to discuss the residency status and reasons why the student should be considered an in-district student. The Registrar will render an informal decision based upon the information provided in this discussion.

B. Formal Appeal

If the informal decision determines that the student is not an in-district resident and if the student wishes to appeal this decision further, the next level of appeal may be implemented. The student must submit the appeal in writing to the Chief Student Affairs Officer, accompanied by written documentation of those criteria which the student meets for in-district residency as set forth in the Student Residency Requirements published by the Missouri Department of Higher Education and Workforce Development. The Chief Student Affairs Officer will review and verify the information provided and render a decision within three (3) working days of receipt of the written appeal.

The final level of appeal requires the student to submit an appeal in writing to the President of the College. The Chief Student Affairs Officer will forward to the President the documentation previously provided by the student at the first level of the formal appeal. The President will deliver a decision within five (5) working days of receipt of the written appeal.

3.6 Institutional Scholarships *(Revised 5-12-2008; Revised 7-14-2014)*

The East Central College institutional scholarship program, funded through the general fund of the College, is intended to provide access to East Central College to students who demonstrate academic or performance excellence or could not otherwise attend due to the lack of necessary financial resources. The number of scholarships awarded each year will be contingent upon funding, as determined by the College during its budget development process.

Scholarships *(Revised 7-14-2014, 11-6-2017, 12-6-2021)*

The following scholarships are approved by the Board of Trustees for funding through the general fund of the College.

Board of Trustees Scholarship

This award is for full-time students and recognizes high academic achievers who reside in the East Central College taxing and service district and who have graduated within the

last five (5) calendar years. Awards will not exceed the amount equal to the in-district tuition and general fees charge.

New Recipient Eligibility

New recipients must meet one of the following criteria:

- a. High school graduates with a minimum cumulative grade point average of 3.75 or who rank in the top 10% of their high school class.
- b. High school equivalency completion - HiSET students who have made a minimum total scaled score of 75 on the examination.
- c. Home-schooled students who have completed a course of home study and score in the 90th percentile on a nationally recognized test measuring academic achievement.
- d. Currently enrolled East Central College (ECC) students who have completed at least 12 credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5.
- e. Transfer students who have completed at least 12 credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5. These courses can be completed at the transfer institution or at ECC.

Renewal Recipient Eligibility

- a. Recipients must maintain a 3.3 minimum cumulative grade point average.
- b. Recipients must complete at least 30 credit hours annually.
- c. Recipients may be awarded for up to five (5) terms, including summer, if eligible.

President's Scholarship

This award is for students enrolled less than full-time, but at least half-time, and recognizes high academic achievers who reside in the East Central College taxing and service district and who have graduated within the last five (5) calendar years. Awards will not exceed the amount equal to in-district tuition and general fees charge.

New Recipient Eligibility

New recipients must meet one of the following criteria:

- a. High school graduates with a minimum cumulative grade point average of 3.75 or who rank in the top 10% of their high school class.
- b. High school equivalency completion - HiSET students who have made a minimum total scaled score of 75 on the examination.
- c. Home-schooled students who have completed a course of home study and score in the 90th percentile on a nationally recognized test measuring academic achievement.
- d. Currently enrolled East Central College (ECC) students who have completed at least six (6) credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5.

- e. Transfer students who have completed at least six (6) credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5. These courses can be completed at the transfer institution or at ECC.

Renewal Recipient Eligibility

- a. Recipients must maintain a 3.3 minimum cumulative grade point average.
- b. Recipients must complete at least 15 credit hours annually.
- c. Recipients may be awarded for up to ten (10) terms, including summer, if eligible.

Non-traditional Student Scholarship

This non-renewable award is for students over the age of 23 whose family income makes the student ineligible for need-based federal financial aid. To be eligible, the student must be enrolled in no fewer than six (6) credit hours and have completed a minimum of 15 credit hours at East Central College with a 3.0 grade point average. Awards will not exceed the amount equal to the in-district tuition and general fees charge.

Targeted Recruitment Scholarships

Targeted recruitment scholarships will be utilized to help realize the College's recruitment goals.

1. Music

This award is for full-time students. Awards will not exceed the amount equal to the in-district tuition and general fees charge.

Scholarship awards are provided for music majors and for students who may not be music majors but who participate in musical group performances. Eligibility criteria will be determined by faculty from the discipline. Scholarships will be awarded based on faculty recommendations.

2. Art

This award is for full-time students. Awards will not exceed the amount equal to the in-district tuition and general fees charge.

Scholarship awards are provided for art majors. Eligibility criteria will be determined by faculty from the discipline. Scholarships will be awarded based on faculty recommendations.

3. Theater

This award is for full-time students. Awards will not exceed the amount equal to the in-district tuition and general fees charge.

Scholarships are provided for theater majors and/or students working in and on theater productions. Eligibility criteria will be determined by faculty from the discipline. Scholarships will be awarded based on faculty recommendations.

Athletic Scholarship

A limited number of scholarships are available for full-time student athletes competing in the following sports: women's volleyball, women's softball, women's soccer, men's soccer, and men's baseball. Scholarships will be awarded based on recommendations from the Athletics Department.

Academic Pathway Scholarship

This award is for full-time students. Each academic pathway will be approved for an equal number of one-year, non-renewable awards. Faculty in each academic pathway recommend students for the awards. Awards are made based on consideration of the availability of other scholarships and financial aid. Those awards available to the academic pathways that house the disciplines of art, music, and theater will go to students enrolled in or majoring in other areas since those disciplines have their own awards.

Harrison M. Eaton Scholarship

This waiver of tuition and general fees is provided for an education major and is renewable if a 3.3 grade point average is maintained on at least 30 credit hours completed annually.

Technical Skills Scholarship

This full scholarship award is available to students from any high school in the East Central College taxing and service district pursuing an AAS degree in an area where they have demonstrated exemplary skills by scoring either first, second, or third in a state-level (or higher) technical skills competition in a program area articulated from their high school or area career center to a degree program at the College. The scholarship is renewable for a second year if a 3.3 grade point average is maintained on at least 30 credit hours completed annually.

A partial scholarship award is available to students from any high school in the East Central College taxing and service district pursuing an AAS degree in an area where they have demonstrated high potential in their chosen career field by scoring either first, second, or third in a district-level technical skills competition in a program area articulated from their high school or area career center to a degree program at the College. The scholarship is renewable for a second year if a 3.3 grade point average is maintained on at least 30 credit hours completed annually.

College Completion Scholarship

This award is for students who are within 12 credit hours of degree or certificate completion. Awards will not exceed the amount equal to the in-district tuition and general fees charges for one course.

Recipient Eligibility

- a. Must be 12 credits or less away from degree completion.
- b. Must have a cumulative grade point average or 2.0 or above.

- c. Must not receive federal or state grants or loans, nor third-party forms of payment

Operation: Graduation! Scholarship

This one-time, \$500 award is for students who are meeting the 15 to Finish timeline toward degree completion within the first two (2) years of college coursework following high school graduation.

Recipient Eligibility

- a. Student must complete 30 credit hours during a one (1)-year period at ECC.
- b. Must have a cumulative grade point average of 3.3 or above.

Additional scholarships are available through the ECC Foundation. Information is available on the Foundation website at www.eastcentral.edu/foundation.

Procedures *(Revised 7-14-2014, 11-6-2017, 6-13-2018,12-6-2021)*

- 3.6.1** Scholarships will be awarded on the basis of merit and/or need as defined by the scholarship type.
- 3.6.2** All award processes will abide by federal and state statutes and regulations concerning non-discrimination.
- 3.6.3** A full award is the cost of no more than 15 credit hours, plus general fees, per semester at the Tier I rate. Course fees and books are not covered. With administrative approval, full awards may be divided into partial awards and divided among students.
- 3.6.4** A supplemental award will provide up to \$500 credit per semester that is applied to special fees, books, or summer session. These scholarships are limited in number and funded by the ECC Foundation.
- 3.6.5** Scholarships not used in the semester in which they are awarded will be forfeited.
- 3.6.6** Unless otherwise noted, all scholarship award recipients must enroll full-time for at least 15 credit hours per semester or the number of credit hours available per their academic plan if less than 15.
- 3.6.7** To be eligible for an institutional scholarship, all scholarship applicants must first complete a Free Application for Federal Student Aid (FAFSA) and the online College scholarship application by the priority deadline for early consideration. Information on financial aid, scholarships, the application process, and relevant deadlines is available electronically through the Office of Financial Aid and the ECC Foundation Office.
- 3.6.8** Institutional awards will not exceed the amount equal to the in-district tuition and general fees charge. The student must be a native U.S. Citizen, Naturalized

Citizen, or Permanent Resident. Students who have been granted an institutional award equal to the amount of in-district tuition and general fees charges from one college source shall not be eligible to receive an additional award from another college source. Other tuition-specific awards (e.g., A+, VA funding) will be applied before any institutional scholarship is awarded. The student is not eligible for an institutional scholarship if other tuition-specific awards cover their tuition and general fees.

- 3.6.9** Scholarships will only pay for courses required for a student's degree or certificate. General eligibility for scholarships is terminated when a student completes 66 or more credit hours at ECC (students are allowed to change degree or certificate program one time and, in such cases, will no longer be eligible at 96 credit hours); when a student completes the requirements for an ECC degree, regardless of whether or not they apply for graduation; or when a student obtains a degree from ECC.
- 3.6.10** Unless otherwise noted, scholarships may be awarded to new or returning students.
- 3.6.11** Students found to be in violation of a Code of Conduct may lose scholarships as a consequence.
- 3.6.12** All scholarship awards, whatever the source of funding, must be awarded and monitored by the Office of Financial Aid.

3.7 Financial Aid Code of Conduct *(Adopted 12/7/2015; Revised 12-6-2021)*
The Board of Trustees authorizes the President to establish regulations governing the administration of financial aid to students.

Procedures *(Adopted 12/7/2015; Revised 12-6-2021)*

3.7.1 Conflict of Interest

No action will be taken by financial aid staff that is for their personal benefit or that could be perceived to be a conflict of interest.

- a. Employees within the financial aid office will not award aid to themselves or their immediate family members. Staff will reserve this task to an institutionally designated person to avoid any conflict of interest or the appearance of a conflict of interest.
- b. If a preferred lender list is provided, it will be compiled without prejudice and for the sole benefit of the students attending the institution. The information included about lenders and loan terms will be transparent, complete, and accurate. The complete process through which preferred lenders are selected will be fully and publicly disclosed. Borrowers will not be auto-assigned to any particular lender.

- c. A borrower's choice of a lender will not be denied, impeded, or unnecessarily delayed by the institution, even if that lender is not included on the institution's preferred lender list.
- d. No amount of cash, gift, or benefit in excess of \$25 or combination of gifts from one source over the course of a one-year period which totals more than \$25 shall be accepted by a financial aid staff member from any financial aid applicant (or their family), or from any entity doing business with or seeking to do business with the institution (including service on advisory committees or boards beyond reimbursement for reasonable expenses directly associated with such service).

3.7.2 Information Provided

Information provided by the financial aid office shall be accurate, unbiased, and shall not reflect preference arising from actual or potential personal gain.

3.7.3 Award Notifications

Institutional award notifications and/or other institutionally provided materials shall include the following:

- a. A breakdown of individual components of the institution's Cost of Attendance, designating all potential billable charges.
- b. Clear identification of each award, indicating the type of aid, i.e., gift aid (grant, scholarship), work, or loan.
- c. Estimated net price.
- d. Standard terminology and definitions, using the National Association of Student Financial Aid Administrators' glossary of award letter terms.
- e. Renewal requirements for each award.

3.7.4 Consumer Information

All required consumer information shall be displayed in a prominent location on the institutional website(s) and in any printed materials, easily identified and found, and labeled as "Consumer Information."

3.7.5 Disclosure

Financial aid professionals will disclose to the College any involvement, interest in, or potential conflict of interest with any entity with which the College has a business relationship.

3.8 Return of Title IV Funds *(Adopted 9-11-2000)*

East Central College complies with the Federal Return of Title IV Funds requirements as added to law by the Higher Education Amendments of 1998 (Public Law 105-244) and found in section 488B of the Higher Education Act of 1965, as amended.

Procedures

- 3.8.1** To earn Title IV financial aid students are required to attend classes beyond the 60% point of the semester for which aid was received. Students who withdraw

from or stop attending classes prior to completing 60% of the semester are subject to a recalculation of their Title IV financial aid as directed by the Federal Return of Title IV Funds policy.

- A. Title IV Funds refers to Federal financial aid programs authorized under the Higher Education Act of 1965, as amended. Title IV Funds include Subsidized and Unsubsidized Stafford Loans, PLUS Loans, Federal Pell Grants, Federal SEOG Grants, and LEAP grant funds.
- B. A student's withdrawal date is determined by the Financial Aid Office in accordance with federal guidelines.
- C. Title IV financial aid is earned in a prorated manner by attending classes up to and including the 60% point in the semester. Title IV financial aid is considered 100% earned by attending classes beyond the 60% point in the semester.
- D. The Financial Aid Office will utilize a formula dictated by the Federal Return of Title IV Funds policy to assign responsibility to both East Central College and the student for returning unearned Title IV financial aid to the Title IV programs.
- E. Students are responsible for payment of any outstanding balance on their East Central College account resulting from their withdrawal and the return of Title IV funds.

3.9 Student Attendance *(Adopted 5-9-2005; Revised 8-25-2014)*

Student attendance in class, regardless of the delivery modality, is important for student success. East Central College is an attendance-taking institution. As such, faculty members are required to submit daily attendance records to the Registrar on a timely basis. Specific attendance guidelines and consequences are provided in each course syllabus and are enforceable as written unless otherwise specified.

Procedures *(Adopted 8-25-2014; Revised 2-27-2017)*

- 3.9.1** All faculty will distribute to students a current course syllabus that includes a statement detailing the specific course attendance policy, guidelines, and actions. Such course attendance policy will be congruent with the institutional attendance guidelines, as stated here.
- 3.9.2** Faculty will take attendance at each class meeting and record attendance in a class record. For a student to be considered attending the following conditions must be met:
 - A student cannot be absent for all the class meetings held within 14 consecutive calendar days (or a prorated amount based on a reduced class

meeting calendar) without having made regular and frequent contact with the instructor regarding class progress.

- A student who fails to meet the attendance policy will be recommended for administrative withdrawal to the registrar's office by reporting a WX on grade reports.
- At the faculty member's discretion, the student may be allowed to re-enter or be reinstated to the course.

3.10 Assignment of Grades *(Adopted 8-28-2003; Revised 8-27-2007, 8-31-2009; 12-6-2021)*

The faculty at East Central College have sole responsibility for developing grading criteria and assigning grades to students based upon academic performance and detailed criteria as described in the official course syllabus provided to each student.

Procedures

3.10.1 Grade Descriptions and Records *(Revised 3-1-2012, 12-6-2021)*

Each faculty member's assignment of grades reflects the following standard college grading scale and corresponding grade points earned:

Grade	Explanation	Grade Quality Points Per Credit Hr.
A	Superior	4
B	Above Average	3
C	Average	2
D	Below Average, Passing	1
F	Failing	0
W	Withdrawal with Approval	0
WX	Administrative Withdrawal	0
I	Incomplete	0
H	Audit	0
P	Pass	0
NP	No Pass	0

At the end of each academic semester, faculty are required to submit final course grades to the Registrar and file a record of the grade plus the criteria used to arrive at the official grade with the appropriate instructional division. Grades are available to students via the online student account on the College website. All submitted grades become part of the student's official record (transcript) and are used in the computation of the semester grade point average and the student's cumulative grade point average.

3.10.2 Grade Explanations *(Revised 12-6-2021)*

A. Withdrawal (W or WX)

A student may initiate the withdrawal from a course with the approval of the instructor, advisor, or other appropriate campus official per the timeline published in the academic calendar and a grade of “W” will be recorded. The grade is not used in calculating the grade point average and by itself does not represent the quality of the student’s academic performance or conduct.

A student may be administratively withdrawn from a class by the instructor or a campus official due to excessive absence or other reason and a grade of “WX” will be recorded.

In either situation, a grade of “W” or “WX” carries no credit hour value and will count in credit hours attempted in certain financial aid programs.

B. Incomplete (I)

A grade of Incomplete (I) may be recorded for a student who has completed 80% of the required coursework with a passing grade but, because of reasons acceptable to the instructor, has failed to complete all coursework. Each grade of “I” must be accompanied by a written contract with specific terms for satisfactory course completion and the signatures of the instructor and student. All coursework must be completed during the following semester. If class attendance is required, coursework must be completed during the semester when the course is next offered. A final grade will be recorded as determined by the instructor. Students on financial aid should consult with the Financial Aid Office regarding the impact a grade of “I” may have on student financial aid status.

C. Audit (H)

A student may elect an audit grade option following the procedures outlined below. Audit (H) grades carry no credit hour value and will not count in credit hours attempted in certain financial aid programs.

1. A student is admitted to the College, meets all course admission requirements, registers for the course paying the usual tuition and fees, and enrolls as an audit student. Faculty may or may not require that the audit student take exams, but all attendance requirements are the same as other students in the class. A student completing the class and meeting the audit requirements as established by the faculty member will receive a grade of “H” for the class, but no credit hour completion will be associated with the grade. A student who fails to meet the attendance requirement may be administratively withdrawn from the class and a grade of “WX” will be recorded.

2. A student is admitted to the College, meets all course admission requirements, registers for the course paying the usual tuition and fees, and enrolls in a class. Within the College refund period (as defined in the course schedule and available in the Registrar's Office), a student may change status to audit (H). All the procedures for an audit class will then apply.

D. Pass (P)

In some courses and under certain circumstances a grade of "P" is used to indicate that a student has attained a sufficient level of knowledge within a course or program for the student to receive credit. Circumstances that warrant the use of "P" include but are not limited to articulated credit, advanced placement, and foreign language credit. Any specific course must receive approval from Academic Council to have a grade option of "P." In each of these circumstances, credit is awarded but no grade point average points are computed. Students may not request a Pass grade option.

E. No Pass (NP)

An option for students enrolled in a zero-credit hour course who have not met the outcomes of the course.

3.10.3 Grade Point Average *(Revised 12-6-2021)*

Grade point average is determined using the following steps:

- Exclude for purposes of computation all grades of W, WX, I, H, P, and NP.
- For all other grades, multiply the credit hour value of the course by the point value of the grade; this value is the student's grade points.
- Total the number of semester hours attempted in all courses used to determine grade points; this value is the student's hours attempted.
- Divide the grade points by the hours attempted; this number (a value of at least 0.00 and not to exceed 4.00) is the grade point average.

Cumulative grade point average computations will include all courses taken at East Central College plus any courses transferred and accepted by East Central College but will exclude any course for which the grade was forgiven (Policy 3.12) and include only the highest grade awarded for a repeated course (Policy 3.13).

3.11 Grade Appeals *(Adopted 8-28-2003; Revised 8-27-2007)*

Students at East Central College have the right to appeal a final course grade. The right to appeal is limited to grades given for the semester most recently completed.

Procedures *(Revised 12-6-2021)*

- 3.11.1** Students must make an appeal within eight (8) calendar weeks of the official end date of the semester for which the grade is reported. Students must submit in

writing to the Chief Academic Officer (CAO) a statement detailing the course, the faculty member, the grade received, and the reason the appeal is sought.

3.11.2 The CAO will review the appeal and seek a resolution. Should no resolution be reached, the student will be notified, and a formal hearing conducted.

3.11.3 A hearing committee will be appointed by the Chief Academic Officer, and a hearing will be conducted for the purpose of allowing all parties to state their positions. The committee will render a decision in writing to the student and faculty member within five (5) working days.

3.11.4 The student may appeal the decision of the committee to the President in writing within ten (10) working days of the committee's decision. The President will conduct a review and render a decision within thirty (30) working days. The decision of the President is final.

3.12 Grade Forgiveness Petition (*Adopted 8-28-2003; Revised 8-27-2007*)

Students at East Central College may petition for grade forgiveness; application is limited to grades of D or F earned in coursework in a single semester.

Procedures (*Revised 12-6-2021*)

3.12.1 Certain conditions apply to be eligible. The original grade remains on the transcript, and the forgiveness is noted. Forgiven grades will be excluded in the calculation of the cumulative GPA. Transfer institutions may or may not, at their discretion, honor the grade forgiveness from East Central College. Students should consult with the transfer school regarding its policies.

3.12.2 Students may obtain more information on Grade Forgiveness from their academic advisor. The grade forgiveness petition is available in the Registrar's Office or on the College website.

3.13 Repeated Courses (*Adopted 1-1- 2013; Revised 12-6-2021*)

A student enrolled at East Central College may repeat a course. All attempts at the course will be recorded on the official college transcript and the highest grade will be factored into the student's GPA. Financial aid rules may prohibit students from receiving funding for repeating a course under any circumstances.

Procedures

3.13.1 Once a course has been repeated, the student grade point average will be computed based on the highest grade awarded in the course. Any course repeat is noted on the official college transcript. Transfer institutions may or may not honor a repeat course grade.

3.14 Academic Standards of Progress *(Adopted 12-3-1968; Revised 8-27-2007, 7-18-2019; 12-6-2021)*

Upon enrollment at East Central College, students are expected to make progress toward graduation. The College defines minimal academic progress based on the following grade point averages and course completion rates:

Completion of at least 12 semester credit hours of coursework:	1.80 cumulative grade point average
Completion of at least 24 semester credit hours of coursework:	2.00 cumulative grade point average

3.15 Academic Probation and Suspension *(Adopted 12-3-1968; Revised 8-27-2007, 7-18-2019, 12-6-2021)*

Any student with a grade point average that falls below minimal academic standards of progress will be placed on academic probation. Students will have a full semester to remedy academic probation.

If at the end of the academic probation semester the probation status is not remedied, the student is automatically suspended. Students have the right to appeal any academic suspension.

Procedures *(Revised 7-18-2019, 12-6-2021)*

3.15.1 Students on academic probation are notified by the Chief Student Affairs Officer. Students on academic suspension are notified by the Chief Student Affairs Officer and a registration hold is placed on the student account.

3.15.2 A student appeal of an academic suspension requires a written petition to the Chief Student Affairs Officer for reinstatement as an active student.

3.15.3 Upon completion of the semester of suspension, students must meet with an academic advisor and develop an academic improvement plan.

3.15.4 Specific academic programs and eligibility criteria established for various financial aid and benefit programs may include additional academic requirements for enrollment, program continuation, or graduation.

3.16 Graduation Requirements *(Adopted 12-3-1968; Revised 6-1-1998)*

Specific graduation requirements will be established by the College faculty in accordance with the requirements of the State of Missouri and appropriate accrediting agencies.

3.17 Transfer and Articulation Officer *(Adopted 10-1-1973; Revised 4-7-2003, 8-31-2009)*

East Central College will designate a Transfer and Articulation Officer for the purpose of assisting students with matters related to transfer and articulation of credit.

3.18 Extracurricular and Co-curricular Activities *(Revised 5-12-2003, 12-6-2021)*

East Central College will offer a range of activities to foster student development, enrich student life, enhance the instructional curriculum, and support the mission of the College.

Procedures *(Revised 12-6-2021)*

- 3.18.1** The Board of Trustees will approve all intercollegiate sports.
- 3.18.2** Coaches and athletes will abide by the rules and regulations of the National Junior College Athletic Association (NJCAA). A copy of the rules and regulations is available through the Chief Student Affairs Officer and Athletic Director.
- 3.18.3** Intercollegiate athletics will be funded from student activity fees.
- 3.18.4** The College recognizes the Student Government Association (SGA) as the organization that represents the students' view in matters involving campus improvement and oversees the activities of all other student clubs and organizations recognized as active by the SGA. There is a maximum of one student government association per location (Union and Rolla).
- 3.18.5** Student clubs and organizations must have an employee sponsor, file an application with the Campus Life and Leadership Coordinator, gather a minimum of five signatures of current East Central College students, and be formally recognized by the Student Government Association.
- 3.18.6** Student clubs and organizations are governed by the constitution of the Student Government Association. Failure to function in accordance with the SGA mission statement or constitution will bring about loss of approval.
- 3.18.7** Student publications are produced by students who are enrolled in related Journalism/Mass Media and English classes and/or who are active with the ECC Student Media Club.
- 3.18.8** Guidelines for all student publications are available in the Student Publications Handbook available through the faculty sponsor or the Chief Student Affairs Officer.

3.19 Animals on Campus *(Adopted March 7, 2016; Revised 12-6-2021)*

East Central College welcomes the presence of trained Service Animals assisting individuals with disabilities on its campus in areas open to the public consistent with the provisions of this Policy and applicable law. This Policy applies only to facilities owned by the College or under its control. There may be restrictions imposed on the use of Service Animals in non-College facilities, such as hospitals, science laboratories, or other clinical or internship experience locations. Such restrictions are established by the individual facilities, and the College has no control over such restrictions. In addition, the College reserves the right to impose restrictions on the use of Service Animals on its property in order to maintain safety or to avoid disruption of College operations. For purposes of this Policy, a "Service Animal" is defined as a dog, or in certain circumstances, a miniature horse, that has been individually trained to do work or perform tasks for the benefit of individuals with disabilities. Animals that are not Service

Animals will not be permitted inside College buildings unless specifically approved by the College President.

Procedures *(Adopted 3-7-2016)*

3.19.1 Service Animals

The Access Services Department at East Central College strives to provide equal opportunities for individuals with disabilities, which may include the use of Service Animals. Service Animals are working animals, not pets. The work or tasks performed by a Service Animal must be directly related to its handler's disability.

Examples of work or tasks performed by Service Animals may include, but are not limited to:

- assisting individuals who are blind or have low vision with navigation and other tasks
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds
- providing non-violent protection or rescue work
- pulling a wheelchair
- assisting an individual during a seizure
- alerting individuals to the presence of allergens
- retrieving items such as medicine or the telephone
- providing physical support and assistance with balance and stability to individuals with mobility disabilities
- helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

Services that do not qualify as work or tasks performed by a Service Animal include:

- deterring crime
- providing emotional support, comfort, or companionship (often referred to as "therapy" or "companion" animals)

An animal does not have to be licensed or certified as a Service Animal in order to serve in that capacity. Individuals with Service Animals will not be required to provide documentation proving that the animal has had particular training as or is a "certified" Service Animal. However, consistent with state law, all Service Animals on campus should still:

- be licensed in compliance with state and/or local laws applicable to non-service animals,
- be properly immunized and vaccinated, and
- wear a current license and rabies vaccination tag.

In situations where it is not obvious that the dog or miniature horse is a Service Animal, the College may ask the following questions:

- Is the dog or miniature horse a Service Animal required because of a disability?
- What work or task has the dog or miniature horse been trained to perform?

A Service Animal is not required to wear a certain kind of harness that identifies it as a Service Animal, although all Service Animals must be on a leash or a harness at all times unless the nature of the accommodations provided by the Service Animal would be negatively impacted by a harness or leash. In that case, the handler must maintain control of the animal through voice, signal, or other effective controls.

The College may direct an individual with a disability to remove a Service Animal from College premises if the animal:

- is out of control and its handler does not take effective action to control it (including the animal posing a direct threat to others on campus and/or exhibiting behavior that interferes with the educational process).
- is not housebroken or is ill.
- is not properly licensed and/or vaccinated in accordance with state and/or local laws applicable to non-service animals.

3.19.2 Non-Service Animals

Pets under the control of an adult (i.e., 18 years or older) are permitted on College property but are not permitted within College-owned or leased buildings. Only Service Animals or animals being used in College laboratories for research, classroom, or observation purposes are permitted within College-owned or leased buildings.

Animals must be leashed and under the control of an adult at all times. A loose animal trailing a leash or one tied to a fixed object is not under the control of an adult. Animals that are unleashed, or leashed and unattended, on College property may be subject to impoundment at the expense of the owner. Animals left unattended in motor vehicles on College property may also be impounded at the expense of the owner if they become a nuisance or if the welfare of the animal is threatened.

3.19.3 Any exception to this Policy must be approved by the College President.

3.20 Student Conduct *(Revised 5-7-1973; Reaffirmed 12-2-1991; Revised 8-28-2003, 6-16-2014)*

Admission to East Central College carries an obligation to conduct oneself as a responsible member of the College community. Individual students and student organizations are required to observe the policies of the College and the laws of city, state, and federal governments. Student and organizational behavior must be compatible with the educational objectives of the College thereby maintaining safety standards and

promoting the health and wellness of each member of the College community. Students are expected to approach each academic course and activity with a willingness to learn and an attitude of cooperation. Students and student organizations are expected to uphold the key principles of honor, truthfulness, and respect for people and property. Prohibited conduct will lead to student discipline.

Procedures *(Revised 5-12-2008; Revised 8-2012, 6-16-2014, 12-6-2021)*

3.20.1 Prohibited Conduct

- A. Violations of standards established by College academic programs for student conduct in areas and classes such as the gym, fitness center, locker rooms, clinical settings, labs, shops, and internships.
- B. Violation of or disregard for safety policies and procedures, e.g., lab safety contract.
- C. Violation of Policy 4.30 Tobacco-Free Campus.
- D. Violation of Policy 4.45 Acceptable Use of Technology.
- E. All forms of academic dishonesty such as cheating, aiding or abetting cheating, plagiarism, fabrication, or multiple submission of papers in courses without prior instructor consent, or representation of others' work as one's own. (Refer to Academic Honor Code.)
- F. Knowingly furnishing false information to the College.
- G. Forgery, alteration, or misuse of College documents, records, or identification, whether in written or electronic form.
- H. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or any other College events or activities, including public service functions and other authorized activities on College premises.
- I. Disturbing others with strong, pervasive odors such as perfume, cologne, body odor, animal odor, alcohol, or illegal substances.
- J. Assault, abuse, or conduct that threatens or endangers the health or safety of another person on College-owned or controlled property or at a College-sponsored or supervised function.
- K. Theft, malicious destruction, damage, misuse, or conversion of property belonging to the College, a College employee, a College student, or a campus visitor.

- L. Unauthorized entry into or use of College facilities.
- M. Violation of local, state, or federal laws on College-owned or controlled property or at College-sponsored or supervised functions.
- N. Violation of Policy 3.25 Drugs and Alcohol Abuse Prevention.
- O. Failure to identify oneself when requested to by College officials or College agents or failure to comply with directions of College officials acting in the performance of their duties.
- P. Possession or use of firearms or other weapons, explosives, dangerous chemicals, or fireworks on campus or at College-sponsored or supervised activities.
- Q. Gambling on College-owned or controlled property or at College-sponsored or supervised functions. Charitable or fund-raising raffles may be permitted for student organizations with the approval of the Chief Student Affairs Officer.
- R. Violation of Policy 3.30 Student Protections Against Discrimination and Harassment or Policy 3.31 Student Title IX Sexual Harassment.
- S. Violation of College policies regarding discrimination and harassment.
- T. Disorderly conduct, breach of public decency, breach of the peace, aiding or inciting another to breach the peace, infringement upon the rights of another, or defamation of another either on College property or at College-authorized activities.
- U. Hazing, or any act that intimidates, frightens, or degrades an individual.
- V. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally.
- W. Stalking, defined as engaging in a course of conduct directed at a specific member of the College community that would cause a reasonable person to fear for personal safety or the safety of others, or to suffer substantial emotional distress. For purposes of this definition, a course of conduct means that two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Stalking may involve physical stalking and/or cyber stalking.

- X. Any aforementioned act committed in concert with other persons may make each participant responsible for the acts of the entire group.

3.20.2 Jurisdiction for this Policy applies to student conduct that occurs on all property owned, operated, or maintained by East Central College as well as actions that occur off-campus when the misconduct affects the well-being of students and other members of the College community.

3.21 Student Discipline *(Revised 5-1-1989; Reaffirmed 12-2-1991; Revised 8-28-2003; Reaffirmed 6-16-2014)*
All students are expected to meet the expectations of College administrators and faculty and the norms of a civil society and to avoid prohibited conduct (see Policy 3.20 Student Conduct). If the need for student discipline arises, students can expect due process as defined by the following procedures.

Procedures *(Revised 12-6-2021)*

3.21.1 Definitions *(Revised 6-16-2014)*

The following definitions apply to this Policy:

1. Chief Student Affairs Officer (CSAO) - The administrator responsible for student services such as counseling and advising.
2. Chief Academic Officer (CAO) -The administrator responsible for the oversight and direction of academic programs and faculty.
3. Hearing Committee - A five-member committee called upon for hearings whose membership includes two (2) faculty, two (2) administrative/professional staff, and one (1) support staff member. The CSAO and the CAO are not voting members of the hearing committee, but they are nevertheless involved in the hearing. The CSAO will preside over and the CAO will present the charges at all hearings where the misconduct does not involve an academic issue. If the misconduct involves an academic issue, their roles will be reversed.
4. Sanctions - Any action taken during the institutional discipline process, not including those actions an instructor may take within the classroom in cases of academic dishonesty such as assigning a lowered or failing grade for the assignment or class.

3.21.2 In most cases, disciplinary actions are meant to be remedial rather than punitive. Ideally, disciplinary proceedings will be conducted informally between the student(s) and the CSAO. However, when this means of resolution is not possible, a student has the right to formal processes of discipline and appeal.

3.21.3 Possible Sanctions *(Revised 8-2012, 6-16-2014, 12-6-2021)*

1. **Warning:** A verbal admonition by a College official regarding a violation of the Student Conduct Code.
2. **Fines, community service, rehabilitation, or other restitution:** A monetary fee, assigned task, or other means of reparation.
3. **Disciplinary Probation:** A status resulting from a finding of misconduct. The student remains enrolled but under stated conditions.
4. **Summary Suspension:** An involuntary and immediate separation of the student from the institution when, in the judgment of the CAO, CSAO, and/or President, the student presents the potential for behavior dangerous or destructive to themselves, others, or College property. Such suspension will be for a limited time until further disciplinary determination is made.
5. **Disciplinary Suspension:** An involuntary separation of the student from the institution for a specified period of time due to misconduct. The student may be re-admitted following a specified period of time.
6. **Expulsion:** Permanent loss of student status due to misconduct. Other stated conditions may be applied.

3.21.4 Formal Student Disciplinary Process *(Revised 12-23-2014)*

Students subject to sanctions will be accorded the opportunity for a hearing before a hearing committee. For a hearing to be held, the student is required to submit a written request for a hearing (electronic submission is acceptable) to the CSAO or designee within five (5) working days. The following guidelines will be applicable:

1. Students will be informed in writing of the time, date, and location of the hearing by personal delivery, certified mail, or via electronic communication at least seven (7) working days in advance of the hearing.
2. The entire case file will be available for inspection by the student in the office of the CSAO during normal business hours. The file, which should be available at least two (2) working days before the hearing, need not include the personal and confidential notes of any College official or participant in the hearing process.
3. The hearing will be conversational and non-adversarial. Formal rules of evidence will not apply. The CSAO or designee shall exercise active control over the proceedings to avoid needless consumption of time and to achieve the

orderly completion of the hearing. Any person who disrupts the hearing may be excluded.

4. The student may choose to be assisted by a member of the faculty or staff of the institution. Furthermore, the student may be accompanied by legal counsel, although the role of legal counsel will be limited to providing legal advice to the student, and such legal counsel may not participate in any other way.
5. Those assisting the student, except for legal counsel, will be given reasonable time to ask relevant questions of any individual appearing at the hearing, as well as to present relevant evidence. In some circumstances, including those involving sexual assault or other sensitive allegations, the CSAO or designee may determine that direct questioning of a witness by the student or the individual assisting the student is not appropriate. In those cases, the student or their representative will submit the questions to the CSAO or designee, who will then ask the questions.
6. Whenever possible, the student will be expected to respond to questions asked by the CSAO or designee.
7. If the student requests a hearing and fails to appear after proper notice, the hearing committee may either proceed with the hearing in the student's absence or may make a decision without holding a hearing.
8. The hearing will be recorded. The recording(s) shall be kept with the pertinent case file for a minimum of six (6) months.
9. A written decision will be rendered by the hearing committee within five (5) working days after the completion of the hearing. The written decision, which should be mailed or personally delivered to the student, should contain a brief statement of reasons for any determination leading to sanctions. The student should also be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement. The decision of the hearing committee will be final unless a timely appeal is made to the College President.

3.21.5 A student who wishes to appeal a disciplinary decision must do so within 30 calendar days of the notice of the written decision of the hearing committee by filing a written appeal with the College President. The written notice to the President should state the basis for the appeal.

1. An appeal is limited to the following issues:
 - a. Prejudice or other irregularities that improperly influence the outcome of the disciplinary hearing.

- b. Discovery of new or significant evidence that was not available at the time of the original hearing.
 - c. A sanction that is extraordinarily disproportionate to the violation.
2. The College President will meet with the student and render a decision within seven (7) days. The decision of the President will be final.
 3. In all non-grade appeals, the student may choose to withdraw from College or the class at any time during the disciplinary process.

3.22 Student Privacy *(Reaffirmed 12-2-1991; Revised 4-7-2003;5-8-2017)*

East Central College will comply with all state and federal statutes regarding the use and release of student information including the Family Educational Rights and Privacy Act (FERPA) of 1974 (as amended). Students, parents, or guardians seeking clarification of laws, regulations, and practice may request such information from the office of the Chief Student Affairs Officer.

Procedures *(Adopted 5-8-2017)*

3.22.1 Confidentiality of Student Records

FERPA (U.S. Public Law 93-579) guarantees individuals' rights to access their education record. This federal law also provides guidelines as to third-party access and the appropriate security of the education record. FERPA stipulates that students have the right to:

1. Inspect and review their education records within 45 days of the day the College receives a request for access. Students must submit written requests to the Registrar's Office that identify the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and location where the records may be inspected.
2. Request amendment to the education record if the student believes the record is inaccurate or misleading. If the student believes the record is inaccurate or misleading, the student should write the College Registrar, clearly identify the part of the record they want changed, and specify what is inaccurate or misleading. If the decision is made not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. Control disclosure of their academic records without written consent, and to designate confidentiality of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. File a complaint with the U.S. Department of Education concerning alleged failures by ECC to comply with the requirements of FERPA.

3.22.2 Release of Student Records

The College will not permit access to, or the release of, education records or personally identifiable information contained in the student's education record without the written consent of the student, except to the extent that FERPA authorizes disclosure without consent. FERPA allows for disclosure without consent to the following parties or under the following conditions:

1. School officials who have a legitimate educational interest. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional duties,
2. Upon request, ECC discloses education records without consent to officials of educational institutions in which a student seeks or intends to enroll,
3. Specified officials for audit or evaluation purposes,
4. Appropriate parties in connection with financial aid to a student,
5. Organizations conducting certain studies for, or on behalf of, the College,
6. Accrediting organizations,
7. To comply with a judicial order of lawfully issued subpoena,
8. Appropriate officials in cases of health and safety emergencies, and
9. State and local authorities, pursuant to State law.

3.22.3 Access to Education Records

Information contained in a student's education record remains confidential between the student and ECC and will not be released to third parties without the written consent of the student, as allowed by FERPA and its regulations.

3.22.4 Directory Information

1. Pursuant to FERPA, ECC may disclose certain types of information, which ECC has designated as "directory information," without a student's prior consent. ECC has designated the following information as "directory information" for the purposes of FERPA:
 - a. Student's Name
 - b. City of Residence
 - c. Program of Study
 - d. Academic Classification (Freshman/Sophomore and Full-time/Part-time)
 - e. Participation in Recognized Activities, including photographs of sponsored activities
 - f. Dates of Attendance, including matriculation and withdrawal dates
 - g. Degrees, Certificates, Recognitions, and Awards Received
 - h. Individual or Group Photographs
 - i. Additionally, ECC may release lists of students who qualify for academic honors, as well as lists of graduates, to paper and digital media publications.

2. Directory information may be disclosed by ECC for any purpose, at its discretion, without the consent of a student. Students, however, have the right to refuse to permit the release of their directory information. Requests for non-disclosure will be honored until written notice is received from the student to remove the request for non-disclosure. If a student requests non-disclosure, no information regarding the student will be provided unless photo identification is shown verifying it is the student who is present and making the request.
3. Any student who wishes to refuse to permit the release of directory information must file written notice with the College Registrar. Forms for this purpose are available at the Student Service Center. The written notice does not apply retroactively to previously released directory information. To prevent publication of directory information, written notice must be given no later than the second week of the term in question.

3.23 Student Right-to-Know and Campus Security Act Compliance *(Revised 4-7-2003)*
East Central College will comply with all federal and state statutes and regulations concerning student right-to-know, including Public Law 101-524, The Student Right-to-Know Act and Campus Security Act, as amended by Public Law 102-26, The Higher Education Technical Amendments. Detailed information regarding these statutes and regulations is available from the Chief Student Affairs Officer.

3.24 Behavioral Intervention Team *(Adopted 3-4-2019)*
East Central College recognizes the Behavioral Intervention Team (BIT) as an official College team. It is the responsibility of the team to review behavioral incidents and concerns and ensure a systematic response to students whose behavior may be disruptive or harmful to themselves or other members of the College community.

Procedures *(Adopted 3-4-2019)*

3.24.1 Team Charges

The specific BIT charges are:

- A. Assess student situations when concerning behaviors are identified.
- B. Consult with administration, faculty, staff, and other students affected by concerning behaviors.
- C. Coordinate the College response to a violent, threatening, or significantly disruptive student or a student's situation.
- D. Develop a specific strategy to manage the threatening, disrupting, or concerning behavior with regard to the safety and rights of others, as well as

those of the student at issue, and to minimize the disruption to the College community.

- E. Make recommendations to responsible College officials on appropriate action consistent with College policy and procedure statements, and with state and federal law.

3.24.2 Team Composition *(Revised 12-6-2021)*

- A. The BIT is chaired by the Chief Student Affairs Officer (CSAO) or a designee.
- B. The core members include:
 - Chief Student Affairs Officer
 - Director of Advising and Counseling Services
 - Up to two licensed Counselors or Social Workers on staff
 - Campus Police Officer(s)

The auxiliary members include:

- Up to two faculty appointed by the Chief Academic Affairs Officer
- One representative from Rolla Campus appointed by the site director

- C. The CSAO may consult with other College officials as needed and request that other College officials serve on the team in specific situations.

3.24.3 Operations and Procedures Guidelines for Case Management *(Revised 12-6-2021)*

- A. At the beginning of each fall and spring semester, the CSAO or designee will send a notice to faculty and staff, through appropriate communication channels, stating the team is available for consultation when they are concerned about potentially harmful, threatening, or disruptive behavior of a student or students.
- B. Emergency or extreme situations immediately by calling 911 if a student displays an imminent threat to self or others, or serious disruptive or threatening behavior.
- C. A student's behavior that is not extreme or severe should be reported to the BIT. Once the report is received, the CSAO or designee will present the case to the BIT for an assessment and develop an appropriate response plan. The BIT's response will be based on the nature of the behavior, the severity of the risk, and the needs of the student and will be consistent with the codes of conduct, mandatory reporting responsibilities, and applicable laws.
- D. The core team meets weekly, but in a time-sensitive high-risk situation a special team meeting may be called by any member.

- E. The team uses the National Behavioral Intervention Team Association’s threat assessment to support interventions.
- F. The desired outcome of a consultation and or intervention with a student by a member of BIT is to recommend a course of action. Specific issues to be considered in a consultation or intervention include assessment of potential violence, evidence of mental illness as the possible cause of behavior, containment of disruption, appropriate referral resources, and setting appropriate behavioral boundaries within existing College policies.

3.24. Case Information and Confidentiality Procedures

Members of the Team may provide each other, faculty, staff, and students involved in a particular case, or outside parties in connection with the situation, with information as is necessary to protect the health, safety, and privacy of the student or other persons, and to generate a recommended course of action, in accordance with applicable legal and professional standards of confidentiality, including the release of information pursuant to the Family Educational Rights and Privacy Act of 1974.

3.25 Drug and Alcohol Abuse Prevention *(Reaffirmed 12-2-1992; Revised 11-5-2001, 12-6-2021)*

East Central College prohibits the manufacture, distribution, dispensation, possession, or use of a controlled substance or an imitation controlled substance and the possession, use, or distribution of alcoholic beverages (except as specified in Board Policy 4.31) on any East Central College-owned or controlled property or at College-sponsored functions.

Procedures *(Revised 5-12-2008, 12-6-2021, 12-19-2022)*

3.25.1 Definition: An imitation controlled substance is a substance that is not a controlled substance, which by appearance (including color, shape, size, and markings) or by representations made, would lead a reasonable person to believe that a substance is a controlled substance.

3.25.2 Violations of this Policy will result in disciplinary actions, up to student expulsion, and may have legal consequences. Certain violations could result in the involvement of civil law enforcement authorities.

3.25.3 The College complies with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. § 1011i) and the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.). Although marijuana is legal in Missouri, it is still considered illegal under federal law as a “Schedule I” drug. As such, the distribution, possession, and consumption of marijuana are prohibited on property owned or operated by the College or its affiliates.

3.25.4 The College recognizes drug and alcohol abuse as a potential health, safety, and security problem and recognizes dependency as an illness for which there is effective treatment.

Students needing help in dealing with such problems are encouraged to use the College's counseling services for referral assistance for treatment centers.

3.26 Suicide Awareness and Prevention *(Adopted 10-1-2018)*

East Central College encourages students to maintain a reasonable concern for their own health and safety. Therefore, the College will take action in accordance with this Policy to create awareness in the area of suicide prevention and response, consistent with Missouri Revised Statutes 173.1200.

Procedures *(Adopted 10-1-2018; Revised 12-6-2021)*

3.26.1 The following definitions apply to this Policy:

Suicide - Death from an injury which is self-inflicted and by which the student intended to kill himself.

Suicidal Behavior - Any potentially injurious behavior which is self-inflicted and by which a student intends, or gives the appearance of intending, to kill himself or herself.

Suicide Threat - Any interpersonal action, verbal or non-verbal, that a reasonable person would interpret as communicating or suggesting that suicidal behavior may occur in the near future.

Suicidal Ideation - Any self-reported thoughts or feelings about engaging in suicidal behavior.

Suicide Plan - A proposed method of self-inflicted injury through which the potential and intentional outcome is death.

3.26.2 When a student in the College community is facing a crisis, the entire College can be affected. It is critical that a basic framework exist to enhance coordinated efforts that protect the safety and well-being of the student in crisis and each member of the campus community. In the event a member of the College community learns, either directly or indirectly, that a student has a) engaged in suicidal behavior, b) communicated a suicide threat, or c) exhibited warning signs for suicide, that student should be referred for assistance according to the appropriate College procedure.

3.26.3 Suicidal Behavior

Any member of the College community who learns that a student has just engaged in, is in the process of engaging in, or is about to engage in suicidal behavior, should immediately report this behavior to emergency personnel by calling 911. If possible, provide responding emergency personnel with any pertinent information that is known about the student.

Contact the Chief Student Affairs Officer as soon as possible at (636) 584-6565 or via email if after business hours. The CSAO may then consult, activate, and/or convene other Behavioral Intervention Team members to help coordinate information, identify support strategies, and implement a follow-up action plan.

If the CSAO is not available, contact the Director of Advising & Counseling at (636) 584-6581 or via email if after business hours. In Rolla, contact the Coordinator, Student Success at 573-466-4081 or via email if after business hours.

After the threat has passed, fill out the incident form available online at: <https://cm.maxient.com/reportingform.php?EastCentralCollege>.

3.26.4 Suicide Threat

Any member of the College community who learns that a student has communicated a suicide threat should contact the CSAO as soon as possible at (636) 584-6565 or via email if after business hours. The CSAO may then consult, activate, or convene other Behavioral Intervention Team members to help coordinate information, identify support strategies, and implement an action plan.

If the CSAO is not available, contact the Director of Advising & Counseling at (636) 584-6581 or via email if after business hours. In Rolla, contact the Coordinator, Student Success at 573-466-4081 or via email if after business hours.

After the threat has passed, fill out the incident form available online at: <https://cm.maxient.com/reportingform.php?EastCentralCollege>.

A student who has communicated a suicide threat may be required to be assessed by a mental health professional to determine the level of suicide risk. The assessment may be performed by a mental health professional in the community or a crisis worker at a hospital emergency room.

All suicide threats should be taken seriously. In every case, a trained professional should evaluate the validity or imminence of a potential suicide threat.

If at any point it seems reasonable to assume that suicidal behavior is imminent, especially if the student is uncooperative with attempts to help, call 911 or Campus Police at (636) 584-6600. Share the student's name, description, details of the suicide threat, and location/destination (if known). Police officers can check on the student and take them into custody, as appropriate, to be evaluated for suicidal risk.

3.26.5 Warning Signs of Suicide

Any member of the College community who learns that a student is exhibiting warning signs of suicide but has not engaged in suicidal behavior or communicated a suicide threat, should contact the Director of Advising & Counseling at (636) 584-6581 for consultation and support, especially if the student is exhibiting suicidal ideation. The CSAO should also be notified.

If Advising & Counseling is closed and the CSAO is not available, call one of the following suicide prevention hotlines:

National Suicide Prevention Lifeline (800) 273-8255

Eastern Missouri Behavioral Health Response Crisis Line (314) 469-6644

If unable to receive assistance, call 911.

A student may be referred directly to Advising & Counseling for counseling services and encouraged to make an appointment on their own. However, a call may be made to Advising & Counseling on behalf of the student to alert the counselor of the situation. In Rolla, contact the Coordinator, Student Success at 573-466-4081 or via email if after business hours.

After the threat has passed, fill out the incident form available online at: <https://cm.maxient.com/reportingform.php?EastCentralCollege>.

The most common warning signs of suicide include:

Ideation: talk of suicide, researching suicide means, preoccupation with death

Substance abuse: increasing abuse of drugs or alcohol

Purposelessness: lacking meaning or purpose, having no reason to live, a sudden loss

Anxiety: restlessness, inability to sleep, panic, and anxiety

Trapped: feeling there is no way out, stuck in unbearable pain

Hopelessness: depression, despair, feeling like a burden to others

Withdrawal: isolating oneself from friends, family, or others; feeling alienated

Anger: exhibiting uncontrolled rage or wanting to seek revenge

Recklessness: thoughtless or impulsive engagement in risky activities

Mood changes: displaying extreme or dramatic changes of mood or behavior

Other: getting affairs in order, having a suicide plan, past suicide attempts

3.26.6 Post Intervention Plans

In the event the College community is impacted by the death of a student, including a student whose death is caused by suicide, the College has developed a communication plan to address a variety of issues that may be caused by this type of loss. This plan includes reminding members of the College community about existing support and mental health resources, including resources related to suicide prevention.

3.26.7 Resources, Education, and Training

The counseling staff in Advising & Counseling will maintain current information about the availability of local mental health clinics, student health services, and counseling services that can assist with suicide prevention and intervention. This information will be made available on the College's website.

Further education and training in identifying and assisting emotionally distressed and at-risk students can be provided by the counseling staff in Advising & Counseling and is available upon request. To inquire about training, contact the Director of Advising & Counseling at (636) 584-6581. In Rolla, contact the Coordinator, Student Success at 573-466-4081.

3.27 Communicable Diseases *(Revised 5-12-2008, 8-25-2014, 3-7-2022)*

The College will take appropriate action to minimize the risk of transmission of communicable diseases and to maintain a safe campus and educational environment. Some College departments have additional restrictions and procedures that must be followed due to the nature of the educational environment.

Procedures

3.27.1 Definitions *(Revised 8-25-2014, 3-7-2022)*

The following definitions apply to this Policy:

Communicable Disease - An infectious disease that is capable of transmission to other individuals through close contact, exposure to routine secretions, and/or physical proximity on a college campus. A communicable disease may be acute (short-term) or chronic (long-term). For purposes of this Policy, this term is not intended to include diseases for which transmission is virtually eliminated as a result of the application of standard universal precautions or other effective measures.

Assessment Team - A multi-disciplinary team convened to review and assess the student's communicable disease and its effect on the College community.

Others or Others in the College Community - Employees, students, and visitors to the College or any of its satellite facilities or properties.

Epidemic – The occurrence in a community or region of cases of an illness clearly in excess of normal expectancy.

Pandemic – A disease epidemic that has spread across multiple continents or worldwide.

3.27.2 Disclosure *(Revised 8-25-2014, 12-6-2021, 3-7-2022)*

A student who becomes aware that they have or may have a communicable disease of public health concern shall self-report this information to the Chief Student Affairs Officer or designee. A College employee who has personal knowledge that a College student has or may have a communicable disease of public health concern must also report this fact to the Chief Student Affairs Officer or designee.

3.27.3 Assessment *(Revised 8-25-2014, 12-6-2021)*

Upon receipt of a report that a student has or may have a communicable disease, the Chief Student Affairs Officer is authorized to temporarily exclude the student from College property until a multi-disciplinary team ("Assessment Team" or "Team") is convened to review and assess the student's condition.

The Assessment Team will be composed of the following: (1) the Chief Student Affairs Officer or designee; (2) a physician or other consultant with knowledge of the particular disease, selected by the College; (3) the student's health care provider; and (4) other College representatives as appropriate. The student and/or their representative will be involved in the assessment process, but the decision on how the situation will be handled will be determined by the College.

The Chief Student Affairs Officer must convene the Team within five (5) working days after receiving a report that a student has or may have a communicable disease. Members of the Team are responsible for arranging their schedules to meet at the time and place designated by the Chief Student Affairs Officer. Because of the importance of addressing the communicable disease promptly, this meeting will not be rescheduled because of the unavailability of one or more members. However, members of the Team may participate remotely upon giving advance notice to the Chief Student Affairs Officer.

The Team will assess, review, and consider the following: (1) the student's condition; (2) the present and future risk of transmission to others; (3) the

existence and practicality of implementing precautions, methods, and strategies to eliminate or reduce the risk of transmission to others; (4) the restrictions, if any, that will be required to prevent the student from creating the risk of transmission to others; (5) whether the student should be excluded (or continue to be excluded) from College premises, and, if so, whether alternative educational arrangements can be made; and (6) if warranted, the date upon which the Team will reconvene to reassess the matter.

The Team will make a determination regarding the student's exclusion (or continued exclusion) from the College and/or the conditions or restrictions on the student's return to the College (if any) within three (3) working days after it has convened. The Team's determination will be documented in writing and the Chief Student Affairs Officer shall provide written notice of the determination to the student and President of the College.

If the student's condition is chronic or persists for more than a short, definable period, the Team shall reassess its determination as often as the Team deems appropriate.

This assessment process is not intended to limit or otherwise inhibit the right of the College to contact the local health authority or other public health official for guidance or direction in handling a communicable disease situation. Directives or orders from public health officials shall supersede the assessment process in this Policy.

3.27.4 Consent

To aid in its assessment, the Team may request that the student provide a HIPAA compliant authorization that permits the Team to communicate with the student's health care provider(s) regarding the status and effect of the student's communicable disease. In addition, the Team may require the student, at the College's expense and in accordance with law, to undergo a physical examination and/or medical tests that are narrowly tailored to assist the Team in determining whether the student still has a communicable disease. A student who refuses to provide consent to enable the Team to communicate with the student's health care provider(s) or to undergo the required examination/tests may be subject to exclusion from College property, as permitted by law, until such time as consent is provided or the Team determines that the student may return in accordance with this Policy.

3.27.5 Return to the College *(Revised 8-25-2014)*

The Team is authorized to decide that the student may return to the College if it determines that one or more of the following is true:

1. The student never had or no longer has the communicable disease, or

2. The communicable disease is not in the infectious or contagious stage, or
3. The communicable disease poses little to no risk of transmission in the College environment upon the application of universal precautions or other effective measures.

3.27.6 Appeal *(Revised 8-25-2014, 12-6-2021)*

The student may appeal the Team's determination to the President of the College in writing within three (3) working days of the receipt of the Team's decision. The student shall set forth in writing the reasons why the Team's decision should be modified or reversed. As part of the appeal process, the President is entitled to review all documentation produced and considered by the Team. Upon conclusion of this review, the President will issue a written decision to the Team and the student. The President's decision shall be final. However, if the student believes that the actions under this Policy were taken in violation of Section 504 of the Rehabilitation Act of 1974 ("Section 504") or the Americans with Disabilities Act ("ADA"), the student is permitted to submit an appeal by proceeding to the final level of the College's grievance Policy on Section 504/ADA complaints. A copy of that Policy may be obtained from the College's Compliance Coordinator for these laws, whose contact information is as follows:

Chief Student Affairs Officer
East Central College
1964 Prairie Dell Road
Union, MO 63084
Phone: 636-584-6565

A student who is unable to resolve a problem or grievance under Section 504 or the ADA has the right to file a complaint with the Office for Civil Rights for the United States Department of Education, 1010 Walnut Street, Suite 320, Kansas City, MO 64106; phone 816-268-0550.

3.27.7 Confidentiality *(Revised 8-25-2014)*

Students with communicable diseases have a right to privacy and a need for confidentiality of their medical information. Therefore, to preserve this right, the following rules will apply:

1. The student's medical condition and related information may be disclosed only to those individuals who need to know the information to implement this Policy, to assure that proper care is provided, and/or to detect/monitor situations in which the potential for transmission of the communicable disease may increase, as well as to those individuals who are otherwise authorized to receive, or who must receive, this information under law.

2. The student's medical information shall be retained in a file separate from the student's other records. This separate file shall be maintained by the Chief Student Affairs Officer.
3. Willful, negligent, or unauthorized disclosure of information about a student's medical condition will be cause for remedial or disciplinary action, up to and including dismissal.

3.27.8 Epidemics/Pandemics *(Adopted 3-7-2022)*

Should any disease reach an epidemic or pandemic stage, the College will review and monitor the situation and rely on information and guidance from local, state, and federal authorities to provide appropriate information to the College community. The College President may temporarily close the College if such closure serves the best interest of the College community. In addition, the College President may institute quarantine or isolation protocols; restrict travel to high-risk locations; limit access to facilities; institute measures such as social distancing, enhanced cleaning protocols, and suspension of classes; and/or implement other measures to mitigate disease transmission as recommended by local, state, and federal public health officials. The College President will establish a return to campus plan for all students that supersedes the procedures above.

3.28 General Student Complaints *(Adopted 7-20-2017)*

East Central College encourages students to report concerns and complaints so that the College may review, respond to, and resolve these issues in an open and professional manner. Any student may initiate a complaint alleging a violation of ECC administrative or academic policies, or other established practices related to action or inaction by the College. ECC encourages informal resolution of these concerns and complaints through direct communication with the individuals involved. Formal complaints will be reviewed once the student has properly exhausted the informal processes.

In accordance with federal regulations, ECC accepts and maintains records of formal written complaints.

Procedures *(Adopted 7-20-2017; Revised 12-6-2021)*

- 3.28.1** East Central College is committed to providing an environment where the rights of all individuals are protected and where concerns regarding those rights are reviewed and resolved in an appropriate and professional manner.

The ECC Student Complaint Policy is available to students who have a concern or complaint about an alleged violation of ECC administrative or academic policies, or other established practices, and where there is no other existing college process through which the student may resolve the concern or complaint. Complaints

related to student conduct, requests for accommodations, sexual harassment, sexual violence, discrimination, financial aid determinations, or grading concerns are addressed under separate policies, and therefore, are not covered by the General Student Complaint Policy.

Complaints submitted pursuant to this Policy that are covered by more specific college policies will be forwarded to the appropriate college personnel and addressed pursuant to the applicable Policy.

The objective of the ECC General Student Complaint Policy is to resolve concerns as quickly and efficiently as possible, at the level closest to the student. Every effort will be made to resolve complaints informally and within 90 working days of notice of the complaint. Before filing a formal complaint, students should attempt to resolve their complaint with the other involved party or parties through consultation and discussion.

3.28.2 Informal Complaint Process

For complaints that are not academic or instructional in nature, students should attempt to resolve the concern at the source of the complaint. If the matter remains unresolved, the student should contact the immediate supervisor.

For complaints covered by this Policy that are academic or instructional in nature, including complaints about classroom or laboratory activities, students should attempt to resolve the concern through a discussion with the instructor. This General Student Complaint Policy does not cover complaints or concerns about grading, as those complaints are subject to a specific College Policy. If the matter remains unresolved after speaking with the instructor, the student should contact the appropriate division chair.

3.28.3 Formal Complaint Process *(Revised 12-6-2021)*

If attempts at informal resolution are not successful and the student elects to use the formal complaint process, the complaint should be filed during the semester of occurrence, but no later than 60 calendar days from the first day of the following academic semester.

Formal complaints should be submitted to the College using the form located at www.eastcentral.edu/studentconcern.

The College will provide a response to the complainant within ten (10) working days of receipt of the complaint. If a longer time is needed to investigate and make a decision, the appropriate administrator will make a reasonable extension of the deadline and contact the complainant to notify them of the new deadline, which will be no more than 90 working days from notice of the complaint.

Formal complaints that are academic or instructional in nature will be reviewed by the Chief Academic Officer (CAO). All other formal complaints will be reviewed by the Chief Student Affairs Officer (CSAO).

If the student is not in agreement with the determination, the student may seek review by the College President by written request within ten (10) working days of the CAO's/CSAO's notice of determination. The written request must explain the reason that the CAO's/CSAO's determination has been deemed unacceptable by the student.

The College President is the final level of appeal.

The College will attempt to resolve all complaints within 90 working days of receipt.

3.29 Student ADA Grievance Process *(Adopted 5-8-2006)*

East Central College will provide for expeditious and reasonable resolution of student grievances related to the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, or other disability-related statutory rights. A grievance must be filed during the semester in which accommodations are requested.

Procedures *(Revised 12-6-2021)*

3.29.1 If a student disagrees with the College's assessment of their need for ADA accommodations, the following procedures should be followed to appeal the decision:

A. Informal Appeal

The student requests a conference with the Access staff and/or faculty/staff involved in the accommodation request. When deemed appropriate by the Access staff, the division chair will also be included. If the faculty/staff have been asked to provide the accommodations by the Access staff, the faculty/staff will continue to provide the accommodations during the appeal process.

If the issue is not resolved following this conference, the student will request a conference with the appropriate administrator, as well as the parties listed above. Within ten (10) working days, the appropriate administrator will convene a conference of the parties from above and may consult with the Chief Student Affairs Officer.

If the issue is not resolved the student may initiate a formal grievance.

B. Formal Appeal

The student appeals by filing a Formal ADA Grievance Form with the Chief Student Affairs Officer within ten (10) working days of receipt of the informal grievance decision. The Chief Student Affairs Officer will appoint and convene

an ADA Hearing Committee, which is a five-member committee composed of faculty and staff chaired by the Chief Student Affairs Officer, within ten (10) working days of receipt of the formal appeal. The hearing will be audio recorded.

The ADA Hearing Committee will review all documentation and meet with all parties involved. The Chief Student Affairs Officer will notify all concerned parties of the committee's decision in writing within ten (10) working days.

The final level of appeal requires the student to submit an appeal in writing to the College President within ten (10) working days of the committee's decision, including copies of the Informal and Formal Grievance proceedings. The president will render a decision, which is final.

3.30 Student Protection Against Discrimination and Harassment *(Adopted 6-16-2014)*

East Central College is committed to maintaining an educational environment that is free from illegal discrimination or harassment in admission or access to its programs, activities, and facilities. This includes conduct on property owned or operated by the College, at College-sanctioned functions, and certain off-campus events. Discrimination, harassment, or retaliation against students or others on the basis of race, color, religion, national origin, ancestry, gender, sexual orientation, disability, age, genetic information, veteran status, or any other characteristic protected by law is strictly prohibited in accordance with law. The College also prohibits:

1. Retaliatory actions based on making complaints of prohibited discrimination or harassment or based on participation in an investigation, formal proceeding, or informal resolution concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling, or coercing discrimination or harassment.
3. Discrimination or harassment against any person because of such person's association with a person protected from discrimination or harassment due to one (1) or more of the above-stated characteristics.

General Rule

Except as otherwise set forth in Policy, all employees, students, and visitors must immediately report to the College for investigation any incident or behavior that could constitute illegal discrimination or harassment.

This Policy addresses illegal discrimination or harassment directed at students, which does not rise to the level of sexual assault, sexual harassment, relationship violence, or stalking, as those terms are defined in Policy 3.31 Student Title IX Sexual Harassment. Complaints regarding sexual harassment, as defined by Policy 3.31 Student Title IX Sexual Harassment, are governed by that policy. Other complaints regarding sexual assault, relationship violence, or stalking that do not fall within the scope of Policy 3.31 Student Title IX Sexual Harassment may be governed by other policies, including this Policy.

Policy 3.29 Student ADA Grievance Process governs grievances by students who believe they have been denied requested accommodations or discriminated against on the basis of a disability in violation of the Americans with Disabilities Act, Sec 504 of the Rehabilitation Act, or other related disability statutes. Students may file such a grievance under this Policy 3.30, Policy 3.31, or Policy 3.29; the College's Compliance Officer will determine which Policy governs resolution of the specific complaint.

The College also prohibits illegal discrimination and harassment against employees, and specific information about the College's Policy and response to allegations of illegal discrimination and harassment against employees is found in Policy 5.18.

Procedures *(Revised 12-6-2021:*

3.30.1 The following definitions apply to this Policy:

Other Policies may contain different definitions. The below definitions apply only to this Policy.

Discrimination – Conferring, refusing, or denying benefits or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, gender, national origin, ancestry, disability, age, sexual orientation, genetic information, veteran status, or any other characteristic protected by law.

Harassment – A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment. Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, gender, national origin, ancestry, disability, age, sexual orientation, genetic information, veteran status, or any other characteristic protected by law: verbal, nonverbal, or physical aggression; stalking; graffiti; display of written material or pictures; name-calling; slurs; jokes; gestures; stereotyping; threatening, intimidating or hostile acts; theft; or damage to property.

Sexual Harassment – A form of discrimination, as defined above, on the basis of sex. Sexual harassment, which includes sexual assault, includes a variety of unwelcome conduct of a sexual nature ranging from unwelcome sexual advances, requests for sexual favors, sexual exploitation, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault, that is sufficiently severe to the point it interferes with or limits a student's ability to participate in or benefit from the College's programs. Sexual assault is a severe form of sexual harassment and one instance may be sufficient to create a hostile environment.

Complaint– A verbal or written report of discrimination or harassment made to the Compliance Officer.

3.30.2 Compliance Officers

The Board of Trustees designates the following individuals to act as the College's Compliance Officers:

Title IX Administrator <u>Section 504 Administrator</u>	Title IX Deputy Administrator <u>ADA Administrator</u>
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Vice President of Student Development East Central College 1964 Prairie Dell Road Union, MO 63084 Phone: 636-584-6565	Director of Human Resources East Central College 1964 Prairie Dell Road Union, MO 63084 Phone: 636-584-6712
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The Compliance Officer will:

1. Coordinate compliance with this Policy and the law.
2. Receive all complaints regarding discrimination and harassment at East Central College.
3. Serve as the College's contact person for compliance with discrimination laws.
4. Investigate or assign persons to investigate complaints, monitor the status of complaints, and recommend consequences.
5. Seek legal advice, when necessary, to enforce this Policy.
6. Report to the College President and the Board of Trustees aggregate information regarding the number and frequency of complaints and compliance with this Policy.
7. Make recommendations regarding changing this Policy or the implementation of this Policy.
8. Coordinate and institute training programs for College staff and supervisors as necessary to meet the goals of this Policy, including instruction in recognizing behavior that constitutes discrimination and harassment.
9. Perform other duties as assigned by the College President.

3.30.3 Reporting a Complaint

Students who believe that they have been victims of illegal discrimination or harassment may file a formal (verbal, written, or online) complaint with the Chief

Student Affairs Officer (CSAO) and it will be promptly investigated. There is no time limit on the filing of complaints.

As noted above, all employees, students, and visitors must immediately report to the College for investigation any incident or behavior that could constitute illegal discrimination or harassment. Such reports should be made to the CSAO or the Director of Human Resources, as the College's Compliance Officers. All College employees will instruct persons seeking to make a complaint under this Policy to communicate directly with the College Compliance Officers. Even if the potential victim of discrimination, harassment, or retaliation does not file a complaint, College employees are required to report to the Compliance Officers any observations, rumors, or other information regarding actions prohibited by this Policy.

After receiving a complaint, the Compliance Officer to whom the complaint is made will determine the appropriate College Policy for processing the complaint. Once the determination is reached, the Compliance Officer will notify the student making the complaint of which College Policy will govern the disposition of the student's complaint.

3.30.4 Interim Measures

When a report is made or the College otherwise learns of potential discrimination, harassment, or retaliation, the College will, if appropriate, take immediate action to protect the alleged victim, including implementing interim measures (also referred to as supportive measures). For example, the College may alter a student's class schedule, provide additional support for a student (such as counseling or academic support), suspend an employee pending an investigation, or, if applicable, alter transportation or working situations. The College will take immediate steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees, and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. The College will provide these types of interim measures if requested by the victim and if such measures are reasonably available and appropriate in the circumstances. Individuals are encouraged to speak with the College's Compliance Officers about the availability of such measures. In the case of a confidential reporting (discussed below in Procedure 3.30.6), the Reporting Party should speak with the College counselor to whom they made the report about any requested interim measures.

3.30.5 Procedure for Investigation and Resolution of Complaints

In determining whether alleged conduct constitutes discrimination or harassment, the College will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred, and all other relevant information. Whether a particular action or incident constitutes a violation of this Policy requires a determination based on all facts and surrounding circumstances. If, after investigation, College officials determine that it is more likely than not that discrimination, harassment, or other prohibited behavior has occurred, the College will take immediate corrective action.

The following procedures will be used as a guideline for investigating complaints:

1. Interview the person making the complaint regarding the nature and specifics of the incident(s),
2. Interview the person accused, and
3. Interview other possible witnesses, if appropriate.

A. Complaints Against Employees of the College

If a complaint under this Policy is against an employee of the College, the complaint will be investigated by the Director of Human Resources or designee and will be handled according to the procedures found in Policy 5.18. Employees who violate this Policy will be disciplined, up to and including employment termination.

B. Complaints Against College Students

If a complaint under this Policy is against another student, the complaint will be investigated by the CSAO or designee.

Both the person making the complaint and the person accused will have equal opportunity to provide relevant information, including the identities of any witnesses they believe should be contacted as part of the investigation.

After reviewing all the relevant information, the CSAO or designee will render a determination as to whether the Policy was violated and what additional actions may be necessary, including disciplinary action against the person accused and/or making available to the victim appropriate College resources.

Students who violate this Policy will be disciplined, which may include suspension or expulsion. Other possible sanctions are found in the Student Discipline Code.

The CSAO will notify both the complainant and the person accused of his or her determination, but, unless otherwise authorized by law, will only notify the complainant of any sanctions imposed against the accused student, to the extent such sanctions impact the complainant, such as a determination that the accused may not come within a certain distance of the complainant.

B.1. Appeals

If either the person making the complaint or the person accused disagrees with the CSAO or designee's determination, either student may request that the complaint be handled according to the procedures found in Policy 3.21 Student Discipline.

3.30.6 Confidentiality, Records and Counseling

To the extent practicable, the College will endeavor to keep confidential the identity of the person filing a complaint, witnesses, or other parties interviewed, and any complaint or other document that is generated or received pertaining to complaints. Information may be disclosed, if necessary, to further the investigation, or resolution of a complaint, or if necessary, to carry out disciplinary measures. The College will disclose information to the College's attorney, law enforcement, and others, when necessary, to enforce this Policy or when required by law.

In implementing this Policy, the College will comply with state and federal laws regarding the confidentiality of student and employee records.

Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record.

Any student who believes they have been a victim of illegal discrimination or harassment has the option of speaking confidentially to a College counselor. Counseling services are available at no cost to the student and referrals to community resources are available. College counselors can also help the alleged victim identify other available College resources.

All other employees are mandated to report the information regarding illegal discrimination or harassment to the Compliance Officer.

3.31 Student Title IX Sexual Harassment *(Adopted 8-31-2020)*

Statement of Nondiscrimination Policy and Prohibition on Sexual Harassment

East Central College is committed to maintaining an environment that is free of discrimination on the basis of sex within its educational programs and activities. The College cannot and will not tolerate discrimination against or harassment of any individual or group based upon race, sex, color, religion, ethnic or national origin, genetic

information, age, disability, sexual orientation, gender identity, gender expression, veteran's status, or any factor that is a prohibited consideration under applicable law. The prohibition on sex discrimination also prohibits Sexual Harassment, as defined in this Policy.

The Nondiscrimination Policy applies to registered or enrolled students, College employees, contractors, vendors, visitors, guests, or other third parties.

Procedures *(Adopted 8-31-2020)*

3.31.1 Scope of Title IX Sexual Harassment Grievance Process

The Sexual Harassment Grievance Process pertains to Sexual Harassment under Title IX, as defined by this Policy, committed by students against either students and/or employees, when: (1) the conduct occurs on campus or other property owned or controlled by the College or (2) the conduct occurs in the context of a College employment or education program or activity within the United States. The College's education program and activities include locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by the College.

All members of the East Central College community have the right to submit a complaint or raise concerns regarding Sexual Harassment under Title IX pursuant to this Policy without fear of retaliation.

A complete copy of the College's Title IX Sexual Harassment Policy can be accessed online. Hard copies are available at the Title IX Coordinator's office and the Title IX Deputy Coordinator's office.

Complaints that do not fall under the scope of this process will be handled through other College Policies, including Policy 3.20 Student Conduct and Policy 3.30 Student Protection Against Discrimination and Harassment.

3.31.2 Definitions

The following definitions apply to this Policy. Other Policies may contain different definitions. The below definitions apply only to this Policy.

Sexual Harassment – Sexual Harassment is conduct based on sex that may be one or more of the following:

- 1) Employee conditioning provision of aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., a quid pro quo).
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity.

- 3) Sexual assault, stalking, dating/domestic violence, as defined herein.
- Sexual Assault –Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - Sexual Assault includes, but is not limited to, the following acts when they occur without consent of the victim:
 - Any penetration, however slight, of the genitals or anus of one person with the genitals of another person
 - Any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person
 - Any sexual act involving penetration, however slight, of the genitals or anus of one person by a finger, instrument, or object
 - Touching of another person’s genitals or breasts under or over the clothing
 - Touching of one person with the genitals of another person under or over the clothing
 - Domestic Violence - Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
 - Stalking – Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress. A course of conduct is two or more incidents. Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media.
 - Dating Violence – Violence by a person who has been in a romantic or intimate relationship with the individual to whom the violence is directed. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Complainant – A Complainant is any individual who is alleged to be the victim of conduct that could constitute sexual harassment under this Policy, in connection with the individual’s participation in or attempt to participate in an educational program or activity of the College. A Complainant may be a student, an employee, or a third party.

Respondent – A Respondent is an individual who is purported to be the perpetrator of conduct that could constitute sexual harassment. A Respondent need not be affiliated with the College in any respect.

Title IX Advisor – A Title IX Advisor is an individual who supports a Complainant or Respondent through the Title IX Sexual Harassment Grievance Process. Each party has the right to select an advisor of their choice, and for that advisor to accompany the party to any part of the grievance process, including all meetings, interviews, and/or hearings. A Title IX Advisor can be a friend, family member, faculty member, mentor, attorney, or any other person of the party's choice who is available and agrees to serve as advisor. The College will appoint a Title IX Advisor at no cost to the party to conduct cross-examination during the grievance process hearing if a party does not have a Title IX Advisor.

Consent – An affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. The person initiating sexual activity must obtain the other person's consent throughout the duration of the sexual activity. Consenting persons must act freely, voluntarily, and have knowledge of the act or transaction involved. Consent will not be implied by silence or mere passivity from a state of intoxication or unconsciousness; it may not be inferred in circumstances in which consent is not clear, including, but not limited to situations that involve the absence of "no" or "stop," or those that involve the existence of a prior or current relationship or sexual activity. Consent cannot be given if the Respondent has taken advantage of a position of influence which that person has over the Complainant. Consent cannot be given by an individual who is incapacitated through the effect of drugs or alcohol or for any other reason. Consent may be withdrawn at any time.

3.31.3 Title IX Coordinator

The Title IX Coordinator is charged with monitoring East Central College's compliance with Title IX, ensuring appropriate education and training, coordinating investigations, responses, and resolution of all reports pursuant to this Policy. At their discretion, the Title IX Coordinator may also designate Deputy Title IX Coordinators to assist in the discharge of these duties.

Any questions or concerns regarding the College's application of this Policy may be addressed to the Title IX Coordinator.

The Title IX Coordinator and Deputy Title IX Coordinator may be reached in person during regular office hours, or by telephone, written correspondence, email, or other electronic communication at any other time.

Sarah Leassner
Title IX Coordinator
Section 504 Administrator
Vice President of Student Development
East Central College
1964 Prairie Dell Road

Carrie Myers
Title IX Deputy Coordinator
ADA Administrator
Director of Human Resources
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3.31.4 Resources and Information for Victims of Sexual Harassment

The first priority for any victim of sexual assault or relationship violence is to receive appropriate medical attention for any medical injuries and to preserve evidence in the event the Complainant chooses to pursue a complaint. The College will maintain and publish information containing resources and guidance for victims of sexual assault, relationship violence, and stalking. Such information will be maintained in the College's Annual Security Report and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College's Title IX Coordinator, who will make such information available to any interested person.

3.31.5 How to Report Potential Violations of This Policy

1. Reporting Options

The College encourages the reporting of all incidents of Sexual Harassment, including, but not limited to, sexual assault, relationship violence, and stalking. The decision to report such incidents is a deeply personal and often difficult decision but is often a way for the victim to begin healing. Such reporting may also help prevent future incidents of a similar nature from occurring. Victims are not required, however, to report such incidents, and will not be penalized if they choose not to report an incident to law enforcement or to the Title IX Coordinator.

a. Report to the Title IX Coordinator or to a Responsible Employee

Individuals who believe they have been subjected to, or are aware that another individual has been subjected to, Sexual Harassment in connection with a College education program or activity, and who wish to report a potential violation of this Policy should notify the Title IX Coordinator or Deputy Title IX Coordinator.

Reports can be made through email, by phone, in person, or by mail.

Upon receipt of any report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, explain the process for filing a formal complaint, and to provide information about other reporting options and available resources as applicable.

While reports to College counselors will remain confidential, all other employees are required to report the information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Title IX Coordinator.

Reporting Sexual Harassment to the Title IX Coordinator does not automatically start the grievance process – the Title IX Coordinator will explain to the Complainant how to start the grievance process by filing a Formal Complaint. An individual can make a report of Sexual Harassment in order to obtain supporting measures and resources – an individual making a report of Sexual Harassment is not required to file a Formal Complaint.

There is no time limit on reporting Sexual Harassment, though the College encourages prompt reporting, as delayed reporting may hinder the College’s ability to complete the grievance process.

b. Confidential Reporting

Individuals may make a confidential report to a College counselor. Counseling services are available at no cost to students and referrals to community resources are available. College counselors can also help the alleged victim identify other available College resources.

All other employees are mandated to report the information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Title IX Coordinator and cannot keep reports confidential.

The College will keep confidential the identity of Complainants, Respondents, and witnesses involved in Title IX hearings, except when disclosure is required by law or as necessary to carry out the purposes of this Policy.

c. Other Reporting Options and Resources

Individuals may make a criminal report with local law enforcement or appropriate jurisdiction. College personnel are available to assist individuals with contacting the appropriate jurisdiction for making such a report.

In addition to pursuing criminal or College disciplinary proceedings, individuals may wish to obtain an order of protection, no-contact order, or restraining order from the relevant jurisdiction. Such orders are enforced by the local law enforcement agency in the relevant jurisdiction.

d. Amnesty

In investigating and responding to complaints of Sexual Harassment, the College's primary focus is to address the Sexual Harassment, and, in most cases, the College will grant amnesty to a Complainant or witness for other potential violations, such as alcohol violations. Such potential violations should not discourage a Complainant from notifying the College of incidents of Sexual Harassment.

2. Offer and Provision of Supportive Measures

Upon receipt of a report, the Title IX Coordinator will promptly and confidentially reach out to the Complainant to discuss the availability of a variety of supportive measures (also referred to as interim measures). Supportive measures should also be offered to the Respondent as necessary and appropriate.

Supportive measures are designed to restore or preserve equal access to the College's education programs and activities, protect the safety of all parties and the educational environment, or deter Sexual Harassment. These supportive measures should be non-disciplinary, non-punitive, individualized, and provided free of charge. They must be offered regardless of whether a Formal Complaint is filed and must be kept confidential to the extent that such confidentiality would not interfere with providing the supportive measures.

Examples of supportive measures include, but are not limited to:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Additional academic support
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in work locations or assignments
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

3. Emergency Removal

The College reserves the right to remove a student Respondent from its educational program or activity on an emergency basis. Such a removal may only occur if, after an individualized safety and risk analysis, the College determines an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event a decision is made to remove a Respondent, the Respondent will be provided with notice by the Title IX Coordinator and

given the opportunity to challenge that decision immediately following the removal by submitting a request in writing to the Title IX Coordinator.

3.31.6 Filing a Formal Complaint of Sexual Harassment

In the event that a Complainant wishes for the College to proceed with an investigation and hearing into the allegations of Sexual Harassment pursuant to the grievance process procedures in this Policy, the Complainant must file a Formal Complaint. A Formal Complaint is a document alleging Sexual Harassment against a Respondent and requesting that the College investigate the allegation of Sexual Harassment. The Complainant must be participating in or attempting to access a College education program or activity at the time the Formal Complaint is submitted.

A Formal Complaint must be in written form, but it may be submitted in person, by mail, or by email. It must be signed by the Complainant, but the required signature may be physical or digital.

A Title IX Coordinator may also initiate a Formal Complaint by signing it. The Title IX Coordinator may consider the specific facts and circumstances and whether there is a pattern of misconduct involving a particular Respondent. A Title IX Coordinator may only sign a Formal Complaint after the Coordinator has contacted the Complainant and discussed supportive measures and the Formal Complaint process with the Complainant. The Title IX Coordinator must consider the Complainant's wishes for how the College responds to the report of Sexual Harassment. The Title IX Coordinator should balance campus safety concerns with respect for survivor autonomy.

The Title IX Coordinator may consolidate Formal Complaints where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a Formal Complaint includes more than one Complainant or more than one Respondent, any references in this Policy to a single Complainant and/or Respondent will also refer to multiple Complainants and/or Respondents.

3.31.7 Dismissal of Formal Complaints

Upon receipt of a Formal Complaint, the Title IX Coordinator will review the allegations set forth therein and determine whether the Complaint may proceed. Although the allegations may still be investigated and resolved pursuant to another College Policy (as noted above), Formal Complaints of Sexual Harassment brought pursuant to this Policy must be dismissed if:

- 1) The conduct alleged would not constitute Sexual Harassment as defined in this Policy.
- 2) The conduct did not occur in connection with a College education program or activity.
- 3) The conduct did not occur against a person in the United States.

Furthermore, the Title IX Coordinator may, in their discretion, determine that even though it meets the basic threshold requirements to proceed, a particular Formal Complaint should be dismissed. Specifically, a Formal Complaint may be dismissed if:

- 1) Complainant notified Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations within.
- 2) Respondent is no longer enrolled or employed by the College.
- 3) Specific circumstances prevent the College from gathering evidence to reach a determination.

After an initial review of the Formal Complaint, the Title IX Coordinator will continue to monitor the investigation and evaluate the Formal Complaint to determine if the above criteria for dismissal apply. Following any dismissal of a Formal Complaint, the Title IX Coordinator will simultaneously send a written notice to the parties of the dismissal and the reasons for the dismissal.

To the extent the behavior alleged in the Formal Complaint could constitute a violation of another College Policy, it may be pursued under that Policy. The Title IX Coordinator has the discretion to refer the allegations to the appropriate College official.

3.31.8 Informal Resolution

After a Formal Complaint has been filed, if both Complainant and Respondent give voluntary, informed, written consent, the College will assist the parties in reaching an informal resolution to the allegations of Sexual Harassment in the Formal Complaint. An informal resolution cannot be used for Formal Complaints that contain allegations that an employee sexually harassed a student.

3.31.9 Prohibition of Retaliation

The College expressly prohibits retaliation against any individual for exercising their Title IX rights under this Policy. No individual may be discriminated against, intimidated, threatened, or coerced for the purpose of interfering with their Title IX rights, or because the individual has made a report pursuant to this Policy, testified, assisted, participated, or refused to participate in a Title IX investigation, proceeding, or hearing.

If an individual feels that they have been subject to retaliation pursuant to this Policy, the individual should notify the Title IX Coordinator as soon as possible.

3.31.10 Sexual Harassment Grievance Process Procedures

If any party believes that the Title IX Coordinator has a conflict of interest or bias for or against the individual parties and/or for or against complainants or respondents generally, that party should report their concern to the College

President. If the College President finds that a conflict of interest or bias exists, the President will designate another individual to serve as Title IX Coordinator for the purposes of the specific grievance process involving the parties.

The Respondent will be presumed not responsible for the Policy violation that is alleged in the Formal Complaint unless and until the respondent is found responsible by the Hearing Decision Maker at the conclusion of the grievance process.

The grievance process generally will be completed within 120 calendar days. However, extensions to this time frame may be granted at the request of either party, or at the discretion of the Title IX Coordinator when good cause exists for the delay. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Title IX Coordinator will notify all parties in writing of the delay, the length of the extension granted, and the reason for the extension.

3.31.11 Sexual Harassment Grievance Process – Notice

Within five (5) working days of receipt of a Formal Complaint, the Title IX Coordinator or designee will issue a written notice to the parties. The written notice should include, if known, the identity of the parties, the conduct alleged to be Sexual Harassment, and the date(s) and location(s) of the incident(s). The notice will also include a statement that the Respondent is presumed to be not responsible for any Policy violations. The notice must also inform the parties that they have the right to an advisor of their choice during the grievance process, that they may inspect and review evidence gathered during the investigation, and that Policy 3.20 Student Conduct prohibits knowingly furnishing false information to the College (<https://www.eastcentral.edu/board-policies/3-16student-conduct-policy/>).

If during the course of the investigation, additional allegations are going to be investigated that were not included in the original notice, the Title IX Coordinator or designee will issue a supplemental written notice to the parties.

Parties will also be provided with notice of all meetings, interviews, or hearings with sufficient time to prepare for any meeting, interview, or hearing. Such notice will include the date, time, location, participants, and purpose of the meeting, interview, or hearing.

3.31.12 Sexual Harassment Grievance Process – Title IX Advisors

Each party has the right to select a Title IX Advisor of their choice, and for that Title IX Advisor to accompany the party to any part of the grievance process,

including all meetings, interviews, and/or hearings. A Title IX Advisor can be a friend, family member, faculty member, mentor, attorney, or any other person of the party's choice who is available and agrees to serve as a Title IX Advisor.

Parties must provide notice of who will serve as their Title IX Advisor during any grievance hearings at least five (5) working days prior to the hearing. If a party does not have a Title IX Advisor for a grievance hearing, a Title IX Advisor will be selected by the Title IX Coordinator and will be provided at no cost to the party for the purpose of cross examination during the hearing. This appointed Title IX Advisor may be a College employee or may be an outside individual contracted to serve in the role of Title IX Advisor.

Title IX Advisors may offer advice to and confer with the party during any meeting, interview, and/or hearing, but generally may not speak on behalf of the party. The only time a Title IX Advisor may speak on behalf of the party is to conduct cross examination questioning during a grievance hearing. Title IX Advisors are expected to comply with the Rules of Procedure and Decorum for hearings and remain respectful throughout the entire grievance process.

Any Title IX Advisor who fails to comply with these policies, the Rules of Procedure and Decorum for hearings, and/or who does not treat all others with respect throughout the grievance process may be warned by the Title IX Coordinator, Investigator, and/or Hearing Decision Maker for the Title IX Advisor's first infraction. A Title IX Advisor may be asked to leave the grievance proceeding if after being warned the advisor continues to violate these policies or the Rules of Procedure and Decorum for a hearing, and/or continues to not treat others with respect. If an advisor is asked to leave a meeting, interview, or hearing, the proceeding will end and be continued at another time when the party has a Title IX Advisor. Whether an advisor who has been asked to leave a proceeding may serve as a Title IX Advisor to the party at a later meeting, interview, or hearing will be a decision in the sole discretion of the Title IX Coordinator.

3.31.13 Sexual Harassment Grievance Process - Investigation

The Title IX Coordinator or designee will designate an Investigator to conduct a fair, thorough investigation of the allegations in the Formal Complaint. In general, the Chief Student Affairs Officer (CSAO) will investigate complaints against student Respondents. The College may designate an outside investigator as Investigator. The Investigator will have received training as outlined in Section 3.32.18 of this Policy.

The Investigator will provide written notice of any meetings or interviews to the parties and/or witnesses at least three (3) working days in advance of the meeting or interview unless the party or witness wishes to meet sooner. This notice will

include the date, time, and location for the meeting, as well as who will be participating in the meeting and the purpose for the meeting.

The burden will be on the Investigator to fully and fairly investigate the allegation in the formal complaint. All parties will have an equal opportunity to present witnesses and evidence to the Investigator.

At the conclusion of the investigation, the Investigator will send a copy of the evidence that is directly related to the allegations in the Formal Complaint to the parties and their advisors for inspection and review. The parties will then have ten (10) calendar days in order to submit a written response to the evidence, if they choose to do so. The Investigator will consider any written response to the evidence before the completion of the investigative report. The Investigator will make all evidence that is directly related to the allegations available at the grievance hearing.

The Investigator will prepare an investigative report that fairly summarizes all the relevant evidence. The investigative report should include a description of all steps taken in the investigation as well as summaries of all interviews with parties and/or witnesses and all relevant evidence reviewed by the Investigator.

The Investigator will send a copy of the report to the parties and their advisors at least ten (10) calendar days prior to any hearing for the parties' review and written response.

3.31.14 Sexual Harassment Grievance Process – Hearing

After the conclusion of the investigation, a live hearing will be held before a Hearing Decision Maker. The Hearing Decision Maker will be appointed by the Title IX Coordinator and may be a single individual or a panel. A single Hearing Decision Maker may be a member of the College community or may be an outside individual contracted to serve in the role. A panel Hearing Decision Maker may include members of the College Community and/or outside individuals contracted to serve on the panel. The Hearing Decision Maker will have received training as outlined in Section 3.31.18 of this Policy. The Hearing Decision Maker will issue notice of the hearing to the parties, including the date, time, and location of the hearing. This notice will be provided at least ten (10) working days before the hearing.

The hearing will be held pursuant to the Rules of Procedure and Decorum. At the request of either party, the hearing will be held with the parties in separate rooms or locations, with the parties' Hearing Decision Maker able to simultaneously see and hear each other through technology. Whether the hearing is conducted virtually or in person, it will be recorded.

The Investigator will make all evidence that is directly related to the allegations available at the grievance hearing. All parties may refer to such evidence and may use it in cross examination. The Investigator will provide a copy of the investigative report and all evidence that is relevant to the allegations in the formal complaint to the Hearing Decision Maker. However, the Hearing Decision Maker may not defer to the investigative report and must objectively evaluate all relevant evidence and independently reach a determination regarding responsibility.

The Investigator, Complainant, and Respondent all have the ability to testify and call witnesses at the hearing, and to provide evidence to the Hearing Decision Maker, who will have the opportunity to ask questions of all parties and witnesses during the hearing.

After the Hearing Decision Maker asks their questions, each party's Title IX Advisor will have the opportunity to ask all relevant and follow-up questions of the other party and all witnesses during cross examination. No party shall be questioned directly by the other party. Title IX Advisors must abide by the Rules of Procedure and Decorum in questioning parties and witnesses. Any Title IX Advisor who does not abide by the Rules of Procedure and Decorum will be warned or dismissed from the hearing at the discretion of the Hearing Decision Maker.

The Hearing Decision Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions during the hearing, including cross examination.

In general, the Hearing Decision Maker cannot rely on any statement by a party or witness who does not submit to cross-examination during the course of the hearing in reaching a determination on responsibility. However, in very limited circumstances, the Hearing Decision Maker may consider statements by Complainants and Respondents that are against the individual's interest even if that individual does not submit to cross-examination. A statement against interest is a statement that could expose the individual to a finding of responsibility and sanctions, or a statement that tends to invalidate an individual's complaint against another. For example, if during an interview with an Investigator, a Respondent makes a statement admitting to the alleged conduct that would violate this Policy, or a Complainant makes a statement that information in the Formal Complaint was false, then the Hearing Decision Maker may consider those statements even if the individual does not submit to cross-examination.

The Hearing Decision Maker will state whether each question is relevant before the question is answered by the party or witness to whom it is directed and explain any decision to exclude a question as not relevant. If the Hearing Decision Maker is a panel, the panel will designate one member as chair, and that

individual will determine and state whether each question is relevant. Questions or evidence that are deemed irrelevant by the Hearing Decision Maker will be excluded from the hearing. Formal rules of evidence shall not apply.

The following types of evidence must be considered irrelevant by the Hearing Decision Maker:

- 1) Evidence that is not pertinent to proving whether a fact material to the allegation is more or less likely to be true.
- 2) Information that is protected by privilege (e.g., attorney-client privilege).
- 3) Any party's medical, psychiatric, psychological, or counseling records without that party's voluntary, written consent.
- 4) Any information about the Complainant's sexual predisposition or prior sexual behavior, unless it is offered to prove that someone other than the Respondent committed the behavior alleged in the formal complaint or the information pertains to prior specific incidents with the Respondent and is offered to prove consent.

3.31.15 Sexual Harassment Grievance Process - Determination of Responsibility

The Hearing Decision Maker will issue a written determination whether the Respondent is responsible for the Policy violations alleged in the Formal Complaint within five (5) working days of the conclusion of the hearing. The Hearing Decision Maker must determine the weight of the evidence and credibility of the parties in reaching a determination.

The written determination shall include:

- 1) An identification of the allegations in the Formal Complaint.
- 2) A description of procedural steps taken from the receipt of the Formal Complaint through the determination, including any notices, interviews, investigations, and hearings.
- 3) Findings of fact that support the determination.
- 4) Conclusions regarding the application of the Policy to the facts.
- 5) A statement and rationale for the result for each allegation including the determination of responsibility, any sanctions that will be imposed on the Respondent, and whether any remedies designed to restore and preserve equal access to the College's educational program will be provided to the Complainant.
- 6) The procedures and acceptable bases for appeal of this determination.

The standard of proof will be "preponderance of the evidence," which means whether the evidence shows it is more likely than not that a Policy violation occurred.

The written determination will be provided simultaneously to all parties. The determination will become final, and any sanctions will take effect after the

resolution of any appeal, or if no appeal is filed, after the deadline to file an appeal.

3.31.16 Sexual Harassment Grievance Process - Sanctions and Remedies

If the Respondent is found responsible for any violations of Policy, then the Hearing Decision Maker will determine what disciplinary sanctions will be imposed on the Respondent and what remedies designed to restore and preserve equal access to the College's educational programs will be offered to the Complainant.

The possible sanctions that can be imposed on a student Respondent found responsible include:

- 1) Warning: A verbal admonition by a College official regarding a violation of the Student Conduct Code.
- 2) Fines, community service, rehabilitation, or other restitution: A monetary fee, assigned task, or other means of reparation.
- 3) Disciplinary Probation: A status resulting from a finding of misconduct. The student remains enrolled but under stated conditions.
- 4) Disciplinary Suspension: An involuntary separation of the student from the institution for a specified period of time due to misconduct. The student may be re-admitted following a specified period of time.
- 5) Expulsion: Permanent loss of student status due to misconduct. Other stated conditions may be applied.

In addition to sanctions imposed on the Respondent, remedies can be offered to the Complainant in order to restore and preserve equal access to the College's educational program and activities. Remedies may be, but are not limited to, a continuation of previously offered supportive measures. Additionally, remedies may burden the Respondent or be punitive/disciplinary in nature.

3.31.17 Sexual Harassment Grievance Process – Appeals

Any party may appeal the determination of responsibility or a dismissal of a Formal Complaint by submitting a written request to the College President within five (5) working days of the issuance of the Hearing Decision Maker's determination of responsibility. The request should include a short statement outlining the basis for appeal.

Appeals are limited to the following bases:

- 1) Procedural irregularity that affected the outcome of the matter,
- 2) New evidence that was not reasonably available at the time of the determination of responsibility or the dismissal of the Formal Complaint that would affect the outcome of the matter, or

- 3) The Title IX Coordinator, Investigator, or Hearing Decision Maker had a conflict of interest or bias for or against complainants or respondents generally that affected the outcome of the matter.

The College President will notify the parties in writing that an appeal has been filed. Each party will then have ten (10) working days to submit a written statement in support of or challenging the outcome of the hearing.

The College President will issue a written determination of the outcome of the appeal, describing the result of the appeal and the rationale in support of that decision within seven (7) working days of the deadline for parties to submit their written statements. The College President's written determination will be provided simultaneously to all parties.

3.31.18 Training

In addition to the information contained in this Policy, the College will, in accordance with the Campus Sexual Violence Act ("SaVE Act"), provide training and information to members of the campus community regarding the following topics:

1. Safe and positive steps an individual may take to intervene to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against another person.
2. Information about how to recognize warning signs of abusive behavior in order to mitigate the likelihood of perpetration, victimization, or bystander inaction.
3. Awareness campaigns and prevention programs intended to stop domestic violence, dating violence, sexual assault, and stalking before they occur, and to increase campus awareness and share information and resources for the same purpose.
4. Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both within the institution and in the community.

The College will distribute this information to members of the campus community through the College's Annual Security Report and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College's Title IX Coordinator, who will make such information available to any interested person.

Additionally, the College will ensure that the Title IX Coordinator, Investigator, Hearing Decision Maker, and any person who facilitates an informal resolution has received training on:

- The definition of Sexual Harassment as set out in this Policy,
- The definition of Consent under this Policy and how to apply the definition of Consent consistently and impartially,
- The scope of the College's education program or activity,
- How to conduct the grievance process, including investigations, hearings, appeals, and informal resolutions (as applicable), and
- How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

Hearing Decision Makers will also receive training on:

- How to operate any technology used in conducting a hearing, and
- How to determine relevance of questions and evidence, including the provisions of this Policy pertaining to the exclusion of evidence of a Complainant's previous sexual behavior.

Investigators will also receive training on:

- How to determine if evidence is relevant to an investigation, and
- How to create an investigative report that fairly summarizes relevant evidence.

All training materials used by the College must not rely on sex stereotypes and must promote the impartial investigation and adjudication of Formal Complaints. All training materials used to train the Title IX Coordinator, Investigator, Hearing Decision Maker, and any individual who facilitates an informal resolution must be made publicly available. These materials will be published online.

3.31.19 Recordkeeping

The Title IX Coordinator must create and maintain for a period of at least seven years records of any actions, including any supportive measures taken in response to a report or formal complaint of Sexual Harassment. For each instance, the Title IX Coordinator must document: 1) the basis for the conclusion that the College's response was not deliberately indifferent, and 2) that the College has taken measures designed to restore or preserve equal access to the College's educational program or activity. If the Title IX Coordinator does not provide the Complainant with supportive measures, then the Title IX Coordinator must document why it was not clearly unreasonable to not provide supportive measures.

The Title IX Coordinator will also maintain the following records for a period of at least seven years:

- Records related to each Sexual Harassment investigation, including any determination regarding responsibility.
- Any audio or audiovisual recording or transcript from a grievance hearing.

- Records of any disciplinary sanctions imposed on the Respondent.
- Records of any remedies provided to the Complainant.
- Any appeal from a grievance process and the result of the appeal.
- Records related to any informal resolution and the result of the informal resolution.
- All materials used to train the Title IX Coordinators, Investigator, Hearing Decision Maker, and any individual who facilitates an informal resolution.

3.32 Preferred/Chosen Name *(Adopted 6-13-2022)*

All students at East Central College have the right to be referred to by their preferred/chosen first name in classrooms, by peers and/or faculty, and in most College information systems that are within the College's realm of alteration without pursuing a legal name change. Reasons for a name change request may include but are not limited to: affirmation of transgender or gender nonconforming identities, change of names following marriage or separation, change of names for those known by a name differing from their legal name, and as protection for victims of stalking, domestic assault, and/or sexual assault.

Procedures *(Adopted 6-13-2022)*

3.32.1 Process for Requesting a Name Change

An individual seeking a name change will complete the Student Information Form, available in the Student Services Center and on the College's website. Name changes will be permitted in the following capacities, and other areas as deemed appropriate and feasible:

- Advising Records (Note: Chosen name will be placed alongside legal name)
- Aviso System
- Canvas Online Learning System
- Classroom and Meeting Settings
- Colleague System
- College Publications
- Course Rosters
- Diplomas and Certificates (Can be updated at time of application for graduation)
- eCentral System
- Email Addresses and Email Display Names
- Marketing Materials
- Student Identification Cards
- CloudTrac Tutoring and Scheduling System

Once documentation is submitted, the preferred/chosen name will be displayed in the areas listed above. Current processes do not allow for partial applications of the preferred/chosen name.

In addition to submitting the Student Information Form, students will need to:

1. Visit the Student Services Center to request a new student ID card
2. Enter the preferred/chosen name on the graduation application form to have it printed on a diploma or certificate. Transcripts will display the legal name.

Once students have submitted the Student Information Form, Student Services staff will submit a work ticket via the College WebHelp Desk System that requests a new email for the student. Staff will notify students that they will need to transfer their files to an external email. The IT department will communicate with the student during the email transition process.

3.32.2 Disclaimer Pertaining to Use of Legal Name

The legal name must appear on official transcripts, any check disbursed by the College, payroll records, financial aid documents, and official health records. The College is not able to display the chosen/preferred name on these records without legal documentation.

The process for changing the legal name varies by state and country of residence, as well as reason for the change. The College is not authorized to change an individual's legal name. The interested individual must pursue a legal name change with their state of residence and/or federal authorities, and then submit a legal name change document (e.g., a court order) to the College registrar. A student worker must also submit an updated I-9 form to Human Resources reflecting a legal change of name. U.S. residents must also change their legal name with the Social Security Administration.

3.32.3 Disclaimer Pertaining to Chosen/Preferred Names

East Central College will display preferred/chosen first names to the College and its community where feasible and will make a consistent, determined effort to thoroughly update the documents, reports, and systems designated to use chosen names. Inappropriate use of this Policy (such as avoidance of legal obligation, misrepresentation, etc.) may be cause for denying use of the chosen name. The College reserves the right to remove any chosen name that is deemed inappropriate and/or harmful to any one person or group.

3.32.4 Directory Information

Under the Family Rights and Privacy Act (FERPA), a student's name, including preferred name, may be disclosed to the public as "directory information" unless the student opts not to permit such disclosure. To revoke the disclosure of directory information, a student has the option to request privacy through Student Services.

SECTION 4: FINANCE AND ADMINISTRATION POLICIES AND PROCEDURES

4.1 Accounting System *(Adopted 6-1-1987; Revised 8-25-2008)*

East Central College will maintain a financial reporting system that is in conformance with the laws of the state of Missouri, the Uniform Financial Reporting Manual of the Missouri Department of Higher Education and Workforce Development, and generally accepted accounting principles.

Procedures *(Revised 8-25-2008; 12-5-2022)*

4.1.1 East Central College will use a fund accounting system that is consistent with the Uniform Financial Reporting Manual of the Missouri Department of Higher Education and Workforce Development.

4.1.2 The fund types defined below are established to provide a uniform financial reporting process:

Fund 10 - General Fund

The General Fund has been established to account for revenues and expenditures of the College. The sources of the funds are local taxes, state aid, student tuition/fees, and other general miscellaneous revenue. Expenditures include the costs associated with supporting educational programs, maintaining physical structures, and operating the College.

Fund 22 – Faculty Development Fund

The Faculty Development Fund has been established to provide funding to each full-time faculty member for purposes of professional development expenses.

Fund 25 - College Restricted Fund

The College Restricted Fund has been established to account for College funds that have restrictions imposed by the institution regarding their use. Each department in the College Restricted Fund must be accounted for separately using a self-balancing set of accounts, and the balance of the accounts should be \$0 at the termination of the activity. If the department is overspent, the amount is a liability against the General Fund. If the department is underspent, the balance is returned to the General Fund.

Fund 30 - Bond Principal and Interest Fund

The Bond Principal and Interest Fund has been established to account for the payment of principal, interest, and related charges on any outstanding bond issue. Revenue for the fund is received by tax levy which has been authorized by the voters. Fund expenditures are restricted to the payment of the items noted above. Debt service for each bond issue must be accounted for separately, using a group of self-balancing accounts within the fund.

Fund 40 - Auxiliary Services Fund

The Auxiliary Services Fund has been established for the purpose of accounting for College services where fees are charged to students, staff, or the public, be it either a sale fee for a good purchased or a user fee for a service rendered. Each department should be accounted for separately using a self-balancing account within the fund.

Fund 50 - Restricted Purpose Fund

The Restricted Purpose Fund has been established to account for private, state, and federal monies that have restrictions regarding their use. Each specific department in the Restricted Purpose Fund must be accounted for separately using a set of self-balancing accounts. Accounts must be established to ensure that the accounting and reporting requirements of the grantor are met. If the grantor provides a special accounting manual for audit purposes, it should be followed exactly.

The total of all the departmental accounts should be balanced to \$0 at the termination of the grant. If it is not, the amount that the department is overspent is a liability against the General Fund. If the department is under spent, the balance must be returned to the grantor.

Fund 60 - Trust and Agency Fund

The Trust and Agency Fund has been established to account for funds when the College serves as a custodian or fiscal agent for another body or student organization. The College has an agency interest; the College does not necessarily have control or direction over the use of the monies. The College uses its financial capability and accounting procedures to ensure the integrity of the accounts. Each agency's money should be accounted for by a self-balancing set of departmental accounts. These accounts will balance to \$0 at the termination of the activity. Monies generated by College clubs that are continuously inactive for three (3) semesters (including only fall and spring semesters) or College athletic activities that are suspended by the Board of Trustees will be transferred to the student government department.

Fund 70 – Capital Fund

The Capital Fund has been established to account for revenues and expenditures which are associated with capital purchases. The source of monies for this fund will be the proceeds of bond sales, gifts, grants, loans, or other funds restricted to such purposes by their origin or by statute. The accounts in this fund will be self-balancing.

4.2 Financial Exigency *(Adopted 6-4-1979; Implemented 2-9-1981; Revised 8-28-2003)*

The President will regularly review the financial status of the College to determine if conditions exist that are sufficient to warrant a declaration of financial exigency.

Procedures

- 4.2.1** Financial exigency exists when an imminent financial crisis threatens the survival of the institution as a whole and cannot be alleviated by less than drastic means, such as the realignment of College expenditures, immediate reduction in hourly and contract employees, and/or emergency use of restricted reserves from the fund balance of the College.
- 4.2.2** Any sudden, severe, and unexpected change in financial conditions will be reported by the President to the Board of Trustees, faculty, and staff within five (5) days of the discovery of such conditions.
- 4.2.3** Following the determination by the Board of Trustees that a financial exigency does exist, the President of the College, as Chief Executive Officer, will develop a retrenchment plan for approval and enactment by the Board of Trustees.
- 4.2.4** The plan for retrenchment will be developed in accordance with the following guidelines:
1. The total College operation, including all departments and offices, will be considered in making recommendations for retrenchment.
 2. In all cases of termination of faculty on tenured contracts because of financial exigency, the positions of the faculty concerned will not be filled within a two (2)-year period by replacement nor will temporary positions be created to effect replacement of those faculty positions unless the released faculty have been offered reinstatement and a reasonable time in which to accept or decline the offer.

4.3 Receipt and Disbursement of Funds *(Revised 4-7-2003; 12-5-2022)*

The Chief Financial Officer, under the direction of the College President, shall be designated as the primary staff officer responsible for the receipt and disbursement of funds. All College funds will be received through the Financial Services Department and will be properly recorded and accounted for. The Board Treasurer shall be the official designated by the Board to certify monthly that the receipt and disbursement of funds have been duly and properly accounted for.

Procedures *(Adopted 12-5-2022)*

- 4.3.1** Any employee or student group establishing a bank account for purposes of receiving or disbursing funds raised by that group will work with appropriate staff in the Financial Services Department to ensure proper internal controls are in place for the account.

4.4 Investment of Funds *(Adopted 2-1-1988; Revised 8-25-2008)*

Funds not needed for immediate expenses of the College will be invested in a manner that will provide maximum security and investment returns while meeting the daily cash flow demands of the College and conforming to all state statutes governing the investment of public funds.

Procedures *(Revised 8-25-2008)*

4.4.1 Investment Guidelines

College staff shall exercise prudent financial judgment at all times when investing funds and shall adhere to investment guidelines as outlined and implemented by the state of Missouri in its current investment policy.

4.4.2 Investment Types

In accordance with and subject to restrictions imposed by current statutes and the investment policy of the state of Missouri, the following list represents the entire range of investments that the College will consider, and which shall be authorized for the investments of funds.

1. **Collateralized Public Deposits (Certificates of Deposit).** Instruments issued by financial institutions which state that specified sums have been deposited for specified periods of time and at specified rates of interest. The certificates of deposit are required to be backed by acceptable collateral securities as dictated by state statute.
2. **United States Treasury Securities.** Obligations of the United States government for which the full faith and credit of the United States are pledged for the payment of principal and interest.
3. **United States Agency Securities.** Obligations issued or guaranteed by any agency of the United States government.

4.4.3 Security Selection

The following list represents the entire range of United States Agency Securities that the College will consider, and which shall be authorized for the investment of funds by the College. Additionally, the following definitions and guidelines should be used in purchasing the instruments:

1. U.S. Govt. Agency Coupon and Zero-Coupon Securities- - Bullet coupon bonds with no embedded options.
2. U.S. Govt. Agency Discount Notes- - Purchased at a discount with maximum maturities of one (1) year.
3. U.S. Govt. Agency Callable Securities- - Restricted to securities callable at par only with final maturities of five (5) years.
4. U.S. Govt. Agency Step-Up Securities- - The coupon rate is fixed for an initial term. At coupon date, the coupon rate rises to a new, higher fixed term. Restricted to securities with final maturities of five (5) years.
5. U.S. Govt. Agency Floating Rate Securities- - The coupon rate floats off one (1) index. Restricted to coupons with no interim caps that reset at least quarterly.

4.4.4 Collateralization

The market value of collateral must total to an amount equal to 100 percent or greater of the amount of College time deposits plus demand deposits with the depositors, less the amount, if any, which is an insured deposit pursuant to the Federal Insurance Act of 1950 (64 Stat. 873) as heretofore or hereafter amended.

All securities pledged as collateral by the depository shall, at the option of the depository banking institution, either be delivered to the fiscal officer or be deposited with a disinterested banking institution or safe depository as trustee satisfactory to both parties to the depository agreement. No security pledged as collateral shall be released by the depository banking institution without the written permission of the Chief Financial Officer or designee.

The College shall have a depository contract and pledge agreement with each safekeeping bank that will comply with the Financial Institutions, Reform, Recovery, and Enforcement Act of 1989 (FIRREA). This will ensure that the College's security interest in collateral pledged to secure deposits is enforceable against the receiver of a failed financial institution.

4.4.5 Demand Deposits

Demand deposits shall be maintained in a financial banking institution(s) designated by the Board of Trustees. The Board may seek bids and re-designate depositories at any time.

Demand deposits shall be collateralized, secured, and deposited according to the same criteria applicable to College investments as described and noted herein above.

4.4.6 Investment Reports *(Revised 12-5-2022)*

The Board shall approve, at regular meetings, College investments in a report supported by the appropriate Pledged Securities Schedule and submitted by the Chief Financial Officer or designee.

4.4.7 Authorized Financial Dealers and Institutions *(Revised 12-5-2022)*

A list will be maintained of financial institutions authorized to provide investment transactions. In addition, a list will be maintained of approved security brokers/dealers selected by creditworthiness as determined by the Chief Financial Officer and approved by the Board of Trustees. These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements.
- Proof of National Association of Securities Dealers (NASD) certification.

- Proof of state registration.
- Completed broker/dealer questionnaire.
- Certification of having read and understood and agreeing to comply with the College's investment policy.

An annual review of the financial condition and registration of qualified financial institutions and brokers/dealers will be conducted by the Chief Financial Officer.

4.5 Payment of Bills *(Adopted 12-3-1968; Revised 4-7-2003; 12-5-2022)*

At the regular meeting of the Board of Trustees or at special called meetings, the Board will approve the payment of bills as required for College operations and supported by appropriate documentation in the financial reports provided to the Board at the respective meeting. Wages and salaries are paid as due per faculty and staff contracts and in compliance with wage and hour statutes.

4.6 Tax Rate *(Approved 8-25-2008)*

The Board will set the tax rate of the College in an amount deemed necessary within state statutes to satisfy the budgetary needs of the College. The tax rate will be set by the Board before September 1 of each year, unless otherwise provided by the laws of the state of Missouri.

4.7 Budget *(Reaffirmed 12-2-1991; Revised 8-25-2008)*

East Central College will operate on an annual budget from July 1 to June 30. The budget will be prepared by administrative officials and submitted annually to the Board of Trustees for approval by June 15.

Procedures *(Revised 8-25-2008; 12-5-2022)*

- 4.7.1 Budgeting procedures will be carried out in accordance with the laws of the state and instructions from the Missouri Department of Higher Education and Workforce Development.
- 4.7.2 The Board of Trustees will review the status of the operating budget at each regular meeting. The Board will be presented a treasurer's report, a balance sheet, a schedule of investments, and a summary of expenditures and revenues.
- 4.7.3 Amendments to the budget will require approval by the Board of Trustees.
- 4.7.4 The following guidelines will govern budget development, expenditure control, and cash flow:
 1. Budgeted expenditures will not exceed budgeted revenues and existing fund balances.
 2. A restricted reserve shall be maintained to provide for timely payment of the College's financial obligations. The total of funds to be held in the reserve shall be established by the Board of Trustees and shall be consistent with prudent fiscal policy regarding cash flow requirements and the timing of

revenue receipts. Transfers to or from the restricted reserve fund will require approval by the Board of Trustees.

4.8 Tuition, Fees, and Refunds *(Reaffirmed 12-2-1991; Revised 5-8-2006; 12-5-2022)*

The Board of Trustees will establish tuition, fees, and refund rates and schedules for students attending the College. Tuition, fees, and refund schedules are subject to change at any time and without advance notice. Tuition and fees established by the Board shall be published in the College catalog or other appropriate publications. A schedule of tuition, fees, and refunds will be available from the College website, Registrar's Office, or Cashier's Office.

Procedures *(Revised 8-25-2008)*

4.8.1 Installment Payment *(Revised 12-5-2022)*

Installment payments for tuition and fees are permitted through a third-party installment plan processor identified by the College.

4.8.2 Credit/Debit Card Payment *(Revised 12-5-2022)*

Use of credit/debit cards in paying for tuition and fees is permitted.

4.8.3 Business Waiver

Individuals whose tuition and/or fees are being paid by an in-district business or industry will be charged the in-district rate.

4.8.4 Senior Citizens Waiver *(Revised 5-20-2014; 12-5-2022)*

Tuition for ECC credit courses will be waived on a space available basis for any Missouri resident who is 65 years of age or older on or before August 1 of a school year. Proof of eligibility will be required when registering. Courses must be taken on an audit basis, contingent on space availability, and all course prerequisites must be met prior to registration. General fees and special course fees are not included in the Senior Citizens Waiver. The Senior Citizens Waiver does not apply to courses offered only on a non-credit basis or programs offered through educational partners. Senior citizens may begin registering three (3) weeks prior to the first day of class.

4.8.5 Tuition for Veterans *(Revised 2-18-2015; 12-5-2022)*

The following individuals shall be charged the in-state rate or be otherwise considered a resident for tuition purposes:

- Veterans using educational assistance under either Chapter 30 (Montgomery G.I. Bill – Active Duty Program) or Chapter 33 (Post-9/11 G.I. Bill) of Title 38, United States Code, who live in the state of Missouri while attending East Central College (regardless of their formal state of residence).

- Persons using transferred post-9/11 G.I. Bill benefits who live in Missouri while attending East Central College (regardless of their formal state of residence).
- A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in Missouri while attending East Central College (regardless of their formal state of residence).

4.8.6 Appeals for Tuition/Fees Refund *(Revised 12-5-2022)*

In the event of extenuating circumstances and with proper written documentation, a partial or total refund for tuition and/or fees may be granted. Students may request an appeal through the office of the Chief Student Affairs Officer if one of the following occurs: death of an immediate family member, extended illness of student/immediate family member, military obligation, or institutional error.

1. The designated appeal form and required documentation must be submitted to the Chief Student Affairs Officer no later than the last day of the semester following the semester for which the charges are being appealed.
2. Incomplete appeals will automatically be denied.
3. Appeals based on lack of awareness of the College's refund policy will not be reviewed.
4. The student must be officially withdrawn from the course before the appeal is submitted.
5. A committee will review the appeal and make a decision within 30 days of submission. A written notification stating the appeal outcome will be mailed to the student's home address.
6. Fees listed as non-refundable are not considered in the appeal and will not be refunded in the result of an approved appeal.
7. Bookstore charges are not considered in the appeal and will not be refunded in the result of an approved appeal.
8. All appeal decisions by the committee are final and no further appeal is possible.

4.9 Default of Payment *(Approved 3-8-2004; Revised 12-5-2022)*

Payment of tuition and fees is due pursuant to the published schedule. When a student's check for payment of goods or services is returned for a non-existent account or insufficient funds, a charge will be assessed. Any student who has not paid in full pursuant to the published schedule (including defaulting on a payment such as through returned check or rejected credit card), enrolled in an approved payment plan, or has not secured an approved funding source through financial aid, tuition remission, or scholarship will be dropped from courses immediately for non-payment. Drops begin on the first published tuition due date prior to the beginning of the term and continue through the first week of class, also known as the 100% tuition refund date. Students enrolled in only second eight-week or late-start classes who have not paid or secured an approved funding source are dropped prior to the first day of the class.

4.10 Financial Reports *(Revised 6-23-2003; 12-5-2022)*

The Chief Financial Officer, in cooperation with other appropriate employees, will prepare financial reports summarizing the status of the various funds contained in the annual budget along with other appropriate information and present these reports to the Board of Trustees at their regular meetings or at any other time upon request. Other financial reports to regulatory agencies and associations shall be filed as required and/or in the best interest of the College.

4.11 Facilities Maintenance and Repair Account *(Adopted 12-7-1987; Revised 6-23-2003; 12-5-2022)*

Facilities Maintenance and Repair (M&R) are accounted for in the general fund and the grants and government restricted fund. All M&R purchases are made in accordance with Board Policies regarding purchasing and construction. Purchases made in the grants and government restricted fund must also comply with the Missouri Department of Higher Education and Workforce Development Maintenance and Repair Guidelines. Funds in this account are subject to state guidelines for use of state maintenance and repair appropriations and approval by the Board of Trustees.

The Board of Trustees grants approval to address an emergency situation immediately under this Policy. An emergency for this purpose is defined as:

1. A condition such that life or safety is threatened.
2. A condition that affects the structural integrity of a building.
3. A condition causing mechanical or electrical system failure and severely affecting the working environment.

The President is authorized to address any such situation as quickly as possible and report to the Board of Trustees the condition and its corrected status at the earliest possible meeting time.

4.12 Audits *(Adopted 12-3-1968; Revised 6-23-2003; 12-5-2022)*

The College financial records will be audited annually by a certified public accountant licensed to practice public accounting in the state of Missouri and with documented experience in federal and state funds auditing. A copy of this audit will be sent to the Department of Higher Education and Workforce Development, the Department of Elementary and Secondary Education, the U.S. Department of Education, and other regulatory agencies as required. A copy of the audit report will be published annually on the College website.

4.13 Purchasing *(Reaffirmed 12-2-1991; Revised 8-25-2008; 12-5-2022)*

The Board of Trustees authorizes the College President to administer the College Purchasing Policy in accordance with state and federal laws.

Procedures *(Revised 8-25-2008; 12-5-2022)*

- 4.13.1** All purchases shall be made with the objective of securing goods and services at the lowest possible cost to the College consistent with satisfactory standards for quality and service.

4.13.2 Purchases shall be made in accordance with the expenditure limits listed below. Purchases may not be split for the purpose of reducing the dollar amount to circumvent the College's purchasing requirements.

1. Expenditures up to \$1,000

The Chief Financial Officer and designees are empowered to make purchases necessary for the operation of the College as long as the amount does not exceed \$1,000.

2. Expenditures over \$1,000 up to \$5,000

The Chief Financial Officer and designees are empowered to make purchases necessary for the operation of the College without competitive bidding if the expenditure is over \$1,000 and up to \$5,000 after obtaining at least three (3) verbal or written price quotations, if obtainable. The three (3) quotations or the reason three (3) quotations were not obtainable will be documented in the purchasing system.

3. Expenditures over \$5,000 but less than \$20,000 *(Revised 12-5-2022; 8-17-2023)*

The Chief Financial Officer and designees are empowered to make purchases necessary for the operation of the College without competitive bidding if the expenditure is over \$5,000 and less than \$20,000 after obtaining at least three (3) written price quotations, if obtainable. The three (3) quotations or the reason three (3) quotations were not obtainable will be documented in the purchasing system.

4. Expenditures \$20,000 or more *(Revised 5-30-2018; 12-15-2022; 8-17-2023)*

In the event a proposed expenditure is \$20,000 or more, the expenditure shall not be made until competitive bidding has been engaged. Bid specifications shall be prepared by the Chief Financial Officer or designee in consultation with other appropriate staff as necessary. Bids shall then be advertised on the ECC website. Bids shall be submitted using the online purchasing system. The College will not accept responses to solicitations posted on the website that are submitted by means other than this online purchasing system. The College reserves the right to waive minor technical defects in a bid or reject any or all bids or any part of any bid. Purchases of \$20,000 or more must be approved by the Board of Trustees of the College.

5. Expenditures utilizing federal funds *(adopted 5-30-2018; Revised 12-5-2022)*

All activities paid with federal funds will follow federal requirements including but not limited to a review of vendor eligibility on SAM.gov per 2 CFR 200.212. The grant manager will check sub-awardees and contractors for goods and services on SAM.gov to ensure they have not been debarred or suspended from receiving federal funds (29 CFR 95.13 Debarment and Suspension, also 2 CFR 200.212). The SAM.gov verification form will be downloaded and saved in the purchasing system as supporting documentation.

4.13.3 Exceptions

Any cooperative contracts established by (1) the state of Missouri, (2) other public agency or entity governed by the laws of the state of Missouri, or (3) any

higher education or public entity, compact, or consortium may be used by the College in lieu of competitive bidding for the purchase of item equipment, supplies, sundries, non-realty leases, maintenance, and periodic service agreements. Purchases which are not adapted to competitive bidding, such as (1) sole source purchases or (2) the procurement of professional services or skill wherein the professional credentials or ability are of primary importance are considered exceptions to the requirement for competitive bidding. The Chief Financial Officer may waive competitive bidding when the purchase will result in direct and immediate savings to the College. Sole source purchases will have supporting documentation from the originator.

4.13.4 Preference to Local Products and Firms

In making purchases, preference may be given to all commodities manufactured, mined, produced, or grown within the district and to all firms, corporations, or individuals doing business within the district, when quality is equal or better and delivered price is the same or less.

4.13.5 Preference to Missouri Products and Firms

In making purchases, preference shall be given to all commodities manufactured, mined, produced, or grown within the state of Missouri and to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, when quality is equal or better and delivered price is the same or less.

4.13.6 Preference to Service-Disabled Missouri Veterans and Firms *(Adopted 12-5-2022)*

In making purchases, preference shall be given to service-disabled veteran businesses as described in, and in compliance, with RSMo 34.074.

4.13.7 The purchase of all merchandise, products, and services for College purposes must be done through the Chief Financial Officer. The Chief Financial Officer will coordinate purchasing within the framework of the statutes of Missouri, policies and procedures of the Board of Trustees, and regulations promulgated by the Chief Financial Officer.

4.13.8 All purchases must be authorized by an appropriate College official.

4.13.9 Vendors, Suppliers, Contractors, and Subcontractors *(adopted 12-13-2018)*

East Central College makes every reasonable opportunity for minority/women/disadvantaged business enterprises, and labor surplus area firms (M/W/DBE/LSAF) to participate in the College's contracts as vendors, suppliers, contractors, and subcontractors performing work and/or services for East Central College. Therefore, contractors are encouraged to actively locate and include M/W/DBE/LSAF in their procurement efforts and to increase the amount of business done with these enterprises.

4.13.10 Cybersecurity Assurance *(adopted 9-22-2023)*

All vendors providing information technology services to East Central College must provide written assurance of their cybersecurity protocols that will ensure the security and confidentiality of student records and information as required by

the Gramm-Leach-Bliley Act (Public Law 106-102), or other applicable federal or state law.

4.14 Inventory Control *(Adopted 12-3-1968; Revised 4-7-2003; 12-5-2022)*

An inventory of fixed assets and related depreciation schedules shall be established and maintained at the direction of the Chief Financial Officer. Such inventory shall provide that assets valued at \$5,000 or more be listed in a fixed asset group of accounts. All such fixed assets, as well as all items with values less than \$5,000 but requiring inventory controls by federal and state agencies such as the Department of Elementary and Secondary Education, will be tagged with numbered identifying labels in order to provide security and maintenance of the assets.

4.15 Surplus Property *(Adopted 5-1-1990; Reaffirmed 12-2-1991, 8-28-2003)*

The President of the College or designee is authorized to act on behalf of the College in the acquisition or disposal of surplus property.

Procedures

4.15.1 Surplus Property Acquisition *(Revised 12-5-2022)*

The College or its agents as designated by the President may acquire federal surplus property through the Missouri State Agency for Surplus Property under authority of the Federal Property and Administration Services Act of 1949. College employees desiring to purchase federal surplus property for College use must follow the College's purchasing guidelines.

4.15.2 Surplus Property Disposal *(Revised 12-5-2022)*

Property may be identified as surplus by a unit supervisor, dean, or faculty of the department housing such property. The Director of Facilities and Grounds or designee will then be responsible for formally deeming property surplus and for the appropriate disposal of the property.

1. Accounting for Disposals:

The person requesting disposal of surplus property must complete an equipment disposal form for each item and secure appropriate approvals.

Disposals shall be made in accordance with state, federal, and local laws and regulations. In addition, items purchased using external funding sources will be disposed of following the guidelines set forth by the funding entity.

2. Methods of Disposal:

- a. Direct Transfer - The department or unit housing such property may make a direct transfer to another department within the College having a need for such equipment or property, with notice to the Director of Facilities and Grounds or designee.

- b. Sale - Items with resale value, as determined by the Director of Facilities and Grounds or designee, shall be sold by public auction (online or in person) or, if applicable, as otherwise required by state law. Such sales shall be made as required by state law, or if no state law applies, shall be made to the highest responsible bidder and shall be in conformance with all College purchasing policies and procedures.
 - (1) Terms of sale - Property shall be sold "as is and where is" and without any warranty whatsoever.
 - (2) Costs - All costs, including transportation and fees, in connection with the act of the sale and all other related costs and fees shall be borne exclusively by the purchaser.
- c. Local Disposal - Surplus or obsolete items determined by the Director of Facilities and Grounds or designee to have little or no transfer or sale value may be disposed of locally. Items requiring special handling shall be disposed of in accordance with all local, state, and federal laws and regulations.
- d. Trade In - The Director of Facilities and Grounds or designee may take advantage of opportunities to trade in surplus property on the purchase of like items if it is monetarily advantageous to the College.
- e. Donation - The Director of Facilities and Grounds or designee is authorized to distribute surplus property to other in-district public educational institutions as provided by state statute and regulation.

4.16 Credit Cards *(Adopted 5-1-1990; Revised 6-23-2003; 12-5-2022)*

The Board of Trustees approves the issuance of a credit card to the President of the College. The President or designee is empowered to authorize the issuance of credit cards to other designated officers and employees. Payment of all College credit card bills requires supporting documentation, normally purchase receipts, and the signature approval of the cardholder indicating verification of charges as accurate. Credit cards are to be used solely for College purposes. Personal purchases are prohibited.

4.17 Expense Reimbursement & Travel *(Reaffirmed 12-2-1991; Revised 11-3-2003)*

The Board of Trustees delegates to the College President the establishment of procedures which regulate the reimbursement of expenses incurred while members of the Board of Trustees or College employees are on College business.

Procedures *(Revised 4-6-2006, 4-7-2015, 10-8-2019, 12-5-2022)*

4.17.1 The intent of these procedures is to fairly compensate College employees for travel and out of pocket expenses. Employees should never profit from the procedures. Employees are obligated to minimize expenses whenever possible.

4.17.2 Requests for reimbursement of expenses must be submitted on the appropriate Expense Claim and Travel Reporting Form within 30 days of the expense or they

will not be reimbursed. Exceptions must be approved in writing by the employee's administrator with appropriate justification provided. All employee reimbursements are subject to IRS regulations.

4.17.3 Transportation, lodging, and meeting/conference registration charges should be pre-paid using a college credit card whenever possible.

4.17.4 All trip expenses, whether prepaid or reimbursed, must be reported on the appropriate Expense Claim and Travel Reporting Form. Forms and instructions may be found on the College website.

4.17.5 Mileage *(Revised 4-7-2015, 10-8-2019, 5-14-2020, 12-5-2022)*

Mileage expenses for travel subject to reimbursement shall be reimbursed at a per mile rate established by the Internal Revenue Service.

1. Human Resources together with the employee's administrator will determine a single, regularly assigned place of employment for each employee upon acceptance or change in position with the College and/or update to this policy. Mileage expense for traveling between the employee's residence and the employee's regularly assigned place of employment shall not be reimbursed.
2. Travel between College-owned sites and/or off-site locations is required by some positions. If a travel allowance is not written into an employee's contract for this purpose, the employee is eligible for mileage expense reimbursement for such travel on a per event basis.
3. An employee traveling for College business from their residence to a site other than the employee's regularly assigned place of employment is eligible for mileage expense reimbursement. Mileage will be calculated from the employee's regularly assigned place of employment or the employee's residence, whichever is less.
4. A reimbursable mileage guideline, which delineates standard mileage from the College to sites commonly traveled to, will be generated by the Office of Finance and Administration. Mileage to sites not on the guide will be based on mileage provided via a web mapping service and documented with a printout of the web page.
5. Employees should use the most efficient and economical mode of transportation and are encouraged to utilize a rental car when feasible. The College has established a corporate rate and direct billing arrangement with Enterprise for rental cars. Employees regularly traveling between the Union and Rolla campuses may use a rental car if it is convenient.

4.17.6 Transportation Expenses other than Mileage *(Revised 12-5-2022)*

Other transportation expenses including but not limited to railroad fares, air fares, taxis, rideshare services, baggage transfers, tolls, and parking fees shall be reimbursed in full provided such expenses are necessary and reasonable and supported by appropriate receipts.

4.17.7 Lodging *(Revised 4-7-2015, 10-8-2019, 1-27-2023)*

Lodging expenses shall be reimbursed in full provided such expenses are necessary and reasonable and supported by appropriate receipts. For lodging in Missouri, employees should provide the hotel/motel with the ECC tax exemption letter. The College does not reimburse for Missouri sales tax.

The College will pay in-state hotel/motel expenses if travel is required on consecutive days to a location 80 miles or more from the college or the employee's home, whichever is closer. Supervisors may approve exceptions by attaching a stay/drive comparison to the Expense Claim and Travel Reporting Form.

In cases where a professional development activity is less than 80 miles from the College or the employee's home (whichever is closer) and an overnight stay is desirable to avoid additional travel time, approval must be granted by the College President and reimbursement will be treated as a taxable benefit per IRS code.

4.17.8 Conference Expenses *(Adopted 10-8-2019; Revised 5-14-2020)*

Conference agenda and itemized expenses (meals, lodging, etc.) should be attached to the Expense Claim and Travel Reporting Form. Transportation to/from conferences will be reimbursed at the cost of the least expensive mode (airfare, mileage, rental car). Any exceptions shall be approved by the President or appropriate Vice President. An employee opting to extend their stay prior to or following a conference will be required to reimburse the college for rental car charges for any additional days or may choose to drive a personal vehicle and receive reimbursement at the comparable rental car cost.

4.17.9 Meals *(Revised 4-7-2015, 10-8-2019, 12-5-2022)*

The College will reimburse actual meal expenses for approved activities, with itemized receipts, as follows:

Single-Day Trips – For single-day trips for meetings outside of the district/service region, reimbursement for actual meal expenses will be provided in the same manner used for the first day of travel on an overnight trip. If a meal is provided as part of the meeting, no reimbursement will be provided.

Overnight Trips – For trips requiring overnight travel, reimbursement will be provided for actual meal expenses (including gratuities) up to the current U.S. General Services Administration (GSA) rates (<https://www.gsa.gov/travel-resources>) with itemized receipts. On the first day of travel, meals will be reimbursed with itemized receipts for breakfast if travel commences before 8 a.m., for lunch if travel commences before 11 a.m., and for dinner if travel commences by 5 p.m. On the last day of travel, meals will be reimbursed with itemized receipts for breakfast if travel ends after 8 a.m., for lunch if travel ends after 12:30 p.m., and for dinner if travel ends after 6:30 p.m.

Costs for a meal or meals provided as part of the conference or registration cost, will not be reimbursed.

Business Meals – Expenses for meals with a business purpose will be reimbursed in full if authorized in advance by the employee’s dean or administrator. These expenses must be supported with the names and positions of the employees and guests involved and a description of the purpose of the meeting.

Required Meetings – When a College employee is required to attend a function where a meal must be purchased, the meal expense shall be reimbursed in full.

Alcohol – In no case will the cost of alcoholic beverages or other personal expenses be reimbursed.

Excess Expenses – If expenses in excess of the limitations stated above are charged to the employee’s College-issued credit card, reimbursement must be made to the College within 30 days for the amount exceeding the stated limit. The employee’s supervisor will notify the employee of excess expenses and will note the amount to be reimbursed by employee on the Expense Claim and Travel Reporting Form prior to approving and submitting the expenses to the Business Office. A check reimbursing the College for excess charges will be attached to the form when submitted; if no check is attached to the form, the excess charges will be deducted from the reimbursement due to the employee or from the employee’s next paycheck.

4.17.10 Gratuities *(Adopted 10-8-2019; Revised 12-5-2022)*

The recommended tipping guidelines are as follows:

Meals	15-20%
Taxi/Rideshare	10%
Airport Shuttle	\$1 per bag

If an employee desires to tip above the recommended guidelines, the additional amount will not be reimbursable from the College.

4.17.11 Cash Advances *(Revised 4-7-2015)*

Employees who do not have access to College credit cards may obtain a cash advance for travel, up to a maximum of \$100 per day, by submitting a request for

travel approval form. Failure to submit the required Expense Claim and Travel Reimbursement Form within 30 days of travel completion will result in deduction of the full cash advance amount from the employee's paycheck.

4.17.12 Prospective Employees *(Revised 6-19-2014; Revised 4-7-2015)*

With the approval of the College President or designee, applicants selected for interviews may be reimbursed for expenses not to exceed the established amount when traveling 100 miles or more one way for the interview. Allowable expenses will include lodging and transportation (i.e., air travel, rental car, fuel) or as designated by the College.

4.17.13 Relocation Within the College District *(Revised 6-18-2014, 4-7-2015, 10-8-2019, 12-5-2022)*

Relocation expense reimbursements for moving into the East Central College District will be allowed for the President and Vice Presidents. The reimbursement is considered an incentive for College administrators to reside in the District. Relocation reimbursement for moving into the East Central College Service Region may be allowed.

The employee will be eligible for reimbursement only once and the move must fall within the first year of employment. The College President may approve an extension of up to one (1) year based upon extenuating circumstances.

The College will follow IRS requirements with regards to reporting taxable income.

The President will approve the reimbursement of relocation expenses up to \$2,000 for Vice Presidents. The Board of Trustees will approve the reimbursement of relocation expenses for the College President as negotiated in the contract. Relocation reimbursement for other positions and/or moving to a residence located in the Service Region or outside of the Taxing District will require recommendation by the College President and approval of the Board of Trustees.

Reimbursable expenses include:

1. Rental transportation and packing of household goods and personal effects.
2. Travel of spouse and dependent(s) living in the immediate household; allowable for one (1) trip by the employee and one (1) trip per household member. Family members do not have to travel together but the family members' relocation must be within the year of the move of the employee.
3. Lodging for one (1) night stay at old location, one (1) night stay at new location, and lodging while traveling enroute to new location.
4. Moving of personal autos.

Non-reimbursable expenses include:

1. Meals, food, and/or beverages
2. Relocation of nondependent(s)

Reimbursement requests are to be submitted within 30 days of the completed move. A signed expense reimbursement form, along with original receipts and/or other supporting documentation for the expenses, should be submitted to Human Resources.

4.18 Electronic Signatures *(Adopted 12-5-2022)*

East Central College is committed to a secure digital environment in which the College is compliant with federal, state, and local laws and policies. To increase the efficiency and effectiveness of College operations that require signatures, the College may accept electronic signatures.

Procedures *(Adopted 12-5-2022)*

4.18.1 Acceptable Forms of Electronic Signature

The College will accept the following forms of electronic signature to conduct business:

1. A handwritten signature on a scanned or otherwise digitally captured document from a verifiable source.
2. A graphic image of a signature placed on a document (scanned or electronically generated) using secure software that verifies the identity of the signature user.
3. Marks, initials, checkboxes, or any similar attestation provided through an online form or Workflow that (a) is accessible only after authenticating into a secure online environment owned or managed by the College and (b) is tied to the signer's specific network credentials, including an e-mail from an employee's official College e-mail address.
4. In the case of a student's consent for disclosure of their education records and/or consent to participate in an educational/college-based opportunity, an e-mail from the student's official College e-mail address, consent provided through a College-owned or managed portal, or any paper or online form that complies with the above criteria.

4.18.2 Unacceptable Forms of Electronic Signature

The College will not accept the following forms of electronic signature for internal documents or documents required by a College process:

1. A graphic image of a signature placed on a document without a separate verifiable intent to sign. For example, an e-mail from a non-official East Central College e-mail address along with the signed document. An e-mail that does not come from an official East Central College e-mail address would not be considered verifiable intent.
2. A typewritten name that has not been verified by secure software's signature verification.
3. In the case of a student's consent for disclosure of their education records and/or consent to participate in an educational/college-based opportunity,

an e-mail from an e-mail address other than the student's official East Central College e-mail address, text message communication from any phone number, social media communication, or any other unauthenticated communication.

4.18.3 Use of Third-Party Software System for Electronic Signatures

If the College uses a third-party software system to electronically sign documents, the College shall ensure that backup copies of the electronically signed documents are maintained by the College on storage devices under the College's control.

4.19 College Liability Insurance *(Adopted 8-25-2008; Revised 12-5-2022)*

The College will maintain coverage against liability of the College and its employees as allowed by law and in a manner meant to maintain sovereign and official immunities provided by state law to the College and its employees. Such coverage may be maintained through insurance or participation in the state public entity risk management fund. To the extent of the covered risks and coverage limits, the College will defend and indemnify employees against liability for acts and omissions within the course and scope of their duties. The College will not defend or indemnify employees against their criminal or intentional wrongful acts or any liability for any acts or omissions that occur outside the course and scope of their duties. The College reserves the right, in circumstances which the Board of Trustees deems appropriate, and following a majority vote of the whole thereof, to determine whether to defend and/or indemnify an employee in a proceeding brought against the employee alleging a loss not within the covered risks, resulting from an employee's act or omission that occurs within the course and scope of the employee's duties.

4.20 Product Endorsement *(Adopted 8-25-2008)*

Any entity other than the College may not use the College's name, logo, or trademark in any printed material or other media for endorsement of its products or company. Exceptions must be authorized by the Board of Trustees.

4.21 Selection of Architectural/Engineering and/or Land Surveying Services *(Adopted 8-25-2008; Revised 12-5-2022)*

The Board of Trustees may select qualified firm(s) and authorizes the College President or designee to negotiate contract(s) for architectural, engineering, and land surveying services for the various building projects undertaken by the College.

Procedures

4.21.1 In selecting such firm(s), the following criteria will be considered:

1. Training, specialized experience, and technical competence, including that of partners and associates, demonstrated either with the College or elsewhere with respect to the type of services desired.
2. Planning ability, efficiency, and promptness of the firm(s), including the capacity and capability of the firm(s) to perform the tasks requested, as well as

any specialized services, within the time limitations established for the completion of the project.

3. Proposed price for the services requested (i.e., a fee schedule).
4. Past record of performance of the firm(s) with respect to control of costs, quality of work, design, appearance, utility, and the ability to meet time schedules.
5. Proximity to and familiarity with the geographical area in which the project shall be located.

When considering the need for architectural, engineering, and/or land surveying services, the Board or designee shall prepare a written description of the services desired by the College. Interested firms may be requested to submit information in accordance with the above criteria.

College officials shall review the materials submitted and shall attempt to negotiate acceptable terms with any or all of the firms that are submitting materials after the Board has selected the firm(s) considered best qualified for the project(s).

4.22 Construction Contracts Bidding and Awards *(Adopted 8-25-2008; Revised 12-5-2022)*

All facilities construction projects that exceed an expenditure of \$50,000 shall be advertised and competitive bids solicited per RSMO Section 177.086. To protect the College, each bidder may be required to submit with their bid a bidder's bond in an amount determined by the estimated cost of the project.

Procedures *(Revised 5-15-2019; 12-5-2022)*

- 4.22.1** The construction contract shall be awarded to the lowest responsible bidder whose bid is in accordance with the approved plans and specifications and who has provided the required security. However, the Board reserves the right to waive minor technical defects in a bid, or reject any or all bids, or any part of any bid. No bid for the construction, alteration, or repair of any building shall be accepted if it does not conform to the plans and specifications for the project.
- 4.22.2** If the project is considered a public works project estimated to exceed \$50,000, the contractor will be required to furnish payment and a performance bond in accordance with law. No contractor shall be required to submit a bond from a particular insurance or surety company. Lien waivers shall be provided by the contractor and his or her subcontractors and suppliers.
- 4.22.3** When an architectural/engineering firm is utilized, all pay requests by the contractor shall be approved by the architect prior to payment.
- 4.22.4** Bid specifications and/or contracts for all public works in excess of \$75,000 shall include the required provisions concerning prevailing wages pursuant to the rules of the Division of Labor Standards of the Missouri Department of Labor and Industrial Relations and will comply with state law.

4.23 Change Orders During Construction *(Adopted 8-25-2008)*

A change order is a written order to the contractor signed by the owner and the architect, issued after execution of the contract, authorizing a change in the work or an adjustment in the contract sum or the contract time. Although the general philosophy of the College is to discourage contract adjustments during a project, change orders may result from the following:

1. Changes in the quality or scope of the project,
2. Changes resulting from an unforeseen condition, and
3. Changes due to errors or omissions by the architect or contractor.

Additional costs incurred for time or materials, when unit costs or rates for time or materials are included in the terms of the contract, are not considered change orders for purposes of this Policy.

Procedures *(Revised 12-5-2022)*

4.23.1 Change orders may be signed by the President of the College only under the following circumstances:

1. The College President, after discussions with representatives of the project monitoring team, may sign any change order authorizing a change in the work, provided that the contract sum is not increased by more than \$20,000 and that contingency funds are available for said change.
2. A proposed change order shall be submitted to the Board of Trustees for approval when the proposed increase in the contract sum exceeds \$20,000, or when the contingency funds are insufficient to cover the proposed increase. If approved, the College President or designee is authorized to immediately sign the change order.
3. In an emergency, such as where there is a threat to life or property, the College President is authorized to immediately sign any change order. In such case, the College President should advise the Board of the circumstances necessitating the change order as soon as practicable.

4.23.2 In processing change order requests, the College President shall attempt to identify situations where a proposed change order may have been caused by an error or omission of the architect or contractor. In appropriate cases, the College shall endeavor to recover the cost of the change from the responsible party.

4.24 Construction Manager Option *(Adopted 8-25-2008)*

In the event that the College chooses to use the services of a construction manager instead of a general contractor, the College shall select a construction manager and negotiate with that construction manager to obtain a contract that is fair and reasonable.

Procedures *(Revised 12-5-2022)*

4.24.1 Under this Policy, the term "project" shall mean the erection or construction of a building or structure or the improvement, alteration, or repair of a building or structure. The term "construction manager" includes consulting, advising, assisting, and making recommendations on all aspects of preconstruction planning, design, bidding, and contract award and providing general observation, coordination, and direction of the work and processing of payment requests and change orders during construction.

4.24.2 To select a construction manager, the College shall advertise and solicit proposals from qualified construction managers in the following manner:

1. If the total cost for the project exceeds five hundred thousand dollars (\$500,000), the solicitation shall be advertised for a period of ten (10) days in one (1) newspaper of general circulation in the county.
2. If the total cost of the project exceeds one million five hundred thousand dollars (\$1,500,000), the solicitation shall be advertised for ten (10) days in two (2) daily newspapers in Missouri which have not less than fifty thousand (50,000) daily circulation in addition to the advertisement required by number 1 above.
3. If the total cost of the project is five hundred thousand dollars (\$500,000) or less, the solicitation need not be advertised.
4. Solicitations shall require the bidders to submit the following information:
 - a. Fees for overhead and profit.
 - b. Reimbursable costs for reimbursable items.
 - c. Qualifications.
5. Bidders shall also submit the following information to demonstrate ability to perform projects comparable in design, scope, and complexity.
 - a. Demonstration of good faith efforts to achieve compliance with federal, state, and local affirmative action requirements.
 - b. References from owners for whom construction management services have been performed.
 - c. Financial strength.
 - d. Qualifications of in-house personnel who will manage the project.
 - e. Demonstration of successful management systems which have been employed for the purposes of estimating, scheduling, and cost controls.

4.24.3 If the College selects a construction manager, contractual negotiations may be conducted with that construction manager and a contract may be executed between the Board of Trustees and the construction manager. If the College cannot reach an agreement upon the terms of a construction management services contract through negotiations with the selected construction manager, then the College may attempt to select another construction manager and negotiate a

contract with that construction manager. The College will continue to follow the procedures outlined in this Policy until a contract has been executed between the Board of Trustees and a construction manager or the College decides not to use a construction manager.

4.24.4 The Board of Trustees shall not award a contract to any construction manager (or a firm that controls, is controlled by, or shares common ownership or control with the construction manager) if such construction manager:

- a. Guarantees, warrants, or otherwise assumes financial responsibility for the work of others on the project.
- b. Provides the College with a guaranteed maximum price for the work of others on the project.
- c. Furnishes or guarantees a performance or payment bond for other contractors on the project.

4.24.5 This Policy shall not apply should the College choose to contract with an individual or firm solely for the purpose of serving as a liaison with a general contractor.

4.25 Use of College Employees in Lieu of Contractors *(Approved 8-25-2008)*

The College may use its employees to alter, maintain, and repair buildings, equipment, or grounds without the letting of contracts.

4.26 Naming of East Central College Facilities *(Adopted 10-5-2009)*

The Board of Trustees has the exclusive authority to name the facilities and property of East Central College, including but not limited to College buildings, portions of buildings, streets, athletic facilities, and other physical features. To be adopted, a majority of the whole Board (four votes) must approve the proposed name.

Procedures *(Adopted 10-5-2009; Revised 12-5-2022)*

4.26.1 The Board of Trustees may consider naming honors for an individual who, through exemplary personal, professional, or civic endeavors, has had a significant, lasting, and measurable impact on the College, local region, state, nation, or the world. Years of dedicated service to the institution as an employee in and of itself shall not be considered sufficient justification for naming. At least one year must elapse before an individual formerly employed by or associated with East Central College may be nominated for naming honors.

4.26.2 The Board of Trustees may also consider naming honors for individuals, families, partnerships, corporations, foundations, or organizations who make a substantial monetary gift to the College or the East Central College Foundation. In the case of a pledged gift, naming will take place only when the financial pledge has been fulfilled. Amounts for naming opportunities will be set and adjusted periodically by the East Central College Board of Trustees.

- 4.26.3** Naming proposals must be prepared confidentially to protect the privacy of the nominee and their family while the proposal is under consideration. Proposals must be presented in writing to the College president and must include supporting justification. The credentials, character, and reputation of each individual, organization or corporation for whom a naming is being considered will be carefully scrutinized and evaluated. No naming will be approved or continued that will call into serious question the public respect of the College.
- 4.26.4** When a building or significant area has been named, the College will continue to use the name so long as the building or area remains in use and serves its original function. When the use has changed such as it must be demolished, substantially renovated, or rebuilt, the College may discontinue use of the name. Facilities or areas named as a part of a fund-raising campaign will continue to use the name for the timeframe approved by the Board of Trustees.

4.27 Monuments and Memorials *(Adopted 2-7-2022)*

The College may erect or display (or cause to be erected or displayed) monuments or memorials on College property. Any monument or memorial shall be approved by the Board of Trustees. Monuments or memorials erected on College property shall serve to educate students and/or the general public, honor an individual(s) for service to the College or community, or give meaning to events that have shaped the College or community. Monuments or memorials shall be relevant to the vision, mission, and/or values of the College or to the history of the region served by the College.

Procedures *(Adopted 2-7-2022)*

- 4.27.1** Requests to establish or erect a monument or memorial shall be presented in writing to the President of the College. The President shall consider the request within the parameters of this Policy and decide whether to recommend approval to the Board of Trustees.
- 4.27.2** The Board of Trustees has final approval authority; a majority of the whole Board being required to approve a monument or memorial.
- 4.27.3** Approval by the Board of Trustees shall include designation of the location of the monument or memorial and the party responsible for funding, installing, and/or maintaining the monument or memorial.
- 4.27.4** Monuments or memorials donated to the College shall become the property of the College, with all rights previously possessed by the donor being relinquished.
- 4.27.5** If the Board of Trustees authorizes an external party to erect, construct, install, or otherwise display a permanent monument or memorial, said work shall be performed at the direction of the College President or designee. The College has the right to review and approve any and all specifications (including but not necessarily limited to design, text, materials, weight, size of object, and location)

of the monument or memorial. Monuments or memorials shall be safe from hazards such as sharp projecting elements, loose parts, or other public hazards.

4.27.6 The College shall retain full editorial control over any and all text displayed on a monument or memorial and/or any associated signs, markers, publications, social media, or advertisements.

4.27.7 The Board of Trustees, in its sole discretion, retains authority to remove a monument or memorial at any time.

4.27.8 Any monument or memorial displayed in tribute to an individual(s) shall not be approved until the individual(s) has been deceased for a minimum of ten (10) years. This restriction does not apply to the naming of facilities in accordance with Policy 4.26 Naming of East Central College Facilities.

4.27.9 This Policy shall apply to permanent monuments or memorials located on College property and not the use of College property or facilities for expressive activities as provided in Policy 4.33 Expressive Activities.

4.28 Security and Access to College Facilities *(Adopted 8-25-2008)*

The College, in considering security and access to College facilities, has attempted to balance the need for convenience and accessibility with that of adequate security. To that end, most College facilities should generally be accessible to all students, employees, and visitors during normal business hours. After normal business hours, access to College facilities may be restricted to students, employees, and selected visitors, each of whom may be required to display proper identification upon request.

4.29 Employee Access to College Facilities *(Adopted 11-2-1987; Revised 6-23-200, 12-5-2022)*

Access to College buildings will be provided to employees subject to established procedures.

Procedures *(Revised 12-5-2022)*

4.29.1 Access to College buildings will be provided and appropriate records regarding the level of access for each employee will be governed by the following guidelines:

1. College employees may receive access to appropriate buildings and interior doors.
2. In general, building/interior door access will not be granted to students, and employees are not to share access with students.
3. All keys/electronic door access devices must be collected by the employee's supervisor or designee on the last day the employee is on campus. Human Resources will ensure the employee's electronic access is deactivated.
4. Misuse of keys/electronic access may result in the loss of privileges as well as appropriate disciplinary procedures.

4.30 Tobacco-Free Campus *(Adopted 12-5-2011; Revised 12-5-2022)*

East Central College is a tobacco-free campus. Usage of all tobacco products is prohibited on all properties owned or leased by the College including facilities, buildings, parking lots, athletic fields, and common areas. The term “tobacco products” shall also include electronic nicotine delivery systems and other smoking-related substances and products the College chooses to prohibit. This Policy applies to all faculty, staff, students, employees, contractors, vendors, performers, and visitors. ECC is committed to providing its students, employees, and visitors with a safe and healthy environment.

4.31 Use of Alcoholic Beverages on College Property *(Adopted 12/8/2014)*

The possession, use, or distribution of alcoholic beverages on property owned or leased by the College is strictly prohibited unless approved by the College President for unique and special events or in support of a program of study. Approval must be granted by the President in advance for each event at which alcohol will be served, or for each program of study in which alcohol will be used or served. The College President shall only approve the use or serving of alcohol at events sponsored by the College, East Central College Foundation, or in conjunction with the College’s related programs of study.

Procedures *(Revised 12-5-2022)*

4.31.1 Definitions

For purposes of this Policy, the following definitions apply:

Program of Study - An academic program leading to a degree or certificate.

Event - Any activity that is not solely related to instruction in an approved program of study and/or which includes participants other than students enrolled in, and faculty associated with, the program of study. Events may include but are not limited to receptions, meetings, or non-credit courses.

College Property - Buildings or grounds owned or leased by the College.

4.31.2 The College observes and enforces all applicable laws and regulations governing the sale, purchase, distribution, consumption, and possession of alcoholic beverages, and expects that all members of its community adhere to these laws and regulations both on and off campus.

4.31.3 The College complies with the requirements of the Drug Free Schools and Communities Act Amendments of 1989 (20 U.S.C. § 1011i), and the Drug Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.).

4.31.4 When alcohol use is approved by the College President, all faculty, staff, students, and visitors are expected to observe and obey the laws of the state of Missouri, including but not limited to those which prohibit any person under the age of 21 from purchasing, attempting to purchase,

possessing, or from being served any intoxicating beverage, and RSMo.311.325 (4), which pertains to college students enrolled in a culinary course.

- 4.31.5 Violations of applicable law and/or this Policy will be handled in accordance with applicable law enforcement or College disciplinary procedures.
- 4.31.6 The College President may approve the use of alcohol for a program of study upon the recommendation of the Chief Academic Officer. Such approval shall remain in force unless rescinded or modified by the President.
- 4.31.7 Requests to serve alcohol at events on College property must be submitted to the College President for consideration. Requests must include information explaining the purpose of the proposed event, the identity of the entity serving the alcohol, as well as written affirmation that the event will comply with all applicable laws and licensing requirements. An approval request form shall be used for this purpose. A request to serve alcohol at an event shall be approved by the College President before the use of alcohol is permitted in accordance with this Policy.
- 4.31.8 The College and/or Foundation, as appropriate, shall acquire and maintain appropriate liability insurance coverage for events and/or programs that involve the use and/or serving of alcohol on College property.
- 4.31.9 Alcohol used in support of a related program of study shall be stored securely, and the use and/or serving of alcohol shall be supervised by appropriate faculty.
- 4.31.10 This Policy is designed to serve the educational purposes of related programs of study, and to ensure legal and responsible behavior regarding alcohol use when served on College property.

4.32 Community Use of Facilities *(Adopted 11-2-1987; Revised 3-4-2002, 5-9-2016, 12-5-2022)*

As a service to the community, East Central College allows community members to utilize College facilities, campus, and resources if such use does not conflict with the College's operations and educational mission. East Central College students, employees, and alumni will receive priority with regard to the use of College facilities and resources. Community members may apply for use of College facilities and resources as described in this Policy, and, when applicable, consistent with the College's Expressive Activities policy (BP4.33) for use of outdoor spaces. All College facilities and grounds are tobacco free.

Procedures *(Revised 4-6-2006)*

4.32.1 Granting of Use *(Revised 5-9-2016, 12-5-2022)*

The President or designee is authorized and empowered to grant the use of College facilities or resources provided such use is congruent with the educational mission of the College, temporary in nature, and does not interfere with, negatively affect, or disrupt the operations of the College. Use of College property or facilities may be granted only for uses allowed by law or state regulations. Uses of other than a temporary nature must be approved by the Board of Trustees. Individuals wishing to engage in expressive activities, as defined in Policy 4.33, in the College's outdoor spaces may do so without first seeking the permission of the College.

4.32.2 Library Use *(Revised 12-5-2022)*

Residents of the East Central College district who are 18 years of age and older may apply for a community patron card. A valid Missouri state ID is required to complete the application. Holders of a community patron card may borrow Library materials per Library guidelines and may use Library computers after receiving a login code and password. Community residents using College computer resources are subject to all applicable policies and procedures related to the acceptable use of these resources.

4.32.3 Priority of Use

To assure appropriate scheduling among groups permitted to use College facilities, the following priorities will serve as guidelines.

1. College scheduled courses, programs, and activities
2. College-related activities, recognized College-sponsored organizations, and those public or private agencies whose purpose(s) relate to the advancement of community college programs and/or sponsored activities
3. Other non-profit organizations or groups
4. For-profit groups

4.32.4 Liability *(Revised 5-9-2016)*

East Central College will hold groups using facilities responsible for all damages sustained during or as a result of an event.

Liability insurance will be required for use of College facilities. A certificate of insurance shall declare East Central College to be held harmless in the event of bodily injury or property damage and must show ECC as an additional insured to the renter's general liability policy. The College may waive the insurance requirement for one-time meeting requests using a single room. ECC will not be liable for any loss or damage to personal property or personal injury resulting from use of College facilities or grounds by outside organizations.

In the interest of the personal safety of all individuals, all reservations for College facilities are approved on the assumption that the facility will be used for the purpose intended, as normally equipped, and in compliance with all College regulations and all applicable laws.

4.32.5 Scheduling *(Revised 5-9-2016, 12-5-2022)*

Requests for the use of facilities shall be made through the Facilities and Grounds office. Fee schedules and procedures for use may be obtained from the Facilities and Grounds office. Use of campus grounds for expressive activities is governed by Policy 4.33; all other use of campus grounds will require prior authorization and the current fee schedule will apply.

Requests for facility use must be submitted no later than two (2) weeks in advance of the event/activity and will be granted on a first come, first served basis. Applications will be acknowledged within three (3) business days of their submission to allow the College to coordinate multiple uses of limited space; to assure preservation of facilities; to prevent uses that are dangerous, unlawful, or impermissible; and to assure financial accountability for any potential damage caused during any facility use. Fees to be charged for the use of College property or facilities will be based on the latest fee schedule.

The Facilities and Grounds office shall coordinate the need for equipment, maintenance services, etc. with the departments responsible for those items or services.

4.32.6 Food Services *(Revised 5-9-2016)*

Food services are provided on the East Central College campus. While College groups and organizations are given first preference in scheduling food service, external users may also schedule food service. A request must be filed with the Facilities and Grounds office at least ten (10) days prior to the date for the external activity.

4.32.7 College Gymnasium *(Revised 5-9-2016)*

- 1. General** - The use of the gymnasium should be supervised at all times by those responsible for the event.
- 2. Priorities** - The following priorities for scheduling will be followed:
 - a. College classes
 - b. Athletic teams
 - c. Intramurals
 - d. Non-credit classes
 - e. Other College activities
 - f. Community groups
- 3. Regulations for Gymnasium Use** *(Revised 12-5-2022)*
 - a. No food or beverages in the gym.

- b. Gym shoes or sock feet only are permitted on the gym floor unless the floor is covered. Shoes worn outside, even gym shoes, are damaging to the floor.
- c. College officials may deny use of the gymnasium to individuals or groups for failure to observe these regulations.

4.32.8 Rental Fees and Charges *(Revised 12-5-2022)*

A schedule of rental fees and charges for the rental of College property or facilities will be developed and maintained by the Chief Financial Officer. Waiver of rental fees must be authorized by the College President or designee.

4.33 Expressive Activities *(Adopted 4/11/16)*

East Central College is committed to providing an environment that embraces the principle of freedom of expression for all people. The purpose of this Policy is to ensure that an academic environment is created and maintained that allows for open communication, discussion, and exploration of ideas, while also ensuring that there is no unreasonable disruption of the College function, nor any danger to community members, damage to personal or College property, or unconstitutional interference with the rights of others. Accordingly, all non-commercial expressive activity, including all forms of peaceful assembly, protests, speeches, distribution of literature, carrying signs, and circulating petitions (hereinafter “Expressive Activities”), will be subject to the constitutional limitations set forth in the associated procedures.

Procedures *(Adopted 4/11/16; Revised 12-5-2022)*

4.33.1 The following restrictions shall be applicable to non-commercial expressive activities conducted in the outdoor areas of East Central College:

Time

Individuals or organizations may engage in Expressive Activities from 8 a.m. to 8 p.m.

Manner

1. No one may engage in any activity that violates local ordinances, state, or federal laws.
2. No one may engage in any activity that endangers personal safety and/or that results in damage to personal or College property.
3. No one may display or distribute obscene materials, as defined by local, state, or federal law, or is within the definition of obscenity as set forth in decisions of the United States Supreme Court.
4. No one may engage in any activity that defames any other person.
5. No one may engage in any activity that is meant to incite or produce imminent violations of law under circumstances such that the activity is likely to actually and imminently incite or produce violations of law.

6. No one may engage in any activity that substantially and materially disrupts the functioning of the College, including the disruption of class work (including out of class studying) or the substantial invasion of the rights of others.
7. No one may engage in any activity that disrupts or impedes the flow of traffic (vehicular or pedestrian) on campus or obstructs access to or from campus buildings or any official College function.
8. No one may attempt or threaten to strike, shove, kick, or otherwise subject a person to unwanted physical contact.
9. No one may follow a person in or about the campus in an effort to cause such person to accept material when such person has rejected the receipt of such material or otherwise clearly indicated a refusal to accept such material.
10. No one may persist in requesting or demanding the attention of any other person during a single encounter after such person has rejected the receipt of such material or otherwise clearly indicated a refusal to accept such material.
11. No one may fail to identify oneself to, or comply with the lawful direction of, a clearly identified College official or any other public official acting in the performance of their duties while on College property or resist or obstruct such College or other public officials in the performance of or the attempt to perform their lawful duties.

4.33.2 Large Events

In addition to the time, place, and manner restrictions above, the following restrictions apply to non-commercial expressive activities in the outdoor spaces of the College:

For any person or group wanting to hold a rally, protest, parade, or other event involving twenty (20) or more people, this person or group's designee must request permission through the Facilities Administrative Assistant within three (3) business days of the event. The request must contain the desired time and location of the event, the approximate number of persons attending, and the approximate duration of the event.

The College President will review the requests and grant permission on a first come, first served basis within two (2) business days, to allow for the College to coordinate multiple uses of limited space; assure preservation of the area; prevent uses that are dangerous, unlawful, or impermissible; and to assure financial accountability for any potential damage caused by the event.

4.34 Political Activities *(Adopted 1-6-1997; Revised 8-25-2008, Revised 5-9-2016)*

All activities by College employees and all uses of College property for political purposes or in the context of political issues shall comply with federal and state laws and should protect the neutrality of the College.

Procedures

4.34.1 Election Advocacy Expenditures *(Revised 5-9-2016)*

No person shall make any contribution or expenditure of any College funds or use any property of the College to advocate, support, or oppose any ballot measure or candidate for public office. The use of College property to host candidates or sponsor events on an unbiased and non-partisan basis for educational purposes is not prohibited by this provision.

4.34.2 Endorsements

No person shall make any endorsement for any political candidate on behalf of the College or imply that such an endorsement exists, nor shall any private activity of any person employed by or associated with the College be deemed to be such an endorsement.

4.34.3 Candidate Debates and Events

For educational purposes designed to inform voters, the College may invite candidates to visit the campus to speak or debate. Invitations shall be made only by the College President or designee and shall be on a non-discriminatory, non-partisan basis, limited only by the need to provide a fair and workable forum. No changes in the normal schedule of College activities will be made for these events.

4.34.4 Disruption of Educational Process *(Revised 8-25-2008, Revised 5-9-2016)*

Political activities on College property, including canvassing, shall not cause unreasonable disruption of the College function, nor any danger to community members, damage to personal or College property, or unconstitutional interference with the rights of others.

4.34.5 Employee Candidacy

No employee of the College shall engage in any activity promoting their own candidacy for public office during any hours in which they are acting on behalf of the College.

4.35 Automated External Defibrillators *(Adopted 12-11-2006)*

The College may acquire and install automated external defibrillators (AED's), designate a medical advisor for the AED program, and appoint a program coordinator to administer the maintenance and use of AED's, pursuant to R.S. Mo. 190.092.

4.36 Motor Vehicles *(Adopted 11-2-1987; Revised 8-28-2003)*

Operation of motorized vehicles by the public is permitted only on College roads and parking lots. Use of all other areas is prohibited. All motor vehicle operators will be governed by College regulations, the statutes of the local jurisdiction, and laws of the state of Missouri.

Procedures

4.36.1 Vehicle Registration and Parking Permits *(Revised 12-5-2022)*

1. Employees, regardless of classification, must register all motor vehicles they park or expect to park on College property. Motor vehicles must be registered at the Cashier's Office.
2. College parking permits must be displayed as directed. A student permit is not required, but all employees are required to have and display a permit. Vehicles parked in reserved handicapped parking spaces must display a state-issued handicapped parking permit or license plate or a College-issued temporary handicapped parking permit.

4.36.2 Parking Violations *(Revised 12-5-2022)*

1. Vehicle owners, operators, or registrants will be held responsible for any traffic or parking violations involving their vehicle.
2. Vehicle owners, operators, or registrants will be held responsible for handicapped parking and fire lane violations at all times. Fines may be levied in these cases by the College or the local jurisdiction. College fines should be paid at the Cashier's Office.
3. Those students who have outstanding fines at the end of the semester will be placed on a "hold" list. While the student is on this list, they can receive neither grades nor transcripts from the Registrar's Office and will be restricted from registering for any subsequent semesters. When the student is placed on the "hold" list, they will remain on it until the outstanding fines are paid.

4.36.3 Abandoned Vehicles *(Revised 12-5-2022)*

Vehicles left on College grounds for a period exceeding 15 calendar days will be considered abandoned. Such vehicles will be reported to the local jurisdiction and may be issued a city citation and be towed at the owner's expense.

4.36.4 Visitors *(Revised 12-5-2022)*

A College visitor is defined as any person other than a student or employee of ECC. Visitors are requested to comply with all College traffic regulations.

4.37 Children on Campus *(Adopted 5-9-2005; Revised 5-12-2008, 6-14-2021)*

Children aged 16 and under unaccompanied by an adult are not permitted on campus. No children will be allowed at any time in laboratories, study areas, computer labs, the Fitness Center or nearby locations, unless a child is an integral part of an instructional activity. Exceptions may be approved in advance by the appropriate administrator.

4.38 Solicitation and Fundraising *(Adopted 12-3-1968; Revised 1-2005; Revised 5-9-2016)*

Fundraising for external causes is prohibited on the campus unless specifically authorized by the College President or Board of Trustees. The sale on campus of any articles or services not otherwise sanctioned by the College is prohibited.

Procedures *(Revised 8-25-2008, 5-9-2016)*

- 4.38.1** The College will allow and promote fundraising for the ECC Foundation and the United Way.
- 4.38.2** Unsolicited and/or unscheduled commercial solicitation on College owned or leased property is not permitted. However, representatives of companies selling products or services that are or may be used by the College may visit appropriate offices or departments as invited or scheduled with College personnel.
- 4.38.3** Employees who wish to solicit co-workers for personal causes may do so during breaks and lunch periods. However, employees are not permitted to use the College listserv system or other resources for fundraising for personal causes.
- 4.38.4** All activities involving the solicitation of external gifts or donations for student clubs or organizations, athletic teams, or employee groups or associations must have prior approval by the Foundation Director.
- 4.38.5** Fundraising by student or employee organizations to benefit, or otherwise on behalf of, external organizations must have prior approval by the College President.

4.39 Research Conducted on Campus *(Adopted 7-12-2010)*

East Central College supports the use of student, faculty, and staff surveys and investigative projects for educational research purposes. Surveys and research for commercial purposes will not be authorized. Potential survey/research subjects and class instructors may elect or decline to participate.

All surveys and research projects involving East Central College students, faculty, and/or staff must be approved by the appropriate Vice President(s).

Procedures *(Adopted 7-12-2010)*

- 4.39.1** Individuals (external and internal to the institution) wishing to conduct survey and/or research projects involving East Central College students, faculty, and/or staff must contact the Director of Institutional Research and complete an appropriate form.
- 4.39.2** Following review by the Director of Institutional Research, the research request form will be sent to the appropriate Vice President(s). Approval by the appropriate Vice President(s) will be based on a review of the nature and purpose of the survey/research, the proposed research instrument, and the likely benefit for the College.

4.40 External Food Vendor Operations *(Adopted 10-7-2019)*

East Central College allows external food vendors to operate on College-owned or leased property at locations determined and approved in advance by the College. Leased property may also require consent from the College's landlord. External food vendor operations shall not interfere with campus and/or academic activities nor impede the flow of pedestrian traffic on the campus and must comply with all applicable codes and ordinances. All external food vendors must hold appropriate business and food service licenses. The College President or designee is authorized to administer the external food vendor policy in accordance with state and local laws.

Procedures *(Adopted 10-7-19)*

4.40.1 Vendors must complete the External Food Vendor Contract located on the East Central College (ECC) website and return the completed form, along with appropriate documents as stated in the contract, to the East Central College Facilities and Grounds office.

1. Evidence of insurance, business license, and any other applicable city or county licenses or permits along with copies of the food license, valid driver's license, and the external food operation menu shall be submitted electronically in conjunction with the External Food Operation Vendor Contract.

4.40.2 Following approval of the contract by the Facilities and Grounds office, the vendor will be added to the list of Approved External Food Vendors.

4.40.3 No approved vendor is allowed to operate on College property unless it has reserved its time and location. Approved vendors can make up to two (2) reservations per week in advance. Reservations are made on a first-come-first-served basis.

4.40.4 College policies and procedures must be followed by all vendors. Vendors must display their approved ECC vendor pass at all times while parked on campus. Violations of ECC policies may result in termination of approved status and cancellation of reservations for the remainder of the year. Refer to the External Food Operation Vendor Contract for complete terms and conditions.

4.41 College Bookstore *(Revised 12-2-2002, 12-5-2022)*

East Central College will operate a College Bookstore for the benefit of the students, faculty, and staff of the College. Students, faculty, and staff will follow procedures outlined regarding utilization of the East Central College Bookstore.

Procedures *(Revised 8-25-2008, 12-5-2022)*

4.41.1 Office supplies for College use are available in the bookstore. Supplies may be purchased by departmental charge. Bookstore charges are uploaded monthly to the general ledger. Details of these charges are maintained by the bookstore manager and are available upon request. Bookstore purchases over \$100 require prior authorization by the budget manager.

4.41.2 Rental books may be secured by using a credit or debit card. If a rental book is not returned by the due date, the card used to secure the rental will be charged the full retail cost of the book. Damage to a rental book may result in additional charges when the book is returned. Students may purchase a rental book through the bookstore if arrangements are made prior to the rental return date.

4.41.3 Textbook return periods will be set and publicized by the bookstore.

4.41.4 Copyright laws and procedures will apply to all materials.

4.42 Cellular Phone or Other Mobile Communication Devices *(Adopted 4-7-2003; Revised 8-25-2008, 2-2-2015, 12-5-2022)*

College employees may be paid a non-taxable stipend for use of a personal cellular phone or other mobile communication device if the employee's job requires them to work regularly in the field and they need to be immediately accessible, if the employee's job requires them to be immediately accessible outside of normal work hours, if the employee is responsible for critical infrastructure or emergency response and needs to be immediately accessible at all times, if the employee travels often and needs to be accessible while traveling, or if the device is deemed essential to the performance of the employee's duties

Procedures *(Revised 2-2-15, 12-5-2022)*

4.42.1 Stipend for Cellular Phone or Other Mobile Communication Devices

Full-time administrative and professional staff may receive a non-taxable stipend for use of a personal cellular phone or other mobile communication device when it is deemed a business necessity to the performance of the employee's duties and as approved by the President.

1. The dollar amount of the stipend should approximate the employee's anticipated business-related expenses.
2. The stipend is intended to reimburse the employee for business use of the phone, not to pay the entire phone bill, under the assumption that most employees also use their cell phone for personal calls.
3. The stipend amount will not exceed the employee's monthly phone bill.
4. The stipend payment rate will be reviewed annually and is subject to change.
5. The stipend is not an entitlement, and the amount can be changed or withdrawn as deemed necessary.

4.42.2 Approval of Stipend Payment for Positions

The appropriate Vice President may request approval for a stipend for a cellular phone or other mobile communication device for staff who require a device for College business. The stipend will be charged to the department budget.

The President or designee will approve/disapprove requests for a cellular phone or other mobile communication device stipend based on the Vice President's recommendation, business necessity of the position, and budget. The College will use a tiered allowance structure based on the job function of the employee as outlined below.

1. Tier 1 - \$30 per month

The employee's job function requires them to be accessible on a limited basis outside of scheduled or normal working hours to perform work-related duties and/or the employee spends a large portion of their normal working hours outside their office; the expectation is light usage of the phone for business purposes.

2. Tier 2 - \$50 per month

The employee's job function requires them to be accessible a considerable amount of time outside of scheduled or normal working hours and it is important to the College that the employee be accessible during those times to perform business-related duties. Types of positions funded under this tier include but are not limited to Satellite Directors.

3. Tier 3 - \$75 per month

The employee's job function requires them to be accessible and on call to handle College needs as the situation dictates and routinely perform work-related duties outside of scheduled or normal working hours that cannot wait until the next business day. Types of positions funded under this tier include but are not limited to Vice Presidents, Director of Public Relations, Director of Facilities and Grounds, and Director of Information Technology.

4. The phone allowance for the College President is determined by the Board of Trustees.

4.42.3 Stipend Payment for Use of Personal Cellular Phone or Mobile Device for Necessary College Business

Employees who are eligible for the phone stipend must complete the Cell Phone Allowance Request Form. The request must be approved by the appropriate Vice President and the College President.

The intention of the stipend is to reimburse employees for the incremental cost of business use of a personal mobile phone or other mobile device and thus represents non-taxable compensation. The stipend is paid monthly, does not

increase the employee's base salary, and will not be included in the calculation of any College benefits.

The stipend will be effective from the hire date to the end of the fiscal year and again at the beginning of each fiscal year.

The stipend will stop under the following conditions:

- 1) Employee accepts a position that is not eligible
- 2) Termination of employment
- 3) Misuse of phone - usage that is inconsistent with College Policy or with local, state, or federal law
- 4) Changes deemed by the administration make the employee's position ineligible for the allowance

4.42.4 Responsibility of Users

The cell phone service is personally owned by the employee. An employee with a cell phone stipend must maintain an active cell phone contract for the life of the stipend.

If the employee's job requires the use of a cell phone or other mobile device, appropriate safety precautions must be taken when operating the phone or device while conducting College business in a vehicle.

Acceptance of the stipend will constitute the employee's permission to allow the College to distribute the phone number as appropriate to conduct official College business, as defined in the approval process.

The College does not accept any liability for claims, charges, or disputes between the service provider and the employee.

If the employee terminates the wireless contract at any point, they must notify their supervisor within five (5) business days to terminate the stipend.

Employees are expected to delete and/or provide to the College as appropriate all College data from the device when their employment with the College is severed, except when required to maintain that data in compliance with a litigation hold notice.

Any employee who receives a stipend is required to register their number with the College's emergency notification system.

Employees are expected to comply with applicable state laws regarding the use of cellular telephones.

Employees must assist the College in providing access to information about or contained on the mobile device covered by this Policy in response to requests for such data or information by third parties as required by federal and/or state law.

4.42.5 College-Issued Cellular Phone or Other Mobile Communication Devices Guidelines

College departments may be issued a cellular phone or other mobile communication device when it is deemed a business necessity to the performance of the department duties.

1. Business Use

A College issued cellular phone shall be used for appropriate business purposes. Such use is defined as appropriate when an employee: a) must make a call related to furthering College operations or b) does not have access to a regular College telephone and the call cannot or should not wait until returning to the office.

2. Responsibility of Users

Acceptance of a College cellular phone or mobile communication device constitutes an agreement on behalf of the user to abide by all federal and state laws and regulations and College policies.

3. Misuse and Consequences

Any intentional misuse of a College issued cellular phone or mobile communication device will be subject to the College's Code of Conduct and may result in the loss of the cellular or mobile communication device and/or other disciplinary action.

4.42.6 College-Provided Cellular Phone or Mobile Communication Device Service Selection

1. Purchasing

The Purchasing Manager will facilitate the purchase of all cell/mobile communication equipment in accordance with applicable state statutes and College Policy. Upon the recommendation of the Purchasing Manager, the Chief Financial Officer will select the rate plan which best meets the needs and budget of the College.

2. Billing

Detailed billing delineating all calls placed and received is required for all College-provided cell/mobile telephone and/or communication devices. This detail will show the date and time of the call, an

identification of the call (either the number dialed or incoming call designation), call length, and the cost of the call.

3. Annual Review

The Purchasing Manager will complete an annual review for the Chief Financial Officer of all cellular phones or mobile communication devices and services to evaluate whether phones are being used appropriately and frequently enough to justify continued use and that the rate plan(s) assigned is appropriate for the type of use required.

4.42.7 Cellular Phone or Mobile Communication Device Control

1. Termination of Service

All equipment purchased by the College remains property of the College. When employment is terminated for any reason or an employee is separating from the College, all equipment must be returned to the College.

If it is determined that a current employee no longer needs a cellular phone, the supervisor should notify the Purchasing Agent so that this service may be discontinued. The President or designee and the Chief Financial Officer shall retain the right to suspend or discontinue the use of any or all cellular phones or mobile communication devices if this is determined to be in the best interest of the College.

4.43 Ownership and Equity *(Adopted 1-4-1988; Revised 8-25-2008; Revised 3-2-2015)*

East Central College recognizes that ownership of inventions and/or materials by College personnel, and the royalties resulting therefrom, normally belong to the employee, except as otherwise provided in this Policy:

1. When the Invention and/or Intellectual Property, as defined herein, bears a direct relationship to, or is made or developed in connection with, the employee's College duties.
2. When the Invention and/or Intellectual Property is made or developed with a combination of College facilities, equipment (owned or rented), materials, funds, information, or with time and services of College employees and/or students during performance of their College duties or assignments. (See Supplemental Employment Policy).
3. When the Invention and/or Intellectual Property is made or developed in performance of College-commissioned projects including private or government sponsored grants received by the College.

It shall be the responsibility of the employee to obtain any copyrights or patents relative to joint ownership. It shall be the responsibility of the College to obtain any copyrights

or patents for Inventions and/or Intellectual Properties made or developed under the auspice of a College commission.

Procedures

4.43.1 Definitions *(Revised 3-2-2015; xxx2022)*

The following definitions apply under the terms of this Policy:

Equity - The monetary value of a property or of an interest in a property in excess of claims or liens against it.

Inventions - All devices, discoveries, processes, methods, uses, products, or combinations, whether or not patented or patentable at any time under the Federal Patent Act as now existing or hereafter amended or supplemented.

Intellectual Properties - All intellectual and creative works that can be copyrighted, including educational materials and products, databases, computer software and materials, research materials, and web-based learning resources and/or materials. It does not include lecture notes or literary, artistic, musical, or theatrical works unless such work was commissioned by the College or otherwise specified as a “work-for-hire” in a written agreement between the College and employee, student, or volunteer.

Employee - Part-time and full-time members of the faculty, staff, and all other agents.

Student Works – Intellectual property produced through individual initiative as part of a student’s coursework ordinarily belongs to the student. This includes papers, artistic and musical works, and other creative works made by students in the instructional process. Ownership of student works made during the course of employment or internship at the College shall be assigned to the College.

Students - Any person officially enrolled in one or more classes or activities offered by the College.

College – All locations of East Central College.

Work-for-Hire – Copyrightable intellectual property, which is deliverable to the College, prepared by an employee within the scope of their employment or produced as a result of a commission or agreement between the College and an employee, student, or volunteer.

4.43.2 Use of Inventions or Intellectual Properties *(Revised 12-5-2022)*

Two categories of use of College-sponsored Inventions or Intellectual Properties are identified:

1. Internal - Use by any unit of the College, either on or off campus.

2. External - All uses other than by a unit of the College.

Use of the Intellectual Properties or Inventions will be at the discretion of the College.

4.43.3 Ownership and Equity *(Revised 12-5-2022)*

If the College had no involvement in the development of an Invention and/or Intellectual Property, the individual will receive full ownership and equity.

If the development of an Invention and/or Intellectual Property was College-sponsored or was solely the result of the performance of duties by College employees or interns, the College will receive or be assigned full ownership and equity.

If Inventions and/or Intellectual Property were made or developed jointly between the College and non-work-related efforts by College employees and/or students, the College will enter into joint ownership arrangements with the employee and/or student. Exact percentages of ownership and other details shall be negotiated between the parties and set out in a binding agreement.

It shall be the responsibility of the employee to give written notification to the College of intent to make, develop, patent, or copyright Inventions and/or Intellectual Properties as soon as possible.

Employees shall be responsible for obtaining appropriate written releases from individuals identifiable or in some manner requested to participate in the creation of the College-sponsored Inventions or Intellectual Properties. Written statements shall also be obtained from appropriate College personnel indicating that to the best of their knowledge any of the materials developed do not infringe on existing copyright or other legal rights.

If the employee wishes to take a sample of their Intellectual Property or Invention to demonstrate the level of work done in the project, this may be done if the employee pays for the costs of producing the sample. This does not grant the employee any additional intellectual property ownership beyond that outlined above.

4.44 Safety *(Reaffirmed 12-2-1991; Revised 8-25-2008)*

East Central College will endeavor to provide a safe and healthful work environment for all employees and to minimize the risk of loss to personnel and property of the College.

Procedures *(Revised 12-5-2022)*

4.44.1 Compliance with standard safety practices will assist the College in achieving safety and loss control.

1. College employees involved in any accident that results in personal injury or damage to property should immediately report the accident to a supervisor. The supervisor shall report the accident to the Director of Human Resources.
2. Any employee injuries should receive first aid promptly as overseen by a supervisor and if injuries are serious, local emergency health care providers should be contacted.
3. Any condition or practice that might cause injury or damage to equipment should be reported immediately to a supervisor or the Director of Human Resources.
4. No equipment in unsafe condition should be operated, and all equipment should be operated in a safe manner.
5. All prescribed safety and personal protective equipment should be used when required and maintained in working condition.
6. Each unit should develop and implement the standards of safety and loss control relevant to its work and should maintain a manual of prescribed practices and a list of safety rules. Training should be provided so that all employees are aware of such standards and practices.
7. The use of non-prescribed controlled substances is prohibited. The use of alcohol is prohibited except as permitted under Policy 4.31.
8. Compliance with existing safety and health laws that apply to the workplace is required.

4.45 Weapons *(Adopted 5-8-2006)*

East Central College prohibits all persons who enter any College property from carrying on their person a handgun, firearm, or other weapon prohibited by law.

Procedures

- 4.45.1** No person shall carry a concealed firearm onto the main campus or off-site locations at any time regardless of whether the person is licensed to carry the weapon or not.
- 4.45.2** This prohibition shall apply to students, employees, and members of the public. The prohibition shall not apply to law enforcement officers, sheriffs, and deputy sheriffs who are authorized by law to carry firearms.
- 4.45.3** Any person who has a conceal and carry permit or endorsement who is carrying a concealed firearm will be denied entry and ordered to leave the premises. All College employees are authorized to deny entry and order persons carrying concealed firearms to leave the premises.

4.45.4 College employees and students who violate the provisions of this Policy shall be subject to disciplinary action up to and including dismissal.

4.45.5 The College shall post appropriate notice that concealed firearms are prohibited at all College locations.

4.46 Reporting Crimes and Emergencies *(Adopted 8-25-2008; Revised 12-5-2022)*

Any student, employee, or visitor who witnesses a criminal act, suspected criminal act, or any other emergency occurring at any College location should, as soon as possible after such event, contact a College administrator. All reports concerning such activities will be investigated thoroughly and promptly. Timely reports regarding the occurrence of crimes at any College location will be disseminated to members of the College community in accordance with applicable laws.

4.47 Acceptable Use of College Technology *(Adopted 6-14-2021)*

Use of East Central College's technology resources (hardware, software, wired and wireless networks, telephones, etc.) is granted to the College's faculty, staff, and students and is restricted solely to purposes related to the College's mission. Individuals outside of the College may be granted access to the College's technology resources only with the authorization of the Director of Information Technology, President, or appropriate administrator, and only for a purpose consistent with the College's mission.

Authorized users of the College's technology resources are expected to act responsibly, ethically, and lawfully. Violations of these procedures may result in limitation, suspension, or revocation of access to the College's technology resources. Violators may also be subject to discipline under the College's disciplinary procedures and/or prosecution under federal, state, and/or local law.

The term "computer" as used herein shall include computers and computing devices, as well as mobile computing devices, including, but not limited to, laptops, smartphones, tablets, or other portable computing devices.

Procedures *(Adopted 6-14-2021)*

4.47.1 College technology resources shall not be used without proper authorization from the College. Assisting in, encouraging, or concealing either unauthorized or attempted unauthorized use of the College's technology resources is prohibited. Users shall take reasonable steps to ensure the confidentiality of passwords or user IDs and to protect files, data, printouts, and electronic mail from access by unauthorized users. Unauthorized use of an employee or student account, password, or user ID must be reported to the Director of Information Technology.

4.47.2 College technology resources shall not be used for illegal, commercial, or profit-making purposes. Excessive personal use is also forbidden. Personal use may be considered excessive if it interferes with an employee's job

performance, results in network saturation or undue burden, results in excessive data storage, or otherwise subjects the College to increased costs or risks.

- 4.47.3** College technology resources shall not be used to purposely interfere with, or gain unauthorized access to, another user's computer or network facility, regardless of where such computer or network facility is located. Prohibited actions include but are not limited to using the College's technology resources to:
- Obtain, or attempt to obtain, system or administrative privileges for which the user is not authorized.
 - Access, or attempt to access, another user's account, system, files, or data without proper authorization.
 - Engage in any form of academic dishonesty.
 - Unnecessarily impede or disrupt the computing activities of others.
 - Prevent, or attempt to prevent, others from accessing services ("denial of service attacks").
 - Participate in any scheme to deliberately flood a computer with excessive amounts of electronic mail ("mail bombing").
- 4.47.4** Users shall not endanger or breach, or attempt to endanger or breach, the security or operation of any of the College's technology resources. Users are required to verify with Information Technology staff that a program or application will not harm or endanger the College's system prior to installing, testing, running, or distributing the program or application
- 4.47.5** Users shall not knowingly create, install, or distribute a computer virus or any other type of destructive or malicious program or application on any of the College's technology resources, or otherwise damage or destroy any equipment, software, or data belonging to the College or any other user.
- 4.47.6** Users must secure proper authorization before modifying or reconfiguring the software or hardware of any of the College's technology resources.
- 4.47.7** The College's technology resources shall not be used in a manner that violates the privacy and/or productivity of others. The following privacy restrictions must be followed when using the College's technology resources:
- No user's account information will be accessed, altered, or deleted without proper authorization.
 - Files stored on another user's device, the College's network, or a College managed cloud space shall not be accessed, read, copied, altered, or deleted without proper authorization.
- 4.47.8** The College's technology resources shall not be used to access, download, or transmit images, messages, communications, or other materials that can be deemed to be obscene, sexually explicit, threatening, harassing, annoying,

defamatory, fraudulent, unlawful, or designed to trick or deceive users into revealing confidential information about themselves. This restriction shall not apply to information that is part of legitimate academic research or assignments that have been authorized by the College provided that such information is not used for unlawful or harassing purposes.

- Receipt of a threatening, obscene, harassing, annoying, or defamatory message, communication, or other material shall be reported to the Human Resources Director if received by an employee, or the Chief Student Affairs Officer if received by a student.
- Receipt of a fraudulent, unlawful, or unwanted message or other material shall be reported to the College's Information Technology Department.

4.47.9 Users shall not misrepresent their identity or relationship to the College when obtaining computing or network privileges, when using any of the College's technology resources, or in any electronic communication. Users will not falsely attribute or forge the origin of electronic mail, messages, or postings.

4.47.10 Users shall not install, copy, or otherwise use any software or data in violation of applicable copyrights or license agreements. Unauthorized copies of software or data contained in the College's technology resources shall not be made or distributed, nor shall unauthorized or pirated software be installed or used on any of the College's technology resources.

4.47.11 Users of the College's resources will only communicate or distribute electronic mail to clearly identified groups of interested individuals who may reasonably be expected to want to receive the transmission, and will not engage in the mass broadcasting of electronic mail nor the distribution of chain letters (messages asking the recipient to distribute further copies).

4.47.12 The College considers its website and social media accounts to be official College publications and reserves the right to actively monitor, modify, and remove pages and messages. Any posts or changes which do not conform with the procedures in this Policy and/or other applicable rules and policies of the College will be removed.

4.47.13 The College cannot guarantee against a loss of data, files, and/or software as a result of system crashes, network outages, power outages, malicious software, or similar interruptions in service. Accordingly, the College disclaims any liability for loss of data, damages, service interruptions, or failure to deliver services. The College also disclaims any responsibility and/or guarantees for data, information, and materials contained in systems or sites not developed by the College, such as those obtained through the Internet.

4.47.14 The use of College technology resources does not create nor imply any specific rights of privacy. To ensure the integrity of the College's technology resources and compliance with the procedures set forth in this Policy, or serve another

legitimate business need of the College, the College reserves the right, without notice, to monitor, inspect, and review all systems, files, data, e-mail communications, and other transmissions created, compiled, accessed, stored, or sent on any of the College's technology resources.

4.47.15 Users of College technology resources should be aware the College is subject to the Missouri Open Meetings and Records Act ("Sunshine Law") section 610.010 RSMo. As such, e-mail and other electronic information is subject to request and possible disclosure (if deemed an open record) to the public.

4.47.16 The College reserves the right to discard incoming mass mailings that involve unsolicited commercial advertising ("spam") without notifying the sender or recipient, as well as the right to block all Internet communications from sites that are involved in extensive mass mailings or other disruptive practices or which contain sexually explicit content or other content that inconsistent with the College's mission.

4.47.17 Employees are expected to preserve any text, email, or other electronic communication relevant to pending litigation/possible litigation.

4.47.18 Suspected violations of the above rules should be reported to the College's Director of Information Technology. Users of the College's technology resources are expected to cooperate with the Director of Information Technology in the operation of these resources and with the College regarding the investigation of any misuse or abuse.

4.47.19 College technology resources must be used in a manner that is compliant with any federal, state, or local law or regulation, as well as all College policies and procedures.

4.48 **Gifts** (*Adopted 8-25-2008*)

Employees may not accept or solicit personal gifts of any kind from any student or any individual or firm doing business with or seeking to do business with the College.

Procedures

4.48.1 A gift is defined as (a) any item with a cash value exceeding \$25, or (b) a combination of gifts from one source over the course of a one (1)-year period which totals more than \$25.

4.48.2 Complimentary tickets, passes, or coupons with no stated cash value are considered gifts for the purposes of this Policy if the normal price of admission for the event exceeds \$25.

4.48.3 Expenses for meals in conjunction with the discussion or transaction of College business are not considered gifts for purposes of this Policy.

- 4.48.4 Promotional items of inconsequential value such as pens, cups, hats, and shirts are not considered gifts for purposes of this Policy.
- 4.48.5 Sponsorships, donations, or items of value exceeding \$25 when accepted or solicited on behalf of the East Central College Foundation are not considered gifts for purposes of this Policy.
- 4.48.6 Any exception to this Policy must be approved in advance by the President or designee.

4.49 Course and Co-Curricular Travel *(Adopted 12-3-1968; Revised 8-28-2003, 12-5-2022)*
Travel to support and enhance College courses or travel related to co-curricular activities is permitted and encouraged. No trip is to be taken without prior approval of the administration, and a full-time employee must accompany and supervise each trip.

Procedures *(Revised 5-12-2008, 12-5-2022)*

- 4.49.1 Faculty members must complete the Student Travel Request & Approval Form to receive approval for the travel from the appropriate dean and the Chief Academic Officer. The Student Travel Request & Approval Form must be turned in two (2) weeks prior to travel.
- 4.49.2 As a general rule, student travel for all off-campus trips will be via the mode of transportation provided by the College and students will be accompanied by a full-time employee sponsor.
- 4.49.3 Faculty members will have the discretion to waive the College-provided transportation requirement if the student's convenience or needs are better served by being permitted to use personal transportation to meet the group at the site of the field trip. Students using their own vehicles do so at their own risk and assume all liability.
- 4.49.4 Students participating in College trips must submit all required forms and are expected to conform to the same standards of behavior as are published in the Student Code of Conduct. Any violation of College policies or local, state, or federal laws may result in disciplinary action by the College.
- 4.49.5 Dual enrollment students are expected to fully participate in all course activities, including labs and off-campus trips. Permission for participation is assumed and granted by parents and/or supporters upon enrollment in College coursework.

4.50 Records Retention *(Adopted 1-4-1988; Revised 5-12-2008)*
The Office of the Secretary of State will serve as the legal authority and guide for retention and disposal of official records of the Junior College District of East Central Missouri. Each administrative division will be responsible for the retention and disposition of records falling under its purview, in accordance with the guidelines of the manual.

4.51 Archives Development *(Adopted 1-4-1988; Revised 8-28-2003, 6-14-2021)*

College documents that are of historical importance will be stored in the College archives. The Director of Library Services will have the authority to accept or reject materials submitted to the archives.

Procedures

4.51.1 Archives Submissions *(Revised 6-14-2021)*

It will be the responsibility of the division or entity producing the submitted document or publication to see that the necessary copies, in number and required format, are forwarded to the library for inclusion in the archives. The development and maintenance of the archives shall be the responsibility of the library staff.

The archives will permanently store three (3) copies of official College publications. The list will be reviewed as needed by the Director of Library Services and will include, but will not necessarily be limited to:

- College Newspaper
- Yearbooks
- Catalogs
- Commencement Programs
- Building Dedication Programs
- Foundation Reports
- Literary Reviews
- Student Handbooks
- Fine & Performing Arts Event Programs

4.51.2 Rejection of Archive Request *(Adopted 6-14-2021)*

Should a document or publication submitted for inclusion in the archives be rejected by the Director of Library Services, the division or entity submitting the document or publication may appeal to the President of the College to make a determination regarding retaining the item in the archives

SECTION 5: PERSONNEL POLICIES AND PROCEDURES

5.1 **Hiring** *(Approved 11-4-2002; Revised 11-4-2013)*

Except as provided in Policy 5.11.3, the Board of Trustees appoints the employees of the College, defines and assigns their duties, and fixes their compensation. Issuance of all employment contracts shall be approved by a majority vote of the Board of Trustees.

Procedures *(Revised 8-14-2006, 11-4-2013)*

5.1.1 **Personnel Requisition, Posting, Recruitment** *(Revised 6-13-2022)*

Personnel Requisition - Prior to the posting of and recruitment for any position, the hiring supervisor shall submit a completed personnel requisition and written job description to the appropriate administrator. The personnel requisition requires the approval of the Director of Human Resources, appropriate administrator, Chief Financial Officer, and College President.

Position Announcement - Human Resources will prepare a position announcement upon approval of the personnel requisition. Human Resources will collaborate with the hiring supervisor to prepare the position announcement. The hiring supervisor shall approve the final position announcement prior to posting.

Posting - Position openings will be posted on the College web page and distributed by e-mail to the campus except as otherwise mentioned in this Policy. Full-time job openings will be posted for a minimum of ten (10) calendar days. A position may be posted only internally with the approval of the appropriate Vice President, Human Resources Director, and the College President.

Recruitment/Advertising -- Human Resources will provide the hiring supervisor with the approved recruitment sources for job advertisements. The hiring supervisor may provide additional recruitment sources relevant to the position and/or field. All online and/or print advertisements will be approved and placed by the Office of Human Resources.

Application Materials -- Applicants will be responsible for submitting an application and related materials through the online application portal. All application materials will remain confidential. Information about finalists will be shared, as appropriate, at the time finalists for a position are announced. Applications will be retained by the Office of Human Resources for a minimum of one (1) year for all positions.

5.1.2 **Search and Screening** *(Revised 6-13-2022)*

A search committee will be established for all full-time positions and regular part-time positions. A committee may be used for other positions as appropriate. The supervisor will serve as the search committee chairperson. Responsibility for the integrity of the search process will belong to the chair of the search committee, the appropriate administrator, and the Director of Human Resources. The College President may approve an appointment without a search if it is in the best interest of the College.

The position supervisor and appropriate administrator will be responsible for the appointment of members of the search committee and will direct them to follow procedures, document decisions, and seek technical assistance when needed. The committee should include employees who will work closely with the new hire and should include representatives from the various employee classifications. The committee should contain a minimum of two (2) members in addition to the chair. Employees may not participate in the selection and/or hiring of an individual who is related to the employee within the fourth degree of consanguinity or affinity. The Director of Human Resources will review the list of search committee members to ensure appropriate representation. A member of the Human Resources staff will serve on the search committee to monitor EEO compliance.

The screening of applicants will be done by the search committee and the Office of Human Resources. Applicants not meeting the minimum requirements will not be considered for the position.

Before reviewing individual candidates' files, the search committee shall determine the method of applicant evaluation. The evaluation criteria are established prior to identification of any candidates and are based on information contained in the job description, position announcement, and the assessment of criteria derived from the committee's discussion.

The search committee shall identify applicants to be interviewed; develop interview questions; and determine any other evaluative processes such as demonstrations, testing, or other appropriate means of determining an applicant's ability to perform the requirements of the position.

In no instance should the hiring supervisor or any search committee member give information about applicants to any applicant or any individual other than a member of the search committee. Committee members will sign an acknowledgment form of this procedure. A breach of confidentiality will disqualify the member from further service on any future search committee and may result in disciplinary action.

5.1.3 Interviews *(Revised 6-19-2014, 6-13-2022)*

A list of questions must be submitted to the Director of Human Resources before the interviews take place. Interviews will be scheduled by the Office of Human Resources.

The search committee shall interview selected applicants. The College President and/or Vice Presidents may also interview applicants.

Interviews may occur on campus or via distance technology. The committee may elect to conduct an initial series of interviews via phone or distance technology then schedule further interviews to be conducted on campus.

With the approval of the College President or designee, applicants selected for interviews may be reimbursed for expenses not to exceed the amount established by Board Policy when traveling 100 miles or more for the interview. Allowable expenses will include lodging and transportation (i.e., air travel, rental car, fuel) or as designated by the College.

Information regarding salary, benefits, and the procedure for offers of employment shall be provided to applicants by Human Resources.

5.1.4 Reference Checks *(Adopted 11-4-2013)*

The committee chair or appropriate administrator shall contact a minimum of two (2) professional references provided by the applicant and verify employment history. The College may contact references other than the references provided by the candidate. Information from references may be shared with the search committee.

5.1.5 Recommendation *(Revised 6-13-2022)*

Following appraisal of the applicants, the committee will select the candidate(s) for further consideration.

The committee chair will make a recommendation to the appropriate administrator and inform the Director of Human Resources once the recommendation is approved.

The Director of Human Resources will notify the College President of the recommendation to hire and develop a wage/salary recommendation. As provided by Board Procedure 1.31.1, the College President will make the final decision as to whether a job offer will be extended and at what wage/salary. The offer of employment for faculty, administrators, and professional staff is contingent upon the Board's approval.

5.1.6 Failure to Recommend Candidate *(Revised 6-13-2022)*

In cases where the search fails to attract a sufficient pool of qualified applicants or the committee does not recommend a candidate(s) for further consideration, the College may 1) close the search without hiring, 2) reopen the search, or 3) review the position classification.

5.1.7 Job Offer *(Adopted 11-4-2013)*

Unless otherwise designated by the President, the Director of Human Resources will extend the job offer to the applicant and confirm the employment conditions, start date, and benefits contingent upon satisfactory drug tests, if required per Procedure 5.1.8, and background check. Human Resources will contact the hiring supervisor upon acceptance by the candidate.

5.1.8 Verification of Employment Eligibility – Pre-employment Drug Screening
(Adopted 11-4-2013; Revised 6-13-2022)

Applicants for identified jobs where safety is critical must successfully complete a pre-employment drug test as a condition of employment. The pre-employment drug test is done after the job offer has been extended and accepted. Any applicant who refuses or who has a verified positive test will be denied employment (see Policy 5.16 Drug and Alcohol-Free Workplace).

5.1.9 Verification of Employment Eligibility – Pre-employment Background Checks *(Adopted 11-4-2013; Revised 4-14-2014, 6-13-2022)*

As a condition of employment, all full-time and part-time job applicants at East Central College must successfully complete a pre-employment criminal background check as per Policy 5.2. In some cases, a driver's license check and/or additional screening may be required.

5.1.10 Verification of Employment Eligibility – Federal Employment Eligibility *(Adopted 11-4-2013)*

The College employs only those individuals who are authorized to work in the United States. Employment eligibility is documented using the Federal Employment Eligibility Verification Form I-9 and is verified for all employees. In addition, the College participates in the E-Verify mandatory employment verification program as required by federal and state regulations.

5.1.11 Approval to Hire *(Adopted 11-4-2013)*

All administrators, professional staff, and faculty offers of employment are contingent upon the approval of the President and Board.

All full-time support staff offers of employment are contingent upon the President's approval.

Interviewed applicants who were not selected to fill the position will be notified by the Office of Human Resources.

5.1.12 Part-time Positions *(Adopted 11-4-2013; Revised 6-13-2022)*

The hiring of part-time positions requires a job posting but may not require Board approval. The position supervisor will work with Human Resources when hiring for an open part-time position. All offers of employment require administrative approval.

Unless otherwise approved by the College President or required by law, part-time personnel are only eligible for selected employment benefits.

5.1.13 Interim Appointments and/or Temporary Positions *(Adopted 11-4-2013)*

The hiring of temporary positions/interim appointments may not require a job posting and/or a search committee. The position supervisor will work with Human Resources when hiring for an interim or temporary position. All offers for employment require administrative approval and may require Board approval.

Unless otherwise approved by the College President or required by law, temporary personnel are not eligible for employment benefits.

5.1.14 Internal Appointments *(Adopted 11-4-2013; Revised 6-13-2022)*

At times, the College may conduct an internal search. The position may not be posted on the webpage but will be announced internally. The hiring may not require a search committee. All offers for employment require the same approval regardless of whether the search is internal or external. The position supervisor,

in conjunction with Human Resources, is responsible for conducting the hiring for the position.

5.1.15 Adjunct Faculty

The dean or designee is responsible for recommending the employment of adjunct faculty to the Chief Academic Officer. An Adjunct Instructor Approval Form must be completed on all new adjunct faculty and be maintained on file in the Office of Human Resources along with the appropriate application materials. The form must be signed by the dean and approved by the Chief Academic Officer before the adjunct faculty member can be listed as the instructor of record for any course. The dean must submit a list of recommended adjunct faculty to hire prior to the start of each semester; this list shall be amended as necessary to ensure all course offerings are staffed. Adjunct faculty must meet the same teaching qualifications as full-time faculty and be approved by the Board.

5.1.16 Employment of Relatives

An employee of the College shall not initiate, participate in, or influence College decisions involving a direct benefit to family relatives including but not limited to matters of initial employment, promotion, compensation, leave of absence, performance evaluation, discipline, and termination.

An employee of the College shall not supervise, be supervised by, coordinate the work of, or have work coordinated by a relative who is also employed by the College. Relatives may not be supervised by the same direct supervisor.

For the purposes of this Policy, a relative is defined as any individual related by blood, marriage, or legal custody and shall include, but not be limited to, spouse, child, foster child, step-child, parent, foster parent, current parent-in-law, grandparent, current grandparent-in-law, grandchild, daughter-in-law, son-in-law, step-parent, brother, sister, brother-in-law, sister-in-law, niece, nephew, aunt, uncle, cousin, and similar relatives of the employee's spouse and any individual living in an employee's household.

5.2 Criminal Background Check *(Adopted 10-7-2013; Revised 6-13-2022)*

East Central College is committed to providing a safe environment for students, employees, and members of the public. As part of this effort, the College will require criminal background checks of employees in accordance with this Policy.

Procedures

5.2.1 Employees *(Revised 6-13-2022)*

The College shall conduct a criminal background check on all new full-time and part-time employees before they are employed. This requirement extends to applicants who were previously employed by the College. The College reserves the right to require any current employee to submit to criminal background checks or to rerun background checks for any employee at any time at the College's expense. Any offer of new employment or continued employment is contingent upon the satisfactory outcome of the criminal background check;

when required. The College has the sole and absolute discretion to determine whether the outcome is satisfactory for employment.

For purposes of this Policy, a “criminal background check” includes but may not be limited to investigating criminal history for misdemeanors and felonies on the county, state, and federal levels and reviewing sex offender registries nationwide.

Employees who have been hired prior to the implementation of this procedure may be subject to a criminal background check based on the position and/or teaching requirements and location.

Mandatory criminal background checks are required for the following categories of positions:

- Employees performing College work at a site located in a public school district
- Head coaches and assistant coaches
- Full-time faculty and adjunct instructors in designated academic/technical programs-including but not limited to Health Science Programs, Teacher Education, Health Information Management, and Computer Information Systems

5.2.2 College Notification *(Revised 6-13-2022)*

As a condition of continuing to work within the College, an employee must notify the Director of Human Resources if the employee is convicted or otherwise found guilty of any felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than two (2) working days after the event.

5.2.3 Confidentiality

Information received by the College pursuant to a criminal background check is confidential. The College will only use this information for internal purposes in determining the suitability of an applicant or employee. The College will keep this information in a location that is only accessible to persons who need to know the information to carry out their responsibilities with the College. The College will comply with all applicable laws regarding criminal background checks.

5.2.4 Consequences

Any offer of new employment or continued employment is contingent upon the outcome of the criminal background check, when required. The College will provide applicants or employees whose criminal background checks contain information upon which the College might base an adverse employment action an opportunity to explain or dispute the relevant information. In all cases, the College has the sole and absolute discretion to determine whether the outcome is satisfactory for employment.

The College President or designee is directed to exclude any person from employment who refuses to submit to a background check or to take disciplinary action for current employees refusing to submit to a background check.

The College President or designee is directed to exclude any person from employment based upon the position, or to take action to terminate employment based upon the position, whose criminal background check reveals that they have exhibited behavior that is violent or harmful to others.

5.3 Job Descriptions *(Approved 8-14-1989; Revised 5-12-2003; Reaffirmed 11-4-2013)*

The Office of Human Resources will maintain accurate job descriptions for each regular position at the College.

Procedures *(Revised 11-4-2013)*

5.3.1 Job Description Contents

The information contained in each job description will include a summary of the position's classification level, primary duties, essential tasks, positions supervised, educational/work experience requirements, physical requirements, and other relevant functions.

5.3.2 Responsibility for Accuracy of Job Description

The Office of Human Resources, in conjunction with the department supervisor, appropriate Vice President, and the President of the College, will be responsible for creating, reviewing, and revising job descriptions. The performance evaluation process includes a review of the employee's job description. Job descriptions do not necessarily cover every task or responsibility that may be assigned and do not limit the administration's right to assign additional related duties as needed.

5.4 Classification and Qualifications of Employees *(Approved 8-14-1989; Revised 11-3-2003, 12-2-2013)*

A system of employee classification will be maintained by the College administration for the purposes of offering and continuing employment, organization, assignment of duties and responsibilities, and establishment of compensation.

Procedures *(Revised 8-2005)*

5.4.1 Definitions

Exempt: Employees not covered by the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are subject to Public School Retirement System (PSRS)/Public Educational Employees Retirement System (PEERS) guidelines.

Non-exempt: Employees covered by the overtime provisions of the Fair Labor Standards Act (FLSA) and as such are entitled to overtime pay for hours worked in excess of 40 hours per week. Non-exempt employees are subject to Public School Retirement System

(PSRS)/Public Educational Employees Retirement System (PEERS) guidelines.

Grant-Funded: Employees in a part-time or full-time position that is dependent on continued grant funding. Grant-funded employees may be either exempt or non-exempt employees.

Retiree: An employee receiving retirement benefits from PSRS/PEERS and subject to the PSRS/PEERS retirement requirements. Part-time retirees are limited to 550 hours per fiscal year.

5.4.2 Faculty *(Revised 12-2-2013; 12-12-2019; 6-13-2022)*

Both full-time and adjunct faculty are exempt personnel who shall be primarily engaged in the activity of teaching and guiding students. They shall be in contact with students for the purpose of transmitting knowledge and skills. Faculty members shall meet the minimum employment qualifications established by the Board of Trustees and/or the College's accrediting agencies.

Faculty participate substantially in:

1. Oversight of the curriculum – its development and implementation, academic substance, currency, and relevance for internal and external constituencies.
2. Assurance of consistency in the level and quality of instruction and in the expectations of student performance.
3. Establishment of the academic qualifications for instructional personnel.
4. Analysis of data and appropriate action on assessment of student learning and program completion.

Faculty Credentialing and Assignment

Each full-time and adjunct teaching faculty member (including dual credit faculty) shall be assigned a primary discipline or career field by action of the Board of Trustees upon recommendation by the President of the College. More than one primary discipline or career field may be assigned if required qualifications are met. To be assigned to a primary discipline(s) or primary career field(s), the full-time or adjunct teaching faculty member must possess an academic degree relevant to what they are teaching and at least one level above the level at which they teach, except when equivalent experience is established. When faculty members are employed based on equivalent experience, the institution defines a minimum threshold of experience and an evaluation process that is used in the appointment process. The credentialing process is managed through the Office of Academic Affairs and academic committee work.

Qualification standards set by the Higher Learning Commission, as well as East Central College, serve as guides when reviewing and approving teaching credentials for full-time and adjunct faculty members.

Provisional approval may be granted for full-time and adjunct faculty who do not meet the qualifications. Once granted, provisional approval will apply for up to

two (2) years. An emergency credential may be granted in extenuating circumstances for up to one (1) year.

5.4.3 Administrators

Administrators are exempt personnel at the vice president level and above. Administrators shall meet employment qualifications established by the Board of Trustees.

5.4.4 Professional Staff *(Revised 6-13-2022)*

Professional staff includes exempt personnel at the dean/director level and below. Professional staff shall meet employment qualifications established by the Board of Trustees.

5.4.5 Support Staff *(Revised 6-13-2022)*

Support staff includes non-exempt, at-will personnel who are necessary to the day-to-day functions of the College. Support staff shall meet the employment qualifications established by the College President.

5.4.6 Regular Full-time Employee *(Revised 12-2-2013; 7-19-2018; 6-13-2022)*

Regular full-time administrator, professional, and support staff positions are listed on the Board of Trustees approved staffing plan and require a minimum workload of 40 hours per week to qualify for College-paid benefits unless otherwise required by law.

Full-time faculty members shall work 170 to 180 days during the regular academic year, shall have a normal instructional load of 30 credit hours per year or the equivalent, and/or shall have additional duties as specified in their contracts. Full-time faculty positions are included on the Board-approved staffing plan. A full-time faculty workload typically includes seven (7) office hours per week in a five (5)-day work week. The academic year shall consist of the fall and spring semesters excluding the summer and winter sessions, based on the program-driven schedule or as otherwise approved, including all in-service days and the graduation ceremony, as established in the approved academic calendar.

5.4.7 Regular Part-time Employee *(Revised 12-2-2013, 6-13-2022)*

Regular part-time positions are paid hourly and listed on the Board of Trustees approved staffing plan. Personnel in such positions may not work more than 19.75 hours per week unless approved by administration and Human Resources.

5.4.8 Adjunct Faculty *(Adopted 12-2-2013; Revised 6-13-2022)*

Adjunct faculty are part-time, exempt employees paid per credit hour. Adjunct faculty are not included on the staffing plan. Adjunct faculty may work a maximum of 18 credit hours per fiscal year. Hours worked must comply with retirement regulations. Exceptions may be made with the permission of the Chief Academic Officer.

5.4.9 Dual Credit Instructor *(Adopted 6-13-2022)*

Dual credit instructors are part-time, exempt employees paid per credit hour, which is prorated based on enrollment. Dual credit faculty are credentialed through the same process as all other faculty, work at partner high schools, and are excluded from the staffing plan. Hours worked must comply with retirement regulations.

5.4.10 Adult Education and Literacy Instructor *(Adopted 12-2-2013; Revised 6-13-2022)*

Adult Education and Literacy (AEL) instructors are part-time, non-exempt employees who can work up to 17 hours per week. AEL instructors are required to have Department of Elementary and Secondary Education certification. These positions are grant-funded.

5.4.11 Student Worker *(Adopted 12-2-2013; Revised 6-13-2022)*

A student worker is an individual enrolled in ECC classes, who qualifies for the Federal Work Study Program or is institutionally funded, and whose association with the College is for the primary purpose of furthering a formal education. Student workers are part-time, non-exempt employees who can work up to 19.75 hours per week or as approved by Financial Aid. Student workers are not included on the Board of Trustees approved staffing plan.

5.4.12 Temporary Employee *(Adopted 12-2-2013)*

A temporary employee is hired either part-time or full-time for a specified period of time per fiscal year. Temporary employees are not listed on the staffing plan (see Policy 5.5)

5.4.13 Employees Paid Solely Through Memorandum of Understanding (MOU) *(Adopted 6-13-2022)*

An employee hired either part-time or full-time for a specified period of time during a fiscal year. Pay may be established as an hourly rate or salary and is paid through payroll. The position is not listed on the staffing plan (see Policy 5.5).

5.5 Temporary Staff *(Approved 1-7-1991; Revised 6-23-2003, 11-4-2013, 6-13-2022)*

The President of the College may supplement the approved staffing plan with temporary staff when needed.

Procedures *(Revised 11-4-2013, 6-13-2022)*

5.5.1 Definition of Temporary Staff

Temporary staff are hired either part-time or full-time for a specified period of time not to exceed 12 months. Temporary staff are subject to FLSA and PSRS/PEERS guidelines.

Project-based staff are hired to supplement department staffing on an as needed basis. Actual hours worked are dependent on the immediate needs of the department as established by the supervisor and administrator (includes art models).

Community Education staff are hired to teach non-credit courses or complete special projects. Actual hours worked are dependent on the immediate needs of the project or the enrollment of the course as established by the supervisor and administrator.

Workforce Training staff are hired to teach non-credit courses or complete special projects. Actual hours worked are dependent on the immediate needs of the project or the enrollment of the course as established by the supervisor and administrator.

5.5.2 Benefits

Temporary staff are not eligible for College-paid benefits such as paid leave, vacations, holidays, educational assistance, and College-paid dental, vision, or life insurance. Temporary staff are not eligible for College-paid medical insurance unless otherwise required by law.

Temporary staff who are required to work over the weekly limit set by the Public Education Employee Retirement System or the Public School Retirement System on a consistent basis will be required to contribute to the retirement system in accordance with applicable state law.

Temporary staff qualify for workers' compensation and unemployment benefits as governed by state and federal regulations.

5.5.3 Staff Member Status Change

A temporary staff member who accepts a regular position will be eligible for the benefits associated with the regular position according to Board Policy.

5.6 Salary Placement *(Approved 7-15-1991; Revised 5-8-2006, 11-4-2013)* Salary placement guidelines will be developed by administration and Human Resources.

Procedures *(Revised 11-4-2013)*

5.6.1 Faculty Salary Guidelines

1. Faculty will receive contracted pay according to guidelines that will be reviewed annually.
2. The faculty salary guidelines will include provisions for those with less than a master's degree as well as those with an earned doctorate.
3. Initial placement will be based upon relevant experience as determined by the College, earned academic degrees, and market demand.
4. Faculty rank at hiring will be considered based on the guidelines of the Rank and Promotion Policy.

5.6.2 Professional Staff and Administrator Salary Guidelines *(Revised 6-13-2022)*

1. Professional staff and administrators will receive contracted pay according to grade levels.

2. Initial placement will be based upon relevant experience, earned academic degrees, and market demand.

5.6.3 Support Staff Salary Guidelines *(Adopted 11-4-2013; Revised 6-13-2022)*

1. Support staff will receive pay according to grade levels.
2. Initial placement will be based upon appropriate experience, earned academic degrees, and market demand.

5.7 Compensation *(Adopted 6-1-1992; Revised 11-4-2002; Reaffirmed 12-2-2013; Revised 6-13-2022)*
Wages will be issued to employees on a regular basis and in a manner so that the amount, method, and timing of such payments comply with any applicable laws or regulations. Compensation will be subject to all applicable standard deductions.

Procedures *(Revised 8-14-2006; Revised 12-2-2013)*

5.7.1 Payroll for Employees

Employees will be paid biweekly through direct deposit.

- Professional staff contracted salary will be paid in equal installments over 26 pay periods effective July 1 – June 30.
- Faculty contracted salary will be paid in equal installments over 26 pay periods effective with the start date of the contract in August. A prorated amount will be used for a January start date. Overload pay is according to the semester adjunct pay schedule.
- Support staff will be paid biweekly based on hours worked.
- Adjunct faculty will be paid biweekly based on the semester adjunct pay schedule.

5.7.2 Non-Exempt Employees *(Revised 6-13-2022)*

1. Non-exempt employees are paid for hours worked as recorded on timesheets. Timesheets are to be completed weekly and submitted to the supervisor for approval through the employee portal by 10 a.m. the following Monday. All timesheets are to be completed through the employee portal unless otherwise approved for submitting paper timesheets. Paper timesheets are to be submitted to the Business Office or designated drop locations by 10 a.m. the following Monday. Employees are paid every other Friday for hours worked through the preceding Friday. The workweek begins on Saturday and continues through the following Friday. Federal and state income tax will be withheld according to the W-4 on file. Basic social security, Medicare, and retirement contributions will also be withheld as required.
 - a. Employees must record their starting time, time out for meal break, time in from meal break, quitting time, and total hours worked for each workday. Unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) should be entered on the timesheet as such. Timesheets cover one workweek and are to be completed at the close of each workday.

- b. Employees are not permitted to sign in or commence work before their normal starting time or to sign out or stop work after their normal quitting time without the prior approval of the supervisor.
- c. Timesheets must be verified and approved/signed by the supervisor or appropriate administrator at the end of each work week and submitted by noon on the following Monday.

Employees may be subject to disciplinary action for failure to follow guidelines.

2. Non-exempt employees (those not exempt from the provisions of the Fair Labor Standards Act) will be paid overtime compensation at the rate of one and one-half times the regular hourly rate for actual hours worked above 40 hours per week. Sick leave, personal leave, vacation, jury duty, College holidays, and closings are treated as paid leave and not hours worked in regard to overtime.

5.7.3 Direct Deposit

All employees will be paid by direct deposit to the employee's account; multiple accounts may be designated based on the capabilities of the College and the financial institutions. Employees will have electronic access to pay advices through the employee portal and will not receive paper copies. Any exceptions must be approved by Human Resources.

5.7.4 W-2's *(Adopted 12-2-2013)*

W-2s will be available according to IRS guidelines. Employees have the option to receive electronic W-2's through the employee portal.

5.7.5 Payroll Deduction Required by Court Order *(Adopted 1-6-1997)*

The Chief Financial Officer or designee is the only person authorized to receive a writ of sequestration or attachment, wage assignment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee.

5.7.6 Payroll Deduction for Debts Due the College *(Adopted 1-6-1997)*

The following policy shall apply to the collection of a debt owed to the College by any employee.

1. Payroll deductions shall be made from the wages of an employee owing a debt to the College for reasons such as: compensation overpayment, lack of receipts for cash advances for College expenses, lack of payment of special fees or books for classes taken, College-owned property which the employee has damaged, destroyed, or lost due to gross negligence or an intentional act, or any other reason a debt may be owed to the College.

2. The full debt owed to the College shall be deducted from the employee's final pay. The employee shall be held responsible for any amount owed in excess of the final pay and will be invoiced according to College procedures.
3. The amount deducted shall not result in lowering the wage below the minimum wage.

5.7.7 Voluntary Payroll Deductions *(Adopted 12-2-2013)*

1. Charitable Contributions

The College has authorized East Central College Foundation scholarships and United Way contributions as approved charitable payroll deductions. These contributions will cease at termination of employment.

2. Other Authorized Contributions

The College may authorize payroll deductions for College-sponsored programs and/or approved memberships or as deemed necessary. Contributions will cease at the end of employment and the remaining balance, if applicable, will be deducted from final pay.

5.8 Employment Contracts – Administrators and Professional Staff *(Adopted 4-15-2014; Revised 6-13-2022)*

Written employment contracts shall be executed with administrators and professional staff annually. Employees who do not have a written employment contract are considered at-will employees.

Procedures *(Adopted 4-15-2014)*

5.8.1 Written Employment Contract

Written employment contract terms are used to convey the important terms and conditions of an individual's employment. Terms and conditions will include, but may not be limited to:

1. Contract beginning and ending date
2. Job title
3. Salary to be paid
4. Any special conditions, assignment, or terms associated with the position

5.8.2 Terms of Employment

The employment contracts for full-time administrators and professional staff will generally be on an annual basis from July 1 through June 30.

5.8.3 Letter of Intent

The College will issue a letter of intent for new administrators and professional staff being recommended to the Board for approval to hire.

5.8.4 Issuance of Contracts *(Revised 6-13-2022)*

The College will issue contracts to new administrators and professional staff within ten (10) working days of Board hiring approval, and the new administrator/professional staff member will need to return a signed copy of the contract to the designated College official by the designated return date.

The College will issue contracts to reappointed administrators and professional staff within ten (10) working days of Board approval of the budget and annual staffing plan for the upcoming fiscal year. Reappointed administrators and professional staff members will need to return signed contracts to the designated College official by the designated return date.

New and reappointed administrators and professional staff not returning a signed contract to the designated College official by the designated date for all administrator/professional staff contracts will be considered to have declined the College's offer of employment and/or voluntarily vacated the position. The individual will need to reapply for the position. The College funded medical and life insurance benefits will be terminated effective the end of the month of the contracted term.

Any alterations made to the contract by the administrator or professional staff member will void the contract.

5.8.5 Grant-Funded Contracts

If employment is contingent upon continued receipt of grant funds, the employment contract will state this contingency. In the event the grant should terminate at any time for whatever reason, then this contract shall terminate, and each party's rights and obligations shall be excused and discharged.

5.8.6 Administrator Reappointment *(Adopted 6-13-2022)*

Full-time administrator reappointment will be made based on performance evaluations and the recommendation of the President of the College. Acceptance of contract renewal shall be made by the Board of Trustees upon the recommendation of the President of the College.

5.8.7 Professional Staff Reappointment *(Revised 6-13-2022)*

Full-time professional staff reappointment will be made based on performance evaluations and the recommendation of the supervisor and the administrator to the President of the College and Director of Human Resources. Acceptance of contract renewal shall be made by the Board of Trustees upon the recommendation of the President of the College.

5.8.8 Administrator/Professional Staff Non-Reappointment

Unless otherwise stated, the contract automatically terminates at its end date. The decision for non-reappointment shall be based upon overall evaluation of the employee and/or the needs of the College

Areas of job performance concern should be discussed with the employee as soon as they are evident and as a part of the evaluation process. Corrections of the deficiencies shall be made in accordance with a performance improvement plan developed by the employee, supervisor, and Human Resources. If deficiencies continue, action shall be taken for non-reappointment. A recommendation for non-reappointment shall be made by the supervisor and the appropriate administrator to the President of the College and Human Resources Director. The decision to not reappoint a full-time administrator/professional staff member shall be made by the College President.

5.8.9 Termination of Contract

Termination will be made upon the recommendation of the supervisor, administrator, Director of Human Resources, and the President of the College. Termination shall be made by the Board of Trustees upon the recommendation of the President of the College.

Contract termination shall be subject to:

1. Retirement of the employee
2. Death of the employee
3. Resignation of the employee
4. Termination for cause by the Board of Trustees in accordance with due process procedures (Procedure 5.22.4)
5. Revocation of appropriate/required certification or required licensures
6. Conviction of a felony
7. Behavior that is violent or harmful to others

5.8.10 Employment Contract Resignations

Resignations effective at the end of the contracted term will be submitted to the supervisor, administrator, Director of Human Resources, and College President, and do not require Board approval. Resignations with an effective date that occurs during the contract year will be submitted to the President of the College for action. It is expected that 30 working days' notice be provided to the College. Acceptance of resignation shall be made by the Board of Trustees upon the recommendation of the President of the College with input from the administrator. The College funded medical and life insurance benefits will be terminated effective the end of the month of the contracted term or the end of the month in which employment is severed if within the contracted term.

Release on less than 30 days' notice may be granted due to extenuating circumstances but will require approval by the College President and Board.

5.9 Employment Contracts - Faculty *(Adopted 6-1-1992; Revised 5-6-2002, 4-15-2014)*

Written employment contracts shall be executed with full-time faculty. Faculty members who do not have written employment contracts (i.e., adjunct faculty) are considered at-will employees.

Procedures *(Revised 8-14-2006, 4-15-2014)*

5.9.1 Written Employment Contract

Written employment contract terms are used to convey the important terms and conditions of an individual's employment. Terms and conditions will include but may not be limited to:

1. Start date, end date, and total number of contract days
2. Job title
3. Salary to be paid
4. Any special conditions, assignment, or terms associated with the position

5.9.2 Terms of Employment *(Revised 6-13-2022)*

The employment contracts covered by this Policy will generally be for the following duration(s):

1. Contracts for full-time faculty will be based on 30 credit hours per the nine (9)-month academic calendar or equivalent and run from August through May. Faculty on contracts may accept no more than 18 overload hours per academic year unless approved by the Chief Academic Officer and College President. Faculty do not qualify for paid leave outside the nine (9)-month academic calendar or holiday pay for holidays outside of the nine (9)-month academic calendar.
2. A contract with compensation for additional duties or days beyond the nine (9)-month faculty contract requirements will be defined according to the associated job description.

5.9.3 Letter of Intent *(Adopted 4-15-2014)*

The College will issue a letter of intent for new faculty being recommended to the Board for approval to hire.

5.9.4 Issuance of Contracts *(Adopted 4-15-2014; Revised 6-13-2022)*

The College will issue contracts to new faculty within ten (10) working days of Board hiring approval and the new faculty members will need to return a signed copy of the contract to the designated College official by the designated return date.

The College will issue contracts to reappointed faculty within ten (10) working days of Board approval of both the budget and the Collective Bargaining Agreement for the upcoming fiscal year. Reappointed faculty members will need to return signed contracts to the designated College official by the designated return date for all faculty contracts.

New faculty and reappointed faculty not returning a signed contract to the designated College official by the designated date will be considered to have

declined the College's offer of employment and/or voluntarily vacated the position. The individual will need to reapply for the position. The College funded medical and life insurance benefits will be terminated effective the end of the month of the contracted term.

Any alteration made to the contract by the faculty member will void the contract.

5.9.5 Grant-Funded Faculty Contracts

If employment is contingent upon continued receipt of grant funds, the faculty member will receive a limited-term contract stating this contingency. Throughout the grant-funded position, only limited-term contracts will be awarded. In the event the grant should terminate at any time for whatever reason, then this contract shall terminate, and each party's rights and obligations shall be excused and discharged.

5.9.6 Full-time Faculty Contract Classifications *(Revised 6-13-2022)*

Full-time faculty contracts shall be divided into three classifications. Contract classifications allow the College to fully evaluate instructional effectiveness and program sustainability.

1. **Limited Term Contract** - A limited term contract may be executed for a semester, academic year, or fiscal year and will automatically terminate at the end of the contract. This classification may be used for grant-funded positions, temporary replacement for a full-time faculty member, the startup phase of a new program, a program in the process of being discontinued, or as otherwise deemed necessary by the President of the College.
2. **Annual Contract** - An annual contract is considered probationary and may be given annually for regular faculty positions. Each annual contract shall show a date when employment ends; reappointment is dependent upon satisfactory evaluations and appropriate recommendations. Faculty may receive up to five (5) consecutive annual contracts prior to being considered for a continuous contract.
3. **Tenured Contract** - A tenured contract may be recommended for a faculty member under annual contract, but only after the employee has been employed full-time as faculty in the same discipline, or a secondary discipline as approved by the College, for a total of five (5) years. Faculty who begin service with a mid-year contract and are subsequently employed through an annual contract may be considered for tenured contract upon completion of ten (10) consecutive spring and fall semesters.

5.9.7 Full-time Faculty Reappointment

Full-time faculty reappointment will be made on recommendation of the Chief Academic Officer and the President of the College for Board action. The Board of Trustees shall normally approve all reappointments prior to April 15 but in no event after the start of the new contract year.

1. **Limited-Term Contract** - Reappointment shall be made upon the recommendation of the Chief Academic Officer and approval of the President and Board. The decision to reappoint shall be based upon satisfactory evaluation of the faculty member, program continuation, grant funding, and staff recommendation.
2. **Annual Contract** - Reappointment shall be made upon the recommendation of the Chief Academic Officer and approval of the President and Board. The decision to reappoint shall be based upon satisfactory evaluation of the faculty member, program continuation, and staffing recommendation.
3. **Tenured Contract** - At or upon the fifth year of employment, an overall evaluation of the faculty member's instructional effectiveness will be made by the division chair and the Chief Academic Officer. If the evaluation is satisfactory and the program is to continue, the faculty member will be recommended for a tenured contract in the sixth year by the Chief Academic Officer upon approval of the President and Board.

5.9.8 Full-time Faculty Non-Reappointment *(Revised 6-13-2022)*

The decision to not reappoint a full-time faculty member employed under a Limited-Term Contract or an Annual Contract shall be made by the College President after consultation with the Chief Academic Officer. The decision to not reappoint a full-time faculty member employed under a Tenured Contract shall be made by the Board of Trustees upon the recommendation of the Chief Academic Officer and the President of the College. These decisions will normally be made prior to April 15 but in no event after the start of the new contract year.

1. **Limited-Term Contract** - Unless otherwise stated or terminated for cause by the Board of Trustees in accordance with due process procedures (Procedure 5.22.4), the contract automatically terminates at its end date.
2. **Annual Contract** - Unless otherwise stated or terminated for cause by the Board of Trustees in accordance with due process procedures (Procedure 5.22.4), the contract automatically terminates at its end date. The decision for non-reappointment shall be based upon overall evaluation of the faculty member, lack of program continuation, and/or reduction in force based on budgetary or staffing requirements.
 - a. If instruction-related areas of concern exist, the faculty member should be notified as soon as they are evident and as part of the evaluation process. Corrections of the deficiencies shall be made immediately in accordance with a plan developed by the instructor, Dean, and the Chief Academic Officer. If the instruction-related deficiencies continue, action shall be taken for non-reappointment. If the faculty member's performance deficiencies are not instruction-related, no prior notice or improvement plan is needed prior to non-reappointment.
 - b. Non-reappointment for an annual contract shall be made upon the recommendation of the Dean, the Chief Academic Officer, and the President of the College.

- c. Affected faculty may submit a written appeal to the Board of Trustees. The Board of Trustees may review the documents relating to the appeal and decide the matter, or it may hold a hearing. The decision of the Board will be final.
3. **Tenured Contract** - A tenured contract shall continue in effect for an indefinite period, subject only to:
- a. Retirement of the faculty member
 - b. Modification by a succeeding Continuous Contract (compensation, terms of employment, or date modifications)
 - c. Death of the faculty member
 - d. Resignation of the faculty member
 - e. Termination for cause by the Board of Trustees in accordance with due process procedures (Procedure 5.22.4)
 - f. Revocation of appropriate/required certification or required licensures
 - g. Conviction of a felony
 - h. Behavior that is violent or harmful to others
 - i. Non-reappointment due to program suspension or change in program status
 - i. Non-reappointment for a tenured contract based on changes in program status shall be made by the Board of Trustees upon the recommendation of the President of the College with input from the appropriate Dean and Chief Academic Officer.
 - ii. If a reduction in force is necessary involving faculty on tenured contracts in an area with multiple faculty assignments, faculty members shall be selected for non-reappointment based on instructional effectiveness and College service as evidenced by the faculty evaluation process.
 - iii. If program recommendations or other conditions exist that indicate the faculty member shall not be retained, said faculty member shall be notified as soon as possible. If circumstances warrant, the faculty member shall be offered a limited-term contract of one year.
 - j. Non-Reappointment Due to Deficiencies in Performance
If instruction-related areas of concern exist, the faculty member should be notified as soon as they are evident. Corrections of the deficiencies shall be made immediately in accordance with a plan developed by the instructor, the division chair, and the Chief Academic Officer. If deficiencies continue within one semester after notification, action shall be taken for non-reappointment. If circumstances warrant, the faculty member shall be offered a limited-term contract of one year.
 - k. Non-Reappointment Due to Financial Exigency
If contract non-renewal is the result of financial exigency, the faculty positions discontinued due to financial exigency will not be filled within a two (2)-year period by replacement(s) nor will temporary full-time positions be created.

Faculty whose Tenured Contracts are not renewed pursuant to subsection (i), (j), or (k) may submit a written appeal to the Board of Trustees. The Board of Trustees may review the documents relating to the appeal and decide the matter, or it may hold a hearing. The decision of the Board will be final.

5.9.9 Employment Contract Resignations *(Revised 6-13-2022)*

Resignations effective at the end of the contracted term will be submitted to the Chief Academic Officer and the Director of Human Resources; such resignations do not require Board approval. Resignations with an effective date that occurs during the contracted term will be submitted to the President of the College for action. It is expected that 30 working days' notice be provided to the College. Acceptance of contract release shall be made by the Board of Trustees upon the recommendation of the President of the College with input from the Chief Academic Officer. The College funded medical, vision, dental, and life insurance benefits will be terminated effective at the end of the month of the contracted term or the end of the month in which employment is severed if within the contracted term.

Release on less than 30 days' notice may be granted due to extenuating circumstances but will require approval by the College President and Board of Trustees.

5.10 Employment-At-Will *(Adopted 6-1-1992, Revised 6-23-2003; Reaffirmed 11-4-2013)*

Employees who do not have a separate, individual employment contract with the College for a specific, fixed term of employment are employed at the discretion of the College for an indefinite period. These employees may resign from the College at any time, for any reason, or may be terminated at any time with or without cause.

Procedures *(Revised 11-4-2013; 6-13-2022)*

5.10.1 Affected Employees

As defined in Policy 5.8, those employed at-will are:

1. Full-time and part-time support staff
2. Adjunct/dual credit faculty
3. Temporary employees
4. Adult Education and Literacy (AEL) Instructors
5. Employees paid solely through a defined Memorandum of Understanding

5.11 Staffing Plan *(Adopted 6-1-1992; Revised 6-23-2003; Reaffirmed 11-4-2013)*

Administration will develop and maintain an annual staffing plan in order to budget for and monitor staffing levels.

Procedures *(Revised 11-4-2013)*

5.11.1 Plan Development

Developing the staffing plan will be the responsibility of the President, with approval by the Board of Trustees. Maintaining the staffing plan will be the responsibility of the Director of Human Resources.

5.11.2 Time Schedule *(Revised 6-13-2022)*

1. The administrative team will discuss and assess staffing needs for the next fiscal year. Discussions will begin early in the calendar year and continue until the budgetary framework has been established.
2. The President will submit the Staffing Plan for the new fiscal year and the annual budget to the Board of Trustees for approval no later than June 30.
3. The President will submit changes to the staffing plan for approval by the Board of Trustees as needed during the fiscal year.

5.11.3 Plan Content *(Revised 6-13-2022)*

The Staffing Plan will include full-time and part-time regular positions, the position title, the employee classification, the funding source, and the name of the individual currently holding the position.

1. New positions must be approved by the Board of Trustees.
2. Replacement of employees in exempt positions must be approved by the Board of Trustees.
3. Vacancies in non-exempt positions may be filled with the approval of the College President for full-time positions or the appropriate administrator for part-time positions.

5.12 Personnel Records *(Adopted 6-1-1992; Revised 4-7-2003, 12-2-2013; 6-13-2022)*

Personnel records and information will be maintained for each applicant, employee, and past employee as required by federal and state law. Personnel files maintained by the Office of Human Resources are to contain information that is needed by the College to conduct its business, or which is required by federal or state law. Files may be paper or electronic or a combination of the two versions. Paper records will be stored in a fireproof cabinet in a secure location.

Procedures *(Revised 12-2-2013)*

5.12.1 Personnel File-In General *(Revised 6-13-2022)*

The file of an individual employee will be considered confidential information and a closed record, to the extent allowed by the law, and will only be available to authorized administrative personnel and the employee. Individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment are closed records under the Missouri Sunshine Law to the extent allowed by law. Pursuant to state law, the names, positions, salaries, and lengths of service of all employees are public information and must be released upon request.

Personnel File Stored in Human Resources *(Revised 3-1-2018, 6-13-2022)*

This file may contain, but is not limited to, the following records:

1. Applications
2. Original evaluations, professional development plans, and other performance documentation (written warnings, performance improvement plans)
3. Salary records
4. Personal information including but not limited to name, address, telephone number, emergency numbers, and spouse
5. Individual employment contract
6. Employee benefit records
7. Transcripts

Personnel File Stored in the Business/Payroll Office

This file may contain, but is not limited to, the following records:

1. Summary record of leaves taken
2. Withholding allowance certificates (W-4 forms) and wage and tax statements (W-2 forms)
3. Timesheets

In accordance with the retention schedule established by the Missouri Secretary of State's Office, records in this file will be retained for 75 years from the date of hire with the following exceptions:

1. Employee benefit records, other than year-end leave balance reports and the official copy of retirement enrollment records, will be retained for three (3) years after employee separation or eligibility for the benefit has expired. Year-end leave balance reports and the official copy of retirement enrollment records will be retained for the full 75 years.
2. Withholding allowance certificates (W-4 forms) and wage and tax statements (W-2 forms) will be retained for five (5) years after employee separation or after the form has been superseded.
3. Records relating to employee leave requests will be retained for three (3) years after completion of an audit of these records.

At the time of an employee's separation from employment, the personnel file may be replaced with a summary file which is retained in lieu of the original file. Summary files contain the following pertinent information condensed from the personnel files: appointments, resignations, promotions, salary history, years of service, and all accumulated leave.

Employee Health and Medical File

These records shall be kept in a file separate from the employee's other personnel records. This file may contain, but is not limited to:

1. Medical examination records and related documentation

2. Records pertaining to an employee's disability, including the employee's request for accommodation and documentation of employer accommodations provided
3. Documentation of work-related illnesses or injuries
4. Records of exposure to hazardous conditions or materials
5. Drug-testing records
6. Physician statements
7. First aid incident reports
8. FMLA-related records
9. Worker's Compensation Records

In accordance with the retention schedule established by the Missouri Secretary of State's Office, records in this file will be retained for seven (7) years after separation except that records relating to hazardous exposure shall be retained for 40 years after separation.

Immigration Records File

The Immigration Reform and Control Act requires all employers to hire only American citizens and aliens who are authorized to work in the United States. The law seeks to preserve jobs for those who are legally entitled to them. The College will implement the following procedures to assure compliance with the law:

1. Any employee hired after November 6, 1986, will complete an Eligibility Verification Form (Form I-9) and will produce documents that will establish their identity and eligibility to work. (Form I-9 contains a list of documents that will fulfill this requirement.)
2. The College will retain an individual's Form I-9 for three (3) years after the date of hire or one (1) year after the individual is terminated, whichever is later. These records will be maintained in Human Resources and kept in a file separate from the employee's other personnel records.
3. The forms may be reviewed by the Immigration and Naturalization Service and potentially by other federal agencies. To minimize potential intrusion, Eligibility Verification Forms will be maintained separately from the employee's personnel files.

Public Access Files for H1B sponsorship will be stored in the Human Resources office separate from the employee personnel record. The College will retain the Public Access Files for one (1) year after the date of employment under the Labor Condition Application. If no foreign national was employed under the Labor Condition Application, the Public Access File will be maintained for one (1) year from the expiration or withdrawal of the Labor Condition Application. Individuals may review the file in the presence of an HR representative. The file may not be removed from the office unless approved.

5.12.2 Employees' Responsibility *(Revised 6-13-2022)*

Employees are responsible for notifying the Office of Human Resources in writing of any changes in the following:

1. Name
2. Address
3. Telephone number
4. Marital status (for benefits and tax withholding purposes only)
5. Addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only)
6. Beneficiary designations for any of the College's insurance, disability, and pension plans
7. Persons to be notified in case of emergency
8. Changes in tax withholding (W-4 form)

5.12.3 Record Inspection

Employees are allowed to inspect their own personnel records in accordance with federal and state laws. Employee review of their file will be conducted in Human Resources with a representative of HR present.

1. In the event that an employee reviews their personnel file and feels that any information in the file is inaccurate or irrelevant, the employee may submit a written request to the Director of Human Resources to have the material revised or removed from the file. If such a request is not granted, the employee will be permitted to place a written statement of disagreement in the file and can pursue the matter further using the Grievance Process. Under no circumstances may an employee remove an official document from their personnel file.
2. Employees are prohibited from reviewing any personnel files except their own unless authorized by the Director of Human Resources. Examples of individuals who may have a legitimate need to review personnel records include the President, appropriate administrator, immediate supervisor, and the Director of Human Resources or a designated assistant. Any access to a personnel file will be verified and recorded in the Human Resources Office. Employees are responsible for keeping copies of College communication that may be in their personnel file. Employees will be responsible for making personal copies, which will be conducted in the Office of Human Resources. Employees will not be allowed to remove their file from the Office of Human Resources.

The Office of Human Resources will not make copies of a personnel file for the employee unless otherwise required by special circumstances.

Once an employee is terminated, access to the personnel file ceases.

5.12.4 Information Request

Employees are to refer any personnel-related inquiry regarding current and past employees to the Office of Human Resources. The Office of Human Resources will verify title, dates of employment, and salary.

5.13 Institutional Use of Name *(Adopted 6/13/2022)*

East Central College uses an employee's legal name at the time of hire or after a legal change for all official College business and communication. Employees who desire to be addressed by a preferred first name which varies from their legal name may opt to specify that a preferred or chosen first name be used for College communication except where use of a legal name is required for College business.

Procedures *(Adopted 6/13/2022)*

5.13.1 Institutional Definitions

Legal Name: The name an individual received at birth and/or the name depicted on legal documents including a birth certificate, social security card, driver's license, passport, etc.

Preferred or Chosen Name: The name an individual has adopted as a replacement for their legal name. The chosen name and legal name will likely not match unless the individual has had the ability to undergo a legal name change process.

5.13.2 Use of Legal Name for College Business

The College will use the legal name shared at the time of application, initial employment, or post hire when a new social security card is presented with a legal name change.

The legal name (as shown on the Social Security card) will appear on official legal documents used for College business such as:

- Employment records
- Checks disbursed
- Payroll records and tax forms
- Insurance documents
- Employment contracts
- Retirement documents
- Official health records
- Formal HR correspondence

5.13.3 Use of a Preferred or Chosen First Name for College Communication

The College will use the preferred or chosen first name shared at the time of application, initial employment, or added/changed at a later date.

Preferred or chosen first names may be used if they are not a form of misrepresentation, an attempt to avoid legal obligation, discriminatory, offensive,

or fraudulent. The College reserves the right to remove (with or without notice) the preferred name if it contains inappropriate, offensive, or discriminatory language. If an inappropriate preferred or chosen name is removed, the College will default to the employee's legal name and restrict the use of a preferred or chosen name.

The preferred or chosen first name will be used for records/communication in the following capacities and other areas where appropriate and feasible:

- Aviso
- Colleague System
- eCentral System
- Email Addresses
- Email Display Names
- Employee Online Directory
- Phone Directory
- Employee Identification Cards
- Marketing Materials
- Staffing Plan
- Organizational Chart
- Board memos (will include legal and preferred name)
- Years of Service Awards

Once documentation is submitted, the preferred/chosen name will be displayed in the areas listed above. College processes do not allow for partial applications of the preferred/chosen name.

5.13.4 Request for Preferred or Chosen First Name Change

An employee may request the use of a preferred or chosen first name at the time of application, initial employment, or post-hire by indicating the preferred or chosen name on the Personal Data Sheet available on the Human Resources website and submit the form to Human Resources.

The employee will need to communicate the use of a preferred or chosen first name or of a name change to their supervisor, coworkers, other college staff, students (if applicable), and other relevant individuals.

Human Resources will communicate the change to the Business Office and IT department for processing.

The IT Department will communicate the process for current employees to retain current email records. Employees may request an alias email that will populate the pre-existing inbox to preserve prior emails.

It is important to note that requesting the use of a preferred/chosen first name does not initiate and/or constitute a legal name change. East Central College is not authorized to make a legal name change.

5.13.5 Request for Legal Name Change

The College will make a change to an employee's legal name for employment records when the employee completes the Personal Data Sheet, submits an updated I-9 form, and provides a social security card or court order with the new legal name to Human Resources.

The employee will need to communicate the legal name change to their supervisor, coworkers, other college staff, students (if applicable), and other relevant individuals. Human Resources will communicate the change to the business office and IT department for processing.

The IT Department will communicate the process for current employees for retaining current email records. Employees may request an alias email that will populate the pre-existing inbox to preserve prior emails.

5.13.6 Request for Name Change for Victims of Domestic Violence and Sexual Assault

The College will accommodate a request for temporary first and last name change due to Domestic Violence and Sexual Assault in compliance with Policy 5.36 Leave and Accommodations for Victims of Domestic Violence and Sexual Assault.

The preferred or chosen name will be used for records/communication in the following capacities, and other areas where appropriate and feasible:

- Aviso
- Colleague System
- eCentral System
- Email Addresses
- Email Display Names
- Employee Online Directory
- Phone Directory
- Employee Identification Cards
- Staffing Plan
- Organizational chart
- Marketing Materials
- Board memos (will include legal and preferred name)

The employee will need to communicate the use of a preferred or chosen name to their supervisor, coworkers, other college staff, students (if applicable), and other relevant individuals.

Human Resources will communicate the change to the Business Office and IT department for processing.

The IT Department will communicate the process for current employees to retain current email records. Employees may request an alias email that will populate the pre-existing inbox to preserve prior emails.

5.14 Job Transfer *(Adopted 6-1-1992; Revised 5-9-2005, 12-2-2013)*

Transfer of personnel will be made in the best interest of the College. The length of service and qualifications of the person will be taken into consideration.

Procedures *(Revised 4-6-2006)*

5.14.1 Reasons for Transfer

The College retains complete discretion in handling employee transfers. Acceptable reasons for transfer may include-but are not necessarily limited to fluctuations in workloads, better utilization of personnel, increased career opportunities, and health considerations.

5.14.2 Pay for Transferred Employees *(Revised 12-2-2013, 6-13-2022)*

Pay for employees will be determined as follows:

1. Lateral Transfers

Employees transferred to a job within the same classification will continue to receive their existing rate of pay.

2. Transfer to Lower Classification

Employees transferred or reclassified to a job in a lower classification will continue to be paid at their former rate of pay for four (4) weeks or until the end of current contractual obligations, if applicable, and then at the new rate of pay thereafter.

The new salary will be calculated according to the salary placement guidelines as used for new hires.

3. Transfer to Higher Classification

Employees transferred or reclassified to a job in a higher classification will be placed at the appropriate salary according to the salary placement guidelines as used for new hires or no less than ten (10) percent higher than the employee's current salary commencing with the start of the new job.

4. Transfer from Non-Faculty Position to Faculty *(Adopted 12-2-2013)*

Employees transferred or reclassified will be placed at the appropriate faculty salary commencing with the start of the new position. Credentials, relevant experience, and years of service to the College will be considered in determining the appropriate salary.

5. Transfer from Faculty to Non-Faculty Position *(Adopted 12-2-2013)*

Employees transferred or reclassified will be placed at the appropriate salary according to the salary placement guidelines commencing with the start of the new position. Credentials, relevant experience, and years of service to the College will be considered in determining the appropriate salary.

5.15 Notice of Non-Discrimination *(Adopted 12-2-2013; Revised 6-13-2022)*

Applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment, and individuals with whom the Board of Trustees and College officials do business are hereby notified that East Central College does not discriminate on the basis of race, sex, color, religion, ethnic or national origin, genetic information, age, disability, sexual orientation, gender identity, gender expression, veteran's status or any factor that is a prohibited consideration under applicable law.

Procedures

5.15.1 Compliance Inquiries *(Adopted 12-2-2013; Revised 10-5-2017)*

Any employee or applicant having inquiries concerning East Central College's compliance with employment regulations implementing Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, or the Americans With Disabilities Act of 1990 is directed to contact the Director of Human Resources, 005-D Donald Shook Student Center, telephone number 636-584-6710.

Any student who believes that they have been discriminated against on the basis of race, color, religion, national origin, ancestry, gender, sexual orientation, age, genetic information, or veteran status should contact the Vice President of Student Development, 131 Buescher Hall, telephone number 636-584-6565. Any student who believes that they have been discriminated against on the basis of disability should contact an appropriate faculty member or Access staff and may use the grievance policy found in Policy 3.29.

A member of the public who believes that they are being discriminated against in violation of law should contact the Director of Human Resources.

East Central College is an equal opportunity employer and provider of employment and training services. Auxiliary aids and services are available upon request to individuals with disabilities.

5.16 Drug and Alcohol-Free Workplace *(Reaffirmed 12-2-1991; Revised 7-30-20012, 11-4-2013, 6-13- 2022)*

East Central College prohibits the manufacture, distribution, possession, or use of a controlled substance or an imitation controlled substance and the possession, use, or distribution of alcoholic beverages (except as specified in Board Policy 4.31) on any East Central College-owned or controlled property or at College-sponsored functions.

Procedures

5.16.1 Federal Law Compliance *(Revised 6-13-2022; 12-19-2022)*

The College complies with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. § 1011i) and the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.). Although marijuana is legal in Missouri, it is still considered illegal under federal law as a "Schedule I" drug. As such, the distribution, possession, and consumption of marijuana are prohibited on property owned or operated by the College or its affiliates.

5.16.2 Explanation and Consequences of Prohibitive Behavior

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, narcotics, or alcoholic beverages on the College premises or off-campus sites (including College vehicles and any private vehicles parked on College premises or off-campus sites) or College-sponsored functions is absolutely prohibited. This includes reporting to work under the influence of alcohol or illegal drugs and/or having a detectable level of alcohol or an illegal drug present in one's system while on the job, operating College vehicles, or on any College premises. Violations will result in disciplinary action, up to employment termination, and may have legal consequences. All employees and applicants are required to comply with the Drug and Alcohol-Free Workplace Policy as a condition of employment.

Instances of violations could result in the involvement of civil law enforcement authorities. Violations include but are not limited to possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence or using those substances while working; or dispensing, distributing, or illegally manufacturing or selling them on College premises.

Employees subject to the Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report the conviction in writing to the Human Resources Office within five (5) days, and the Human Resources Office will take appropriate action as required by law.

5.16.3 Drug and Alcohol Testing

Employees may be asked to take a test if there is reasonable suspicion to believe that an employee is under the influence of an illegal drug and/or alcohol. The following circumstances could cause reasonable suspicion:

1. Observed drug or alcohol use.
2. Apparent physical state of impairment.
3. Incoherent mental state.
4. Marked change in personal behavior that is otherwise unexplainable.
5. Deteriorating work performance that is not attributable to other factors.
6. An accident where there is reasonable suspicion that drugs or alcohol may be a factor.
7. Any circumstances which cause a reasonable suspicion that an employee is under the influence of illegal drugs and/or alcohol.

The test will determine the presence of drugs, narcotics, or alcohol unless such tests are prohibited by law. Employees who agree to take the test must sign a consent form authorizing the test and the College's use of the test results for purposes of administering its discipline policy. It is a violation of this Policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs.

Policy violations will result in discipline and may result in termination. Tests that are paid for by the College are the property of the College, and the examination records will be treated as confidential and held in separate medical files.

5.16.4 Employer and Employee Responsibilities *(Revised 11-4-2013, 6-13-2022)*

1. Supervisors should report immediately to the appropriate Vice President and Human Resources Office any action by an employee that might pose a danger to themselves or others. The Director of Human Resources, the appropriate Vice President, and the College President or designee will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises and, to the extent allowed by law, may be suspended without pay. Alternate transportation must be arranged by the employee. If the employee is unable to secure transportation, alternate transportation will be provided at the employee's expense (i.e., taxi). At no time will a current employee be allowed to transport the employee who is under the influence.

Employees are to report to the appropriate Vice President or Director of Human Resources any suspicious behavior of a co-worker, employee, student, or campus visitor that may be alcohol or drug related without fear of retaliation. To the extent possible, the report will be handled in a confidential manner.

2. Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request or be required to seek help through the Employee Assistance Program. Authorization to return to work will be required. Employees who participate in a treatment program will be expected to meet existing job performance standards and established work rules.
3. Nothing in this statement is to be interpreted as constituting a waiver of management's responsibility to maintain discipline or the right to take disciplinary measures in the case of poor performance or misconduct.
4. It must be understood that this Policy has no bearing whatsoever on what employees do on their own time unless it reflects on their job performance.

5.16.5 Alcohol and Drug-Free Awareness Program *(Revised 11-4-2013)*

The College will inform employees as deemed necessary about:

1. The dangers of alcohol and drug abuse in the workplace.
2. The College's policy and procedures for maintaining an alcohol and drug-free workplace.
3. Any available drug counseling, rehabilitation, and employee assistance programs.
4. The penalties that may be imposed upon employees for alcohol and drug abuse violations occurring in the workplace.

5.16.6 Treatment *(Revised 11-4-2013, 6-13-2022)*

Employees who suspect that they may have an alcohol or drug dependency problem are encouraged to seek diagnosis and follow through with the treatment that is prescribed by qualified professionals to address the problem. Employees having these problems will receive treatment that is extended under the College's health benefit plans and are encouraged to seek additional and/or alternate treatment that may be available at the employee's own expense.

5.17 Employee Title IX Sexual Harassment *(Adopted 8-31-2020)*

Statement of Nondiscrimination Policy and Prohibition on Sexual Harassment

East Central College is committed to maintaining an environment that is free of discrimination on the basis of sex within its educational programs and activities. The College cannot and will not tolerate discrimination against or harassment of any individual or group based upon race, sex, color, religion, ethnic or national origin, genetic information, age, disability, sexual orientation, gender identity, gender expression, veteran's status, or any factor that is a prohibited consideration under applicable law. The prohibition on sex discrimination also prohibits Sexual Harassment, as defined in this policy.

The Nondiscrimination Policy applies to registered or enrolled students, College employees, contractors, vendors, visitors, guests, or other third parties.

Procedures *(Adopted 8-31-2020)*

5.17.1 Scope of Title IX Sexual Harassment Grievance Process

The Sexual Harassment Grievance Process pertains to Sexual Harassment under Title IX, as defined by this Policy, committed by employees against students and/or employees, when: (1) the conduct occurs on campus or other property owned or controlled by the College; or (2) the conduct occurs in the context of a College employment or education program or activity within the United States. The College's education program and activities includes locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by the College.

All members of the East Central College community have the right to submit a complaint or raise concerns regarding Sexual Harassment under Title IX pursuant to this Policy without fear of retaliation.

A complete copy of the College's Title IX Sexual Harassment Policy can be accessed online. Hard copies are available at the Title IX Coordinator's office and the Title IX Deputy Coordinator's office.

Complaints that do not fall under the scope of this process will be handled under the applicable employment policies, including Policy 5.22 Employee Conduct and Discipline and Policy 5.18 Protection Against Sexual Harassment.

5.17.2 Definitions

Sexual Harassment – Sexual Harassment is conduct based on sex that may be one or more of the following:

1. Employee conditioning provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (*i.e.*, a *quid pro quo*); or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
3. Sexual assault, stalking, dating/domestic violence, as defined herein.
 - Sexual Assault – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - Sexual Assault includes, but is not limited to, the following acts when they occur without consent of the victim:
 - Any penetration, however slight, of the genitals or anus of one person with the genitals of another person,
 - Any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person,
 - Any sexual act involving penetration, however slight, of the genitals or anus of one person by a finger, instrument, or object,
 - Touching of another person's genitals or breasts under or over the clothing, or
 - Touching of one person with the genitals of another person under or over the clothing,
 - Domestic Violence - Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
 - Stalking – Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress. A course of conduct is two or more incidents. Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media.
 - Dating Violence – Violence by a person who has been in a romantic or intimate relationship with the individual to whom the violence is directed. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Complainant – A Complainant is any individual who is alleged to be the victim of conduct that could constitute sexual harassment under this Policy, in connection with his or her participation in or attempt to participate in an educational program

or activity of the College. Employment by the College is considered participation in a program or activity of the College for purposes of this policy. A Complainant may be a student, an employee, or a third party.

Respondent – A Respondent is an individual who is purported to be the perpetrator of conduct that could constitute sexual harassment. A Respondent need not be affiliated with the College in any respect.

Title IX Advisor – A Title IX Advisor is an individual who supports a Complainant or Respondent through the Title IX Sexual Harassment Grievance Process. Each party has the right to select an advisor of their choice, and for that advisor to accompany the party to any part of the grievance process, including all meetings, interviews, and/or hearings. A Title IX Advisor can be a friend, family member, faculty member, mentor, attorney, or any other person of the party’s choice who is available and agrees to serve as advisor. The College will appoint a Title IX Advisor at no cost to the party to conduct cross-examination during the grievance process hearing if a party does not have a Title IX Advisor.

Consent – An affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. The person initiating sexual activity must obtain the other person’s consent throughout the duration of the sexual activity. Consenting persons must act freely, voluntarily, and have knowledge of the act or transaction involved. Consent will not be implied by silence or mere passivity from a state of intoxication or unconsciousness; it may not be inferred in circumstances in which consent is not clear, including, but not limited to situations that involve the absence of “no” or “stop,” or those that involve the existence of a prior or current relationship or sexual activity. Consent cannot be given if the Respondent has taken advantage of a position of influence which that person has over the Complainant. Consent cannot be given by an individual who is incapacitated through the effect of drugs or alcohol or for any other reason. Consent may be withdrawn at any time.

5.17.3 Title IX Coordinator

The Title IX Coordinator is charged with monitoring East Central College’s compliance with Title IX, ensuring appropriate education and training, coordinating investigations, responses, and resolution of all reports pursuant to this Policy. In their discretion, the Title IX Coordinator may also designate Deputy Title IX Coordinators to assist in the discharge of these duties.

Any questions or concerns regarding the College’s application of this policy may be addressed to the Title IX Coordinator.

The Title IX Coordinator and Deputy Title IX Coordinator may be reached in person during regular office hours, or by telephone, written correspondence, email, or other electronic communication at any other time.

Sarah Leassner
Title IX Coordinator
Section 504 Administrator
Vice President of Student Development

Carrie Myers
Title IX Deputy Coordinator
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5.17.4 Resources and Information for Victims of Sexual Harassment

The first priority for any victim of sexual assault or relationship violence is to receive appropriate medical attention for any medical injuries and to preserve evidence in the event the Complainant chooses to pursue a complaint. The College will maintain and publish information containing resources and guidance for victims of sexual assault, relationship violence, and stalking. Such information will be maintained in the College's Annual Security Report and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College's Title IX Coordinator, who will make such information available to any interested person.

5.17.5 Reporting Potential Policy Violations

1. Reporting Options

The College encourages the reporting of all incidents of Sexual Harassment, including but not limited to sexual assault, relationship violence, and stalking. The decision to report such incidents is a deeply personal and often difficult decision but is often a way for the victim to begin healing. Such reporting may also help prevent future incidents of a similar nature from occurring. Victims are not required, however, to report such incidents, and will not be penalized if they choose not to report an incident to law enforcement or to the Title IX Coordinator.

a. Report to the Title IX Coordinator or to a Responsible Employee

Individuals who believe they have been subjected to, or are aware that another individual has been subjected to, Sexual Harassment in connection with a College education program or activity, and who wish to report a potential violation of this Policy should notify the Title IX Coordinator or Deputy Title IX Coordinator.

Reports can be made through email, by phone, in person, or by mail.

Upon receipt of any report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, explain the process for filing a formal complaint, and to provide information about other reporting options and available resources as applicable.

While reports to College counselors will remain confidential, all other employees are required to report the information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Title IX Coordinator.

Reporting Sexual Harassment to the Title IX Coordinator does not automatically start the grievance process – the Title IX Coordinator will explain to the Complainant how to start the grievance process by filing a Formal Complaint. An individual can make a report of Sexual Harassment in order to obtain supporting measures and resources – an individual making a report of Sexual Harassment is not required to file a Formal Complaint.

There is no time limit on reporting Sexual Harassment, though the College encourages prompt reporting, as delayed reporting may hinder the College’s ability to complete the grievance process.

b. Confidentiality

Employees are mandated to report information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Title IX Coordinator and cannot keep reports confidential.

The College will keep confidential the identity of Complainants, Respondents, and witnesses involved in Title IX hearings, except when disclosure is required by law or as necessary to carry out the purposes of this Policy.

Counseling services for employees are available through the College’s Employee Assistance Program (EAP).

c. Other Reporting Options and Resources

Individuals may make a criminal report with local law enforcement, or appropriate jurisdiction. College personnel are available to assist individuals with contacting the appropriate jurisdiction for making such a report.

In addition to pursuing criminal or College disciplinary proceedings, individuals may wish to obtain an order of protection, no-contact order, or restraining order from the relevant jurisdiction. Such orders are enforced by the local law enforcement agency in the relevant jurisdiction.

d. Amnesty

In investigating and responding to complaints of Sexual Harassment, the College’s primary focus is to address the Sexual Harassment, and, in most cases, the College will grant amnesty to a Complainant or witness for other potential violations, such as alcohol violations. Such potential violations should not discourage a Complainant from notifying the College of incidents of Sexual Harassment.

2. Offer and Provision of Supportive Measures:

Upon receipt of a report, the Title IX Coordinator will promptly and confidentially reach out to the Complainant to discuss the availability of a variety of supportive measures. Supportive measures should also be offered to the Respondent as necessary and appropriate.

Supportive measures are designed to restore or preserve equal access to the College's education programs and activities, protect the safety of all parties and the educational environment, or deter Sexual Harassment. These supportive measures should be non-disciplinary, non-punitive, individualized, and provided free of charge. They must be offered regardless of whether a Formal Complaint is filed and must be kept confidential to the extent that such confidentiality would not interfere with providing the supportive measures.

Examples of supportive measures include, but are not limited to:

- Counseling via the Employee Assistance Program (EAP)
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in work locations or assignments
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

3. Administrative Leave

Non-student employee Respondents may be placed on administrative leave during the pendency of the grievance process described in this Policy.

5.17.6 Filing a Formal Complaint of Sexual Harassment

In the event that a Complainant wishes for the College to proceed with an investigation and hearing into the allegations of Sexual Harassment pursuant to the grievance process procedures in this Policy, they must file a Formal Complaint. A Formal Complaint is a document alleging Sexual Harassment against a Respondent and requesting that the College investigate the allegation of Sexual Harassment. The Complainant must be participating in or attempting to access a College education program or activity at the time the Formal Complaint is submitted. Employment by the College is considered participation in a program or activity of the College for purposes of this policy.

A Formal Complaint must be in written form, but it may be submitted in person, by mail, or by email. It must be signed by the Complainant, but the required signature may be physical or digital.

A Title IX Coordinator may also initiate a Formal Complaint by signing it. The Title IX Coordinator may consider the specific facts and circumstances and whether there is a pattern of misconduct involving a particular Respondent. A Title IX Coordinator may only sign a Formal Complaint after he or she has contacted the Complainant and discussed supportive measures and the Formal Complaint process with the Complainant. The Title IX Coordinator must consider the Complainant's wishes for how the College responds to the report of Sexual Harassment. The Title IX Coordinator should balance campus safety concerns with respect for survivor autonomy.

The Title IX Coordinator may consolidate Formal Complaints where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a Formal Complaint includes more than one Complainant or more than one

Respondent, any references in this policy to a single Complainant and/or Respondent will also refer to multiple Complainants and/or Respondents.

5.17.7 Dismissal of Formal Complaints

Upon receipt of a Formal Complaint, the Title IX Coordinator will review the allegations set forth therein and determine whether the Complaint may proceed. Although the allegations may still be investigated and resolved pursuant to another College policy (as noted above), Formal Complaints of Sexual Harassment brought pursuant to this policy *must* be dismissed if:

1. The conduct alleged would not constitute Sexual Harassment as defined in this Policy;
2. The conduct did not occur in connection with a College education program or activity;
3. The conduct did not occur against a person in the United States.

Furthermore, the Title IX Coordinator may, in his or her discretion, determine that even though it meets the basic threshold requirements to proceed, a particular Formal Complaint should be dismissed. Specifically, a Formal Complaint *may* be dismissed if:

1. Complainant notified Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations within;
2. Respondent is no longer enrolled or employed by the College;
3. Specific circumstances prevent the College from gathering evidence to reach a determination.

After an initial review of the Formal Complaint, the Title IX Coordinator will continue to monitor the investigation and evaluate the Formal Complaint to determine if the above criteria for dismissal apply. Following any dismissal of a Formal Complaint, the Title IX Coordinator will simultaneously send a written notice to the parties of the dismissal and the reasons for the dismissal.

To the extent the behavior alleged in the Formal Complaint could constitute a violation of another College policy, it may be pursued under that policy. The Title IX Coordinator has the discretion to refer the allegations to the appropriate College official.

5.17.8 Informal Resolution

After a Formal Complaint has been filed, if both Complainant and Respondent give voluntary, informed, written consent, the College will assist the parties in reaching an informal resolution to the allegations of Sexual Harassment in the Formal Complaint. An informal resolution cannot be used for Formal Complaints that contain allegations that an employee sexually harassed a student.

5.17.9 Prohibition of Retaliation

The College expressly prohibits retaliation against any individual for exercising their Title IX rights under this Policy. No individual may be discriminated against, intimidated, threatened, or coerced for the purpose of interfering with his or her Title IX rights, or because the individual has made a report pursuant to this

Policy, testified, assisted, participated, or refused to participate in a Title IX investigation, proceeding, or hearing.

If an individual feels that they have been subject to retaliation pursuant to this Policy, they should notify the Title IX Coordinator as soon as possible.

5.17.10 Sexual Harassment Grievance Process Procedures

If any party believes that the Title IX Coordinator has a conflict of interest or bias for or against the individual parties and/or for or against complainants or respondents generally, that party should report their concern to the College President. If the College President finds that a conflict of interest or bias exists, the President will designate another individual to serve as Title IX Coordinator for the purposes of the specific grievance process involving the parties.

The Respondent will be presumed not responsible for the policy violation that is alleged in the Formal Complaint unless and until the respondent is found responsible by the Hearing Decision Maker at the conclusion of the grievance process.

The grievance process generally will be completed within 120 days. However, extensions to this time frame may be granted at the request of either party or at the discretion of the Title IX Coordinator when good cause exists for the delay. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Title IX Coordinator will notify all parties in writing of the delay, the length of the extension granted, and the reason for the extension.

5.17.11 Sexual Harassment Grievance Process - Notice

Within five (5) working days of receipt of a Formal Complaint, the Title IX Coordinator or designee will issue a written notice to the parties. The written notice should include, if known, the identity of the parties, the conduct alleged to be Sexual Harassment, and the date(s) and location(s) of the incident(s). The notice will also include a statement that the Respondent is presumed to be not responsible for any policy violations. The notice must also inform the parties that they have the right to an advisor of their choice during the grievance process, that they may inspect and review evidence gathered during the investigation, and that Policy 5.22 Employee Conduct and Discipline prohibits knowingly furnishing false information to the College.

If during the course of the investigation, additional allegations are going to be investigated that were not included in the original notice, the Title IX Coordinator or designee will issue a supplemental written notice to the parties.

Parties will also be provided with notice of all meetings, interviews, or hearings with sufficient time to prepare for any meeting, interview, or hearing. Such notice will include the date, time, location, participants, and purpose of the meeting, interview, or hearing.

5.17.12 Sexual Harassment Grievance Process – Title IX Advisors

Each party has the right to select a Title IX Advisor of their choice, and for that Title IX Advisor to accompany the party to any part of the grievance process, including all meetings, interviews, and/or hearings. A Title IX Advisor can be a friend, family member, faculty member, mentor, attorney, or any other person of the party's choice who is available and agrees to serve as a Title IX Advisor.

Parties must provide notice of who will serve as their Title IX Advisor during any grievance hearings at least five (5) working days prior to the hearing. If a party does not have a Title IX Advisor for a grievance hearing, a Title IX Advisor will be selected by the Title IX Coordinator and will be provided at no cost to the party for the purpose of cross examination during the hearing. This appointed Title IX Advisor may be a College employee or may be an outside individual contracted to serve in the role of Title IX Advisor.

Title IX Advisors may offer advice to and confer with the party during any meeting, interview, and/or hearing, but generally may not speak on behalf of the party. The only time a Title IX Advisor may speak on behalf of the party is to conduct cross examination questioning during a grievance hearing. Title IX Advisors are expected to comply with the Rules of Procedure and Decorum for hearings and remain respectful throughout the entire grievance process.

Any Title IX Advisor who fails to comply with these policies, the Rules of Procedure and Decorum for hearings, and/or who does not treat all others with respect throughout the grievance process may be warned by the Title IX Coordinator, Investigator, and/or Hearing Decision Maker for their first infraction. A Title IX Advisor may be asked to leave the grievance proceeding if after being warned they continue to violate these policies or the Rules of Procedure and Decorum for a hearing, and/or continue to not treat others with respect. If an advisor is asked to leave a meeting, interview, or hearing, the proceeding will end and be continued at another time when the party has a Title IX Advisor. Whether an advisor who has been asked to leave a proceeding may serve as a Title IX Advisor to the party at a later meeting, interview, or hearing will be a decision in the sole discretion of the Title IX Coordinator.

5.17.13 Sexual Harassment Grievance Process – Investigation

The Title IX Coordinator or designee will designate an Investigator to conduct a fair, thorough investigation of the allegations in the Formal Complaint. In general, the Director of Human Resources will investigate complaints against employee Respondents. The College may designate an outside investigator as Investigator. The Investigator will have received training as outlined in Section 5.17.18 of this policy.

The Investigator will provide written notice of any meetings or interviews to the parties and/or witnesses at least 3 working days in advance of the meeting or interview. This notice will include the date, time, and location for the meeting, as well as who will be participating in the meeting and the purpose for the meeting.

The burden will be on the Investigator to fully and fairly investigate the allegation in the formal complaint. All parties will have an equal opportunity to present witnesses and evidence to the Investigator.

At the conclusion of the investigation, the Investigator will send a copy of the evidence that is directly related to the allegations in the Formal Complaint to the parties and their advisors for inspection and review. The parties will then have ten (10) days to submit a written response to the evidence if they choose to do so. The Investigator will consider any written response to the evidence before the completion of the investigative report. The Investigator will make all evidence that is directly related to the allegations available at the grievance hearing.

The Investigator will prepare an investigative report that fairly summarizes all the relevant evidence. The investigative report should include a description of all steps taken in the investigation as well as summaries of all interviews with parties and/or witnesses and all relevant evidence reviewed by the Investigator.

The Investigator will send a copy of the report to the parties and their advisors at least ten (10) days prior to any hearing for the parties' review and written response.

5.17.14 Sexual Harassment Grievance Process – Hearing *(Revised 6-13-2022)*

After the conclusion of the investigation, a live hearing will be held before a Hearing Decision Maker. The Hearing Decision Maker will be appointed by the Title IX Coordinator and may be a single individual or a panel. A single Hearing Decision Maker may be a member of the College community or may be an outside individual contracted to serve in the role. A panel Hearing Decision Maker may include members of the College Community and/or outside individuals contracted to serve on the panel. The Hearing Decision Maker will have received training as outlined in Section 5.17.18 of this policy. The Hearing Decision Maker will issue notice of the hearing to the parties, including the date, time, and location of the hearing. This notice will be provided at least ten (10) working days before the hearing.

The hearing will be held pursuant to the Rules of Procedure and Decorum. At the request of either party, the hearing will be held with the parties in separate rooms or locations, with the parties' Hearing Decision Maker able to simultaneously see and hear each other through technology. Whether the hearing is conducted virtually or in person, it will be recorded.

The Investigator will make all evidence that is directly related to the allegations available at the grievance hearing. All parties may refer to such evidence and may use it in cross examination. The Investigator will provide a copy of the investigative report and all evidence that is relevant to the allegations in the formal complaint to the Hearing Decision Maker. However, the Hearing Decision Maker may not defer to the investigative report and must objectively evaluate all relevant evidence and independently reach a determination regarding responsibility.

The Investigator, Complainant, and Respondent all have the ability to testify and call witnesses at the hearing, and to provide evidence to the Hearing Decision

Maker, who will have the opportunity to ask questions of all parties and witnesses during the hearing.

After the Hearing Decision Maker asks their questions, each party's Title IX Advisor will have the opportunity to ask all relevant and follow-up questions of the other party and all witnesses during cross examination. No party shall be questioned directly by the other party. Title IX Advisors must abide by the Rules of Procedure and Decorum in questioning parties and witnesses. Any Title IX Advisor who does not abide by the Rules of Procedure and Decorum will be warned or dismissed from the hearing at the discretion of the Hearing Decision Maker.

The Hearing Decision Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions during the hearing, including cross examination.

The Hearing Decision Maker will state whether each question is relevant before the question is answered by the party or witness to whom it is directed and explain any decision to exclude a question as not relevant. If the Hearing Decision Maker is a panel, the panel will designate one member as chair, and that individual will determine and state whether each question is relevant. Questions or evidence that are deemed irrelevant by the Hearing Decision Maker will be excluded from the hearing. Formal rules of evidence shall not apply.

The following types of evidence must be considered irrelevant by the Hearing Decision Maker:

1. Evidence that is not pertinent to proving whether a fact material to the allegation is more or less likely to be true.
2. Information that is protected by privilege (e.g., attorney-client privilege).
3. Any party's medical, psychiatric, psychological, or counseling records without that party's voluntary, written consent.
4. Any information about the Complainant's sexual predisposition or prior sexual behavior, unless it is offered to prove that someone other than the Respondent committed the behavior alleged in the formal complaint or offered to prove consent.

5.17.15 Sexual Harassment Grievance Process – Determination of Responsibility

The Hearing Decision Maker will issue a written determination whether the Respondent is responsible for the policy violations alleged in the Formal Complaint within five (5) working days of the conclusion of the hearing. The Hearing Decision Maker must determine the weight of the evidence and credibility of the parties in reaching a determination.

The written determination shall include:

1. An identification of the allegations in the Formal Complaint.
2. A description of procedural steps taken from the receipt of the Formal Complaint through the determination, including any notices, interviews, investigations, and hearings.
3. Findings of fact that support the determination.

4. Conclusions regarding the application of the policy to the facts.
5. A statement and rationale for the result for each allegation including the determination of responsibility, any sanctions that will be imposed on the Respondent, and whether any remedies designed to restore and preserve equal access to the College's educational program will be provided to the Complainant.
6. The procedures and acceptable bases for appeal of this determination.

The standard of proof will be "preponderance of the evidence," which means whether the evidence shows it is more likely than not that a policy violation occurred.

The written determination will be provided simultaneously to all parties. The determination will become final, and any sanctions will take effect after the resolution of any appeal, or if no appeal is filed, after the deadline to file an appeal.

5.17.16 Sexual Harassment Grievance Process – Sanctions and Remedies

If the Respondent is found responsible for any violations of policy, then the Hearing Decision Maker will determine what disciplinary sanctions will be imposed on the Respondent and what remedies designed to restore and preserve equal access to the College's educational programs will be offered to the Complainant.

The possible sanctions that can be imposed on an employee Respondent found responsible include, but are not limited to:

1. Verbal Warning – An oral verbal warning may be given, at the discretion of the Hearing Decision Maker. Such warnings shall be noted in writing and placed in the individual's personnel file in Human Resources.
2. Written Warning – The Hearing Decision Maker may issue a written warning, a copy of which will be sent to the employee along with a copy to the Director of Human Resources for the employee's personnel file.
3. Suspension With or Without Pay – Suspension with or without pay may be invoked for a time period deemed consistent with the seriousness of the offense and the circumstances. A decision to suspend requires approval by the Human Resources Director, appropriate Vice President, and College President. Earned vacation or other leave may not be applied during an unpaid suspension nor will leave accrue during an unpaid/paid suspension. Notice will be given in writing with a copy to the employee's personnel file in Human Resources.
4. Termination – Employees may be immediately terminated when the seriousness and nature of an offense warrants. A decision to terminate will be made by the supervisor, appropriate Vice President, Human Resources Director, and College President. If applicable, the College will follow the due process procedures established in 5.22.4.

In addition to sanctions imposed on the Respondent, remedies can be offered to the Complainant to restore and preserve equal access to the College's educational program and activities. Remedies may be, but are not limited to, a continuation of

previously offered supportive measures. Additionally, remedies may burden the Respondent or be punitive/disciplinary in nature.

5.17.17 Sexual Harassment Grievance Process – Appeals

Any party may appeal the determination of responsibility or a dismissal of a Formal Complaint by submitting a written request to the College President within five (5) working days of the issuance of the Hearing Decision Maker’s determination of responsibility. The request should include a short statement outlining the basis for appeal.

Appeals are limited to the following bases:

1. Procedural irregularity that affected the outcome of the matter,
2. New evidence that was not reasonably available at the time of the determination of responsibility or the dismissal of the Formal Complaint that would affect the outcome of the matter, or
3. The Title IX Coordinator, Investigator, or Hearing Decision Maker had a conflict of interest or bias for or against complainants or respondents generally that affected the outcome of the matter.

The College President will notify the parties in writing that an appeal has been filed. Each party will then have ten (10) working days to submit a written statement in support of or challenging the outcome of the hearing.

The College President will issue a written determination of the outcome of the appeal, describing the result of the appeal and the rationale in support of that decision within seven (7) working days of the deadline for parties to submit their written statements. The College President’s written determination will be provided simultaneously to all parties.

5.17.18 Training

In addition to the information contained in this Policy, the College will, in accordance with the Campus Sexual Violence Act (“SaVE Act”), provide training and information to members of the campus community regarding the following topics:

1. Safe and positive steps an individual may take to intervene to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against another person.
2. Information about how to recognize warning signs of abusive behavior in order to mitigate the likelihood of perpetration, victimization, or bystander inaction.
3. Awareness campaigns and prevention programs intended to stop domestic violence, dating violence, sexual assault, and stalking before they occur, and to increase campus awareness and share information and resources for the same purpose.
4. Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both within the institution and in the community.

The College will distribute this information to members of the campus community through the College's Annual Security Report and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College's Title IX Coordinator, who will make such information available to any interested person.

Additionally, the College will ensure that the Title IX Coordinator, Investigator, Hearing Decision Maker, and any person who facilitates an informal resolution has received training on:

- The definition of Sexual Harassment as set out in this policy.
- The definition of Consent under this policy and how to apply the definition of Consent consistently and impartially.
- The scope of the College's education program or activity.
- How to conduct the grievance process, including investigations, hearings, appeals, and informal resolutions (as applicable).
- How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

Hearing Decision Makers will also receive training on:

- How to operate any technology used in conducting a hearing.
- How to determine relevance of questions and evidence, including the provisions of this policy pertaining to the exclusion of evidence of a Complainant's previous sexual behavior.

Investigators will also receive training on:

- How to determine if evidence is relevant to an investigation.
- How to create an investigative report that fairly summarizes relevant evidence.

All training materials used by the College must not rely on sex stereotypes and must promote the impartial investigation and adjudication of Formal Complaints. All training materials used to train the Title IX Coordinator, Investigator, Hearing Decision Maker, and any individual who facilitates an informal resolution must be made publicly available. These materials will be published online.

5.17.19 Recordkeeping

The Title IX Coordinator must create and maintain for a period of at least seven years records of any actions, including any supportive measures taken in response to a report or formal complaint of Sexual Harassment. For each instance, the Title IX Coordinator must document: 1) the basis for the conclusion that the College's response was not deliberately indifferent, and 2) that the College has taken measures designed to restore or preserve equal access to the College's educational program or activity. If the Title IX Coordinator does not provide the Complainant with supportive measures, then the Title IX Coordinator must document why it was not clearly unreasonable to not provide supportive measures.

The Title IX Coordinator will also maintain the following records for a period of at least seven (7) years:

- Records related to each Sexual Harassment investigation, including any determination regarding responsibility
- Any audio or audiovisual recording or transcript from a grievance hearing
- Records of any disciplinary sanctions imposed on the Respondent
- Records of any remedies provided to the Complainant
- Any appeal from a grievance process and the result of the appeal
- Records related to any informal resolution and the result of the informal resolution
- All materials used to train the Title IX Coordinators, Investigator, Hearing Decision Maker, and any individual who facilitates an informal resolution

5.18 Protection Against Sexual Harassment *(Adopted 10-6-2014)*

East Central College is committed to maintaining a workplace and educational environment that is free from sexual harassment based on gender or sexual orientation. The College also prohibits:

1. Retaliatory actions based on making complaints of sexual harassment or based on participation in an investigation, formal proceeding, or informal resolution concerning sexual harassment.
2. Aiding, abetting, inciting, compelling, or coercing sexual harassment.

Procedures *(Adopted 10-6-2014; Revised 6-8-2020)*

5.18.1 General Rule

Except as otherwise set forth in Policy, all employees, students, and visitors must immediately report to the College for investigation any incident or behavior that could constitute sexual harassment.

5.18.2 Definitions *(Revised 6-13-2022)*

The following definitions apply to this Policy:

Compliance Officer – The College designated individual(s) responsible for compliance with Title IX in regard to students and employees.

Complaint – An informal or formal report of sexual harassment made to a Compliance Officer.

Discrimination – Conferring, refusing, or denying benefits or providing differential treatment to a person or class of persons in violation of law based on an employee’s protected status, such as gender or sexual orientation. A complaint of Sex Discrimination as defined herein is grieved through Policy 5.32.

Harassment – A form of discrimination that occurs when the school or work environment becomes permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment. This is also sometimes referred to as a hostile work environment when the harassment is related to an employee’s protected status, such as gender or sexual orientation.

Sexual Harassment – A form of discrimination on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature or b) the school or work environment becomes permeated with intimidation, ridicule, or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the College’s programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or opposite sex.

Behaviors that could constitute sexual harassment include but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities, or contact.
2. Conditioning grades, promotions, rewards, or privileges on sexual favors, activities, or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities, or contact.
4. Graffiti, name calling, slurs, jokes, gestures, display of pictures or written material, or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching, or rubbing.

5.18.3 Designated Compliance Officer(s)

The Board of Trustees designates the following individual(s) to act as the College’s compliance officers:

The Chief Student Affairs Officer will serve as the Administrator for Title IX and Section 504 in regard to students at the College or designated locations. The Title IX Administrator has responsibility for compliance as it relates to students. The Title IX Administrator is located on the main campus of East Central College at 1964 Prairie Dell Road, 131 Buescher Hall, Union, MO 63084. Phone: 636-584-6565, Email: stnotice@eastcentral.edu.

The Director of Human Resources will serve as the Deputy Administrator for Title IX and ADA in regard to employees, contractors, and visitors to the College or designated locations. The Deputy Title IX Administrator is located on the main campus of East Central College, 1964 Prairie Dell Road, DSSC005, Union, MO 63084. Phone: 636-584-6712, Email: hrnotice@eastcentral.edu.

5.18.4 Responsibilities of the Deputy Administrator for Title IX and ADA

1. Coordinate compliance with this Policy and the law.
2. Receive all complaints regarding sexual harassment at East Central College in regard to employees, contractors, and visitors to the campus or designated locations.
3. Serve as the College’s contact person for compliance with discrimination laws.

4. Investigate or assign persons to investigate complaints, monitor the status of complaints, and recommend consequences.
5. Seek legal advice when necessary to enforce this Policy.
6. Report to the College President and the Board of Trustees aggregate information regarding the number and frequency of complaints and compliance with this Policy.
7. Make recommendations regarding the implementation of this Policy.
8. Coordinate and institute training programs for College staff and supervisors as necessary to meet the goals of this Policy, including instruction in recognizing behavior that constitutes sexual harassment.
9. Perform other duties as assigned by the College President.

5.18.5 Informal Complaint Process

In cases where an employee feels that they have been subjected to any suspicious/questionable behavior or sexual harassment as defined in this Policy, the person may, if appropriate, attempt to resolve the situation by using the following informal procedures:

1. Communicate that the behavior is unwelcome, requesting that the unwelcome behavior stop immediately. Document the date and time of the conversation. Inform their own immediate supervisor and/or Human Resources.

and/or
2. Speak with the appropriate supervisor and/or Human Resources who may speak with the person whose behavior is unwelcome. Document the date and time of the conversation. The supervisor will document and report the incident to Human Resources.

Informal complaints that have not been resolved to the satisfaction of the employee will be referred to the Office of Human Resources for investigation and resolution.

5.18.6 Formal Complaint Process

Employees or other individuals who are not students who believe that they have been victims of sexual harassment may file a formal complaint with the Office of Human Resources for investigation by the Deputy Administrator for Title IX or designee.

Students who believe they have been victims of sexual harassment or sexual violence as referenced in Policy 3.30 Student Protection Against Discrimination and Harassment may file a formal complaint with the Administrator of Title IX or designee and it will be promptly investigated.

5.18.7 Procedure for Investigation of Complaints

The Deputy Administrator of Title IX or designee will investigate all complaints. All persons are required to cooperate fully in the investigation. The Deputy Administrator of Title IX or designee may utilize an attorney or other professionals to conduct the investigation.

In determining whether alleged conduct constitutes sexual harassment, the Deputy Administrator of Title IX or designee will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred, and all other relevant information. Whether a particular action or incident constitutes a violation of this Policy requires a determination based on all the facts and surrounding circumstances. If, after investigation, the Deputy Administrator of Title IX or designee determines that it is more likely than not that sexual harassment or other prohibited behavior has occurred, College officials will take immediate corrective action.

The following procedures will be used as a guideline for investigating complaints:

1. Interview complainant regarding the nature and specifics of the incident(s) (complainant will make written statement).
2. Interview the person accused (accused will make a written statement).
3. Interview other possible witnesses, if appropriate (witnesses will make written statements).
4. The Deputy Administrator of Title IX or designee will prepare a written factual findings report.
5. The Deputy Administrator of Title IX or designee will determine if a violation of the Policy more likely than not occurred based on the facts of the investigation.
6. The Deputy Administrator of Title IX or designee will provide the College President a copy of the written report and a recommendation on the determination as to whether the alleged conduct is a violation of this Policy.
7. The College President will review the findings and determine the appropriate response and/or corrective action or discipline, if any, according to Policy 5.22.
8. The decision is final and cannot be grieved through Policy 5.32.

5.18.8 Confidentiality and Records

To the extent practical, the College will endeavor to keep confidential the identity of the person filing a complaint, witnesses or other parties interviewed, and any information or other document that is generated or received pertaining to complaints. Information may be disclosed if necessary to further the investigation or resolution of a complaint or if necessary to carry out disciplinary measures. The College will disclose information to the College's attorney, law enforcement, and others when necessary to enforce this Policy or when required by law. In implementing this Policy, the College will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record.

5.18.9 Employee's Obligation *(Revised 6-13-2022)*

Accountability for compliance with this Policy will be the responsibility of all employees. Employees will be required to complete sexual harassment prevention training as determined by the College.

Any employee who believes they have been a victim of any suspicious/questionable behavior or sexual harassment as defined in this Policy is required to report the incident(s) to the immediate supervisor and Human Resources.

Any employee who believes or has knowledge that an employee or visitor to the College or designated locations has been a victim of any suspicious/questionable behavior or sexual harassment as defined in this Policy is required to report the incident(s) to the immediate supervisor and Human Resources.

Any employee who believes or has knowledge that a student has been a victim of sexual harassment, sexual assault, relationship violence, or stalking is required to report to the Chief Student Affairs Officer and refer to Policy 3.30 Student Protection Against Discrimination and Harassment.

In addition, all employees are required to fully cooperate during an investigation. This includes the requirement that employees should only make truthful reports and complaints.

5.18.10 Consequences

Employees who violate this Policy will be disciplined, up to and including employment termination according to Policy 5.22 Employee Conduct and Discipline.

Contractors, visitors, or others who violate this Policy may be prohibited or restricted from the College's main campus, designated properties, or College sanctioned events.

5.19 Disability and Workplace Accommodation *(Adopted 5-12-2014; Revised 6-13-2022)*

East Central College is committed to the fair and equal employment of individuals with disabilities. The College will reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the organization. The College will comply with all Federal and state laws concerning the employment of persons with disabilities.

Procedures

5.19.1 Disability

“Disability” refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment, has a record of such impairment, or is regarded as having such impairment is a “disabled individual.” A “qualified person with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job.

5.19.2 Reasonable Accommodation

The College will seek to provide reasonable accommodation for a known disability or at the request of an individual with a disability. A “reasonable accommodation” is any change or adjustment to the job application process, work

environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job.

There are three types of reasonable accommodations that may be considered:

1. Changes to the job application process so that a qualified applicant with a disability will receive equal consideration for the job opportunity.
2. Modifications to the work environment so that the qualified individual with a disability can perform the essential functions of the job.
3. Adjustments that will allow a qualified individual with a disability to enjoy the same benefits and privileges of employment as other similarly situated employees without disabilities.

5.19.3 Essential Job Functions

“Essential job functions” refers to activities that are core to performing a job and cannot be modified. For each position, the job description will identify essential job functions. Job descriptions will be reviewed on a periodic basis to evaluate job functions designated as essential.

5.19.4 Requesting Reasonable Accommodation

An employee with a disability is responsible for requesting an accommodation from the Human Resources Department or their supervisor and providing medical documentation regarding the disability when requested. Once medical documentation is received, the Human Resources Department will work with the supervisor, employee, and medical provider, where applicable, to identify possible reasonable accommodations and to assess the effectiveness of each in allowing the employee to perform the essential functions of the job. Based on this interactive process, a reasonable accommodation will be selected that is most appropriate for both East Central College and the individual employee. While an individual’s preference will be considered, the College is free to choose between equally effective accommodations with consideration toward expense and impact on the rest of the organization.

5.19.5 Undue Hardship

A request for reasonable accommodation may be denied if it would create an undue hardship for the College. Factors to be considered when determining whether an undue hardship exists may include but are not limited to 1) the nature and cost of the accommodation, 2) the College’s overall financial resources, 3) the effect on expenses and resources or other impact, and 4) the number of employees at the location and the total number of employees of the College.

5.19.6 Safety

All employees are expected to comply with all safety procedures. East Central College will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. The determination that an individual with a disability poses a direct threat will be made by the Human Resources Department and will be based on factual, objective evidence. A written copy of the determination will be given to the

employee so that they may submit additional information and/or challenge the determination that they pose a direct threat.

5.19.7 Confidentiality

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed to ECC personnel as deemed necessary and as permitted by law.

5.19.8 Complaint Procedure

It is the policy of East Central College to prohibit any harassment or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels they have been subject to such treatment or has witnessed such treatment, the situation should be reported to Human Resources. Any employee found to have engaged in retaliation against another employee for making a request for reasonable accommodation under this Policy, registering a complaint under this procedure, or assisting in the investigation of any registered complaint will be subject to immediate disciplinary action up to and including termination.

5.20 Workers' Compensation *(Adopted 5-12-2014)*

The College provides Workers' Compensation benefits for all College employees pursuant to the mandates of the Missouri Workers Compensation Law. Employees who suffer an injury or who are exposed to or contract any occupational disease arising out of and in the course of their employment with the College ("a work-related injury") will receive benefits from the College in accordance with this Policy and the Missouri Workers' Compensation Law ("the Law").

Procedures

5.20.1 Reporting of Injury *(Revised 6-13-2022)*

Employees must notify their supervisor or College-designated representative immediately of any work-related injury prior to seeking treatment or if refusing treatment. The supervisor or College-designated representative should inform Human Resources of the work-related injury. College-designated representatives include the Facilities/Grounds Director and the satellite site director for the site at which the work-related injury occurred. A list of the College-designated representatives and any forms referenced in this Policy will be maintained on the College webpage by Human Resources.

An injured employee must visit the College-designated authorized provider or facility in order to be covered through Workers' Compensation. The employee is to inform the medical providers and facilities that the injury was work-related.

If a work-related injury happens during the normal College business hours of 8 a.m. to 4:30 p.m. Monday – Friday, the employee must inform the immediate supervisor or appropriate administrator. The employee is to submit a written report of injury by the next business day. The supervisor is to contact Human Resources for authorization of treatment and must submit a written report of the

injury by the next business day. Human Resources will contact the designated facility to authorize treatment.

If a work-related injury happens outside of the normal College business hours of 8 a.m. to 4:30 p.m. Monday – Friday, the employee must inform the immediate supervisor or appropriate administrator. The employee must submit a written report of injury by the next business day.

If a work-related injury happens on the weekend or a holiday, the employee should contact the immediate supervisor. The work-related injury should be reported to the supervisor and a written report of injury must be completed the next business day. The supervisor will contact the designated facility to authorize treatment and submit a written report of the injury to Human Resources by the next business day.

5.20.2 Designated Workers' Compensation Facilities

The College will identify healthcare facilities in close proximity to each of its locations which will be designated Workers' Compensation facilities to be utilized in case of a work-related injury. Employees are required to utilize the designated facilities according to the designated hours.

An injured employee must visit an authorized provider or facility in order to be covered through Workers' Compensation. A list of these facilities will be maintained in the Human Resources Office and posted on the Human Resources web page. Employees will be responsible for payment for medical treatment if they receive treatment from any medical provider or facility other than the College authorized medical provider or facility.

For purposes of physical therapy, an employee may use the College authorized medical provider or facility that is closest to the employee's home.

5.20.3 Emergency Situations *(Revised 6-13-2022)*

Employees must notify the supervisor immediately of any work-related injury. If a work-related injury is an emergency, 911 should be called immediately. The EMS team/first responders will determine the appropriate care and whether the employee needs to be treated at the hospital. The supervisor will contact Human Resources if during normal College business hours and Human Resources will contact the hospital to authorize treatment.

5.20.4 Non-Emergency Situations *(Revised 6-13-2022)*

If the work-related injury is a non-emergency but requires medical treatment, the employee or immediate supervisor will notify Human Resources and go to a designated medical facility closest to their campus per the hours of operation. The College-designated representative will contact the facility to authorize treatment of the employee. If the employee is not capable of driving, alternate transportation arrangements will be made by the employee or College. Employees should not transport another employee unless approved by a College administrator, Human Resources, or the applicable satellite site director.

5.20.5 Injury Report

An injury report should be completed by the employee and the supervisor and submitted to the Human Resources Office no later than the next business day after the work-related injury. Any witness(es) should complete the injury report form and submit it to the supervisor. If the nature of the work-related injury is such that the employee cannot immediately submit the completed report of injury form, the employee's supervisor will assist the employee in completing the form as soon as possible. Any delay in reporting the work-related injury may delay Workers' Compensation benefits. Injury report forms are available in the Human Resources office and on the Human Resources web page.

5.20.6 Follow-up Medical Treatment *(Revised 6-13-2022)*

Follow-up visits and/or therapy may be scheduled during normal working hours and the employee will report the time away from work as sick leave. An employee does not receive compensation when treatment is after hours or on a holiday.

An employee can receive mileage reimbursement for medical treatment according to College Policy for travel from the work location to the designated facility. An employee can receive mileage reimbursement for medical treatment according to Workers' Compensation for travel from the work location to the designated medical facility if 25 miles or more one way.

5.20.7 Return to Work

Employees must provide a release from the treating physician to return to work after being absent due to a work-related injury. The employee will work with the supervisor and Human Resources if any restrictions are required. All releases from treating physicians must be forwarded to the Human Resources office.

An employee who fails to return to work after receiving the release from the treating physician to do so would be considered absent from their job without authorization. The College considers three (3) days of unauthorized absences without notice to be a voluntary resignation.

5.20.8 Compensation Benefits

The College will pay for time lost because of a work-related injury during the remainder of the normal workday in which the work-related injury occurs.

5.20.9 Temporary Total Disability Benefits *(Revised 6-13-2022)*

Employees will receive Temporary Total Disability (TDD) Benefits in accordance with the Law. TTD Benefits are wage replacement benefits paid to an employee in lieu of wages during the period of time in which the employee is unable to return to any employment because of a work-related injury.

Employees whose average weekly wage as defined by the Law (“average weekly wage”) exceeds the actual wage necessary to obtain the maximum total disability rate as defined by the Law (“maximum wage”) may use accrued vacation, sick leave, or personal leave to cover the difference between the employee’s average weekly wage and the maximum wage during the time period such employee is entitled to TTD Benefits under the Law.

By Law, TTD Benefits are not provided for the first three (3) full days of absence due to a work-related injury unless the employee is off work for at least 14 calendar days due to a work-related injury. The employee may request use of accrued vacation, sick leave, or personal leave for the first three (3) days’ absence from work. If the employee is off work for more than 14 calendar days, TTD Benefits will be made from the first day of lost time. The College will adjust the employee’s accrued vacation, sick leave, or personal leave based on the difference between the amount of TTD Benefits paid and the amount of accrued leave used for the first three (3) days of absence.

An employee who is receiving unemployment benefits may not receive concurrent TTD benefits.

An employee who is terminated from employment with the College for post-injury misconduct will not be entitled to continue to receive TTD benefits.

An employee receiving TTD Benefits will continue to accrue vacation and sick leave.

Employees should refer to PSRS/PEERS for information on the potential impact of TTD Benefits on retirement benefits.

An employee who has returned to work after a work-related injury but is still receiving medical treatment will not receive TTD benefits for time missed from work for physical therapy, employer-requested medical evaluations, or to attend medical treatment and/or evaluations. The employee will be allowed to seek follow-up treatment during the normally assigned work shift and will report the absence as sick leave.

5.20.10 Continuation of Employee Benefits While Off Work Due to Work-Related Injury

If an employee is not able to work due to a work-related injury, all regular employee benefits may continue as long as the injured person remains an employee of the College. However, since the employee will be receiving TTD Benefit checks directly from the College’s insurer and not through the College’s regular payroll system, the employee’s portion of the cost for dependent benefits cannot automatically be deducted from the employee’s payroll check. Therefore, the employee is responsible for making separate payment arrangements with the College.

Workers’ Compensation leave for more than three (3) days will be designated as FMLA leave for qualifying employees.

5.20.11 Compliance *(Revised 6-13-2022)*

Under the law, Workers' Compensation benefits can be denied if an employee is found to be using alcohol and/or non-prescribed controlled drugs in the workplace and the use is the proximate cause of the injury. If the employee is found to be using alcohol/drugs and the use is not a proximate cause of injury, a 50% penalty can be leveraged against otherwise payable benefits.

An employee with a work-related injury must strictly follow all instructions of the treating physician. This compliance includes but is not limited to prescription use, therapy, rest, following activity restrictions, and returning for follow-up visits. Compliance with medical instructions is mandatory on and off the job.

If an employee violates a rule of the College or fails to use a required safety device, that employee's Workers' Compensation benefits may be reduced by 25-50%.

Employees are expected to comply with these policies as a condition of their employment. This includes but is not limited to the expectation that an employee shall:

1. Comply with physician's orders,
2. Immediately notify their supervisor or the College designated representative of a work-related injury,
3. Refrain from the use of drugs and/or alcohol in violation of the College's policies,
4. Comply with safety standards,
5. Return to work upon release of physician, and
6. Be truthful and accurate in all claims and reports.

Failure to comply with this Policy may result in College discipline up to and including termination.

5.21 Communicable Diseases *(Approved 3-7-1988; Revised 11-3-2003, 11-4-2013, 6-13-2022)*

The College will take appropriate action to minimize the risk of transmission of communicable diseases and to maintain a safe campus working and educational environment. Some College departments have additional restrictions and procedures that must be followed due to the nature of the educational environment.

Procedures *(Revised 11-4-2013)*

5.21.1 Definitions *(Revised 6-30-2014)*

Communicable Disease - An infectious disease that is capable of transmission to other individuals through close contact, exposure to routine secretions, and/or physical proximity on a college campus. A communicable disease may be acute (short-term) or chronic (long-term). For purposes of this Policy, the term is not intended to include diseases for which transmission is virtually eliminated as a result of the application of standard universal precautions or other effective measures.

Employee - For purposes of this Policy, the term “employee” shall include all College employees, students hired as employees, outside or independent contractors, individuals retained or hired by contractors, sub-contractors, sole-proprietors, service providers, and volunteers performing a service for the College.

Assessment Team - A multi-disciplinary team convened to review and assess the employee’s communicable disease and its effect on the College community.

Others or Others in the College Community - Employees, students, and visitors to the College or any of its satellite facilities or properties.

Epidemic – The occurrence in a community or region of cases of an illness clearly in excess of normal expectancy.

Pandemic – A disease epidemic that has spread across multiple continents or worldwide.

5.21.2 Disclosure *(Revised 6-13-2022)*

If an employee becomes aware that they have or may have a communicable disease of public health concern, that employee shall self-report to the Director of Human Resources or designee. A College supervisor who has personal knowledge that a College employee has or may have a communicable disease of public health concern must also report this fact to the Director of Human Resources or designee.

5.21.3 Assessment *(Revised 6-13-2022)*

Upon receipt of a report that an employee has or may have a communicable disease, the Director of Human Resources is authorized to exclude any employee from College property until a multi-disciplinary team (“Assessment Team”) is convened to review and assess the employee’s condition. The employee shall be placed on administrative leave with pay until the Team makes a determination regarding the employee’s status as set forth below.

The Director of Human Resources must convene the Team within five (5) working days after receiving a report that the employee has or may have a communicable disease. The Assessment Team will be comprised of the following persons: (1) the Director of Human Resources or designee; (2) a College-selected physician or other consultant with knowledge of the particular disease; (3) the employee’s health care provider; and (4) other advisers for the parties, upon request, at their respective expense. The employee or their representative will be involved in the assessment process, but the decision on how the situation will be handled will be determined by the College. All individuals are responsible for arranging their schedules to meet at the time and place designated by the Director of Human Resources. Because of the importance of addressing the communicable disease in a prompt manner, this meeting will not be rescheduled because of the unavailability of one or more members. However, Team Members may participate remotely upon giving advance notice to the Director of Human Resources.

The Team will assess, review, and consider the following: (1) the employee's condition; (2) the present and future risk of transmission to others; (3) the existence and practicality of implementing precautions, methods, and strategies to eliminate or reduce the risk of transmission to others; (4) the restrictions, if any, that will be required to prevent the employee from creating the risk of transmission to others; (5) whether the employee should be excluded from working on College property, and, if so, whether alternative work arrangements can be made; and (6) if warranted, the date upon which the Team will reconvene to reassess the matter.

The Team will make its determination within three (3) working days after it has convened. The Team's determination will be communicated in writing to the Director of Human Resources, who shall provide written notice of the determination to the employee and President of the College. If the excluded employee works for or is a subcontractor of an outside entity, then the outside entity shall be notified in writing of the determination.

If the condition is chronic or persists for more than a short, definable period, the Team shall reassess its determination as often as the Team deems appropriate.

This assessment process is not intended to limit or otherwise inhibit the right of the College to contact the local health authority or other public health official for guidance in handling a communicable disease situation or for direction. Directives or orders from public health officials shall supersede the assessment process in this Policy.

5.21.4 Consent

To aid in its assessment, the Team may request that the employee provide a HIPAA-compliant authorization that permits the Team to communicate with the employee's health care provider(s) regarding the status and effect of the employee's communicable disease. In addition, the Team may require the employee, at College expense and in accordance with law, to undergo a physical examination and/or medical tests that are narrowly tailored to assist the Team in determining whether the employee still has a communicable disease. An employee who refuses to provide consent to enable the Team to communicate with the employee's health care provider(s) or to undergo the required examination/tests may be subject to exclusion from employment and/or from College property, as permitted by law, until such time as consent is provided or the Team determines that the employee may be returned to work in accordance with this Policy.

5.21.5 Compensation During Period of Exclusion

As noted above, the employee shall be placed on administrative leave with pay until the Team makes a determination regarding the employee's status.

If the Team excludes the employee from being physically present to work on College property, the Director of Human Resources will notify the employee whether that exclusion is with or without pay. Non-contractual, at-will employees will not be paid during the exclusion period, but they shall be entitled to use their

available paid leave during the period of exclusion. If the Team is able to make alternative work arrangements for the employee, such that the employee is able to perform their regular job duties away from campus, the employee will be paid for hours actually worked. Employees under contract shall not be paid during the period of exclusion only where the law allows such denial of pay. A contracted employee who is able to perform their regular job duties away from campus will be expected to do so.

Excluded employees shall, if eligible, be afforded the protection of the Federal Family and Medical Leave Act.

5.21.6 Return to Work

The Team is authorized to decide that the employee may return to work if it determines that one or more of the following is true:

1. The employee no longer has the communicable disease.
2. The communicable disease is not in the infectious or contagious stage.
3. The communicable disease poses little to no risk of transmission in the College environment upon the application of universal precautions.

5.21.7 Appeal *(Revised 6-13-2022)*

The employee may appeal the Team's determination to the President of the College by written notice within three (3) working days of the receipt of the Team's decision. The employee shall set forth in writing all reasons as to why the Team's decision should be modified or reversed. As part of the appeal process, the President is entitled to review all documentation produced and considered by the Team. Upon conclusion of this review, the President will issue a written decision to the Team and the employee. The President's decision shall be final. However, if the employee believes that the actions under this Policy were taken in violation of Section 504 of the Rehabilitation Act of 1974 ("Section 504") or the Americans with Disabilities Act ("ADA"), the employee is permitted to submit an appeal by proceeding to the final level of the College's Grievance Policy on Section 504/ADA complaints. A copy of that Policy may be obtained from the College's Compliance Coordinator for these laws, whose contact information is as follows:

Director of Human Resources
East Central College
1964 Prairie Dell Road
Union, MO 63084
Phone: 636-584-6712

5.21.8 Confidentiality

Employees with communicable diseases have a right to privacy and a need for confidentiality of their medical information. Therefore, to preserve this right, the following rules will apply:

1. The employee's medical condition and related information may be disclosed to those individuals who need to know the information in order to implement

this Policy, to assure that proper care is provided, and/or to detect/monitor situations in which the potential for transmission of the communicable disease may increase, as well as to those individuals who are otherwise authorized to receive, or who must receive, this information under law.

2. The employee's medical information shall be retained in a file separate from the employee's personnel file. This separate file shall be maintained by the Director of Human Resources.
3. Willful, negligent, or unauthorized disclosure of information about an employee's medical condition will be cause for remedial or disciplinary action, up to and including dismissal.

5.21.9 Epidemics/Pandemics *(Adopted 6-13-2022)*

Should any disease reach an epidemic or pandemic stage, the College will review and monitor the situation and rely on information and guidance from local, state, and federal authorities to provide appropriate information to the College community. The College President may temporarily close the College if such closure serves the best interest of the College community. In addition, the College President may institute quarantine or isolation protocols; restrict travel to high-risk locations; limit access to facilities; institute measures such as social distancing, enhanced cleaning protocols, and suspension of classes; and/or implement other measures to mitigate disease transmission as recommended by local, state, and federal public health officials. The College President will establish a return to campus plan for all students that supersedes the procedures above.

5.21.10 Exposure to Blood and Bodily Fluids

Many College employees work in programs that may regularly or commonly expose them to blood or other bodily fluids. These employees shall follow the Centers for Disease Control guidelines.

All College employees shall take routine and universal precautions when there is a possibility of exposure to blood or other bodily fluids. Direct skin contact with blood or other bodily fluids should be avoided whenever possible. Employees who may repeatedly come into contact with potential sources of communicable diseases will receive specific training.

5.22 Employee Conduct and Discipline *(Adopted 6-1-1992; Revised 12-2-2002; Reaffirmed 4-15-2014)*
Standards for employee conduct are necessary for the efficient and effective operation of the College, for ensuring a professional image for the College, and for the benefit and safety of all employees. Failure to meet these standards may be grounds for discipline.

Procedures

5.22.1 Expected Conduct *(Revised April 15, 2014)*

All employees are expected to conduct themselves in a manner conducive to the efficient, effective, professional operation of the College. Such conduct includes:

1. Reporting to work punctually as scheduled and being at the proper workstation ready for work at the assigned starting time.
2. Notifying the supervisor in advance of absence from work or inability to report on time and following established department requirements for such notifications.
3. Wearing required protective clothing or devices for safety purposes and complying with all College safety regulations and procedures, including those established for labs and other instructional settings.
4. Complying with all College Policies.
5. Wearing clothing appropriate for the work being performed.
6. Maintaining an orderly work area.
7. Treating all students, fellow employees, visitors, and others affiliated with the College in a courteous manner.
8. Refraining from conduct or communication deemed offensive, disrespectful, or unprofessional.

5.22.2 Prohibited Conduct *(Revised 4-15-2014; 8-20-2020, 6-13-2022)*

The following conduct is prohibited and will subject the individual involved to disciplinary action, including termination of employment.

1. Reporting to work under the influence of alcoholic beverages and/or controlled substances or selling, dispensing, or unlawfully possessing alcoholic beverages and/or controlled substances on College premises or at College-sanctioned events.
2. Possession of firearms or other weapons on College property or at College-sanctioned events.
3. Threats, assault, and/or battery of a fellow employee, student, visitor, or any other individual affiliated with the College.
4. Bullying which includes but is not limited to emotional abuse (whether verbal, written, or online), physical abuse, coercion, and/or intimidation.
5. Knowingly furnishing false information to the College.
6. Slanderous or defamatory speech regarding a fellow employee, student, visitor, or any other individual affiliated with the College. This prohibition includes speech that is false, defamatory, and malicious, spoken with a deliberate or reckless disregard of the truth, and with intention to damage another person or persons.
7. Theft, destruction, defacement, or misuse of College property or of another employee's property.

8. Falsifying or altering any College record, report, or timecard. Falsifying or misrepresenting any employment application materials, including but not limited to credentials, work or military experience, or references.
9. Failure to wear assigned safety equipment or failure to abide by safety rules and policies.
10. Engaging in any form of sexual harassment.
11. Failure to improve unsatisfactory performance.
12. Excessive absences or tardiness.
13. Failure to perform assigned duties.
14. Violation of federal or state laws, the policies of the Board of Trustees of The Junior College District of East Central Missouri, or conviction of a felony or crime involving moral turpitude.
15. Insubordination.
16. Discrimination on the basis of race, color, gender, ancestry, sexual orientation, age, religion, national origin, veteran status, genetic information, or disability.
17. Violation of Policy 4.45 Acceptable Use of College Technology.
18. Other misconduct not specified above which is sufficiently serious and detrimental to the best interests of the College to warrant disciplinary action.

5.22.3 Disciplinary Actions *(Revised 4-15-2014, 6-13-2022)*

In most instances, work-related problems should be resolved at the employee-supervisor level. If an employee's conduct or performance necessitates corrective action, several actions fall within the purview of the supervisor. These may include informal counseling, verbal and written warnings, referral to the Employee Assistance Program (EAP), a performance improvement plan, and/or recommendation for further discipline, including suspension or termination.

When considering discipline that includes a supervisor referral to the EAP, suspension, or termination, the supervisor will work with the appropriate Vice President and Director of Human Resources. The Director of Human Resources shall provide leadership for the process in order to assure that discipline is imposed in accordance with personnel policies.

If necessary, the President of the College may assign the Director of Human Resources to conduct an investigation of the situation, make a written report regarding the circumstances, and recommended action to the appropriate Vice President and the President of the College.

1. If the individual in question is the Director of Human Resources, the President of the College shall appoint a College official to investigate and submit a report to the President of the College.

2. If the individual in question is the President of the College, the President of the Board of Trustees shall appoint a representative to investigate and submit a report to the President of the Board of Trustees.

The College President will have final approval for the recommended disciplinary action, except in cases: (1) involving the College President, in which case disciplinary action shall be determined by the Board of Trustees or (2) requiring due process procedures, as defined below in section 5.22.4, in which case such procedures shall be followed.

In the interests of both the employee and the College, any investigation of potential disciplinary situations should be concluded expeditiously.

Disciplinary action may include but is not limited to the following, depending on the severity of the infraction: verbal warning, written warning, demotion, suspension with or without pay, and termination.

1. **Verbal Warning** - A reasonable number of verbal warnings may be given, at the discretion of the supervisor. Such warnings shall be noted in writing and placed in the individual's personnel file in Human Resources.
2. **Written Warning** - A supervisor may issue a written warning, a copy of which will be sent to the employee along with a copy to the Director of Human Resources for the employee's personnel file.
3. **Demotion** – An employee may be demoted when the seriousness and nature of an offense warrants. A demotion is a reduction in responsibilities and/or supervisory responsibility. The employee's rate of pay will be adjusted according to the change in position classification. A demotion may impact the retirement system enrollment if the position is reclassified from professional staff to support staff.
4. **Suspension Without Pay** - Suspension without pay may be invoked for a time period deemed consistent with the seriousness of the offense and the circumstances. A decision to suspend requires approval by the Human Resources Director, appropriate Vice President, and College President. Earned vacation or other leave may not be applied during an unpaid suspension nor will leave accrue during an unpaid suspension. Notice will be given in writing with a copy to the employee's personnel file in Human Resources. If applicable, the College will follow the due process procedures established in 5.22.4.
5. **Suspension With Pay** – Suspension with pay may be invoked for a time period deemed consistent with the seriousness of the offense and the circumstances. The employee may not accrue paid leave during a paid suspension lasting more than three (3) days. Accrued leave may be prorated for the month. A decision to suspend requires approval by the Human Resources Director, appropriate Vice President, and College President.

Notice will be given in writing with a copy to the employee's personnel file in Human Resources. If applicable, the College will follow the due process procedures established in 5.22.4

6. **Termination** - Employees may be immediately terminated when the seriousness and nature of an offense warrants. A decision to terminate will be made by the supervisor, appropriate Vice President, Human Resources Director, and College President. If applicable, the College will follow the due process procedures established in 5.22.4.

5.22.4 Due Process Procedures for Suspension or Termination of Contractual Employees *(Revised 12-2-2002, 4-15-2014)*

1. Due process procedures for suspension or termination apply only to contractual employees, including full-time, faculty, administrators, and professional staff, and do not apply to at-will employees such as support staff and part-time instructors. These procedures also do not apply to (1) non-renewal of a limited-term contract, (2) non-renewal of an annual contract, or (3) non-renewal of a tenured contract of a faculty member if such non-renewal is authorized by Procedure 5.9.8.3.
2. The President of the College has the discretion to initiate disciplinary action involving suspension or termination beginning at Step 2.
3. The following procedural steps are to be followed when a recommendation for suspension or termination is made. While legal requirements should be met, the intent of these is to establish steps that ensure fair treatment for all parties involved.

Step 1: Attempt at Resolution - If the President of the College agrees that the employee should be suspended or terminated, the President of the College or designee shall meet with the employee and their representative to determine if a mutually agreeable disposition of the matter can be reached.

Step 2: Formal Proceedings/Board of Trustees - If no mutually agreeable disposition can be reached, formal proceedings shall be brought before the Board of Trustees. Such proceedings shall be initiated by the President of the College giving the employee written notice of a hearing and the charges which warrant suspension or termination. The employee in question shall remain in their position during the formal proceedings unless suspended by the President of the College. Such suspension shall be with pay unless the Board of Trustees decides otherwise.

1. The notice shall provide that a hearing shall be held before the Board of Trustees on a particular day and at a certain time and place; that the individual in question may be present with or without a representative or attorney; and that the individual may present witnesses and other evidence on their behalf and may question witnesses presented by the College. The notice and charges must be received by the employee at least ten (10) days prior to the hearing.

2. Should the individual in question not appear for the hearing, the disciplinary action proposed may be imposed by the Board without a hearing. Should the individual in question or their representative request additional time in which to prepare, the Board of Trustees, at its discretion, may grant such additional time and continue or postpone the hearing to another day and time.
3. The hearing shall be conducted at the time and place called for in the notice or at the postponed time if additional time is granted. The President of the Board of Trustees shall preside at the hearing unless the Board decides otherwise. Such hearing shall not be public and either party may ask that witnesses be present only during the time of their testimony. A recording shall be made of the hearing proceedings and a copy shall be made available to the employee whose discipline is in question.
4. Formal legal rules of evidence need not be followed, and the Board President or other presiding officer shall determine what evidence may or may not be presented. The proper College official(s) or representative/attorney shall present the institution's position. The employee in question or their representative shall have the right to question any witness called by the College, just as the College's representative may question any witness called by the employee.
5. At any time during the proceedings, any member of the Board of Trustees may question any witness or call for a point of order to be clarified.
6. After testimony has been presented and each side has concluded its presentation, the Board of Trustees shall retire to review all information submitted and render a determination. The decision, which shall be in writing, shall be made no more than 30 working days from the date of the Board hearing.
7. The decision of the Board of Trustees shall be final.

5.23 Appropriate Faculty/Staff/Student Relationships *(Adopted 6-8-2020)*

East Central College prohibits romantic relationships between any two individuals when one individual has supervisory or evaluative authority over the other individual, or where there is inherently unequal power between the individuals.

Procedures *(Adopted 6-8-2020)*

5.23.1 Definitions

Romantic Relationship - Any amorous relationship including but not limited to any sexual or dating relationship or any other close, personal relationship that could adversely affect an employee's impartiality.

5.23.2 Prohibition of Romantic Relationships

To prevent a conflict of interest, favoritism, and/or the perception of a conflict of interest or favoritism, the College prohibits romantic relationships between any two individuals when one individual has supervisory or evaluative authority over the other individual. This includes but is not limited to romantic relationships

between any employee and any student, or between a supervisor and a directly supervised employee.

5.23.3 Consensual Relationships

Romantic relationships are prohibited even where the relationship is understood as consensual by both parties involved. Consent may be difficult to assess in a context where a power differential exists between the individuals involved in the relationship (e.g., faculty/student, supervisor/employee).

5.23.4 Disclosure of Relationships

Individuals involved in a romantic relationship prohibited by Procedure 5.23.2 have the duty to immediately disclose the relationship to Human Resources (for relationships involving two employees) or to the employee's administrator (for relationships involving a student and faculty member or a student and staff member).

5.23.5 Removal from Influential or Supervisory Positions

Individuals must remove themselves from all decisions or actions that may influence the evaluation, career, or status of the other individual with whom they have or have had a romantic relationship. Such decisions include but are not limited to employment evaluation, hiring, termination, promotion, salary, discipline, grading, advising, tutoring, recommending, and/or counseling.

In the best interest of the institution, the College will take immediate steps to eliminate any supervisory or evaluative role between the individuals involved in a romantic relationship. This may be accomplished by reassigning an employee, by reassigning supervisory/evaluative duties to another employee, and/or by making alternative arrangements for the grading, evaluating, or advising of a student.

5.23.6 Exceptions

Written permission for exceptions to this policy may be granted by the President in limited circumstances, including, but not limited to, students in selected programs.

5.23.7 Consequences

Employees who violate this Policy will be disciplined, up to and including employment termination according to Policy 5.22 Employee Conduct and Discipline.

5.24 Supplemental Employment *(Approved 12-3-1968; Revised 6-23-2003, 3-3-2014, 6-13-2022)*

No full-time employee of the College will engage in any supplemental employment which will in any way interfere with their ability to carry out their assignment. Supplemental employment is defined as any assignment for pay with the College or any other employer that is outside the employee's defined, regular College position.

Procedures *(Revised 8-14-2006, 6-13-2022)*

5.24.1 Use of Leave for Supplemental Employment *(Revised 3-3-2014)*

Employees who have accepted supplemental employment may not utilize paid sick leave when the absence is used to work on the supplemental job. Personal leave and vacation days may not be utilized to work a supplemental job at the College.

5.24.2 Provision of Tutoring or Private Services

Employees shall not tutor or provide services for compensation to any student who should receive those services free of charge using customary College services and procedures.

5.24.3 Supplemental Employment for Additional Compensation with the College *(Adopted 3-3-2014)*

College employees with supplemental employment must perform the duties outside of their normal work shift, including breaks and/or lunch, and cannot use accrued leave.

Full-time professional staff teaching/working for the College outside of their normal job shall be paid through the assignment sheet/Memorandum of Understanding (MOU) while a full-time hourly employee shall complete a timesheet for hours worked.

Exempt employees will be paid according to the terms of the assignment sheet or MOU.

Non-exempt employees will be paid at the established hourly rate for the supplementary job for actual hours worked and will receive pay for an evening class if the College is closed for inclement weather. Non-exempt employees must keep an accurate time record of all hours worked for the supplementary teaching duties and submit a separate timesheet for this position to the appropriate dean.

5.25 Performance Review *(Adopted 6-1-1992; Revised 2-2-2004, 4-15-2014, 6-13-2022)*

Supervisors will conduct performance reviews on each regular employee according to job responsibilities, employment obligations, and goals. Faculty on annual or limited-term contracts, administrators, professional staff, and support staff will be evaluated once per year. Faculty on a tenured contract will be evaluated on a rotation of no more than three (3) years. Performance reviews will be scheduled by the supervisor and conducted using a fair and objective evaluation process. The purpose of this review process is to evaluate performance for consideration of job retention and performance improvement.

Procedures *(Revised 8-14-2006, 4-15-2014)*

5.25.1 Performance Review Schedule *(Revised 12-13-2017)*

Classification	Performance Review Date	Recommendation to Board
President	June	July
Administrators	February - March	April

Professional Staff	March – April	May
Faculty	November – March	April
Support Staff	September - October	Not applicable

5.25.2 Procedures by Classification *(Revised 6-13-2022)*

1. Faculty

Full-time faculty will be evaluated by the department chair and Chief Academic Officer on 1) teaching and instructional management including content expertise, instructional design, instructional delivery, record-keeping, and classroom management, 2) College and community service, and 3) professional growth and development.

The performance review process will include submission of a development portfolio by the full-time faculty member to demonstrate compliance with the three areas listed above.

Full-time faculty on annual contracts will be evaluated annually. Full-time faculty on tenured contracts will be evaluated on a regular rotation with no longer than a three (3)-year interval or as deemed necessary.

Adjunct faculty will be evaluated by the dean or department chairperson during their first semester of employment and on a regular rotation with no longer than a three (3)-year interval or as deemed necessary.

2. Administrators, Professional Staff, and Support Staff

The Board of Trustees will evaluate the President of the College.

All employees will be evaluated annually by the immediate supervisor on performance of position responsibilities.

If the employee receives an overall performance evaluation that indicates performance needs improvement, the employee will receive a Performance Improvement Plan, and the employee will be re-evaluated as specified in the improvement plan. If only selected categories of the performance evaluation need improvement, the supervisor may elect to write a Performance Improvement Plan focused on those areas. A Performance Improvement Plan can be implemented at any time deemed necessary and is not solely a function of the performance review process.

A Performance Improvement Plan will address each specific performance issue that needs improvement, the action that must be taken to correct deficiencies, and the date of the next evaluation. This plan will be attached to the evaluation form. Non-compliance with the Performance Improvement Plan will result in further action, up to and including termination.

After the supervisor has provided the evaluation to the employee, the employee has ten (10) calendar days to review and respond. Following the employee response period, the supervisor will route the completed evaluation

form to the appropriate Vice President for review. Completed evaluations are then forwarded to the Director of Human Resources for review prior to inclusion in personnel files.

New employees may be evaluated after three (3) to six (6) months of employment at the discretion of the supervisor.

5.25.3 Evaluation Process Management *(Revised 3-1-2018)*

The Chief Academic Officer will be responsible for developing and monitoring the faculty evaluation process including documentation. Original evaluations and other performance documentation will be housed in the Human Resources department. The Director of Human Resources will be responsible for developing and monitoring the evaluation process including documentation for administrators, professional staff, and support staff. All evaluation processes are subject to approval by the College President.

5.26 Hours of Work *(Adopted 6-1-1992; Revised 6-23-2003; Reaffirmed 12-2-2013)*

The time and duration of working hours for exempt and non-exempt employees will be established as required by workload and the efficient management of personnel resources.

Procedures

5.26.1 Employee Work Hours

Each department's hours of operation will be determined by the supervisor and administrator. The schedule of work hours for employees will be determined by the department supervisor. Employees will be informed of their scheduled hours and of any changes to the schedule as far in advance as possible.

The normal workday for full-time exempt and non-exempt employees will consist of eight (8) consecutive hours of work with an unpaid meal period.

5.26.2 Attendance at Lectures, Meetings, and Training Programs

Attendance at lectures, meetings, and training programs will be considered time worked if pre-approved by the appropriate administrator.

Attendance is not considered time worked if:

1. The employee's attendance is voluntary, i.e., not required by the College.
2. The course, lecture, or meeting is not a requirement of the employee's job.

5.26.3 Overtime *(Revised 12-2-2013, 6-13-2022)*

Non-exempt employees may be required to work overtime whenever it is deemed necessary by their administrator. Employees are not permitted to work overtime without the prior approval of their supervisor and the appropriate administrator.

5.27 Administrative, Professional, and Support Staff Flexible Work *(Adopted 7-13-2023)*

Employees shall be provided the opportunity to utilize flexible work arrangements to meet the needs of both the employee and the College. Flexible work arrangements are based on the specific needs of the department and the ability of the individual employee to work effectively in a flexible work arrangement. Employee-requested flexible

arrangements are a privilege, not an expectation of employment, and are not appropriate for all positions or times of year. Employees with flexible work arrangements remain subject to applicable College policies and procedures and federal and state laws.

Procedures *(Adopted 7-13-2023)*

5.27.1 Definitions

Continuity of Operations – Completing all regular duties as assigned for a designated role within the department/division with minimal negative impact on business operations or student needs.

Work Week – A typical staff work week consists of 40 hours spread over five days, normally 8 a.m. to 4:30 p.m., Monday through Friday. Some departments will observe a different schedule to better meet student needs.

Flexible Work – Working on a schedule that varies from the standard operating hours of the department/division (i.e., four ten-hour days) or working from a location other than the College campus on an approved basis.

Situational Remote Work – Working from a location other than the College campus due to unexpected needs. Situational Remote Work can be short-term (1-3 business days) or long-term (more than 3 business days, but not permanent). Situational Remote Work is intended to facilitate continuity of operations for the College and work-life balance for the employee by allowing the employee to work from a remote location due to temporary needs or circumstances.

5.27.2 Departmental Assessment

Supervisors will complete a Department Assessment Form to evaluate on-campus staffing needs during core hours, determine service level expectations, and identify departmental peak periods. The form will be reviewed and approved by the appropriate administrator prior to being submitted to Human Resources.

1. The Department Assessment Form should be completed annually.
2. ECC working hours are 8 a.m. - 4:30 p.m. Monday- Friday. Certain service areas have adjusted hours; therefore, each department will evaluate the appropriate in-person staffing level for their area including the number of on-campus versus remote employees needed during core hours.
3. Establish peak periods for each department. “Peak periods” refers to times during the week, month, semester, or year when business activity or work volume is high, and the department must be staffed on site. During peak periods, employees who are otherwise remote may be required to work on campus.

5.27.3 Flexible Work

1. Requirements for Working from an Off-Campus Location
To be considered for remote work, employees must meet the following requirements:

- Have a reliable internet connection or access to a College-issued hot spot sufficient to support video conferencing and access to needed platforms to complete job responsibilities. The College will not reimburse costs for home internet service or other technology purchased by the employee.
 - Have a mobile phone or landline to forward/answer calls.
 - Keep their electronic calendar/availability status updated by posting regular work hours, using statuses such as “working elsewhere” and “out of office” to clarify available times, and ensuring meetings, scheduled work tasks, etc. are posted on the calendar.
 - Include days that are remote work and days that are “in office” in the email signature.
 - Be responsive to communication via email, Microsoft Teams, and phone as well as respond to all communication in a timely manner.
 - Maintain a secure workspace, including maintaining the confidentiality of documents and conversations.
 - Provide an appropriate electronic device or have access to a College-issued device that will ensure effective completion of the job.
 - Be available to work from campus in specific circumstances as delineated on the position classification form (including when department is short-staffed).
 - Have the appropriate work ethic and sense of responsibility to work unsupervised for extended periods.
 - Not be on a Performance Improvement Plan.
2. Requirements for Adjusting the Work Schedule
To be considered for an adjusted work schedule, employees must meet the following requirements:
- Have job duties that would not impact service to students or other employees if the employee was not on campus during “standard” business hours.
 - Have the appropriate work ethic and sense of responsibility to work unsupervised.
 - Not be on a Performance Improvement Plan.
3. Approval Process
- A. Supervisors will complete a Position Classification Form for each position within the department based on job descriptions, classifying them as eligible for flexible work or situational remote work or ineligible for flexible work/situational remote work. The form will be reviewed and approved by the appropriate administrator prior to being submitted to Human Resources
- The position classification process evaluates the position not the person. However, the decision to approve flexible work will be based on the job performance and qualifications of each individual employee who holds an eligible position.
 - A position being classified as eligible does not guarantee that any specific flexible work plan or specific employee will be approved for flexible work.
 - The Position Classification Form will be reviewed annually during the employee’s evaluation.

- (1) The supervisor will assess the essential functions of the position and determine which functions can be performed remotely.
 - (2) The supervisor will determine if an alternative schedule for this position could support the department's core hour staffing needs.
 - (3) The supervisor will assess any technical or security concerns associated with flexible work in this position.
- B. The employee will complete a Flexible Work Request form and submit it to their supervisor.
- The employee will assess the essential functions of their position to determine which can be completed remotely.
 - For alternative work schedules, the employee will discuss the hours and times when they will be on campus to meet core staffing needs.
 - The employee will evaluate any technical or security concerns associated with their flexible work request.
 - The employee will provide a detailed summary of the proposed flexible work plan, including how the work plan supports continuity of operations and service level expectations.
- C. The supervisor will review the Flexible Work Request form and correlate the request with the position classification and department assessment forms.
- D. The supervisor will evaluate the request, discuss reasons for modifications (if any) with the employee, and make a recommendation to the appropriate administrator.
- E. If approved, the approval section of the Flexible Work Request will be completed and documented.
- F. While the Flexible Work Plan can be reviewed at any time, at minimum an annual review will be conducted during the employee's evaluation.

5.27.4 Situational Remote Work

1. Requirements

To be considered for situational remote work, employees must meet the following requirements:

- Have a reliable internet connection sufficient to support video conferencing and access to needed platforms to complete job responsibilities. The College will not reimburse costs for home internet service or other technology purchased by the employee.
- Have a mobile phone or landline to forward/answer calls
- Keep their electronic calendar/availability status updated by posting regular work hours, using statuses such as "working elsewhere" and "out of office" to clarify available times, and ensuring meetings, scheduled work tasks, etc. are posted on the calendar

- Be responsive to communication via email, Microsoft Teams, and phone as well as respond to all communication in a timely manner
- Maintain a secure workspace, including maintaining the confidentiality of documents and conversations
- Have the appropriate work ethic and sense of responsibility to work unsupervised for extended periods
- Not be on a Performance Improvement Plan

2. Approval Process

- A. Requests should be submitted as early as possible.
- B. Approved requests should be consistent with the College and department mission and not compromise the services provided to any stakeholder.
- C. Employees and supervisors should ensure that students or colleagues are not adversely affected by situational work arrangements.
- D. The supervisor will have the discretion to approve the leave or require the employee to utilize personal leave, medical leave, or vacation time if it appears the employee will not be available to maintain continuity of operations.

(1) Short-Term Situational Remote Work

Requests should be made to the direct supervisor in writing when possible, verbally when necessary, and should explain the situation necessitating the employee to work from a remote location. Verbal requests should be documented in writing within 24 hours. These requests require approval by the direct supervisor.

(2) Long-Term Situational Remote Work

Requests for remote work due to unexpected instances that require the employee to be away from the campus for more than three days should be submitted in writing to the direct supervisor. These situations require approval from the direct supervisor and administrator. Employees must submit:

- The timeline anticipated for the situational work request.
- A list of major processes/work tasks they anticipate completing during the remote work period.
- Points of contact if they are unavailable to complete a process or task
- The preferred method of outreach while they are working remotely (e-mail, Microsoft Teams, text, phone call) and their plan for response.

5.28 Faculty Remote Work *(Adopted 7-13-2023)*

Faculty shall be provided the opportunity to utilize flexible work arrangements to meet the needs of both the employee and the College. Flexible work arrangements are based on the specific needs of the department and the ability of the individual employee to work effectively in a flexible work arrangement. Faculty-requested flexible arrangements are a privilege, not an expectation of employment, Faculty with flexible work arrangements remain subject to applicable College policies and procedures, collective bargaining agreements, and federal and state laws.

Procedures *(Adopted 7-13-2023)*

5.28.1 Definitions

Continuity of Operations – Completing all regular duties as assigned for a designated role within the department/division with minimal negative impact on business operations or student needs.

Work Week – A typical faculty work week consists of 40 hours spread over five days, normally Monday through Friday.

Work Day – A work day is a contract day during which faculty are expected to meet their course load, office hours, and committee requirements.

Situational Remote Work – Working from a location other than the College campus due to unexpected needs. Situational Remote Work can be short-term (1-3 business days) or long-term (more than 3 business days, but not permanent). Situational Remote Work is intended to facilitate continuity of operations for the College and work-life balance for the employee by allowing the employee to work from a remote location due to temporary needs or circumstances.

5.28.2 Remote Work Requirements

Faculty will not be permitted to work remotely on days when they are scheduled to teach an in-person class(es). To be considered for remote work, faculty must meet the following requirements:

- Have a reliable internet connection or access to a College-issued hot spot sufficient to support video conferencing and access to needed platforms to complete job responsibilities. The College will not reimburse costs for home internet service or other technology purchased by the employee.
- Have a mobile phone or landline to forward/answer calls.
- Keep their electronic calendar/availability status updated by posting regular work hours, using statuses such as “working elsewhere” and “out of office” to identify times when working remotely or taking personal/medical leave, and ensuring meetings, scheduled work tasks, etc. are posted on the calendar.
- Include days that are remote work and days that are “in office” in the email signature.

- Be responsive to communication via email and phone, as well as respond to all communication in a timely manner.
- Maintain a secure workspace, including maintaining the confidentiality of documents and conversations.
- Provide an appropriate electronic device or have access to a College-issued device that will ensure effective completion of the job.
- Be available to work from campus in specific circumstances as identified by the department chairperson and/or division dean.
- Have the appropriate work ethic and sense of responsibility to work from a remote location.
- Not be on a Performance Improvement Plan.

5.28.3 Approval Process

After evaluating any technical or security concerns associated with their remote work request, the faculty member will complete a Remote Work Request form and submit it to their division dean.

1. The division dean will review the Remote Work Request form and ensure the faculty member's required position duties can be performed from a remote location.
2. The division dean will evaluate the request and make a recommendation to the Vice President of Academic Affairs
3. If approved, the approval section of the Remote Work Request will be completed and documented.
4. While the Remote Work Plan can be reviewed at any time, at minimum a review will be conducted at the end of each fall and spring semester.

5.28.4 Situational Remote Work

1. Requirements

To be considered for situational remote work, faculty must meet the following requirements:

- Have a reliable internet connection sufficient to support video conferencing and access to needed platforms to complete job responsibilities.
- Have a mobile phone or landline to forward/answer calls.
- Keep their electronic calendar/availability status updated by posting regular work hours, using statuses such as "working elsewhere" and "out of office" to clarify available times, and ensuring meetings, scheduled work tasks, etc. are posted on the calendar.
- Be responsive to communication via email and phone, as well as respond to all communication in a timely manner.

- Maintain a secure workspace, including maintaining the confidentiality of documents and conversations.
- Have the ability to teach their entire course load remotely for a short period
- Provide a plan for communicating the change in instructional mode with students.
- Ensure that students have the appropriate technology (if applicable) to receive the class instruction.
- Provide a plan for providing feedback to students (if applicable) during the remote period.
- Have the appropriate work ethic and sense of responsibility to work remotely.
- Not be on a Performance Improvement Plan.

2. Approval Process

- A. Requests should be submitted as early as possible.
- B. Approved requests should be consistent with the college and department mission and not compromise the services provided to any stakeholder.
- C. Employees and supervisors should ensure that students or colleagues are not adversely affected by situational work arrangements.
- D. The Vice President of Academic Affairs or designee will have the discretion to approve the request or require the faculty member to utilize medical leave or personal leave if it appears the faculty member will not be available to maintain continuity of operations.

(1) Short-Term Situational Remote Work

Requests should be made to the Vice President of Academic Affairs, after consultation with the division dean, either verbally or in writing, and should explain the situation necessitating the employee to work from a remote location. Verbal requests should be documented in writing within 24 hours.

(2) Long-Term Situational Remote Work

Requests for remote work due to unexpected instances that require the faculty member to be away from the campus for more than three days should be submitted in writing to the Vice President of Academic Affairs after consultation with the division dean. Faculty must submit:

- The timeline anticipated for the situational work request.
- A plan for meeting their course load requirements during the remote work period.
- The preferred method of outreach while working remotely (e-mail, text, phone call) and a plan for response.

5.29 Attendance and Punctuality *(Adopted 6-1-1992; Revised 6-23-2003; Reaffirmed 7-14-2014, 6-13-2022)*
Employees are to report to work punctually and are to work all scheduled hours.
Excessive absences or tardiness may result in disciplinary actions.

Procedures

5.29.1 General Rule *(Adopted 7-14-2014; Revised 6-13-2022)*

Timely and regular attendance is an expectation of performance for all employees to ensure adequate staffing, promote positive employee morale, and meet expected productivity standards throughout the College. Employees will be held accountable for adhering to their work schedules. In the event an employee is unable to meet this expectation, they must obtain approval from their supervisor in advance of any requested schedule changes. This approval includes requests to use appropriate accruals, as well as late arrivals to or early departures from work. Supervisors have discretion to evaluate unforeseen/emergency circumstances of a tardy or absence.

5.29.2 Definitions *(Adopted 7-14-2014; Revised 6-13-2022)*

Absence - An employee is deemed absent when they miss the entire assigned/scheduled work shift and such time off was not scheduled/approved in advance as required by department notification procedure.

Tardy - An employee is deemed to be tardy when they:

- Arrive to work past the assigned/scheduled work start time without prior supervisory approval.
- Leave work prior to the end of assigned/scheduled work end time without prior supervisory approval.
- Take an extended meal or break period without approval.

5.29.3 Request for Planned Absences *(Adopted 7-14-2014; Revised 6-13-2022)*

A planned absence must be approved by the supervisor in advance. Employees should submit a request for leave using department procedures and the approved College process as far in advance as possible for a planned absence from work. Requests should include date(s) and type of accrued leave to be used. Requests for leave of five (5) consecutive days or more should normally be submitted a minimum of two (2) weeks prior to the planned absence.

The supervisor will inform the employee as soon as possible if the request has been approved or denied. Depending on department staffing needs, the supervisor may designate dates that leave cannot be requested.

5.29.4 Notification of Unplanned Absences or Tardiness *(Revised 7-14-2014, 6-13-2022)*

An unplanned absence is usually an unavoidable absence due to illness, injury, or emergency where advance notice was not possible. Employees should notify their supervisor, according to the supervisor's guidelines, as soon as possible in advance but generally no later than 30 minutes before their starting time if they

are unable to report for work as scheduled. Such notification should include a reason for the absence or tardiness and an indication of when the employee can be expected to report for work.

Failure to notify (no call/no show) the supervisor and/or follow department procedures for any unplanned absence or tardiness may be grounds for disciplinary action.

Employees must call in for themselves except in extenuating circumstances where the employee may have someone else contact the supervisor.

At the time of notification/call, the employee must notify their supervisor when an absence is due to a documented/approved leave of absence (e.g., Military Leave, FMLA) in order to ensure appropriate tracking of leave utilization and absenteeism. This Policy does not apply to absences covered by the Family and Medical Leave Act (FMLA) or leaves provided as a reasonable accommodation under the Americans with Disabilities Act (ADA). These exceptions are described in separate policies.

Upon return to work, employees are to complete the College approved leave request for supervisor approval.

5.29.5 Absences of More Than Three (3) Days Due to Illness *(Adopted 7-14-2014; Revised 6-13-2022)*

If an employee is absent due to illness for more than three (3) consecutive days or if there is a record of frequent absences due to illness, the supervisor may require that the employee submit a return to work note from the medical provider indicating the employee is fit to perform duties before returning to work.

If the employee fails to provide a return to work note as required, the employee will not be allowed to return to work, may be placed on unpaid leave, and may be subject to disciplinary action.

For absences of more than three (3) consecutive days, the supervisor and the employee are required to contact Human Resources to report the nature of the illness in order to determine if the illness is an FMLA qualifying event. Failure to contact Human Resources will impact the approval of FMLA leave and may impact job protection for absences.

5.29.6 Leaving Work Early *(Adopted 7-14-2014; Revised 6-13-2022)*

An employee must obtain prior permission from the supervisor in order to leave work early. An employee leaving work early without permission may be subject to disciplinary action.

5.29.7 Use of Accrued Leave for Absences *(Adopted 7-14-2014)*

Employees may use accrued leave during absences in accordance with Policy 5.38 Paid Leave Benefits.

Employees placed on unpaid leave may not use accrued leave.

5.29.8 Excessive Absences/Tardiness *(Adopted 7-14-2014; Revised 6-13-2022)*

The supervisor will utilize the College's disciplinary guidelines for addressing excessive absences/tardiness. Excessive absence/tardiness includes:

1. Unplanned absences, failure to complete scheduled workdays, and/or tardiness in excess of three (3) times in a 30-day period without corresponding documentation.
2. Exhausting accrued leave resulting in an unpaid absence that was not approved in advance.

5.29.9 Voluntary Termination *(Revised 7-14-2014)*

Employees who are absent from work for three (3) consecutive days without giving proper notice to the employee's supervisor or designated administrator will be considered as having voluntarily terminated their employment with the College.

5.30 Rest and Meal Breaks *(Adopted 6-1-1992; Revised 6-23-2003, 6-16-2014)*

Rest breaks and a meal break during each workday will be provided for non-exempt personnel. The scheduled time for rest and meal breaks varies among departments, depending on the needs of the department.

Procedures

5.30.1 General Guidelines *(Adopted 6-16-2014; Revised 6-13-2022)*

Rest and/or meal breaks may not be taken at the beginning or end of the workday except for special circumstances with supervisory approval.

Employees must have prior approval to extend rest and/or meal breaks beyond their assigned period.

Supervisors are responsible for balancing workloads and scheduling rest and meal breaks. A supervisor has the discretion to change the time of breaks based on departmental needs.

Non-exempt employees must not perform any work-related duties during the rest breaks and/or during the 30-minute unpaid meal break. Should an employee be required to work at their desk during a meal break, the employee's work schedule will be adjusted accordingly unless prior approval for overtime has been given by the supervisor.

Employees are expected to return to their work promptly at the end of each break and may be subject to disciplinary action for tardiness.

Employees who are scheduled to work from four (4) to six (6) hours may take one (1) 15-minute paid break during the scheduled shift.

Employees who are scheduled to work from six (6) up to eight (8) hours may take two (2) 15- minute paid breaks during the scheduled shift.

Employees who are scheduled to work from 8.5 up to 10 hours may take one (1) 15-minute paid break prior to the 30-minute unpaid meal break and one (1) 15-minute paid break after the unpaid meal break. Or, if approved by the supervisor, such employees may combine the two (2) 15-minute breaks with the 30-minute unpaid meal break for a total break of 60 minutes.

Nursing mothers should refer to Policy 5.37 for information regarding accommodations.

5.30.2 Rest Breaks *(Revised 6-16-2014)*

Whenever practical, employees are to receive a rest break of 15 minutes at approximately the middle of every four (4) hours of scheduled work not broken by the unpaid meal break. Or, if approved by the supervisor, such employees may combine the two (2) 15-minute paid breaks with the 30-minute unpaid meal break for a total break of 60 minutes.

Time spent on rest breaks will be compensated as working time, and employees are not required to sign out and in on their time sheets.

If an employee chooses to remain at work during a rest break, that rest break is forfeited. The employee may not leave before the scheduled ending time and will not receive extra pay for the time worked.

5.30.3 Meal Breaks *(Revised 6-16-2014)*

The meal break will be near the middle of the work shift. The meal break will be 30 minutes unpaid and must be recorded on the time sheet for non-exempt employees. Or, if approved by the supervisor, such employees may combine the two (2) 15-minute paid breaks with the 30-minute unpaid meal break for a total break of 60 minutes.

Employees required to work more than ten (10) hours in any workday will be allowed a second unpaid 30-minute meal break six hours after returning from their first meal break.

Employees will not be compensated for their meal breaks unless they are required to remain at their workstations while eating. Prior supervisory approval is required. The employee will adjust the work schedule for the week so that no overtime is required unless approved by the supervisor.

5.31 Dress Code and Personal Appearance *(Adopted 5-12-2014)*

Employees are expected to be suitably attired and groomed during working hours or when representing the College. Appearance should make a positive, professional impression that reflects good judgment in clothing, grooming, and personal cleanliness.

Procedures

5.31.1 General Guidelines for Appropriate Dress *(Revised 6-13-2022)*

All employees should wear clothing that is appropriate for job requirements, the work environment, and the use of any job-related equipment.

Business casual is the standard attire for employees working in an office environment and/or student service-related areas unless otherwise approved by the supervisor. Business casual capris and cropped pants are acceptable attire.

Employees should wear job appropriate and/or required protective clothing for safety and/or sanitation purposes.

A College approved uniform may be established for designated departments.

The College President may designate specific days when a relaxed dress code will apply.

The following clothing is not approved for work:

- Clothing with offensive and/or discriminatory language or pictures; alcohol, drug, or tobacco reference; or depicting violence
- Casual, beach-type flip flops
- Athletic shoes, unless otherwise approved
- Shorts, sweatpants, muscle shirts, halter tops, tank tops, or other garments that are revealing
- Jeans and/or jean capris, unless otherwise approved by the supervisor and/or College administrator

5.31.2 Non-Compliance

If a supervisor deems that an employee's attire or grooming is not in compliance with this Policy, the employee will be sent home on unpaid leave and will be required to return to work properly dressed and groomed.

5.32 Employee Grievance *(Approved 6-4-1990; Revised 5-8-2006, 12-2-2013)*

East Central College employees may file a grievance. For the purposes of this Policy, the term "grievance" shall refer to a violation or inequitable application of College policies, regulations, procedures, or federal/state statutes, including the Americans with Disabilities Act of 1990 (ADA) as amended, Section 504 of the Rehabilitation Act of 1973, other disability-related statutory rights, or other existing laws. Individuals who have been terminated or whose employment contracts have not been renewed are not permitted to grieve the termination or nonrenewal, nor any action leading up to the termination or nonrenewal. (Note: Claims of discrimination or sexual harassment are covered in Policy 5.17 Employee Title IX Sexual Harassment and/or Policy 5.18 Protection Against Sexual Harassment.)

Procedures

5.32.1 Grievance Process *(Revised 12-2-2013)*

The College provides a process to resolve grievances for employees. The purpose of the grievance process is to secure, at the lowest possible administrative level, a prompt and equitable solution to individual grievances.

All College personnel who supervise employees are responsible for making certain that employees under their supervision have knowledge of the grievance process and understand that they may use the process without fear of retaliation.

Any false statement(s) or breach of confidentiality made during or following the grievance proceeding shall be grounds for disciplinary action for any employee participating in the grievance process.

5.32.2 Definitions *(Revised 12-2-2013, 6-13-2022)*

Grievance – A grievance, as defined above, and presented in writing utilizing the Grievance Form.

Grievant – The individual filing a grievance in writing.

Employee – An individual hired by East Central College to perform services for compensation. Individuals must be current employees to use the grievance process.

Grievance Review Committee – A committee of three (3) to five (5) employees and alternates appointed by the College President at the time a grievance is filed.

Working Day – A normal College business day, exclusive of Saturday, Sunday, a scheduled holiday or recess observed by the College, or an unscheduled closing of the College.

Advisor – A person selected by the grievant to provide advice, support, consultation, and representation. The grievant is responsible for informing the supervisor and Human Resources Director that an advisor shall be present. The grievant's advisor shall not be legal counsel and must be a current employee of the College.

5.32.3 Steps in Grievance Process *(Revised 12-2-2013)*

If appropriate, a good faith effort should be made to resolve the problem through the employee's supervisor, Vice President, and/or the Director of Human Resources prior to filing a formal, written grievance.

In any formal meeting of an investigative nature between the grievant, Supervisor, and/or Human Resources the grievant shall have the right to be accompanied by their advisor. The Director of Human Resources or designee is responsible for coordination of the grievance process.

Step 1: Filing of Written Grievance - Present the grievance to the Director of Human Resources in writing within 60 working days after the event or occurrence giving rise to the grievance. The formal grievance will include the completed Employee Grievance Form which shall include:

1. Name(s) of the grievant(s)
2. Date of submission
3. A statement of the incident/complaint of the grievant
4. Relevant Board Policy(ies) or relevant administrative procedure(s) alleged to be violated
5. The date(s) on which the event or occurrence ~~first~~ transpired
6. Explanation of what actions have been taken
7. Supporting documentation
8. Names of witnesses
9. Other information which the grievant deems relevant
10. The resolution or relief requested
11. The grievant(s)' signature(s)

The Director of Human Resources shall collect all relevant evidence, conduct interviews, hold any necessary meetings with all parties and their advisors (if requested), and render a decision and the reason(s) for that decision to the grievant in writing within ten (10) working days after receipt of the grievance.

New grievance issues that were not raised at Step 1 may not be raised by either party in subsequent steps.

Step 2: Appeal to the Grievance Review Committee - In the event the grievant is not satisfied with the decision made upon the completion of Step 1, they may appeal to the Grievance Review Committee through the Director of Human Resources within ten (10) working days of receipt of the Step 1 findings. The Grievance Review Committee will meet, elect a chairperson and secretary, and receive their charge from the Director of Human Resources.

In the event that a committee member wishes to disqualify themselves, an alternate committee member shall serve on the committee. The grievant may also challenge a committee member, who should then recuse themselves, and the alternate committee member shall serve. The grievant may only challenge one committee member. Disqualification of the committee member must occur within ten (10) working days of the committee's receipt of the grievance. An alternate member must be selected by the 12th working day. No member may abstain from voting.

The committee will review all information submitted during Step 1 and render a decision of the majority of the committee as a whole and the reason(s) for that decision no more than ten (10) working days from the hearing of the grievance. The decision will be a written finding of the committee sent to the grievant and the Director of Human Resources. Any committee member may include a written dissent.

Step 3: Appeal to the College President - If the grievant is not satisfied with the decision made upon the completion of Step 2, they may within ten (10) working days of receiving the decision, present an appeal in writing to the College President. The appeal should include a copy of the original grievance and all applicable documentation along with the replies from Step 1 and Step 2.

The College President shall make necessary inquiries and review documents pertaining to the grievance and may convene a conference of the parties. The College President shall render a decision and the reasons for that decision, in writing, within ten (10) working days after the conference.

Step 4: Appeal to the Board of Trustees - If the grievant is not satisfied with the decision made upon the completion of Step 3, they may within ten (10) working days of receiving the decision, present an appeal in writing to the President of the Board of Trustees through the College President. The appeal should include a copy of the original grievance and all applicable documentation and be submitted no later than the Board's next regularly scheduled meeting along with the replies from Steps 1, 2, and 3. The Board of Trustees shall, in its sole discretion, either hold a hearing on the appeal or decide the appeal following a review of the documentation. In the event the Board decides the appeal following a review of the record, the Board's decision shall be in writing and shall be final.

In the event the Board of Trustees chooses to hold a hearing, the following procedures shall apply. The Board shall give notice to the grievant that a hearing to consider the grievance shall be held before the Board on the particular day and at a certain time and place; that the grievant may be present with or without an advisor; and that the grievant may produce witnesses or other evidence on their behalf at the hearing.

Should the grievant or their advisor request additional time in which to prepare, the President of the Board of Trustees may or may not grant such additional time and continue or postpone the hearing to another day and time. This request shall be submitted through the College President.

The President of the Board of Trustees shall conduct the hearing at the time and place called for in the notice or at the postponed time if additional time is requested. Should the grievant not appear for the hearing, the grievance shall be dismissed. The hearing shall not be public and either party may ask that all witnesses not be present while any other person is testifying. In addition, a transcription or electronic recording shall be made of the hearing proceedings.

The grievant may produce witnesses on their behalf who may be questioned. The grievant may also produce any other evidence which they may deem favorable to their position.

The proper College administrative official(s) or attorney shall represent and present the institution's position as applicable, and the grievant or their advisor may have the right to question any witness called by the institution.

At any time during the proceedings, the College's advocate and/or any member of the Board of Trustees may question any witness or call for a point of order of procedure to be clarified.

The Board shall review all information submitted and render a written determination of their findings and conclusions to the grievant no more than 40 working days from the hearing. The Board of Trustees may determine that the grievance is not properly founded and if so declare. If the Board decides that the grievance has merit, the Board shall take whatever corrective action is appropriate. The findings and conclusions of the Board of Trustees shall be in writing. The decision of the Board of Trustees shall be final.

5.32.4 Administrative Guidelines *(Revised 6-13-2022)*

1. Multiple grievances filed simultaneously over a common occurrence or event may be processed in a joint action at the discretion of the Director of Human Resources.
2. In the interest of the prompt resolution of employee complaints, the action at each step of the grievance procedure should be taken as rapidly as possible. In the event of extenuating circumstances, an additional ten (10) working days may be allowed.
3. If the grievant skips a step or files with an outside compliance agency before completion of the College's grievance process, all College grievance processes shall be terminated.

5.33 College Holidays *(Approved 12-18-1989; Revised 8-7-2000; Reaffirmed 11-4-2013)*

The College will establish a holiday schedule that combines fixed and floating holidays allowing for normal calendar variations and the academic calendar.

Procedures *(Revised 4-6-2006, 11-4-2013; 8-27-2018)*

5.33.1 Holiday Schedule

The College will be closed on the following holidays. The holiday schedule will be developed in consideration of the academic calendar and must be approved by the College President.

- New Year's Day
- Martin Luther King, Jr. Day
- Spring holiday (assigned to Good Friday)
- Spring Break
- Memorial Day
- Independence Day
- Labor Day
- Fall Break
- Day before Thanksgiving
- Thanksgiving Day
- Day after Thanksgiving

- Christmas Eve
- Christmas Day
- The weekdays which fall between Christmas Day and New Year's Day
- One floating holiday designated by the College President

5.33.2 Employee's Eligibility for Holiday Pay *(Revised 6-13-2022)*

Regular full-time employees are eligible for holiday pay. Temporary employees, part-time employees, and employees on unpaid leave are not eligible for holiday pay.

To qualify for holiday pay, an employee must work all scheduled work hours on the last scheduled workday prior to the holiday and on the first scheduled workday immediately following the holiday or, in lieu of working all such hours, be approved for vacation, personal leave, sick leave, jury duty, bereavement, or paid military leave. Employees who do not meet these requirements will not be eligible for holiday pay and will be required to use vacation or personal leave for the holiday if absent immediately prior to or following the holiday without approval. A doctor's certification may be required if sick leave is utilized.

5.33.3 Holidays Not Observed by College

The College recognizes that some employees may wish to observe periods of worship or to commemorate certain days that are not included in the College's holiday schedule. Requests for time off for religious observances will be considered on a case-by-case basis. To provide this accommodation, requests for time off to observe a religious holiday should be submitted in the same manner as a request for vacation. If accrued vacation or personal leave is available, the employee will use that paid time off for the observance of such holidays; otherwise, time off is without pay. This Policy applies only to religious holidays. It does not apply to regular weekly days of worship. If an employee's regular work schedule falls on their worship days, generally they will be required to work as scheduled.

5.33.4 Holiday Scheduled Work *(Revised 6-13-2022)*

In most cases, employees will not be scheduled to work on College holidays. The College reserves the right to schedule employees to work on a College-designated holiday.

A non-exempt employee who is required to work on a holiday shall be paid holiday pay plus additional compensation at the employee's regular rate of pay for any hours actually worked on the holiday.

An exempt employee who is required to work on a College-designated holiday may be granted, with the supervisor's approval, another specified workday off with pay in lieu of the College-designated holiday.

An employee absent from work due to an on-the-job injury or illness will receive the appropriate worker compensation payment in effect, if any, in lieu of holiday pay.

5.33.5 Holiday Falling on Weekend

When a College-designated holiday falls on a Saturday, the holiday will be observed on the preceding Friday. When a College-designated holiday falls on a Sunday, the holiday will be observed on the following Monday or as determined appropriate by the College President.

5.34 College Closure *(Adopted 3-8-2021)*

The President of the College is authorized, within the limits of this Policy, to suspend operations of the College and close facilities due to emergency conditions.

Procedures

5.34.1 Emergency Closure *(Adopted 3-8-2021)*

The President of the College may temporarily suspend operations of the College and close facilities when, in the President's estimation, emergency conditions exist which could (a) jeopardize the health and/or safety of employees, students, or others on College property, or (b) preclude the effective operation of the College.

Any emergency closure shall be promptly communicated to the Board of Trustees, including the reason for the emergency closure and the expected date of reopening.

An emergency closure lasting more than five (5) working days shall require the approval of the Board of Trustees.

Prompt notification shall be provided to employees, students, and the general public.

Days when campus operations are suspended shall be considered excused workdays, with no loss of pay for full-time employees and adjunct faculty.

5.34.2 Closure Due to Inclement Weather *(Revised 12-10-2020)*

The President of the College may declare any workday an excused day, when, in the President's estimation, inclement weather and hazardous road conditions are severe enough to justify this action. Such declaration may be made before or during the workday.

No loss of pay will occur for full-time employees and adjunct faculty when the College President has activated an inclement weather closing. Likewise, employees scheduled for paid time off on a day of inclement weather closure may revise their leave of absence form to reflect the actual number of hours the College was open. This procedure does not apply to employees on unpaid leaves of absence.

Maintenance, grounds, and other staff who are required to be on campus for snow/ice removal during an inclement weather closing will receive pay for the scheduled hours they would have worked had the College not been closed. In addition, they will be paid for any hours actually worked during the time period the College is closed. Any work on all or part of an excused day must be approved by the supervisor.

When, in the estimation of the President of the College or designee, inclement weather and hazardous road conditions are not severe enough to declare an excused day, an absence due to weather and road conditions will be charged to the employee's personal or vacation leave. Employees with no available vacation or personal leave time will not be paid for hours absent from work.

In the case of an emergency closing after the workday has begun, all employees will be released from work except for designated facilities employees who must be on duty for snow removal. Any work after an emergency closing has been declared must be approved by the supervisor.

1. College Closed (*Revised 12-11-2020*)

If the weather warrants, the College will close and cancel day and/or evening classes. This means all employees are released from work from the announced time of closure until the College reopens unless required to report for snow/ice removal.

2. Snow Schedule (*Revised 9-16-2014; 1-24-2020; 12-12-2020*)

If inclement weather prevents the College from opening on time in the morning but roads are expected to be passable later in the morning, the College may elect to use a delayed start. A delayed start means classes will begin at either 9:30 a.m. or 11 a.m. as determined by the president. Classes starting before the announced time will begin in progress at the announced time unless otherwise arranged by the instructor. Employees will report one-half hour prior to the announced start time (at 9 a.m. or 10:30 a.m.).

Maintenance, grounds, and other staff involved with snow removal will report as scheduled by the Director of Facilities and Grounds.

5.35 Family and Medical Leave Act (*Adopted 11-4-2013*)

The College complies with the provisions of the Family and Medical Leave Act (FMLA). The College reserves all rights available to employers under the Family and Medical Leave Act.

Procedures

5.35.1 Definitions

Son or Daughter – For purposes of FMLA leave taken for birth or adoption, or to care for a family member with a serious health condition: a biological, adopted, foster child, stepchild, legal ward, or a child for a person standing in loco parentis who is (a) under 18 years of age or (b) 18 years of age or older and incapable of self-care because of a mental or physical disability.

For purposes of FMLA leave taken related to Armed Forces active duty or call to duty, or covered servicemember care: a biological, adopted, foster child, stepchild, legal ward, or a child for a person standing in loco parentis who is of any age.

Parent – A parent is defined as the employee’s biological, adoptive, step, or foster parent, or the individual who stood in loco parentis to an employee when the employee was a child.

Serious Health Condition – Generally, a serious health condition is defined as a physical or mental illness, injury, impairment, or condition involving 1) inpatient care in a hospital, nursing home, or hospice or 2) continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes three (3) or more consecutive calendar days of incapacity relating to the same condition that also involves treatment two (2) or more times directed by a health care provider or treatment one (1) or more times with a resulting regimen of continuing treatment. Included also in the definition is any condition or medical situation not specifically listed here but contained within the FMLA regulations.

Next of Kin - The nearest blood relative of the covered servicemember.

5.35.2 Eligibility

Employees are eligible for Family Medical Leave if they have worked at least 1,250 hours during the prior 12 months and have been employed with the College at least one (1) year. Employees are entitled to take up to 12 weeks of leave without pay and/or utilize accrued leave during a 12-month period due to one (1) or more of the following:

1. For incapacity due to pregnancy, prenatal medical care, or childbirth
2. To care for the employee’s child after birth, or placement for adoption or foster care
3. To care for the employee’s spouse, son, daughter, or parent, who has a serious health condition
4. For a serious health condition that makes the employee unable to perform the employee’s job
5. A qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces

In addition, employees who are the spouses, sons, daughters, parents, or next of kin of a covered servicemember are entitled to take up to 26 weeks of unpaid leave during a single 12-month period to care for the servicemember who incurs an injury during military service when that injury results in the servicemember being unable to perform their duties.

The employee is required to first use accumulated sick, personal, and/or vacation days; the balance of the leave will be unpaid up to the 12-week maximum. If the

employee is using Family Medical Leave for their own medical needs, the College will continue to provide paid insurance benefits during the leave. As described in this Policy, medical certification from an applicable health care provider will be required. The duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence shall be determined by the College in conjunction with applicable federal and state law.

5.35.3 Counting of Leave Taken Under FMLA

The College will determine the amount of leave available under this Policy for an eligible employee by using a “rolling” 12-month period. A “rolling” 12-month period measures backward from the date an employee’s leave commences to the 12 months preceding this date.

5.35.4 Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Employees must report that the leave is FMLA-related when informing the supervisor. Leave due to qualifying exigencies may also be taken on an intermittent basis.

5.35.5 Notice Requirements of Employees

Employees must provide 30 days’ advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, the employee must provide notice as soon as practicable and must comply with an employer’s normal call-in procedures. The employee’s supervisor must consult Human Resources as soon as there is knowledge an employee needs to be off work.

5.35.6 Medical Certification

Medical certification by an applicable health care provider is required for all leaves with the exception of leave for childbirth.

The employee must provide certification as soon as reasonably possible and no later than 15 days after the College notifies the employee that the leave may qualify as FMLA. If the employee fails to provide such timely certification, the leave request may be denied until a reasonable period after the required certification is provided or the leave request may be denied entirely. Human Resources will inform the employee if the request is approved/denied.

5.35.7 Active Duty/Call to Duty Certification

For leave of absence due to Armed Forces active duty or call to duty, the employee must provide the available Armed Forces documentation as soon as possible.

5.35.8 Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

5.35.9 Substitution of Paid Leave for Unpaid Leave

The employee is required to first use accumulated sick, personal, and/or vacation days; the balance of the leave will be unpaid up to the 12-week maximum.

5.35.10 Continuation of Benefits While on Family or Medical Leave

For any employee granted leave under this Policy:

1. The College will continue to pay the employer portion of the group medical, dental, vision, and life insurance premiums.
2. The employee must continue to pay the employee's portion of insurance premiums.
3. If the employee does not return to work when FMLA leave is exhausted, the opportunity to purchase continuing coverage under COBRA regulation will apply.

5.35.11 Impact on Future Retirement Benefits

For information on the potential impact of Family and Medical Leave on retirement benefits, the employee should refer to the PSRS-PEERS website at <http://www.psr-peers.org>. Subject to PSRS-PEERS requirements, employees on unpaid leave may be able to contribute based on their current salary into the applicable retirement system in order to earn service credit.

5.35.12 Fitness-for-Duty Requirements

Employees who take leave under this Policy due to their own serious health condition must provide to the Human Resources office, in advance of returning to work, a "return to work" slip from their health care provider stating that they are able to resume the essential functions of their jobs with or without a reasonable accommodation. Employees may not return to work without the required documentation from their health care providers.

5.35.13 Return from Family and Medical Leave

Employees are expected to return to work the first workday following the last day of the family or medical leave. In cases where the employee is unable to return sooner or the employee needs an extension of leave time, employees are asked to

provide two (2) days' notice of such whenever possible. Upon return from a family or medical leave, an employee will be restored to the same or an equivalent position. An employee's failure to return from leave on the designated date will be handled in accordance with College Policy.

5.35.14 Option for Employees Ineligible for FMLA Leave

Employees who do not qualify for leave under FMLA or who have exhausted family and medical leave may consult Human Resources to determine their eligibility to apply for an unpaid leave.

5.36 Leave and Accommodations for Victims of Domestic Violence and Sexual Assault

(Adopted 2-7-2022)

The College complies with Missouri Revised Statute Section 285.625 et seq. and provides leave and accommodations for employees who are victims of domestic violence or sexual assault and for employees who have a household member who is a victim of domestic violence or sexual assault.

Procedures *(Adopted 2-7-2022)*

5.36.1 Eligibility

Employees eligible for leave or safety accommodations under this Policy must meet the following criteria: (1) the employee is a victim of domestic violence or sexual violence or (2) the employee has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence.

5.36.2 Definitions

Abuse - Any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control. Victims of abuse shall also include any victims of sex trafficking or severe forms of trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10).

Domestic Violence - Abuse or stalking committed by a family or household member, as such terms are defined in this policy.

Family or Household Member - A spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household.

Sexual Violence - Sexual assault (causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent) or trafficking for the purposes of sexual exploitation.

Victim of Domestic or Sexual Violence - An individual who has been subjected to domestic violence, sexual violence, or abuse.

5.36.3 Leave for Victims of Domestic Violence and Sexual Assault

The College will provide up to two weeks of paid leave (in addition to regular paid leave benefits specified in Board Policy) to eligible employees who are:

1. Seeking medical attention for or recovering from physical or psychological injuries caused by domestic violence or sexual violence, as defined herein, against the employee or the employee's family or household member.
2. Obtaining victim services for the employee or the employee's family or household member.
3. Obtaining psychological or other counseling for the employee or the employee's family or household member.
4. Participating in safety planning, including temporary or permanent relocation, or other actions to increase the employee or the employee's family or household member's safety from future domestic or sexual violence or to ensure economic security.
5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in court proceedings related to the violence.

An employee must provide the College with at least 48 hours' advance notice of the need for leave under this Policy unless such notice is impractical, and in which case, the notice must be given as soon as possible. Leave may be taken intermittently or on a reduced work schedule.

The College may, in its discretion, require documentation showing that the employee is eligible for leave under this Policy (such as a police report or documentation from a victim services organization, medical professional, attorney, member of the clergy, or another professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and/or the effects of such violence) and/or a sworn statement from the employee.

To provide notice to the College of intention to take leave under this Policy, the employee shall contact the Director of Human Resources at 636-584-6712 or via email at hrecc@eastcentral.edu.

5.36.4 Safety Accommodation Requests

The College will also make reasonable safety accommodations in a timely manner to known limitations resulting from the domestic or sexual violence experiences of an eligible employee or an eligible employee's a family or household member unless such accommodation would result in an undue hardship for the College. Examples of accommodations for eligible employees include:

- Adjustment to a job structure, workplace facility or work requirement
- A transfer or reassignment
- A modified schedule
- Leave from work (as described above)
- A changed telephone number, email address, or seating assignment
- Installation of a lock or implementation of a safety procedure
- Assistance in documenting domestic violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic violence

If an employee requests a reasonable safety accommodation under this Policy, the College may, in its discretion, require the employee to provide a written statement signed by the employee or an individual acting on the employee's behalf certifying that the employee is eligible for a reasonable safety accommodation under this Policy.

Requests for a reasonable safety accommodation under this Policy the employee should contact the Director of Human Resources at 636-584-6712 or via email at hrecc@eastcentral.edu.

5.36.5 Privacy of Documentation

If documentation is requested by the College under this Policy, such documentation will be maintained by the College in the strictest confidence and will not be disclosed unless consent is provided by the employee or disclosure is otherwise required by applicable federal or state law.

5.36.6 Coordination with Other Policies

Eligible employees who have exhausted all leave allowed under the College's Family and Medical Leave Act Policy, Section 5.35 of the College's Board Policies, shall not be allowed additional unpaid leave under this Policy.

5.36.7 Benefits During Leave

Eligible employees who take leave under this Policy will be entitled to maintain all accrued benefits through the College. Additionally, the eligible employee will continue to be covered by the College's group health insurance policy while taking leave under this Policy at the same level and under the same conditions

coverage would have been provided if the eligible employee had continued his or her employment with the College continuously for the duration of such leave, assuming the eligible employee participated in the College's group health insurance coverage prior to taking leave under this Policy.

If an eligible employee fails to return to work after the expiration of leave under this Policy for any reason other than the continuation, recurrence, or onset of domestic violence, sexual violence, abuse, a sexual assault, or human trafficking that entitled the employee to leave under this Policy or for other circumstances beyond the control of the eligible employee, the College may seek reimbursement for the premiums paid by the College, if any, for maintaining coverage under the College's group health insurance plan for the eligible employee's and/or the eligible employee's family or household member(s), if applicable, during leave under this Policy.

5.36.8 Retaliation Prohibited

The College will not retaliate against eligible employees for taking or requesting leave or a reasonable safety accommodation under this Policy. Any eligible employee who takes leave under this Policy shall be entitled, on return from such leave, to be restored to the position of employment held by the eligible employee when the leave commenced or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

5.36.9 Notice to Employees of Availability of Leave and Safety Accommodations

The College will distribute notice to employees of the availability of leave and safety accommodations under this Policy upon adoption of this policy. Employees hired after the adoption of this policy will be notified of the availability of leave and safety accommodations under this policy upon commencement of employment.

5.37 Nursing Parent Accommodations *(Adopted 4-15-2014)*

East Central College will comply with the requirements of the Patient Protection and Affordable Care Act (PPACA), which amended Section 7 of the Fair Labor Standards Act (FLSA) to provide a reasonable amount of break time to express milk as frequently as needed by the nursing parent.

Procedures *(Revised 2-14-2019)*

5.37.1 Time for Lactation Accommodation

The College will provide additional break time to employees who are nursing parents and who need to express milk during the workday for up to two (2) years after the child's birth. Employees covered by this provision will work with their supervisor to determine how best to accommodate the needs of the parent while still meeting job expectations.

Supervisors will be required to provide a reasonable amount of break time to express milk as frequently as needed by nursing parents. Nursing parents covered by Policy 5.30 will be allowed to extend the two (2) paid 15-minute breaks provided in that Policy by up to an additional 15 minutes of paid time to express milk if needed. If a longer break time is necessary, the employee will be required to make up the missed time or use vacation/personal leave. If an employee takes more than two (2) paid breaks and the unpaid 30-minute lunch break during the workday to express milk, the employee will need to make up the time missed or use vacation/personal leave. Non-exempt employees will be required to record break times on the timecard. Accrued sick leave cannot be used for milk express breaks as this does not qualify for sick leave.

5.37.2 Environment for Lactation Accommodation *(Revised 6-13-2022)*

The nursing parent may use their office, an office in the immediate work area, or one of the private locations designated by the College for expressing milk. The nursing parent may also express milk in any other suitable location on campus. Milk may be stored in College refrigerators located in the break areas throughout the campus.

The College has designated the Board Room (BH238) as a private location on the Union campus for use by nursing parents. Additional rooms may be available for use; a room list will be maintained by Human Resources. Designated space is available upon request at both Rolla facilities and can be scheduled through the ECC Rolla Administrative Assistant.

5.37.3 Nothing in this policy shall be construed to prohibit an employee from breastfeeding or expressing breast milk in any other suitable location on campus.

5.38 Paid Leave Benefits *(Adopted 6-1-1992; Revised 6-4-2001, 12-2-2013)*

Eligible full-time employees receive paid sick leave, vacation leave, and personal leave annually.

Procedures *(Revised 4-6-2006, 12-2-2013)*

5.38.1 Sick Leave Accrual *(Revised 6-13-2022)*

Full-time administrators, professional staff, and support staff will accumulate sick leave monthly at the rate of 16 days per year (10.67 hours per month). Employees will be eligible to accrue sick leave effective the first of the month following the date of hire. Sick leave does not accrue while an employee is on unpaid leave.

Full-time faculty on a nine-, ten-, or eleven-month contract will accumulate sick leave monthly at the rate of 16 days per year spread over their contract period. Full-time faculty on a twelve-month contract will accumulate sick leave monthly at the rate of 16 days per year (10.67 hours per month).

Sick leave accrues monthly on the last working day of each month and may accumulate up to 60 working days (480 hours). Sick leave accrual is to help bridge the leave for long-term disability.

5.38.2 Use of Sick Leave

Sick Leave may be used for reasons of personal illness, injury, or medical appointment of an employee and/or to care for an illness or injury or to attend to a medical appointment of an immediate family member. Immediate family members include the employee's spouse, children, stepchildren, foster children, children for which the employee is a legal guardian, parents, stepparents, parents-in-law, and foster parents. Exceptions to include other individuals may be approved by the appropriate administrator.

Full-time staff may utilize sick leave in 15-minute increments. Full-time faculty may utilize sick leave in four-hour or eight-hour increments.

Pay advices do not necessarily reflect leave used within the current pay period.

A statement from a physician verifying the necessity for absence(s) may be required for more than three (3) consecutive days of absence.

Employees should notify their supervisor as soon as the need for Sick Leave is known and must complete and submit a leave of absence approval form.

In the event of an injury or illness that is covered by workers' compensation insurance, state laws governing such injuries take precedent over this Policy.

At the time of termination of employment, any accrued sick leave will be forfeited.

5.38.3 Personal Leave

Full-time faculty, administrators, professional staff, and support staff will receive five (5) days (40 hours) of Personal Leave per year on July 1 of each fiscal year.

Full-time faculty, administrators, professional staff, and support staff hired after July 1 of each fiscal year will receive prorated Personal Leave effective the date of hire as follows:

July through September:	100% or 5 days/40 hours
October – December:	75% or 3.75 days/30 hours
January – March:	50% or 2.5 days/20 hours
April –May:	25% or 1.25 days/10 hours

5.38.4 Use of Personal Leave *(Revised 4-22-2014)*

Personal leave is to be used at the discretion of the employee, subject to supervisory approval. Examples of activities for which an employee may want to utilize Personal Leave include personal business which cannot be conducted

outside of normal working hours, religious observances, and parent-teacher conferences.

Personal leave may be utilized in one-half hour increments. Employees must complete and submit a Leave of Absence Request form.

Personal leave that is unused as of June 30 of each fiscal year will be transferred to the employee's Earned Sick Leave account if the employee has not already met the maximum sick leave accrual.

Pay advices do not necessarily reflect leave used within the current pay period.

An employee resigning from the College may use no more than 16 total hours of personal or vacation leave during the last two weeks of employment.

At the time of termination of employment, any unused personal leave will be forfeited.

5.38.5 Vacation Leave *(Revised 6-13-2022)*

Vacation leave is to be used at the discretion of the employee, subject to supervisory approval. Employees will be eligible to accrue vacation leave effective the first of the month following the date of hire. Leave accrues monthly on the last working day of each month. Vacation leave does not accrue while an employee is on unpaid leave or utilizing shared sick leave.

The President will have vacation leave as negotiated.

Full-time administrators, professional staff, and support staff will accrue three (3) weeks (15 days or 120 hours, at the rate of 10 hours per month) paid vacation annually. After five (5) years of full-time employment with the College, the annual vacation time will be four (4) weeks (20 days or 160 hours, at the rate of 13.33 hours per month). Maximum vacation accrual is nine (9) weeks (45 days or 360 hours).

5.38.6 Use of Vacation Leave *(Revised 4-22-2014)*

Vacation leave cannot interfere with the department's operation. Requests for 40 consecutive hours or more of vacation leave should be approved by the supervisor two (2) weeks in advance of such leave. The supervisor must approve specific vacation dates. Only accrued vacation leave may be taken; leave cannot be used prior to being accrued.

Vacation leave may be reported in one-half hour increments. Employees must complete and submit a Leave of Absence Request form.

Pay advices do not necessarily reflect leave used within the current pay period.

An employee who is resigning from the College may use no more than 16 total hours of vacation or personal leave during the last two weeks of employment.

At the time of termination of employment, any accrued vacation leave will be paid through direct deposit following the last regular salary payment.

5.38.7 Voting Leave

East Central College employees may take up to three (3) hours of leave from work to vote in local, state, and national elections. Employees will be expected to notify the supervisor at least one (1) week in advance and will be required to use personal or vacation leave time for the absence.

5.38.8 Jury Duty/Court Appearance Leave

Leaves of absences for jury duty or for court appearances related to College business shall be granted with pay.

5.38.9 Bereavement Leave

Up to three (3) consecutive working days of leave with pay will be granted to regular, full-time employees upon the death of a family member. For purposes of this Policy, family members are spouse, child(ren), son-in-law, daughter-in-law, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, brother, brother-in-law, sister, sister-in-law, stepparent, step-child, step-brother, step-sister, foster child, foster parent, or any member of the immediate household of the employee. Exceptions to this procedure must be approved by the College President.

Requests for extended leaves of absence for out-of-state travel should be approved by the supervisor. Accrued personal or vacation leave may be used.

5.39 Paid Parental Leave *(Adopted 11-4-2019; Revised 6-13-2022)*

Paid parental leave is a benefit that allows up to four (4) weeks of paid time off for eligible full-time employees to provide an appropriate amount of time to recover from the delivery of a child, adjust to the placement of a child, or bond with a child. Other leave may be combined with this policy to obtain up to twelve (12) weeks of leave in accordance with Family and Medical Leave Act (FMLA) guidelines.

Procedures *(Adopted 11-4-2019)*

5.39.1 Eligibility

To be eligible for paid parental leave, an employee must:

1. Be employed with the College at full-time status for at least 12 consecutive months in a benefits-eligible position prior to the start of the paid parental leave,
2. Qualify for FMLA leave with the College as of the anticipated start of the parental leave (See policy 5.35 Family and Medical Leave Act.), and
3. Have remaining FMLA leave available to utilize for the paid parental leave.

In addition, employees must meet one of the following criteria to be eligible for paid parental leave:

1. Have given birth to a child
2. Be a spouse/partner/co-parent of an individual who has given birth to a child
3. Have adopted a child, gained a child through surrogacy, or gained placement of a foster child/*in loco parentis* child; and in either case, the child must be younger than 18 or incapable of self-care because of a mental or physical disability, as verified by a physician in accordance with FMLA guidelines

5.39.2 Amount, Timeframe, and Duration of Paid Parental Leave

1. If both parents are employees of the College, each parent may receive paid parental leave as described in this policy, which may be taken concurrently, consecutively, or at separate times.
2. Each week of paid parental leave is compensated at 100% of the employee's regular, straight-time weekly pay and will be paid on regularly scheduled pay dates.
3. Paid parental leave may be taken at any time during the 12 weeks following the birth, adoption, or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 12-week time frame.
4. The fact that a multiple birth, adoption, or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the four (4)-week total amount of paid parental leave granted for that event.
5. An employee is only entitled to one event of paid parental leave during a rolling calendar year, regardless of whether more than one (1) birth, adoption, foster care, or *in loco parentis* placement event occurs within a rolling calendar year time frame. For example, a mother who receives four (4) weeks of paid parental leave for giving birth would be ineligible for paid parental leave for adoption in the same rolling calendar year.
6. The paid parental leave may begin from the point the child is placed with the employee (granted custody) for the purpose of adoption; however, a consequential event from an original placement may not be eligible as a qualifying event, even if it occurs after an entire rolling calendar year. For example, an employee may take paid parental leave when a foster child is placed with said employee but cannot take paid parental leave again when the adoption occurs.
7. Leave provided pursuant to this policy is only available to the extent it runs concurrently with an employee's existing FMLA entitlement. For example, if an employee has only three (3) weeks of FMLA leave remaining at the time the employee's paid parental leave is scheduled to begin, the employee would only be entitled to three (3) weeks of paid parental leave pursuant to this policy.
8. Paid parental leave may not be donated or carried over to future years.
9. Upon termination of the individual's employment at the College, they will not be paid for any unused paid parental leave for which they were eligible.

5.39.3 Coordination with FMLA Guidelines

1. Any time taken off work for paid parental leave must be in accordance with the College's established leave policies. See Policy 5.41 Leaves of Absence.
2. This Policy may not be construed to provide leave in addition to the leave available under the Family and Medical Leave Act (FMLA). See Policy 5.35 Family and Medical Leave Act.
3. Any leave taken under this Policy also qualifies as FMLA leave, and therefore, will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under FMLA exceed 12 weeks during the 12-month FMLA period.
4. After the paid parental leave is exhausted, the balance of FMLA leave, if applicable, may be compensated through employees' accrued vacation, sick, and/or personal leave, if available. Upon exhaustion of accrued vacation, sick, and/or personal leave, any remaining leave will be unpaid leave.
5. All benefits will be maintained for employees during the paid parental leave period just as if they were taking any other paid leave such as vacation, sick, or personal leave.
6. Vacation, sick, and personal leave will continue to accrue during the paid parental leave period. Holiday pay will not be counted against paid parental leave, meaning if a College holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay.

5.39.4 Requests for Paid Parental Leave *(Revised 6-13-2022)*

1. An employee will make every effort to notify their supervisor of their intention to request paid parental leave at least 90 days prior to the start of the leave. The employee will provide their immediate supervisor and Human Resources with the anticipated timing and duration of the leave. It is understood that under some circumstances it is not feasible to provide 90 days' notice. In these cases, the employee must provide notice as soon as practicable.
2. In order to receive paid parental leave, the employee must complete a Leave of Absence Form along with required FMLA documentation and submit the forms to Human Resources for verification at least 90 days prior to the start of the leave.
3. Employees taking paid parental leave must reflect hours on their timesheet, if applicable, and Leave of Absence Request Form as paid parental leave (PAR).
4. The employee must also communicate whether they intend to use the paid parental leave continuously or on a reduced schedule. Any request for reduced schedule leave requires the approval of the employee's supervisor.

5.40 Shared Sick Leave *(Approved 4-2-2007; Revised 8-25-2014, 6-13-2022)*

The College will maintain a Shared Sick Leave program for employees who are unable to work due to the employee's own serious illness, injury, or impairment that requires continuing treatment/supervision by a health care provider, and which is likely to cause the employee to take a prolonged leave without pay or likely to result in a substantial permanent disability leading to termination of employment or retirement with the College.

Procedures *(Revised 8-25-2014)*

5.40.1 General Rule

Shared Sick Leave may not be used for absences resulting from providing care for a family member. Following the use of Shared Sick Leave, an employee must complete a minimum of one (1) year of continuous full-time employment with the College before they are eligible to receive Shared Sick Leave again.

5.40.2 Eligibility Requirements for Shared Sick Leave

Full-time employees may be eligible for Shared Sick Leave if they meet the following criteria:

1. The employee must have been employed full-time by the College for at least 12 months immediately preceding the first day of leave from the Shared Sick Leave pool is used.
2. The employee must have been absent from work for at least 15 continuous working days due to the employee's own serious illness, injury, or impairment.
3. The employee must have exhausted all accrued leave or must provide certification from a licensed medical provider that future absences related to the employee's serious illness, injury, or impairment will extend beyond the employee's current accrued leave balances for personal, vacation, and medical leave.
4. The employee must submit a certification from a licensed medical provider that the employee's inability to work is due to a serious illness, injury, or impairment.
5. If the employee has previously received Shared Sick Leave, the employee must have completed a minimum of one (1) year of continuous full-time employment with the College since the conclusion of the most recent use of Shared Sick Leave.

5.40.3 Approval Process

1. The employee must complete the Shared Sick Leave Request Form and must include a detailed explanation of the reason for requesting Shared Sick Leave.
2. The employee shall submit the completed Shared Sick Leave Request Form along with the required documentation to the Human Resources Director.
3. The Human Resources Director and the appropriate vice president will review requests upon receipt of the request form and the required certification from a licensed medical provider.

4. The Human Resources Director will make a recommendation to the College President.
5. The College President will approve or disapprove the request within ten (10) working days from receipt of the recommendation from Human Resources. The decision of the President is final.
6. The College may approve up to 160 hours of Shared Sick Leave for full-time employees. The approval will include the number of allotted Shared Sick Leave hours, dates for use of the hours, and whether recertification will be required.
7. All requests for Shared Sick Leave will be considered confidential.
8. Shared Sick Leave may be retroactive to the start of the unpaid leave if circumstances warrant or if the individual was unable to complete the request form and provide the required certification prior to the use of all accrued leave.
9. Exceptions to this Policy must be approved by the President.

5.40.4 Reconsideration of Shared Sick Leave Request

Requests that are denied may be eligible for reconsideration upon receipt of additional information or change in circumstances that would make the employee eligible for Shared Sick Leave. A written request for review of the eligibility for Shared Sick Leave should be submitted to the Director of Human Resources and the President of the College within ten (10) working days from the date of disapproval notification. The Human Resources Director will make a recommendation to the College President who will make a final determination within ten (10) working days of receipt of the written request.

5.40.5 Benefits While on Shared Sick leave

1. An eligible full-time employee may be granted up to 160 hours of Shared Sick Leave over a two (2) month period.
2. The College will continue paid medical, dental, life, and disability insurance for the duration of the use of Shared Sick Leave.
3. The employee can accrue sick leave and will earn personal days according to College guidelines. The employee will not be eligible to accrue vacation leave until the first of the month following return to work full-time.
4. Educational Assistance may be used by qualified dependents but may not be used by the employee who is on full-time or intermittent Shared Sick Leave.
5. The employee will not be eligible for supplemental employment within the College and will not be approved for supplemental employment outside of the College during the period they are receiving Shared Sick Leave.
6. Utilization from the Shared Sick Leave bank ceases when: 1) the employee is released to return to work, 2) the employee has been absent 90 continuous working days and is eligible to apply for Long-Term Disability benefits, 3) the employee begins receiving retirement benefits, or 4) the approved number of hours have been used.

7. An employee who uses Shared Sick Leave days from the Shared Sick Leave bank is not required to pay back the hours.
8. Leave covered by this Policy shall not constitute a break in service and an individual shall have all rights and privileges as defined in the Policies of the Board of Trustees unless otherwise specified.

5.40.6 Return to Work

Prior to returning to work, an employee who has been absent due to their own serious injury, illness, or impairment must provide Human Resources a return-to-work release from a licensed medical provider. If the return-to-work release contains any restrictions, Human Resources will work with the employee and the supervisor to determine if the College can accommodate the state restrictions. The College will consider any employee who fails to return to work after receiving the release from the licensed medical provider to be absent from their job without authorization. The College considers three (3) days of unauthorized absences to be a voluntary resignation.

5.40.7 Donations to Shared Sick Leave Bank

An employee may donate up to 40 hours from their accrued sick leave in a fiscal year to the Shared Sick Leave bank as long as their accrued sick leave does not fall below 240 hours. Once a donation has been made to the Shared Sick Leave bank, it cannot be restored to the individual. Donations may be made during the months of September and May of each year. The Shared Sick Leave bank cannot exceed a maximum of 2,000 days, and donations will be accepted only when the days accumulated in the bank drop below 2,000 days.

5.40.8 Option for Employees Ineligible for Shared Sick Leave

Employees who do not qualify for Shared Sick Leave, who have exhausted their accumulated paid leave, and/or who have exhausted Family and Medical Leave may consult Human Resources to determine eligibility to apply for an unpaid leave, reduced work schedule, retirement, and/or long-term disability.

5.40.9 Exhaustion of the Shared Sick Leave Bank

Days in the Shared Sick Leave bank will be distributed until exhausted or as determined by the College President. The program may be amended as required to maintain the integrity and purpose of the Shared Sick Leave bank.

5.41 Leaves of Absence *(Adopted 6-1-1992; Revised 6-4-2001, 12-2-2013)*

Employees are eligible for extended paid/unpaid leaves of absence from the College under certain circumstances.

Procedures

5.41.1 Family and Medical Leave Act (FMLA) *(Revised 12-2-2013)*

The College will comply with the provisions of the federal Family and Medical Leave Act (FMLA). The Office of Human Resources must be notified immediately upon request of Family Medical Leave to assure legal compliance. Please refer to Policy 5.35 for the complete Family and Medical Leave Act Policy and Procedures.

5.41.2 Military Leave *(Revised 12-2-2013)*

Full-time employees who are members of the U.S. Armed Forces and its reserve components will be eligible for re-employment in the same or similar position after completing military service, provided that the employee shows their orders to their supervisor as soon as they receive the orders; satisfactorily completes active-duty service; enters the military service directly from employment with East Central College; and applies for and is available for re-employment within 90 days after discharge from active duty. If the employee is returning after 31-180 days of active duty for training, they must apply within 14 days after discharge. If active duty lasts 30 days or less, the employee must report to work at their next scheduled work shift.

Employees with one (1) year or more of service will be protected against loss of income as a result of participation in annual encampment or training duty in the U.S. Military Reserves or the National Guard. In these circumstances, the College will pay the difference between what an employee earns from the government for military service and what the employee would have earned as normal straight-time earnings through their employment with the College. This difference will be paid for up to two (2) weeks in a calendar year. An employee who qualifies for such pay and who is on military leave during one of the College's paid holidays will receive full holiday pay from the College for that day, irrespective of any military pay earned that day.

Employees may also be eligible for leave in certain circumstances, described below, if their spouse, son, daughter, parent, or next of kin is a member or veteran of the U.S. Armed Forces.

An eligible employee may take FMLA leave for a “qualifying exigency” arising out of the fact that their spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a “covered servicemember” may take up to 26 weeks of unpaid leave during a 12-month period to care for the servicemember, if the servicemember is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness that occurred in the line of duty (or existed before but was aggravated by service in the line of duty) and that resulted in the servicemember being unable to perform the duties of their office, grade, rank, or rating.

5.41.3 Public Service Leave of Absence

Employees who desire to accept temporary employment in federal, state, or local government or with an organization devoted to higher education betterment may be granted a public service unpaid leave of absence with no paid benefits for up to one (1) year.

5.41.4 Requests for Unpaid Leave

When possible, requests for a leave of absence or any extension of a leave should be submitted to the employee's supervisor(s) 60 days prior to commencement of the leave period, or as soon as it is practicable. The approval or denial process is supervisor, appropriate administrator, Director of Human Resources, President, and Board of Trustees.

5.41.5 Employee Failure to Return to Work *(Revised 12-2-2013)*

If an employee fails to return to work for their next scheduled work shift after the conclusion of an approved leave of absence, the employee may be terminated from employment.

5.41.6 Reduced Work Schedule for Full-time Employees *(Adopted 7-30-2001; Revised 12-2-2013)*

Full-time employees may request a reduced work schedule on a temporary basis. Reduced work schedule will be defined as completion of less than 40 hours per week. Full-time employees who request reduced leave must work a minimum of 20 hours per week.

1. Eligibility

To be eligible to request a reduced schedule, employees must be 12-month, full-time employees for a consecutive period of at least two (2) years, based upon their date of hire. The employee must demonstrate satisfactory work performance, as reported by the supervisor, for the most recent two (2)-year period.

Upon return from Reduced Work Schedule employees must complete a minimum of two (2) years of continued 12-month, full-time employment with satisfactory performance before they are eligible to request Reduced Leave again. An employee may request a Reduced Work Schedule no more than twice.

2. Approval Process

In all cases, the supervisor, vice president(s), Human Resources, and President of the College must approve the reduced schedule. The approval process will include an assessment of the hardship to the department and to the College. The expected workload effect and departmental conditions will also be considered and may influence the parameters of the Reduced Work Schedule.

Every request will be evaluated on a case-by-case basis. The supervisor, vice president(s), Human Resources, and President of the College will decide if temporary employees will be hired to assist with the workload.

3. Duration

The duration of the Reduced Work Schedule is subject to the approval of the supervisor, vice president(s), Human Resources, and the President of the College, but will not exceed one (1) fiscal year.

4. Continuation of Salary and Benefits

During the period of Reduced Work Schedule, the employee will be paid only for time worked. Non-exempt employees will be paid for hours worked; exempt employees will be paid a percentage of their annual salary, based upon the percentage of schedule worked. Insurance and retirement benefits will be continued on a pro-rated basis. These benefits will include medical, dental, vision, life, and disability insurances. Educational Assistance may be used by qualified dependents but may not be used by the employee who is on the Reduced Work Schedule. During the period of Reduced Work Schedule, the employee may utilize accrued leave, but additional leave will not accrue while the reduced work schedule is in effect. Accrued sick leave may only be used if the reduced work schedule is due to a qualifying FMLA leave. The employee will not be eligible for supplemental employment with the College. If a reduced work schedule is in conjunction with FMLA, benefits will be continued at no cost to the employee.

5.42 Insurance and Benefit Plans *(Adopted 6-1-1992; Revised 6-23-2003, 11-4-2013)*

Information and summary communications intended to explain benefit plans shall be furnished to all plan participants and beneficiaries on a continuing basis.

For purposes of this Policy, a dependent is a child, stepchild, or foster child aged 26 or under.

Procedures *(Revised 4-6-2006; Revised 11-4-2013)*

5.42.1 College Insurance Benefits *(Revised 1-12-2021)*

The following insurance benefits are provided by the College to qualifying full-time employees, as well as to eligible College retirees per state statute (Mo. Stat. 169.590) and other applicable College policies and state/federal law. The employee/eligible retiree may add a spouse and/or dependents at an additional cost to the employee/eligible retiree. Insurance coverage for new employees begins the first of the month following their date of hire. In the event of termination or resignation, insurance benefits will terminate at the end of the month of the last day worked. The individual will qualify for continuation of medical, vision, and dental insurance under COBRA.

1. **Medical Insurance** – The College pays the premium for all full-time employees' medical insurance. The employee may be responsible for a

portion of the premium based on the type of plan they choose. Employees participating in the high deductible insurance plan can also participate in a Health Savings Account (HSA). Employees working 30 hours per week or more may qualify for medical insurance as defined by the Affordable Care Act.

2. **Vision Insurance** – The College pays the board-approved premium for all full-time employees' vision insurance.
3. **Dental Insurance** – The College pays the board-approved premium for all full-time employees' dental insurance.
4. **Life Insurance** – All full-time employees are insured with a \$50,000 life insurance policy. The employee may add additional insurance at their own expense.
5. **Long-Term Disability Insurance** – The College will pay the premium for a salary continuance program which assures full-time employees a continuous income equal to not less than 2/3 of the employee's monthly salary when an employee is disabled because of injury or illness. Maximum is \$6,000 per month.
 - a. The College will provide access to medical, dental, vision, and disability insurance coverage through the College's group plans at the expense of the employee until a disabled employee is eligible for Medicare.
 - b. Group term life insurance may be continued on a disability waiver. This requires a disability claim form to be completed.
6. **Unemployment Insurance** – The College provides unemployment insurance to all employees in compliance with state and federal laws.

5.42.2 Tax Shelters

Interested full-time employees may tax-shelter certain earnings in compliance with Internal Revenue Service codes.

The chief financial officer will develop and file all appropriate documentation with state and federal agencies regarding sheltering contributions.

1. **Tax Sheltered Annuities** [IRS code, section 403(b)] are available for employees who wish to tax shelter earnings. A list of current vendors is available from Human Resources.
2. **Deferred Compensation Plans** [IRS code, section 457(b)] are available for employees who wish to tax shelter earnings.
3. **Cafeteria Plans (Flexible Spending Account [FSA])** [IRS code, section 125] are available for employees who wish to redirect pre-tax income to pay eligible benefit items normally paid with after-tax dollars.

The deductions that may be included in the cafeteria plan are:

- a. Medical, dental, and vision insurance premiums paid by the employee
- b. Certain un-reimbursed medical expenses
- c. Adult and child dependent care

The College also offers a Limited Purpose FSA for dental and vision expenses to those employees participating in a Health Savings Account.

5.43 Professional Association Membership *(Adopted 6-1-1992; Revised 11-3-2003; Reaffirmed 11-4-2013)*
Employees are encouraged to join and participate in professional associations and may be sponsored in professional associations when this will serve the College's interests and goals.

Procedures

5.43.1 Employee-Selected Professional Association

Employees are encouraged to participate in professional associations that promote professional development. However, employee participation in such associations may not be supported financially by the College unless such participation is in support of particular College interests and goals.

5.43.2 College-Recommended Professional Association

The College may identify certain professional associations in which it wants to be represented and then designate the employees that it will sponsor for membership in such associations. Employees so designated will represent the College in the organization and will be expected to participate actively and promote its interests.

5.43.3 Coordinating Representation

Administrators are responsible for coordinating sponsorships of employees in professional associations. Administrators will normally consider the following factors in selecting associations in which to sponsor representation and in designating employees to be sponsored for membership:

1. The nature and purpose of the association
2. The benefit to be derived by the College's support and from employee participation
3. The cost to the College
4. The extent to which the College is already represented in the association
5. The employee's job responsibilities, length of service, and overall qualifications for membership

5.43.4 Planning, Budgeting, and Expense Approval

Administrators are responsible for planning, budgeting, and approving the expenses of their employees' participation in association activities. The College will pay for or reimburse the approved and reasonable expenses of employees sponsored for membership in professional associations.

5.44 Educational Leave *(Adopted 6-16-2014)*

The term “educational leave” refers to the release from duties or time normally required of a full-time employee in carrying out their full responsibilities assigned. Educational leave is granted for purposes related to the employee’s work at the College. College funds may be used to pay employee salaries while they are on educational leave if the eligibility criteria are met. The College provides two types of educational leave – sabbatical leave and professional leave.

Sabbatical leave is intended to advance education or research related to the employee’s position.

Professional leave is intended for work exchange or other professional experience related to the employee’s position.

Procedures *(Adopted 6-16-2014)*

5.44.1 Eligibility for Paid Educational Leave

Full-time, general fund (non-grant funded) employees may be granted paid educational leave after having been employed by the College for six (6) years.

1. An eligible full-time employee may be granted educational leave for one (1) full contract year (fall/spring semester) at one-half of the individual’s salary for the period.
2. An eligible full-time employee may be granted educational leave for six (6) months or one (1) semester during the regular academic year at the full contractual salary for the period of the leave.

Retention of benefits while on paid educational leave:

1. The salary computed will be the salary that the individual would receive in the period for which the leave is to be taken.
2. The employee shall retain all accumulated sick leave, personal leave, vacation leave, and years of service status.
3. The College will continue to provide benefits as defined in Policy 5.42 Insurance and Benefit Plans.
4. Educational leave will not constitute a break in service with the College.
5. Vacation leave, if applicable, and sick leave will accrue during the educational leave period. Personal leave will be earned per Policy.

6. Educational leave time will count toward years of service with the College.
7. To the extent permitted by the PSRS/PEERS requirements and guidelines, educational leave will count as service credit in the PSRS/PEERS system.

5.44.2 Eligibility for Unpaid Educational Leave

A request for educational leave for which the employee is not eligible under the foregoing leave-with-pay policy must meet the following criteria for consideration:

1. The benefit to the institution demonstrably outweighs the penalty incurred by the employee's absence.
2. No additional cost is incurred by the institution as a result of the proposed educational leave.

Retention of Benefits while on unpaid educational leave:

1. The employee shall retain all accumulated vacation leave, personal leave, sick leave, and years of service status. Eligibility to accumulate leave and years of service credit ceases on the date educational leave without pay begins.
2. Accumulated vacation leave may be exhausted before going on educational leave without pay or the employee may choose to retain part or all of the accumulated leave until return to service.
3. While on unpaid educational leave, the employee may continue some College employee benefits, as defined in Policy 5.42, at the employee's expense. The College will not make any contributions toward employee benefits during a period of unpaid educational leave.
4. Unpaid educational leave will not count toward years of service with the College.
5. Unpaid educational leave will not count as service credit in the PSRS/PEERS system.
6. The employee and/or family are not eligible for educational assistance during an unpaid educational leave.
7. Following the completion of unpaid educational leave, the employee is not eligible for unpaid educational leave for another six (6) years.

5.44.3 General Principles

1. The College reserves the right to suspend or limit funding for educational leaves if the College determines that budget conditions do not support educational leaves. The notification of such suspension or limitation will occur by January 1 of each year.

2. Duties of the employee will be covered during the educational leave period in a manner that is acceptable to the administration.
3. Upon return from educational leave, the employee may return to their previous position or one which is comparable.
4. At the conclusion of paid educational leave, the employee must serve two (2) full academic/fiscal years in service with the College or repay in full the cash value of salary and benefits for the educational leave. Should the employee serve at least one (1) year but less than two (2) years, one-half of the cash value of salary and benefits received shall be repaid. The employee will be required to sign a promissory note before the commencement of paid educational leave. The President of the College has the right to waive any or all of these requirements.
5. Following the completion of paid educational leave, the employee is not eligible for paid educational leave for another six (6) years.

5.44.4 Application Process

Applications for educational leave shall be filed with Human Resources no later than November 1 of the fiscal/academic year preceding the proposed start date of the educational leave. The employee will need a recommendation letter from the immediate supervisor and appropriate Vice President supporting the employee's request for educational leave. Proposals submitted after the deadline will not be considered.

5.44.5 Selection Guidelines

The broad-based activities considered part of educational leave include academic activities, scholarly endeavors, and professional development.

Criteria to be used in determining eligibility of qualified applicants for sabbatical leave are:

1. Employees who need additional coursework to complete a degree, provided the degree is directly related to the employee's assignment.
2. Employees requesting courses that will be beneficial to the College's instructional programs.
3. Employees requesting academic travel, an immersion experience, or an exchange program related to the faculty's field or program.

Criteria to be used in determining eligibility of qualified applicants for professional leave are:

1. Employees requesting leave for advanced training applicable to their College assignment.
2. Employees requesting to accept and fulfill a leadership role in an organization outside of the College to enhance knowledge and skills.
3. Employees requesting other professional leave that would be beneficial to the College.

In the event that applications for educational leave in any given year exceed the number that can be released without jeopardizing the ongoing programs of the College, preference will be given to employees who have not previously utilized educational leave.

5.44.6 Review Committee

All applications for educational leave will be reviewed by a committee that shall consist of three (3) faculty and two (2) professional staff employees as selected by the respective employee association. The College President will appoint an administrator/Cabinet member to serve as a non-voting member on the committee.

The committee will review the educational leave proposals and make a recommendation to approve or not approve the requests based on the criteria and funding. Proposals selected by the committee will be presented to the College President for approval. The College President will make a recommendation to the Board of Trustees for approval. The Board of Trustees will typically review the recommendation at its March meeting, but no later than the start of the next fiscal year.

5.44.7 Appeal *(Revised 6-13-2022)*

If a request for educational leave is denied, the employee may submit a written appeal to the College President within seven (7) days of such notification outlining the rationale for the additional review. A response to the employee's appeal request will be provided in writing within (15) working days of receipt of the appeal. The decision of the President is final.

5.44.8 Reporting

At the conclusion of the educational leave, the employee returning from educational leave will present a written report to the appropriate Vice President and the employee's supervisor. The report will summarize the educational leave activities, provide information on achieving the goals of the educational leave, and outline the connection of the educational leave to the professional development goals of the individual.

5.45 Tuition Waiver *(Adopted 6-1-1992; Revised 6-4-2001; Reaffirmed 4-15-2014; Revised 6-13-2022)*

A waiver of tuition and fees may be provided to employees and qualified retirees who enroll in East Central College courses.

Procedures *(Revised 4-6-2006)*

5.45.1 Employee/Retiree Tuition Waiver Request *(Revised 4-15-2014, 7-23-2014; 2-18-2015; 6-13-2022)*

The employee must complete the Tuition Waiver Request Form and receive the approval of the immediate supervisor, appropriate Vice President, and Human Resources Director prior to the first day of class. Failure to complete the form in

advance will result in denial of waiver benefits. Enrollment in the course(s) should be outside the employee's normal working hours and should not interfere with the employee's work responsibilities. Coursework may not be completed during normal working hours.

Retirees must complete the Tuition Waiver Request Form and receive the approval of the Human Resources Director prior to the first day of class.

The employee/retiree tuition waiver covers tuition and general fees but does not apply toward any special fees, book/supply costs, courses offered only on a non-credit basis, or program costs assessed through educational partners for tuition, seat charges, or other fees.

Employees receiving a tuition waiver for themselves, a spouse, or a dependent(s) who separate from the College prior to mid-term in the semester in which the tuition waiver is granted will be required to pay the tuition for that semester. If employment terminates after mid-term, no tuition will be due to the College.

5.45.2 Tuition Waiver Eligibility *(Revised 4-15-2014; 1-13-2021)*

Tuition waiver eligibility for full-time and part-time employees begins the semester following the employee's hire date. The following employees are eligible for tuition waiver benefits for ECC credit classes:

- Full-time employees – Eligible for up to six (6) credit hours per semester.
- Part-time employees – Eligible for up to six (6) credit hours per semester.
- Adjunct instructors - Eligible for up to six (6) credit hours during the semester immediately following completion of their assignment as an adjunct instructor, unless otherwise approved by Human Resources.
- Retirees – Eligible for up to six (6) credit hours per semester. Retirees are defined as individuals who have completed five (5) years of service to East Central College and are eligible for retirement benefits through PSRS/PEERS.
- Spouses of full-time employees – Eligible for up to 18 credit hours per semester.
- Unemancipated children of full-time employees – Eligible for up to 18 credit hours per semester which includes dual enrollment and dual credit tuition for unemancipated children who are under the age of 24, unmarried, and live in the employee's residence. Unemancipated children may be natural children, adopted children, stepchildren who live with the employee, or other children for whom the employee is the legal guardian. If the student is using multiple tuition-based funding programs, the other funding will be applied to the student's account before the employee waiver. Should the student drop a course(s) during the semester, the student will be responsible for repaying any charges beyond tuition and general fees. Exceptions to this procedure must be approved by the Director of Financial Aid.

Eligible individuals using a tuition waiver who withdraw or wish to repeat a course are subject to the applicable academic policies and may receive a waiver

for only one repeat per course. Repeatedly withdrawing from courses covered by tuition waiver may result in a suspension of the tuition waiver benefit.

5.45.3 Approval of Tuition Waiver *(Revised 4-15-2014)*

Requests for tuition waivers for employees must be approved by the employee's immediate supervisor, appropriate Vice President, and the Director of Human Resources. These requests must be submitted on the Tuition Waiver Request Form before the start of each semester. The course itself, as well as the day and time of the course, are subject to these approvals.

Requests for tuition waivers for spouses and/or unemancipated children must be initiated by the employee and must be approved by the Director of Human Resources. These requests must be submitted on the Tuition Waiver Request Form before the start of each semester.

Requests for tuition waivers for retirees must be approved by the Director of Human Resources before the start of each semester.

5.46 Tuition Reimbursement *(Adopted 6-1-1992; Revised 6-4-2001; Reaffirmed 4-15-2014; Revised 6-13-2022)*
Tuition reimbursement may be provided to full-time regular employees who are in a program of approved college study directed toward the improvement of their qualifications.

Procedures

5.46.1 Full-Time Regular Employee Tuition Reimbursement *(Revised 4-15-2014; 11-5-2018; 2-15-2019; 9-13-2023)*

1. Reimbursement of tuition shall be up to an amount equal to 100% of the applicable undergraduate or graduate College of Education tuition at the University of Missouri-St. Louis or the tuition fee of the institution in which the employee was enrolled, whichever is less. Employee tuition reimbursement covers tuition only and does not apply toward any special fees or book/supply costs.
2. Courses must be taken at a regionally accredited college or university and must be applicable toward a higher degree than the current highest degree of the employee or a recognized post-secondary certificate or non-degree credential. Exceptions may be made by the appropriate Vice President, Director of Human Resources, and President when it is deemed to be in the best interest of the College.
3. The employee must complete the Tuition Reimbursement Request Form and receive the approval of the immediate supervisor, appropriate Vice President, and Director of Human Resources prior to enrolling in the course(s). Enrollment in the course(s) should be outside the employee's normal working hours and must not interfere with the employee's work responsibilities. Any

exceptions must be approved by the College President. Coursework may not be completed during normal working hours.

4. No more than six (6) unrestricted credit hours will be reimbursed during an employee's tenure prior to admission to an undergraduate or graduate degree program or a post-secondary certificate/non-degree credential. A degree plan, approved by the supervisor, appropriate Vice President, and College President must be on file with the Human Resources office prior to requesting tuition reimbursement beyond the initial six (6) hours. After the initial six (6) hours, only coursework detailed in the program of study for the advanced degree (beyond the employee's current degree) or post-secondary certificate/non-degree credential will be considered for tuition reimbursement.
5. The employee's immediate supervisor, area administrator, and the Director of Human Resources must indicate approval of the course(s) by signing the Tuition Reimbursement Request form.
6. Financial assistance shall be limited to no more than 18 credit hours per calendar year, based on course completion date, during which the employee is employed with East Central College. East Central College shall comply with applicable IRS regulations regarding the treatment of tuition reimbursements, and such tuition reimbursements (not waivers) shall be considered Educational Assistance as outlined in IRS Publication 15-B. Reimbursement amounts exceeding the published exclusion limit for educational assistance will be considered taxable wages and reported as such on the employee's W-2. The College will not consider any tuition reimbursements as working condition benefits as outlined in IRS Publication 15-B.
7. Employment is required to continue two (2) calendar years following tuition reimbursement. Should the employee voluntarily leave the employment of East Central College within one (1) year of completion of coursework for which the employee was reimbursed, 100% of the tuition reimbursed for the 12-month period ending the date of the last course completed for which reimbursement was received and 50% of the tuition reimbursed for the prior 12-month period shall be repaid to the College. Employees voluntarily leaving the employment of East Central College after one (1) year but prior to the completion of two (2) years of employment following tuition reimbursement shall repay 50% of the tuition reimbursed for the 12-month period ending the date of the last course completed for which reimbursement was received. Reimbursement due to the College for tuition repayment will be deducted from the employee's vacation payout. If there is a remaining balance due after deduction from vacation payout, the business office will issue an invoice to the employee and the balance due shall be paid by check, cash, or credit card through the cashier's office within 30 days of the employee's termination date. The College reserves the right to send delinquent invoices to outside collections.

8. All freshman and sophomore level classes must be taken at ECC (covered under Policy 5.45 Tuition Waiver) unless ECC does not offer the requested course or equivalent. Employees working toward an Associate degree will be required to take the classes at ECC. Reimbursement of tuition for freshman and sophomore level classes not available at ECC shall be up to an amount equal to 100% of the applicable educational fee (tuition) at East Central College. Exceptions must be approved by the appropriate Vice President, Director of Human Resources, and the College President.
9. Employees who voluntarily leave the College or are terminated prior to completing the approved courses will not be reimbursed. Records of all education programs completed by each employee will be maintained by the Office of Human Resources.
10. Any exception to these procedures must be authorized by the College President.

5.46.2 Completed Course(s) *(Revised 2-15-2019)*

To receive reimbursement, the employee must submit a transcript or grade report along with a copy of the invoice/statement from the institution that lists the class credit hour cost to the Office of Human Resources to verify that the approved course has been completed.

5.46.3 Grade Requirements

A grade “C” or better for undergraduate-level course work or “B” or better for graduate-level course work is required for reimbursement.

5.46.4 Course Approval *(Revised 4-15-2014)*

The employee’s immediate supervisor, appropriate Vice President, and the Director of Human Resources must indicate approval of the course(s) by signing the Educational Assistance Request Form. Enrollment in the course(s) should be outside the employee’s normal working hours and should not interfere with the employee’s work responsibilities. Any exceptions must be approved by the College President.

5.47 Degree Attainment *(Revised 4-15-2014, 2-15-2019)*

Full-time faculty, professional staff, and support staff who obtain a college or university degree that exceeds the established degree requirements for the position in which they are employed will receive a salary increase. Subsequent degrees at the same level will not qualify for additional salary increases.

Procedures

- 5.47.1** The degree must be obtained from a regionally accredited college or university. An official transcript showing degree completion must be submitted to the Human Resources Office to receive the salary increase.

5.47.2 Salary increases will be awarded within 30 days following verification of degree completion. Support staff will receive an hourly rate adjustment equal to the annualized award. Faculty and professional staff will receive the amount added to their annual contractual salary. Faculty and Professional Staff receiving a degree during the contract year will have an adjustment equal to the annualized award added to the remaining contracted salary for that year; the full annual increase will be reflected in the salary for the next contracted year.

The following increase to annual salary will be awarded upon completion of the degree:

Associate degree	\$ 500
Bachelor's degree	\$1,000
Master's degree	\$1,500
Specialist degree/MFA	\$2,000
Doctoral degree	\$3,000

5.48 Professional Development - Staff *(Adopted 4-15-2014)*

East Central College is strongly committed to professional development and encourages professional and support staff to take advantage of opportunities for education, peer networking, learning, and growth.

Procedures *(Adopted 4-15-2014)*

- 5.48.1** Employees may participate in development activities or workshops intended to improve specific skills (i.e., technical skills), conferences designed for professional enhancement, and/or related activities.
- 5.48.2** All full-time professional and support staff should submit requests to participate in conferences, training, or workshops to their supervisor for approval. Requests for professional development must relate to the job.
- 5.48.3** Upon successful completion of the approved development activity, employees will submit appropriate documentation and request for reimbursement for eligible expenses to the supervisor for approval. Reimbursement amounts will be computed as outlined in the Expense Reimbursement & Travel Policy (4.17).

5.49 Faculty Rank and Promotion *(Approved 9-8-1998; Revised 2-2-2004, 7-12-2010; Reaffirmed 11-4-2013)*

Appointments of faculty to academic rank will be made by the Board of Trustees upon the recommendation of the President and the Chief Academic Officer.

Procedures *(Revised 7-12-2010, 11-4-2013, 6-13-2022)*

- 5.49.1** Applicable faculty job titles include Instructor (default appointment at hire), Assistant Professor, Associate Professor, and Professor. The College reserves the right to make appointments to Assistant Professor, Associate Professor, or Professor at hire based on established criteria.

- 5.49.2 Faculty on continuing contracts are eligible to receive rank promotions and associated salary adjustments based upon established criteria and a review conducted by the Rank and Promotion Committee.
- 5.49.3 Criteria for promotion are available in the office of the Chief Academic Officer.
- 5.49.4 The College reserves the right to suspend the rank and promotion system should budget conditions warrant.

5.50 Collective Bargaining *(Adopted 3-7-2016)*

East Central College recognizes the right of eligible members to organize and bargain collectively through representatives of their own choosing subject to the procedures set forth in this section and in accordance with applicable Missouri law.

Procedures *(Adopted 3-7-2016)*

5.50.1 Public Sector Labor Law Employees

Any College employees that are included within the coverage of the Missouri Public Sector Labor Law must petition for formal certification of their chosen representative with the State Board of Mediation, in accordance with Missouri law, *Section 105.500, et seq.*, RSMo (2000).

5.50.2 Choosing a Representative – Employees not Covered by Public Sector Labor Law

Any College employees that are excluded from the coverage of the Missouri Public Sector Labor Law may Petition for formal election of their chosen representative with the College Board of Trustees, in accordance with this Board Policy.

5.50.3 Board Requires Secret Ballot Election Process

The College will recognize a labor union or other organization as the official bargaining representative for a group of College employees only after a secret ballot election, similar to those conducted under the Missouri Public Sector Labor Law and as set forth in this Policy unless otherwise required by law.

5.50.4 Establishment of Additional Procedures

College employees may use the process established in this Policy and its related procedures to select a labor union or other organization of their choice as their representative for purposes of collective bargaining. The President is authorized to make additional rules and procedures to govern the election process as may be necessary to implement this Policy.

5.50.5 Petition for Election of Representative with Required Information

To initiate a secret ballot election process to select a representative, an employee must submit to the President or designee a formal Petition for Election of Representative, including the following requirements:

1. The name of the labor union or organization seeking such recognition, along with the name, address, e-mail, and telephone number of the designated contact person.
2. A description of the proposed bargaining unit for which representation is sought. The description should include the classifications of employees to be included and excluded, and the approximate total number of employees included in the proposed bargaining unit.
3. The Petition must be supported by the valid dated signatures of at least 30 percent of the total number of employees in the proposed bargaining unit, on cards or a petition format.
4. No signature in support can be older than six (6) months from the date the Petition for Election is submitted to the President or designee. The signatures in support should be submitted in a separate sealed envelope, labeled *“Signatures in Support of Petition.”*

Once the President or designee receives such a Petition, they will post notice of receipt of the Petition in the same location that notices for Board meetings are posted. The notice will set a future date, no earlier than five (5) business days after the first date of posting, in which any College employees interested in representation by a different labor union or organization may submit a request for a different representative as described below in 5.50.8 “Other Interested Organizations.”

5.50.6 Initial Support by 30% of Employees in Proposed Bargaining Unit

The President or designee will identify and designate an appropriate neutral third person or entity to review the Petition and confirm that it is supported by at least 30 percent of the employees in the proposed bargaining unit. The President or designee will provide the designated person or entity with a list of names and signatures of all College employees within the definition of the proposed bargaining unit for verification.

The President or designee and the third person or entity designated to review the support for the Petition will have up to 30 working days to verify that the required information is present, and to examine the description of the proposed bargaining unit and the validity of the signatures in support. The President or designee will notify the contact person of the union or other organization seeking recognition of any missing information to allow an opportunity for any problem to be corrected within ten (10) working days.

The envelope labeled “*Signatures in Support of Petition*” containing the signatures in support will remain sealed until the designated third person opens it to verify the existence of valid timely (*i.e.*, within six (6) months) signatures from at least 30 percent of the employees in the proposed bargaining unit.

The designated third person or entity will notify the President or designee and the contact person of the labor union or other organization as to whether valid timely signatures of 30 percent of the employees were presented in support of the Petition, but will not provide additional information, will not disclose the signed petition or cards, will not disclose which employees supported the Petition, and will not disclose the total number of employees who supported the Petition to the College or to any person unless required by law.

5.50.7 Determination of Appropriate Bargaining Unit

If the information in the Petition is complete and the necessary level of 30 percent support is demonstrated, the President or designee will consider and determine whether the scope and definition of the proposed bargaining unit is appropriate. The President or designee will submit to the Board of Trustees a written recommendation as to the appropriateness of the proposed bargaining unit description-and a list of the College positions and employees who would belong to the unit if formed. If the President or designee determines that the scope and description of the proposed unit is appropriate, the Board of Trustees will set a date for the election.

If the President or designee determines the scope and description of the proposed bargaining unit is not appropriate, the Board of Trustees will set the matter on its agenda and decide the issue at an upcoming Board of Trustees meeting unless the President or designee and the labor union or other organization seeking recognition agree that a meeting is not necessary to resolve the disagreement.

If the matter is set for a Board meeting, the contact person for the labor union or other organization seeking recognition will receive notice of the date, time, and location of the meeting. The Board of Trustees will determine the appropriateness of the proposed bargaining unit within ten (10) business days of the meeting. The Board’s decision is final. If the proposed bargaining unit is approved, the Board of Trustees will set a date for the election. If the description of the proposed bargaining unit is not approved, the contact person for the labor union or organization seeking recognition may submit a revised unit description (see paragraph below).

If a revised unit description is submitted, the President or designee will provide the designated third person or entity a list of names and signatures of College employees meeting the definition of the revised proposed bargaining unit so that the designated third person can determine if signatures from at least 30 percent of the employees in the revised unit were obtained;as described in 5.50.6 “Initial Support by 30 Percent of Employees in Proposed Bargaining Unit.” If so, the

President or designee will submit to the Board a recommendation regarding the appropriateness of the proposed revised bargaining unit as described in this section. If the designated third person or entity determines that the required number of signatures were not obtained, the employee must re-submit a new petition for election for representation with the 30 percent showing described in 5.50.6 “Initial Support by 30 Percent of Employees in Proposed Bargaining Unit.”

5.50.8 Other Interested Organizations

As set forth above, once the President or designee receives a complete Petition, they will post notice of receipt of the Petition in the same location(s) that notices for Board meetings are posted. Once the President or designee has posted notice that a Petition for Election of Representative has been filed to select a labor union or other organization as the representative for collective bargaining, any College employee in the proposed bargaining unit who is interested in being represented by a different such organization may submit a second Petition to the President or designee.

To do so, the employee must submit a Petition with the same information set forth in 5.50.5 “Petition for Election of Representative” (including name of labor union or organization seeking recognition, contact information for designated contact person), except that such second Petition need only be supported by signatures of ten percent (10%) of the employees in the proposed bargaining unit.

All information must be submitted to the President or designee no later than the date set in the posted notice. The Board of Trustees will delay setting a date for an election until the new information is reviewed by the President or designee and the person designated to review the Petition, in accordance with the provisions of 5.50.5, 5.50.6, and 5.50.7 of these procedures as described above. If the request was submitted before the deadline and is supported by the timely (*i.e.*, within six (6) months) signatures of at least ten (10) percent of the employees in the proposed bargaining unit, the additional labor union or organization will also be listed on the ballot, and the Board will set a date for the election.

5.50.9 Ballot, Notice of Election, and Election Procedures

The Board of Trustees may receive recommendations from the President or designee and from the contact person for the labor union(s) and organization(s) that will appear on the ballot regarding appropriate wording and order of choices to appear on the ballot. The Board of Trustees will determine the language to appear on the ballot in time for the Notice of Election (see paragraph below). All approved ballots must include an option under which an employee may vote “No” or for “No Representation” *i.e.*, a vote not to be represented by any labor union or organization for collective bargaining.

The President or designee will provide notice of the election in writing, electronically or otherwise, to all College employees in the proposed bargaining unit. In addition, the President or designee will post notice of the election in the same location that notices for Board meetings are posted, and in other

conspicuous places easily accessible to the College employees in the proposed bargaining unit no less than five (5) business days prior to the election. The Notice of Election shall contain:

1. The date, hours, and place of the election.
2. A description of the proposed bargaining unit.
3. A sample ballot with “Sample” clearly marked on its face.
4. Information regarding applicable Board policies and procedures.

The election will be held in one (1) or more polling places reasonably convenient to the eligible voters and at times when the employees in the proposed bargaining unit may vote without leaving their assigned duties. The election will be conducted by secret ballot. The Board and the College President or designee may appoint one (1) or more College employees or other persons who do not belong to the proposed bargaining unit, nor to any labor union or organization listed on the ballot, to distribute and collect the ballots, and to check the names of voters off of a list of College employees in the proposed bargaining unit. The College may also select an outside third person or entity to perform these election functions.

The President or designee and the union(s) or organization(s) seeking recognition appearing on the ballot may each have a representative (“designated observer”) present at each polling place during the election. The designated observers may challenge an individual’s eligibility to vote. Challenged ballots shall be folded and placed in a separate sealed envelope with the name of the voter plainly written on the outside. Challenged ballots will not be considered, unless the number of such votes could affect the results of the election. If the challenged ballots might affect the results of the election, the challenged ballots will be presented to the Board of Trustees at a later formal Board meeting, as set forth below, for a final determination of the challenge.

5.50.10 Tally of Ballots and Election Results

Ballots will not be tallied until after the posted time for closing the polls unless all of the eligible voters have already cast their ballots. The ballots will be tallied by the Board- or President-appointed College employee(s) who does not belong to the proposed bargaining unit nor to any labor union or organization listed on the ballot, or the outside third person or entity mentioned in 5.50.9 “Ballot, Notice of Election, and Election Procedures” and will be done in the presence of the designated observers selected by the President or designee and each of the organization(s) listed on the ballot. Tallied ballots will be placed in a sealed envelope and saved until all challenges and objections are resolved as described in 5.50.11 and the Board votes to certify the election results. The tentative results will be recorded in writing and signed by the observers present when the ballots were tallied. The results will remain tentative until the Board votes to certify the results. The Board’s decision will be final.

If a union or organization seeking representation and appearing on the ballot receives a majority of the votes cast, the outcome is a majority election and that union will become the elected bargaining representative for the bargaining unit after all election objections (and any ballot challenges) are resolved and the Board of Trustees votes to certify the election result.

If the only labor union seeking representation does not receive a majority of votes cast or if the ballot choice of “No” or “No Representation” receives a majority of the votes cast, the outcome is also a majority election and no union or organization will become the elected bargaining representative for the bargaining unit after all election objections (and any ballot challenges) are resolved and the Board of Trustees votes to certify the election result.

An “inconclusive election” is an election in which the ballot includes at least three (3) choices, i.e., at least two (2) labor unions or organizations seeking representation and an option for “No Representation,” and where no choice receives a majority of the ballots cast. When the results of an election are inconclusive, the Board will set a date for a Runoff Election as described in 5.50.12 “Runoff Election” of these policies and procedures. Unless otherwise directed by the Board, there will only be one Runoff Election.

A “null election” is an election where all choices receive an equal number of votes or where two (2) choices receive an equal number of votes and a third choice receives a higher but still a less-than-majority vote. When this happens, the Board of Trustees may declare the election a nullity and set a date to run a new election (a “rerun election”). The new election will follow the notice and election process detailed in 5.50.9 “Ballot, Notice of Election, and Election Procedures” of these procedures. If the rerun election results in another nullity, the Board of Trustees will dismiss the Petition and a bargaining unit will not be formed. If the second election results are “inconclusive,” a Runoff Election will be held.

A “final election” is an election in which two (2) or more choices receive an equal number of votes, another receives no votes, and all eligible voters have voted. In such case, neither a runoff election nor a rerun election will be conducted. Because all eligible employees have voted and there is no majority result, no representative is selected and no labor union or organization will become the designated bargaining representative for the proposed bargaining unit once all election objections (and any ballot challenges) are resolved and the Board of Trustees votes to certify the election result. The Board’s decision will be final.

5.50.11 Challenged Ballots and Objections to Election Results

Within ten (10) business days after the votes are tallied, any employee in the proposed unit may file with College an objection to the conduct of the election or conduct affecting the results of the election, which shall contain a short plain written statement of the reasons for the objection. A copy of the written objection

must be provided to all members of the Board, to the President or designee, and to the contact person for any organization(s) seeking to represent the proposed bargaining unit and which appeared on the ballot. The same process shall apply to challenged ballots which may affect the outcome of the election.

The President or designee will investigate all such challenges and objections to the conduct of the election or affecting its results. Unless the President and the persons challenging the ballots or objecting to the election agree otherwise, the Board of Trustees will hold a meeting to consider the objection. If a Board meeting is held, the President or designee, the person(s) challenging the ballots or filing the objection, and the contact person for each of the organization(s) seeking recognition on the ballot will receive notice of the meeting. The Board will make a decision within ten (10) business days on the challenge or objection. The Board's decision will be final.

After the time for filing objections has expired and/or the Board has made a final decision on all objections and, if necessary, challenged ballots, the final results of the election will be presented to the Board of Trustees for Certification of Election results (and, if needed, for a runoff election; see paragraph 5.50.12 below).

5.50.12 Runoff Election

If a runoff election is necessary, the ballot in any runoff shall provide for a selection among the two (2) or more choices receiving the largest number of votes in the last election, the sum of whose votes aggregate at least one (1) more than half of the total votes cast. After voting to certify the first election, the Board will set a date for the runoff election. The election will follow the notice and election process detailed in 5.50.9 "Ballot, Notice of Election, and Election Procedures." All College employees in the proposed bargaining unit may vote in the runoff election, regardless of whether that employee voted in the original inconclusive election.

5.50.13 Election Bar

Once a final election result is certified regarding a bargaining unit, no Petition requesting another election in any part of the same bargaining unit will be accepted by the Board for a period of one (1) calendar year after the date the Board voted to certify the results of the prior election.

5.50.14 Petition for Decertification or Change of Representation

Any employee in the bargaining unit may Petition for Change of Representation of their bargaining unit or to no longer be represented by any union or organization for collective bargaining. As noted above in 5.50.13 "Election Bar," the Board will not accept such a petition for a period of one (1) year after the Board votes to certify the results of the prior election. At any other time, an

employee must submit to the President or designee a Petition containing the following information:

1. The bargaining unit in which a Change of Representation is sought, and whether the Petition seeks a different labor union as the representative or seeks “No Representative.”
2. If the Petition seeks a change to a new labor union as the representative, the name of the labor organization seeking recognition as the new employee representative along with the name, address, e-mail, and telephone numbers of its designated contact person.
3. The Petition must be supported by the valid dated signatures of at least 30 percent of the employees in the bargaining unit, on either cards or a petition format. No signature in support of the Petition can be older than six (6) months from the date the Petition for Change is submitted to the President or designee. The signatures in support should be submitted in a separate sealed envelope, labeled “*Signatures in Support of Petition.*”

Once the President or designee receives such a Petition, they will post Notice of Receipt of the Petition in the same location that notices for Board meetings are posted. The process will follow, as closely as possible, the procedures set out above.

The notice will set a date, no earlier than five (5) business days from the first date of posting, by which College employees in the bargaining unit who are interested in a change in representation (i.e., to an alternate labor organization) may submit such a second request as in 5.50.8 "Other Interested Organizations." The process will follow, as closely as possible, the procedures set out above.

The President will identify and designate an appropriate third person or entity to review the Petition and confirm the existence of support by at least 30 percent of the employees in the bargaining unit. The President or designee will provide the designated third person or entity with a list of names and signatures of all College employees within the current bargaining unit for verification.

The President or designee and the third person or entity designated to review the support for the Petition will have up to 30 working days to verify that the required information is present and to examine the bargaining unit information and the validity of the signatures in support. The President or designee will notify the contact person of the union or other organization seeking a change in representation (if any) of any missing information, to allow an opportunity for any problem to be timely corrected.

The envelope labeled “Signatures in Support of Petition” containing the signatures in support of the Petition for Change will remain sealed until the

designated third person opens it to verify the existence of valid timely signatures from at least 30 percent of the employees in the current bargaining unit.

The designated person will promptly notify both the President or designee and the contact person for the potential new labor union or organization (if any) as to whether signatures of 30 percent of the employees were presented in support but will not provide additional information and will not disclose the signed petition or cards, which employees supported the Petition, nor the total number of employees who supported the Petition to any person unless required by law.

If the information is complete, the Board will set a date for the election. The ballot on any Petition for Change of Representation must include the following choices: 1) the current labor union organization or other designated representative, 2) the new labor union(s) or organization(s) seeking the change in representation (if any), and 3) an option for employees to vote for “None” or “No Representative” *i.e.*, to vote for no representation for purposes of collective bargaining. The election will be conducted in accordance with the process detailed in this Policy and these procedures.

5.51 Academic Freedom *(Approved 12-3-1968; Revised 6-23-2003; Reaffirmed 11-4-2013)*

East Central College, as an academic community, promotes learning characterized by free inquiry, open discussion, and thoughtful communication. Academic freedom is a tenet of such instruction and essential to the purpose of higher education. Faculty and students must be free to examine ideas in an environment without institutional censorship.

5.52 Academic Regalia *(Adopted 12-3-1968; Reaffirmed 12-2-1991; Revised 4-7-2003, 11-4-2013, 6-13-2022)*

The college will provide academic regalia for all faculty, administrators, and professional staff participating in the commencement ceremony.

5.53 Professional Development - Faculty *(Approved 4-7-2003; Revised 8-27-2007, 4-15-2014, 6-13-2022)*

Faculty are encouraged to take advantage of opportunities for education, peer networking, learning, and growth. Resources will be made available through the Faculty Professional Development Fund (FPDF), individual faculty development accounts, and the Academic Affairs Professional Development Reserve Fund.

Procedures *(Revised 4-15-2014, 6-13-2022)*

5.53.1 The Faculty Professional Development Fund (FPDF) is available for use to travel to conferences, workshops, and meetings, or to fund other approved development activities. The Faculty Professional Development Committee will oversee the application and disbursement process for requests from the FPDF with final approval made by the Chief Academic Officer. Any remaining funds at the end of each fiscal year will be divided equally among all current full-time faculty individual development accounts.

5.53.2 Faculty may accrue funds in individual faculty development accounts. Any remaining funds at the end of each fiscal year will go into the Academic Affairs Professional Development Reserve Fund. New faculty will be allotted \$500 for their individual faculty development account at hire. Additional funds may be earned by participation in specific activities as outlined in the Collective Bargaining Agreement. A maximum of \$2,500 may be accrued in the individual faculty development account. Any funds in excess of \$2,500 or funds remaining in an individual faculty member's account when they leave the institution will go into the Academic Affairs Professional Development Reserve Fund.

5.54 Faculty Emeritus *(Adopted 2-4-2013; Revised 11-4-2013)*

Appointments of retired faculty to the honorary status of emeritus faculty may be made by the Board of Trustees upon recommendation of the President.

Procedures

5.54.1 Emeritus Application Upon Retirement

1. Following fifteen consecutive years of full-time service to the College, a faculty member is eligible to apply for Emeritus title upon retirement.
2. A retired faculty member will complete the application form and submit all the required documents to the Chief Academic Officer.
3. Applicants will be reviewed by a seven (7) member committee appointed by the President, and consisting of five (5) faculty, one (1) administrator, and one (1) professional staff member. The committee will establish the criteria used to advance a recommendation of emeritus status. The committee will meet in the spring of each year and recommend Emeritus status no later than the April Board of Trustees meeting.
4. The committee will make a recommendation to the President; the decision of the President is final and not subject to appeal.

5.54.2 Emeritus Application for Faculty Retired More Than One Year and Posthumous Applications:

1. Faculty members who have been retired from the College for a minimum of one (1) year and have served as a full-time faculty member for a minimum of 15 consecutive years may apply for emeritus status.
2. Application procedures and limitations will follow the guidelines for faculty at retirement. Retirees of one (1) year or more will complete the application form and submit all required documentation to the Chief Academic Officer.
3. Emeritus status can be awarded posthumously. An application can be made following the guidelines stated above on behalf of a deceased retiree.

5.54.3 Emeritus Benefits

1. Title of Faculty Emeritus included in all College publications and materials.
2. The option to attend commencement in full academic regalia.
3. Eligible for tuition waivers for credit courses.
4. An invitation to campus social activities.
5. A certificate noting the Emeritus appointment and placement of the name of the Emeritus Faculty on a plaque in a prominent location on campus.
6. A campus identification card noting the Faculty Emeritus status.
7. An ECC email address.

5.55 Service Awards *(Approved 3-4-1991; Revised 6-23-2003, 11-4-2013)*

It is the policy of the College to recognize eligible employees for their years of service to the institution.

Procedures *(Revised 8-2007)*

5.55.1 Years of Service Recognized *(Revised 11-4-2013, 7-1-2016)*

Awards shall be presented annually by the President of the College to full-time and part-time employees at their five (5)-year service anniversary and every five (5) years following. Awards shall also be presented upon retirement from the College as defined by Policy 5.56. Effective July 1, 2017, adjunct faculty will be recognized for their years of service at their five (5)-year anniversary and every five (5) years following.

5.55.2 Determining Eligibility *(Revised 12-23-2014; 7-1-2016; 1-12-2021)*

1. Years of service will be determined from the first date of full-time or part-time employment with the College (including temporary full-time employment and part-time employment that is contiguous with regular full-time employment as of July 1, 2016) except that adjunct faculty service will not be added to years of full-time service. Time spent on approved leave of absence such as Family Medical Leave, Military Leave, Sabbatical Leave, or Professional Leave will be considered as active employment for service awards. In the event of a termination of employment and subsequent rehire, years of service will be adjusted accordingly. Calculation of years of service for service awards may be different than years of service calculation for benefits.
2. Employees must have reached the five (5)-year service interval prior to October 1 of the year they are recognized.
3. The Office of Human Resources is responsible for identifying those employees to be honored.

5.55.3 Awards *(Revised 11-4-2013; 7-1-2016, 6-13-2022)*

Full-time and part-time employees eligible for recognition for their years of service will be honored at a recognition dinner with the Board of Trustees and administrators each year. All honorees will receive a certificate of recognition. Those with ten (10) or more years of service will also receive an award commemorating their years of service.

Adjunct faculty eligible for recognition for their years of service will be recognized during a fall in-service event such as the adjunct faculty workshop. All honorees will receive a certificate of recognition. Those with ten (10) or more years of service will also receive a small gift of appreciation.

5.56 Retirement *(Adopted 6-1-1992; Revised 6-23-2003, 11-4-2013, 7-15-2015)*

The College provides retirement options for employees with five (5) or more years of service within the regulations and guidelines of the Public School Retirement System (PSRS), the Public Education Employee Retirement System (PEERS), and applicable state law.

Procedures

5.56.1 Full-time Faculty, Administrators, and Professional Staff

The retirement contribution as established by state statute is paid by the employee with matching contribution by the College into the Public School Retirement System.

5.56.2 Full-time Support Staff

The retirement contribution as established by state statute is paid by the employee with matching contribution by the College into the Public Education Employee Retirement System.

5.56.3 Notification of Retirement *(Revised 1-12-2021)*

Qualifying retirees are strongly encouraged to notify the Director of Human Resources as indicated:

1. Administrators, professional staff, and teaching faculty shall notify the College of retirement at least 90 days prior to the effective retirement date unless otherwise authorized by the College President.
2. Support staff members shall notify the College of retirement at least sixty days prior to the effective retirement date unless otherwise authorized by the College President.

Qualifying retirees shall notify PEERS/PSRS as required.