

North Central Missouri College

Board Policy Manual

Adopted July 20, 2000
Updated August 20, 2010



*The mission of NCMC is to assist individuals in our
education/business community
to attain their goals through open admission, reasonable costs,
and progressive curriculum and services
delivered by a caring, competent staff
in a safe, technology-rich learning environment.*



TABLE OF CONTENTS

	<u>Page</u>
<u>1.000 Introduction</u>	5
1.1.00 Preface	5
1.2.00 Legal Base and Authority for the College	5
1.3.00 Selected Missouri Statutes Pertaining to the Junior College District	5
1.4.00 Severability	6
1.5.00 Waiver	6
<u>2.000 Board of Trustees</u>	7
2.1.00 Members of the Board – Elections and Qualifications	7
2.2.00 Functions of the Board of Trustees	9
2.3.00 Officers of the Board of Trustees	10
2.4.00 Duties of the Officers of the Board of Trustees	10
2.5.00 Board Committees	11
2.6.00 Meetings of the Board of Trustees	11
2.7.00 Board Agenda	12
2.8.00 Rules of Order	13
2.9.00 Board Minutes and Reports	15
2.10.00 Amendments of the Rules	15
2.11.00 Governmental Immunity	16
<u>3.000 General College Policies</u>	17
3.1.00 Ethics	17
3.2.00 Permitted Activities	20
3.3.00 Prohibited Activities	20
3.4.00 Political Activity	21
3.5.00 Copyrights	21
3.6.00 Personal Use of District Resources and Personnel	23
3.7.00 Student or Employee Lists	23
3.8.00 Advertising and Solicitation	23
3.9.00 Safety	23
3.10.00 Solicitation and Approval of Gifts and Grants to the District	23
3.11.00 Privacy for Computer Programs and Data	24
3.12.00 Records Retention	24
3.13.00 Tuition Waivers for Non-College Employees	24
3.14.00 Tuition Waivers for Senior Citizens	25
3.15.00 Sexual Harassment	25
3.16.00 Guidelines for Naming Opportunities	36

<u>4.000</u>	<u>Student Policies</u>	37
4.1.00	General Student Policy Statement	37
4.2.00	Student Background Investigations	37
4.3.00	Student Indebtedness to the College	37
<u>5.000</u>	<u>General Personnel Policies</u>	38
5.1.00	Nondiscrimination	38
5.2.00	College's Right to Manage, Discipline, and Discharge	38
5.3.00	New Positions or Vacancies	38
5.4.00	Administrative Vacancies	40
5.5.00	Employment Contracts	41
5.6.00	Wage and Salary Administration	41
5.7.00	Annual Performance Evaluation (AMP's)	42
5.8.00	Personnel Information Disclosure	43
5.9.00	Corrective Discipline for Non-Faculty	45
5.10.00	Termination of Employment	46
5.11.00	Grievance Procedure for Non-Faculty	47
5.12.00	Benefits	50
5.12.10	Insurance Benefits	50
5.12.20	Retirement Programs	51
5.12.30	Payroll Deductions/Tax Sheltered Annuities	51
5.12.40	Workers' Compensation	52
5.12.50	Unemployment Compensation	52
5.12.60	Leaves	52
5.12.70	Tuition Waivers	59
5.12.80	Tuition Allowances for Colleges other than NCMC	60
5.12.90	Emeritus Status	61
<u>6.000</u>	<u>Business Operations</u>	63
6.1.00	Special Authorization of District Employees	63
6.2.00	Accounting for Funds	63
6.3.00	Budget Guidelines	63
6.4.00	Purchasing, Investing, and Expenditures Guidelines	64
6.5.00	Inventory	65
6.6.00	Loan of Equipment	65
6.7.00	District-Owned Vehicles	66
6.8.00	Disposal of Surplus Property	66
6.9.00	Insurance Coverage	66
6.10.00	Bookstore	66
6.11.00	Accidents and Injuries	66
6.12.00	Travel Policy	66

<u>7.000</u>	<u>Buildings and Grounds</u>	69
7.1.00	Use of College Facilities	69
7.2.00	Prohibited Substances	69
7.3.00	Recycling and Waste Reduction Program	69
7.4.00	Biohazard Medical Waste	69

Appendix:	Grievance Form	
	Sexual Harassment Complaint Form-	

1.000 INTRODUCTION

1.1.00 Preface: The Policies of the Board of Trustees of North Central Missouri College are included in these manuals. Responsibilities are defined with respect to Board officers, administrative personnel, faculty, and staff members. While all legal provisions relating to the Junior College District of Grundy County, Missouri, cannot be included, those provisions of particular pertinence are either duplicated here or noted by code reference number. Subsequent additions or modifications to the manuals will be distributed in such form as to be included within a looseleaf binder. All information included within the manuals will remain in force unless superseded by Board action. All other handbooks and manuals for distribution to faculty and staff members, students, advisory committees, etc., must be in accordance with this basic manual. These manuals are not contracts or conditions of employment, and may be modified, interpreted, or eliminated at the College's sole discretion. They will be available for examination in each major administrative office of the District. No person will, on the basis of race, color, religion, national origin, ancestry, sex, handicap, or familial status will be subject to discrimination in employment or in admission of any educational program or activity of the College. The Faculty Manual, Classified Staff Manual, and the college catalog are incorporated herein.

1.2.00 Legal Base and Authority for the College: Trenton Junior College was decreed as a part of the K-14 Trenton R-IX school system June 11, 1925. The Junior College District of Grundy County, Missouri, hereinafter sometimes referred to as North Central Missouri College (formerly Trenton Junior College), or the College, was established as a separate entity in accordance with RSMo 178.800 by a vote of the qualified voters on April 1, 1986, with said District to include, and its boundaries to be coterminous with, the following listed school district in Grundy, Livingston, and Daviess Counties:

Trenton R-IX

The members of the initial Board of Trustees were also elected on April 1, 1986, in accordance with RSMo 178.820.

1.3.00 Selected Missouri Statutes pertaining to the Junior College District of Grundy County, Missouri:

The Public School Laws of Missouri, sections:

Generally, 178.770 et. seq.

Accreditation standards, 178.780

Actions by or against, 178.770

Annexation, 178.890

Bond, 178.770

Budgets, 178.780

College courses, 178.805

Contracts, majority of Board of Trustees, 178.830
Corporate powers, 178.770
Dissolution, 178.400
Elections, 178.800 to 178.840
 Annexation, 178.890
 Notice, regular elections, 115.023
 Qualified voters, defined, 115.133
 Regular elections, conduct, 115.023
 Trustees, 115.023
Employees, 178.860
Entrance requirements, 178.780
Fraternities and sororities, 171.141
Name, 178.770
Notice, elections, regular, 115.023
Per capita cost, 178.850
Records, 178.780
Retirement of personnel, 178.860
Standards, 178.770
State aid
 Administration of program, 178.780
Withholding, refusal to honor annexation, petition, 178.890
Taxation, 178.770, 178.870
Trustees, 178.820 et. seq.
Tuition, 178.850
were adhered to and are being complied with by the Junior College District of Grundy County, Missouri. Other sections and statutes not specifically written for junior colleges, but applicable to same will be complied with accordingly as interpreted and defined by the Department of Higher Education and by legal counsel.

1.4.00 Severability: It is understood that any provision inconsistent with or contrary to law will be considered as deleted from this manual without harm to the remaining provisions of the manual. If any article or section of this manual or any addendum to it should be held invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any article or section should be restrained by such tribunal, the remainder of this manual and addenda will not be affected thereby.

1.5.00 Waiver: Failure of the College to require performance of any promise, condition, or covenant herein will in no way affect the full right to require such performance at any time thereafter, nor will the waiver of a breach of any promise, condition, or covenant hereof be taken or held to be a waiver of the promise, condition, or covenant.

2.000 BOARD OF TRUSTEES

2.1.00 Members of the Board – Elections and Qualifications

- 2.1.10 The Board of Trustees will consist of six members to be elected from the District at large. Members will be elected for terms of six years each with two members being elected in each even-numbered year.
- 2.1.20 Authority for Elections – All elections will be carried out in accordance with the Comprehensive Election Act of 1977.
- 2.1.30 Preparation of Ballots – The Secretary will certify to the Board and to the election authority the names of all candidates who have filed a timely Declaration of Candidacy and will cause to be printed and prepared, ballots and voting machines containing the names of said candidates and any proposition to be voted on at said election.
- 2.1.40 Filing for Election – All candidates for the office of Trustee will file their Declarations of Candidacy with the Secretary of the Board of Trustees on forms to be provided by the Secretary. The Declaration of Candidacy forms will include the following information:
 - 2.1.41 The full name and address of the candidate
 - 2.1.42 A statement that the candidate is at least twenty-one years of age and has been a resident of the College District for at least one whole year next preceding the election for which the candidate is filing
 - 2.1.43 A statement that the candidate is a citizen of the United States
 - 2.1.44 Such other and further information as may be required by law or by resolution of the Board of Trustees
 - 2.1.45 All candidates will comply with the provisions of the Missouri Campaign Finance and Disclosure Law, RSMo Chapter 30. Each Declaration for Candidacy will be signed by the candidate before a Notary Public or other person authorized to take statements under oath. Declarations of Candidacy may be filed in the office of the Secretary to the Board according to timeframes established by state law. If two or more Declarations of Candidacy are presented at 8:00 a.m. on the first date for filing Declarations of Candidacy, the Secretary to the Board will determine a fair and equitable procedure to determine the posting order for the election ballot.
- 2.1.50 Publication of Notice – The notice of election, together with a list of polling places, will be published by the election authority in newspapers of general circulation and according to Missouri law.
- 2.1.60 Elections, How Conducted – Elections are conducted by the election authorities in the College District according to Missouri law. Absentee ballots will be issued to any qualified voter

- requesting such in writing or by voting in person at the election authority, as provided by law.
- 2.1.70 Certification of Results – Upon receipt of the official election results from the election authority in each county of the College District, 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 proposition.
- 2.1.80 Oath – All members of the Board of Trustees will be required to take and subscribe 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 of the state of Missouri, and that I will faithfully and impartially discharge the duties of school director in and for the Junior College District of Grundy County, Missouri, to the best of my ability, according to law, so help me God.
- 2.1.90 Assuming Office – At the first meeting of the Board of Trustees after the election of a member or members to the Board of Trustees and after the elected member or members has been certified, said member or members so elected and certified will present themselves for the purpose of being seated. If the oath of office has not already been taken, the newly elected member or members will then swear (or affirm) the prescribed oath before a competent official. A new member will file with the Secretary of the Board. The President of the Board will thereupon recognize him as a member of the Board of Trustees, and he will henceforth be entitled and qualified to perform the duties of office of a member of the Board of Trustees.
- 2.1.100 Vacancy, How Filled – In the case of a vacancy in the membership of the Board of Trustees from any cause, it will be the duty of the Secretary to certify such fact to the Board and to each remaining member thereof. After such certification, the trustees at a regular or special meeting will nominate and appoint a successor trustee to serve until the next election held by or for the District when a Trustee will be elected for the unexpired term. Upon appointment by the Board, the Secretary will issue a certificate of appointment to the newly appointed Trustee. When a person becomes a member of the Board of Trustees by appointment, he will take his seat at the next regular meeting after said appointment and after having taken the prescribed oath of office.
- 2.1.110 Conflicts of Office
- 2.1.111 No member of the Board will directly or indirectly receive any compensation or remuneration nor derive any profit or gain by reason of his/her services to the District. See Section 3, Ethics.

2.1.112 The laws pertaining to nepotism of the State of Missouri will be adhered to.

2.2.00 Functions of the Board of Trustees

- 2.2.10 Introduction: The Board will consider and take appropriate action on recommendations of the President of the College on all matters of policy relating to the welfare of the College. The Board will functions as the legislative and policy-making body of the District charged with the oversight and control of the College, leaving the executive function to the College President. The policies adopted by the board will be consistent with the provisions of law.
- 2.2.11 Conduct necessary elections
- 2.2.12 Organize the Board of Trustees and elect officers
- 2.2.13 Select and appoint the President of the College
- 2.2.14 Determine the broad general policies which will govern the district
- 2.2.15 After evaluating administrative recommendations, assume exclusive responsibility for making decisions concerning appointment, retention, or dismissal of employees
- 2.2.16 Fix fees and tuition
- 2.2.17 Approve the annual budget
- 2.2.18 Fix a tax rate
- 2.2.19 Require an audit in accordance with state law
- 2.2.100 Approve the expenditure of all funds
- 2.2.110 Provide ways and means for adequate financial support
- 2.2.120 Approve the college catalog
- 2.2.130 Serve as a court of final appeal for students, employees, and citizens of the District on matters of policy and policy interpretation
- 2.2.140 Such other duties as designated by Missouri law
- 2.2.150 In matters of federal awards, the Board of Trustees will meet all program governance requirements as outlined by the applicable program standards. In reference to the Head Start program, those requirements can be found in the Head Start Policy Manual (Subpart D- Program Design and Management). *added 6-26-07*
- 2.2.20 Statements or Actions of Board Members – Board members have authority only when acting as a Board of Trustees legally in session. The Board will not be bound in any way by any statement or action on the part of any individual Board member or employee, except when such statement or action is in pursuance of specific instructions by the Board of Trustees. Normally the Chairman of the Board acts as spokesperson for the Board, unless the board designates another member to act in such capacity.
- 2.2.30 Neither North Central Missouri College nor the Board of Trustees, as a publicly elected body, will endorse or oppose any candidate

for public office, nor will it endorse or oppose political persons, parties, or groups.

2.3.00 Officers of the Board of Trustees

- 2.3.10 Composition – The officers of the Board of Trustees will be a president and a vice-president, who will be members of the Board, and a secretary and treasurer, who may but need not be members of the Board.
- 2.3.20 Officers, When Elected – Officers will be elected at the first meeting of the Board following elections in each even numbered year. Per RSMo 162.301, this meeting will be within seven days after each annual election. In the case of a vacancy in any office, such vacancy will be filled as soon as practicable by electing a successor to the unexpired term of office.
- 2.3.30 Election of Officers, How Conducted – The election of all officers may be by secret ballot and will be held at a regular meeting or at a special meeting of the Board held for that purpose.
- 2.3.40 Term of Office of Officers – Each officer of the Board will be elected for a term of two years, will assume office immediately upon election, and will hold office until his successor is elected and qualified.

2.4.00 Duties of the Officers of the Board of Trustees

- 2.4.10 President – The duties of the President will be, specifically:
 - 2.4.11 To preside at all meetings of the Board of Trustees
 - 2.4.12 To appoint or provide for the election of all committees
 - 2.4.13 To call special meetings as required
 - 2.4.14 To perform such other duties as may be prescribed by law for action of the Board of Trustees
 - 2.4.15 To sign checks and conduct financial transactions
- 2.4.20 Vice President – The duties of the vice president will be, specifically,
 - 2.4.21 In the case of the resignation, absence or disability of the President, to perform all of the duties of the President
 - 2.4.22 To perform such other and further duties as will from time to time be assigned by the President of the Board of Trustees
- 2.4.30 Secretary – The duties of the secretary will be, specifically,
 - 2.4.31 To be the official custodian of the records of the District and perform all duties required by the Board of Trustees and all duties hereinafter or hereinafter provided in these rules
 - 2.4.32 To record or cause to be recorded in a book provided for that same purpose the proceedings of the Board and to index the same

- 2.4.33 To attest all public acts of the District, affix thereto when necessary, the seal of the Junior College District and prepare and serve or cause to be prepared and served on the members in due time notices of all regular and special meetings of the Board
- 2.4.34 To be the custodian of the official seal of the District and of the official bond of the Treasurer which will be recorded in the records of the District
- 2.4.40 Treasurer – The duties of the Treasurer or designated agent, will be, specifically:
 - 2.4.41 To keep or cause to be kept complete records of the financial transactions of the District, to sign all checks and to report from time to time concerning the financial status of the Junior College District
 - 2.4.42 Other such duties as are imposed on the Treasurer by the laws of Missouri
- 2.5.00 Board Committees
 - 2.5.10 Appointment of Committees – The President of the Board of Trustees will appoint all Board committees and outline specific responsibilities of each committee. No permanent committee will be established.
 - 2.5.20 Appointment of Lay Committees – Lay committees will be appointed on a temporary basis to accomplish certain goals, and then will be terminated at the conclusion of their duties.
- 2.6.00 Meetings of the Board of Trustees
 - 2.6.10 Regular Meetings – The regular monthly meeting of the Board of Trustees is held on the fourth Tuesday of each calendar month at 5:30 p.m. on the North Central Missouri College campus unless otherwise specified.
 - 2.6.20 Special Meetings – Special meetings may be called at any time by the President of the Board and will be called by the Secretary upon written request by three or more members of the Board.
 - 2.6.30 Notice of Meetings – Public notice will be given prior to all meetings of the Board of Trustees according to provisions of RSMo 610.020.
 - 2.6.40 Quorum – At all meetings of the Board of Trustees, whether regular or special, a majority of the entire membership of the Board will constitute a quorum to do business.
 - 2.6.50 Absences from Meetings – Any members of the Board failing to attend the meetings of the Board for three consecutive regular meetings, unless excused by the Board for reasons satisfactory to the Board, will be deemed to have vacated the seat; and the Secretary of the Board will certify that fact to the Board. The

vacancy will be filled as other vacancies occurring in the Board (RSMo 162.303).

- 2.6.60 Meetings to be Public – All regular meetings of the Board will be open to the public according to provisions of RSMo 610.010.
 - 2.6.70 Viewing of Official Records – Approved Minutes of the Board of Trustees and other official records of the College District such as budgets, audits, records of revenues and expenditures, bids and supply contracts, and election information will be made available for inspection by citizens of the District and other interested parties according to provisions of RSMo 610.023 and 610.024.
 - 2.6.80 Executive Sessions – The Board of Trustees may hold, as provided by RSMo 610.021, closed meetings, closed record, and closed vote, as an Executive Sessions, provided the Board when proposing to hold such shall give notice of the time, date and place, and the reason therefore by reference to the specific exception allowed pursuant to the provisions of RSMo 610.021, and provided further that the Board complies with the provisions for record keeping, procedure and limitation, as set forth in RSMo 610.020 and RSMo 610.022.
 - 2.6.90 Conduct of Meetings – All meetings of the North Central Missouri College Board of Trustees are conducted in accordance with applicable state laws. A majority of the whole board constitutes a quorum for the transaction of business, but no contract shall be let, person employed, bill approved or warrant ordered unless a majority of the whole board votes therefore (RSMo 162.301). Copies of the laws are available in the office of the College President.
 - 2.6.100 Representatives of College Constituencies: The Board of Trustees officially recognizes a member of the Faculty Senate, the Student Senate, the Administrative/ Management/Professional Group, and the Classified Staff selected by these bodies as their representatives. These representatives will receive notices of the Board meetings and agenda and will be invited to attend the Board meetings.
 - 2.6.110 Hearings Before Board – Any request for a hearing should be directed to the President of the College and he will place it on the agenda of a regular or special Board meeting will be called by the President of the Board of Trustees within seven days after such request. At such meetings, the person requesting the hearing may appear, with or without counsel, to present his appeal.
- 2.7.00 Board Agenda
- 2.7.10 How Prepared – The agenda for all regular and special Board meetings will be prepared by the President of the College in consultation with the Board Chair. The agenda will normally be

delivered to all Board members two working days prior to the Board meeting. Any Board member wanting additions or deletions to this agenda should contact the President of the College immediately.

- 2.7.20 Agenda Items from Board Members – An individual Board member may present any item for the agenda to the College President prior to the preparation of the agenda notice for the next meeting.
- 2.7.30 Waiver of Notice – Any item may be considered and placed on the agenda at any time if waiver of notice is granted by the majority of the Board.

2.8.00 Rules of Order

- 2.8.10 Order of Business – The President, upon taking the Chair, will call the members to order on the appearance of a quorum. The order of business (unless modified by the Board) will be as follows:
 - 2.8.11 Call to Order
 - 2.8.12 If appropriate, waiver of notice
 - 2.8.13 Approval of Minutes
 - 2.8.14 Approval of the Financial Reports
 - 2.8.15 Old Business
 - 2.8.16 New Business
 - 2.8.17 Communications and Reports
 - 2.8.18 Adjournment
- 2.8.20 Rules of Order – In all matters not covered by the rules of the Board, parliamentary procedure will be governed by the manual known as “Roberts Rules of Order Revised.”
- 2.8.30 Prior Notice in Certain Cases – No employment by the District of any official or other supervisory personnel and no matter of educational policy will be submitted to the Board for approval or placed on a regular or special meeting agenda for action by the Board until the proposed action has been circulated, in writing by the President of the College, to all members of the Board. This rule may be waived by the unanimous consent of the whole Board at the meeting when any such proposed action is contemplated.
- 2.8.40 Recognition – No person other than a member of the Board of Trustees, the President of the College, or other chief administrative personnel of the District designated by the Board President will be recognized to speak at any meeting of the Board of Trustees without the consent of the Board President or a majority of the Board present. Recognition to speak will be considered by the Board to persons requesting a hearing under Policy of this document and to patrons of the College District who request in writing the privilege of speaking at a Board of Trustees meeting regarding an agenda item.

- 2.8.50 Motions, How Made – No motion will be subject to debate until it has been seconded and stated by the Chair. It will be reduced to writing at the request of any member of the Board of Trustees. When a motion has been made and seconded, the same may be withdrawn by the movant at any time before a vote has been taken on the same.
- 2.8.60 Privileged Motions – When a question is before the Board, no motion will be received except:
 - 2.8.61 To adjourn
 - 2.8.62 To lay on the table
 - 2.8.63 To close a debate
 - 2.8.64 To refer
 - 2.8.65 To postpone indefinitely
 - 2.8.66 To postpone to a certain time, or
 - 2.8.67 To adopt a substitute or to amend
- 2.8.70 Debate Closed – Whenever the motion to close debate prevails, the movant of the proposition or, in the case of a report, the author thereof will have the privilege of addressing the Board; and after his remarks no more debate will be in order.
- 2.8.80 Motion to Table – The laying of a motion on the table will be construed as affecting only such motion and not any other motion to which it might be subsidiary.
- 2.8.90 Appeal of Rulings – The Board President will decide all questions of order, subject to an appeal to the Board by any member. In case of such an appeal, the questions will be, “Shall the decision of the Chair be sustained,” and, until it is decided all debate upon the pending question will be suspended, but decisions of the Chair may be debated when they refer to the interpretation of the rules or a point of parliamentary law. Upon a tie vote, the Chair will stand sustained.
- 2.8.100 Order of Voting – When the Board has decided to close debate, the vote will be taken first on any amendments that may be pending and finally on the main question.
- 2.8.110 Voting by Member – Reconsideration – No member of the Board may vote by proxy; however, members may attend meetings and vote by electronic communication (RSMo. 610.010). Every member present will vote in accordance with Missouri law. The reconsideration of a vote may be moved only by a member who votes with the majority and only at the same meeting at which the vote was taken. If the motion to reconsider prevails, the matter under consideration will be decided at that or the next regular session, and the matter as thus finally decided will not be revived within a period of three months unless by consent of a two-thirds majority of the Board.
- 2.8.120 Recording the Vote – The yeas and nays will be called and entered on the record according to RSMo. 610.015. At the request

of any member, stenographic notes may be taken of the remarks of the members of the Board and officers of the Junior College made in the course of the meeting. Such remarks will be transcribed and upon the request of any member will be recorded in the official Minutes. The books in which the stenographic notes are contained will be safely kept by the Secretary for possible reference thereafter.

- 2.8.130 Late Vote – No member will be allowed to give or change his vote on any question after the result has been announced by the Chair, unless by unanimous consent of the members of the Board.
- 2.8.140 Conduct of Debate – When a member is about to speak on any question, he will address himself to the Board President, be recognized, confine himself strictly to the point in debate and avoid personalities. No member will speak more than five minutes at any one time on any motion under discussion, nor more than once until all other members choosing to speak have spoken not more than twice to the same question without consent of the Board nor more than three minutes in explaining his vote. Members will not be interrupted while speaking, unless by a call to order. If a member be called to order, he will cease speaking until the point is decided by the Chair.
- 2.8.150 Leaving a Meeting – No member will leave a meeting of the Board of Trustees before the adjournment thereof without permission of the President.

2.9.00 Board Minutes and Reports

- 2.9.10 Official Minute Book – The Secretary of the Board of the College 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.
- 2.9.20 Presenting Reports for Board Approval – The President of the College is responsible for presenting all reports required by law and/or other agencies' documents needing the Board of Trustees' approval.
- 2.9.30 Distribution – Minutes of the Board of Trustees will be prepared and distributed to the Board members along with the agenda for the next regularly scheduled Board meeting.

2.10.00 Amendments of the Rules

- 2.10.10 How Amended – These rules for the government of the Board of Trustees of the Junior College District of Grundy County, Missouri, may be amended, repealed, or added to upon motion made in writing for that purpose by any member of the Board. Any such motion will not be voted upon until the next regularly scheduled meeting after it has been formally presented to the Board in writing. A majority vote of the whole Board will be

required for the adoption of any amendment, alteration, repeal, or addition to these rules.

2.10.20 Suspension of Rules – Any policy or procedure not required by law may be suspended for a specified time and for a specified purpose by a unanimous vote of the members of the Board present, but such suspension will only be in effect during the meeting at which such suspension was voted.

2.11.000 Governmental Immunity: The Board of Trustees will rely upon its immunity from tort liability to the fullest extent provided by Missouri statutes in the defense of any claims which may be made against the College District. It will be the policy of the Board of Trustees to carry liability insurance sufficient to cover the maximum amount of any claims that may be legally assessed against the District under provisions of RSMo 517.600, 537.610 or other applicable provisions of federal and/or state laws.

3.000 GENERAL COLLEGE POLICIES

3.1.00 Ethics

3.1.10 Declaration of Policy: The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interest in matters affecting the College.

3.1.20 Conflicts of Interest

3.1.21 Introduction: All elected and appointed officials as well as employees of a political subdivision must comply with RSMo. 105.454 on conflicts of interest as well as any other state law governing official conduct. A conflict of interest is a personal interest of a trustee or employee that might impair or reasonably appear to impair the trustee's/employee's independent and unbiased judgment in discharge of his or her institutional responsibility. A personal interest includes but is not limited to the trustee/employee, trustee's/employee's family member, or trustee's/employee's close associate. If a personal interest exists or appears to exist, the trustee or employee will disclose such interest and not participate in any decision in which he or she has conflict. The remaining governing board, in the case of trustees, will objectively make the decision in the best interest of the College. The Board Secretary will document through Minutes that a conflict was disclosed and that the trustee did not participate in the vote.

3.1.22 Fiduciary Threshold: Any member of the governing body of a political subdivision who has a "substantial or private interest" in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure will be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly of:

3.122.1 10% or more of any business entity, or

3.122.2 An interest having a value of \$10,000 or more, or

3.122.3 The receipt of a salary, gratuity, or other

compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

- 3.1.23 Federal Awards Code of Conduct: No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to subagreements. Violations of Codes of Conduct will be subject to review by the Board of Trustees and may result in appropriate disciplinary action including the possibility of dismissal. *added 6-30-07*
- 3.1.30 Disclosure Reports: Each elected official, the chief administrative officer, the chief purchasing officer, and the full-time general counsel will disclose the following information by May 1 if any such transactions occurred during the previous calendar year:
- 3.1.31 For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.
- 3.1.32 The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.
- 3.1.33 The chief administrative officer and the chief purchasing officer also will disclose by May 1 for the previous year the following information:
- 3.1.331 The name and address of each of the employers of

such person from whom income of one thousand dollars or more was received during the year covered by the statement;

3.1.332 The name and address of each sole proprietorship that he owned; the name, address, and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address, and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and 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 person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

3.1.333 The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

3.1.40 Filing of Reports

3.1.41 The financial interest statements will be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

3.1.411 Every person required to file a financial interest statement will file the statement annually not later than May 1 and the statement will cover the calendar year ending the immediately preceding December 31; provided that any member of the Board of Trustees may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.

3.1.41.2 Each person appointed to office will file the statement within thirty days of such appointment or employment.

3.1.42 Financial disclosure reports giving the financial information required in Section 3 will be filed with the local political subdivision and with the secretary of state prior to January 1, 1993. After January 1, 1993, reports will be filed with the local political subdivision and the Missouri Ethics Commission. The reports will be available for public inspection and copying during normal business hours.

- 3.1.50 Filing of Ordinance: A certified copy of this ordinance, adopted prior to September 15, will be sent within ten days of its adoption to the Secretary of State's office. A certified copy of any ordinance adopted on or after January 1, 1993, will be sent to the Missouri Ethics Commission within ten days after its adoption.
- 3.1.60 Effective Date: This ordinance will be in full force and effect from and after the date of its passage and approval and will remain in effect until amended or repealed by the Board of Trustees.

- 3.2.00 Permitted Activities
 - 3.2.10 Consulting: Employees are permitted to engage in consulting duties acting as private businesspersons if employment is in compliance with existing Board policy. Employees performing consulting duties and using college facilities shall reimburse the College for the use of the facilities. Use of the facilities will not be permitted if it is in violation of College insurance contract stipulations. See the Faculty Manual for additional policies on consulting by faculty (Section 1.2.2).
 - 3.2.20 Non-College Employment of Professional Personnel: Employees are allowed to engage in employment if that employment would not negatively affect their usefulness as employees to the College. Employment cannot make time and/or energy demands that would interfere with their effectiveness in performing their regular assigned duties. Employment cannot compromise the College, adversely affect the employee's employment status or professional standing or in anyway conflict with assigned duties. Employees shall limit any other employment or any private business to hours not necessary to the fulfillment of their appropriate assigned duties.
 - 3.2.30 Personal Life: The personal life of an employee will be the concern of the Board only as it may directly prevent the employee from properly performing his/her assigned functions during duty hours or violate local, state, national, or common law, or be prejudicial to his/her effectiveness in their teaching or administrative position.

- 3.3.00 Prohibited Activities
 - 3.3.10 Conflict of Interest (RSMo 105.450 – 105.482) No employee will undertake consulting or professional practice assignments that would result in a conflict of interest with his/her assigned college duties. An employee cannot assist any person or company for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from North Central Missouri College. An employee cannot perform an official act for the College which directly benefits a business or other undertaking in which she/he has an financial interest or is engaged as a counsel, consultant, representative, agent, director or officer.

- 3.3.20 **Gratuities:** An employee of the College will not accept any favor, gratuity, or promotional item of significant value from any person, firm, or corporation that is engaged in or attempting to do business transactions with the College.
 - 3.3.30 **Activities Requiring Disclosure:** Any employee who recommends or approves a purchase or service and who has any financial interest in the firm involved in the purchase or service will make this fact known at the time. Any employee who recommends or approves a personnel action and who has a financial interest or business association with the person will make this fact known at the time. This requirement does not include textbook adoption where the employee is clearly identified as the author or editor of the book in question.
 - 3.3.40 **Solicitation, Electioneering, and Promotion:** Employees may not conduct non-college business or engage in electioneering while they are at work. The President or designate may approve specific exceptions and establish limitations/standards for posted advertisements or promotional activities by individuals or groups on college property.
 - 3.3.50 **Non-College Sponsored Professional Services:** In all private consulting engagements, it is understood that the employee is acting as a private consultant; that the College is in no way a party to the contract or liable or responsible for the performance thereof; and that the College is not liable in any way for property of the client utilized for tests, observations or otherwise in connection with the consulting engagement, nor for consequent damages. The name of the College will not be used in advertising or in any other way without the written approval of the President. No employee may use College supplies, facilities, personnel or services to earn extra compensation from non-college sources without prior determination of appropriate reimbursement and written approval of the President. No employee of the College may offer or provide services in competition with the College.
- 3.4.00 **Political Activity:** College employees, unless authorized by the President or Board of Trustees, may not speak or act politically in the name of the college, promote political positions or candidates while performing their job responsibilities, or hold elective offices that interfere with full performance of their job responsibilities.
- 3.5.00 **Copyrights**
- 3.5.10 **Respect for intellectual labor and creativity is vital to academic discourse and enterprise.** This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgement, right to privacy, and right to determine the form, manner and terms of publication and distribution.

- Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorized integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secrets and copyright violations, may be grounds for sanctions against members of the academic community.
- 3.5.20 Works which are produced by an employee in connection with an approved and sponsored research project are treated in accordance with the agreement negotiated with the sponsor. In the absence of such agreement or to the extent such agreement does not fully address the ownership or works produced, such works shall be treated in accordance with Sections 3.5.30 and 3.5.40.
- 3.5.30 When an employee is assigned work or responsibilities for the specific purpose of developing computer programs, visual aids, videotapes, manuals, public relations material, or other copyrightable works, the works produced pursuant thereto and all royalties therefrom shall be the property of North Central Missouri College. Such assignment shall be indicated either on the individual employment contract or in a separate document countersigned by the employee. Should the College and the employee agree to a division of royalties, such division must be included in the contract or in a separate document countersigned by the employee. If the College does not wish to copyright the work, the employee may obtain a written release from the President and may then copyright the work in his/her name. Upon written request for release by the author, the College will respond within thirty days.
- 3.5.40 When an employee develops copyrightable works other than those defined in Sections 3.5.20 and 3.5.30, he/shall shall have sole right of ownership and disposition of such works. When such works are produced, developed, or authored through the use or with the aid of College facilities, personnel, or other resources, the College must be reimbursed for the fair market value of the use of any such facilities, personnel, or resources, except those considered part of the normal academic environment including library facilities. Manuscripts or works of art designed for publication in media where no remuneration is given the author(s) are exempt from this reimbursement.
- 3.5.50 Research conclusions: Research, if sponsored by agencies of federal, state, or local government, or if not sponsored but supported by College funds for released time, supplies, or service, is in fact supported by taxpayers. The researcher must ensure that the findings from the College or government sponsored research are made public before utilizing such findings for personal gain on behalf of a private client as part of a consulting engagement or otherwise giving advantage to a particular party or firm. However,

the above statement is not to be interpreted to mean that the public has a right to the field notes, raw data, research notebooks, or working papers of a researcher. However, the above statement is not to be interpreted as a waiver or denial of existing regulations on the use and distribution of such data, the premature release of which would jeopardize the public interest.

- 3.6.00 Personal Use of District Resources and Personnel: No employee of North Central Missouri College will, under any circumstances, use any equipment belonging to said District or consume any supplies, or utilize any College personnel for any purpose other than the business of the District, nor will they permit the unauthorized use of such equipment, supplies, or personnel by others. Abuse of this policy will be subject to appropriate disciplinary action including the possibility of dismissal.
- 3.7.00 Student or Employee Lists: Lists of names and addresses of employees or students will not be provided to persons or organizations for non-college related commercial or solicitation purposes (See Section 5.8.00). Requests from external persons or organizations for such lists, for any purpose, will not be granted without the permission of the President of the College.
- 3.8.00 Advertising and Solicitation: Posting and distribution of non-college material must be approved by the President or his/her designee.
- 3.9.00 Safety
 - 3.9.10 Machines and Equipment – Each employee will see that machinery and equipment under his/her supervision are operated in accordance with safety rules and that all students and employees who use such machinery and equipment understand and employ appropriate safety measures.
 - 3.9.20 Reporting Hazardous Conditions – All District personnel will report dangerous or hazardous conditions of buildings, grounds, or equipment to the Business Office.
- 3.10.00 Solicitation and Approval of Gifts and Grants to the District: North Central Missouri College welcomes and solicits financial support from the state and federal governments, businesses, clubs and organizations, and individuals. All requests for support will be administered by the College President or designated representative. No other faculty or staff member or student is authorized to solicit funds or to accept gifts for the District except with the prior approval of the College President or designated representative. The Board of Trustees will reserve the right to accept or decline all gifts or grants for the District. Solicitations from faculty, staff, and students for purposes other than school activities will be prohibited except with the express approval of the President of the College or the Board of Trustees.

- 3.11.00 Privacy for Computer Programs and Data: The North Central Missouri College computing privacy and security policy is based on Missouri statutes. NCMC reserves the right to discontinue or deny service without notice to any person it determines is abusing the computing system. Abuse includes, but is not limited to: physical damage to equipment, harassment to other users, use of unauthorized usernames or passwords, intentional disruption of the computer system by the launching of computer viruses, copying or duplicating software without authorization from the copyright holder, duplication of system data files or programs equivalent to the system services, and wasting computer resources. The unauthorized copying of any software which is licensed or protected by copyright is theft. Failure to observe software copyrights and/or license agreements may result in disciplinary action by the College and/or legal action by the copyright owner. No College-owned computing resources may be used for unauthorized commercial purposes.
- 3.12.00 Records Retention: North Central Missouri College adheres to the Missouri Community College Records Manual regarding the retention and disposal of college records as instructed by the Records Management Law of Missouri.
- 3.13.00 Tuition Waivers for Non-College Employees
- 3.13.10 Trenton IX Employees
- 3.13.11 Tuition will be waived, excluding courses by arrangement, non-credit courses, lab and other course related fees. Trenton R-IX employees who take outreach/dual credit/on-line courses must pay the difference between the regular on-campus rate and the outreach/dual credit tuition rate.
- 3.13.12 Other charges such as those for activity fees, facility fees, books, supplies, etc., will not be waived.
- 3.13.13 The policy is limited to Trenton R-IX employees and their dependents, dependents being those individuals qualifying as dependents as defined by the laws governing the United States Internal Revenue Service. For individuals who have retired with at least 5 years of service from the Trenton R-IX District but are not yet 60 years of age, tuition will be waived for the retired employee but not for dependents.
- 3.13.14 To be eligible for the tuition waiver an employee must be considered a full-time employee by the Trenton R-IX District. *revised 7/25/06*
- 3.13.15 Waiver forms are available from the NCMC Financial Aid Office and the Superintendent's Office. This waiver must be signed by the Superintendent and the NCMC President.
- 3.13.20 Head Start and WIA Employees

- 3.13.21 Waived tuition fees will relate only to regularly scheduled credit courses. Fees for seminars, non-credit courses, out-of-district courses, on-line courses, courses by arrangement, and other special courses will not be waived.
 - 3.13.22 Other charges such as those for activity fees, facility fee, books, supplies, etc., will not be waived.
 - 3.13.23 The policy is limited to employees and their dependents, dependents being those individuals qualifying as dependents as defined by the laws governing the United States Internal Revenue Service. For individuals who have retired with at least five years of service from Head Start or WIA but are not yet 60 years of age, tuition will be waived for the retired employee but not for dependents.
 - 3.13.24 If an employee works more than 675 hours per year but less than 1,400 hours per year, tuition will be reduced by fifty percent (50%). If an employee works 1,400 hours or more per year, the tuition will be totally waived.
 - 3.13.25 Waiver forms are available from the NCMC Financial Aid Office. This waiver must be signed by the program administrator and the NCMC President.
- 3.14.00 Waivers for Senior Citizens: North Central Missouri College encourages lifelong learning and awards full tuition waivers to Missouri senior citizens on a space available basis (RSMo 173.241). Any Missouri state resident who is at least 65 years of age may enroll in an available course during the Final Add/Drop period for the term and receive a full tuition waiver. The waiver does not include out-of-district courses, online courses, courses by arrangement, seminars, non-credit courses or community service courses. Student development fees, facility fees, lab fees and any other associated costs will be paid by the senior citizen. Standard registration policies and procedures apply. *revised 5-22-07*
- 3.15.00 Sexual Harassment
- 3.15.10 Introduction: In pursuit of its mission, North Central Missouri College (“NCMC”) has adopted the following policy on sexual harassment to help the College fulfill its educational mission, meet its ethical and legal obligations to members of the college community, and foster a productive environment for learning and working. Effective implementation of this policy will require the cooperation and active support of all members of the college community. Any NCMC faculty, staff, or student may, and indeed needs to, report knowledge of alleged sexual harassment to the appropriate college officials. The college’s policy on sexual harassment states that offensive or unprofessional conduct of a sexual nature undermines the atmosphere of mutual trust and

respect necessary for an effective learning and working environment and hinders NCMC's ability to fulfill its academic mission. Such conduct also may violate federal and state laws applicable to NCMC as an employer, as a state institution, or as a recipient of state or federal grants or contracts. NCMC is committed to taking appropriate action against those who violate this policy which prohibits sexual harassment.

3.15.20 Sexual Harassment Policy

3.15.21 Prohibition of Sexual Harassment and Related Retaliation:

Sexual harassment and retaliation are prohibited at NCMC activities and programs occurring on or off campus.

3.15.211 Definition: NCMC adheres to the Equal Employment Opportunity commission's definition of sexual harassment as modified for the NCMC setting: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, living conditions and/or educational evaluation; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or educational environment. Sexual harassment can be perpetrated by any member of the NCMC community against any other member. This includes allegations made by or against students, faculty, staff, and administrators and also includes same gender harassment.

There are two general types of sexual harassment:

Quid Pro Quo Sexual Harassment

Quid pro quo sexual harassment occurs when submission to, or rejection of unwelcome sexual conduct is used as the basis for academic or employment decisions affecting an individual. It is perpetrated by someone who is in a NCMC position that provides authority over the individual being harassed. The perpetrator's intent or lack of intent to harass is not relevant to the determination of whether *quid pro quo* harassment occurred.

Examples of prohibited *quid pro quo* sexual harassment include, but are not limited to, (1) a supervisor's promise of more favorable evaluations and working conditions if

his/her subordinate acquiesces to sexual advances, (2) threat of termination or other adverse employment action if a subordinate refuses to cooperate with his/her supervisor's request for sexual favors, and (3) a professor offers a higher grade to a student if s/he agrees to the professor's request for sexual favors, including dating.

Hostile Environment Sexual Harassment

Hostile environment sexual harassment is unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of employment or education and creates an environment that a reasonable person would find intimidating, hostile or offensive. The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include the frequency of the conduct, its severity, and whether it is physically threatening or humiliating. Hostile environment sexual harassment could be perpetrated by students, faculty, staff, peers, co-workers, persons in authority, and some third parties such as contract employees. As with *quid pro quo* harassment, the perpetrator's intent or lack of intent to harass is not relevant to the determination of whether hostile environment harassment occurred.

Examples of unwelcome conduct which may constitute hostile environment sexual harassment (if severe and/or pervasive) include, but are not limited to, unwelcome conduct such as (1) comments of a sexual nature, (2) sexually demeaning statements, questions, jokes, or anecdotes, (3) display of sexually explicit materials in the workplace, (4) sexually explicit pictures, cartoon, e-mail, faxes, or screen savers, (5) unwelcome touching (patting, hugging or brushing against a person's body), (6) remarks of a sexual nature about a person's body or clothing, (7) remarks about sexual activity or speculations about sexual experiences, and (8) whistling or other sexually explicit sounds or gestures.

3.15.212 Protection Against Retaliation: Retaliation of any kind against individuals who, in good faith, report instances of sexual harassment (either directly to the alleged harasser or to a third party) or who participate in or are witnesses in any procedure to redress a complaint of sexual harassment is prohibited. Individuals who are found to have violated this provision will be subject to disciplinary action.

Examples of possible retaliation include, but are not limited to, (1) an employee receives an unsatisfactory evaluation

because s/he reported an incident of sexual harassment s/he perceived between his/her supervisor and a co-worker, (2) an employee is denied a promotion or other employment benefit because s/he provided evidence in the investigation of a sexual harassment complaint, (3) a student receives harassing phone calls because s/he reported an incident of sexual harassment, and (4) a student has their residence hall room vandalized because s/he testified during an investigation of a sexual harassment case.

3.15.213 False Complaints: It is a violation of this policy for anyone to make an intentionally false accusation of sexual harassment or related retaliation through the use of NCMC procedures. Any employee or student who is found to have made an intentionally false accusation of sexual harassment or related retaliation will be subject to disciplinary action.

3.15.30 Policy Concerning Amorous (Romantic/Sexual) Relationships: Members of the NCMC community put academic and professional trust and ethics at risk when they engage in or initiate amorous relationships with individuals with whom they have a direct evaluative relationship. In such situations the integrity of academic or employment decisions may either be compromised or appear to be compromised. Such situations greatly increase the chances that the individual with the evaluative responsibility, typically a supervisor, will abuse her/his power and sexually exploit the employee. Moreover, others may be adversely affected by such behavior because it places the supervisor in a position to favor or advance one employee's interest at the expense of others and implicitly makes obtaining benefits contingent upon romantic or sexual favors. An amorous relationship between two employees or an employee and a student constitutes a conflict of interest when a direct evaluative relationship exists between them while the amorous relationship is occurring. Therefore, it is prohibited and the conflict must be resolved by terminating the direct evaluative relationship. To accomplish this resolution, if the amorous relationship exists in a supervisor/supervisee direct evaluative relationship, it must be disclosed to the supervisor's unit head. The primary responsibility to disclose rests with the person in the evaluative position. The individual to whom the disclosure is made is primarily responsible for requiring that actions be taken to resolve the conflict by terminating the evaluative relationship. If such actions are outside that individual's authority, the matter shall be referred to the individual with the authority to take such actions. A report of the action taken to resolve the conflict shall be made to the equal opportunity coordinator.

In situations involving spouses, NCMC's Conflict of Interest and Nepotism Policy applies. (See Board Manual Section 3.1.21) The

College strongly discourages amorous relationships between any employee and a student even when no direct evaluative relationship exists. An example of a situation where disclosure would be required would be a romantic relationship between a manager/supervisor and an employee who directly reports to him/her.

3.15.40 Additional Provisions

3.15.41 An Employee's Obligation to Report: NCMC must be aware of sexual harassment or related retaliation in order for it to take appropriate corrective action. Therefore, NCMC encourages anyone who believes that s/he has experienced or witnessed sexual harassment or related retaliation to come forward promptly with inquiries, reports or complaints and to seek assistance from the appropriate campus resources.

Any employee who observes sexual harassment or related retaliation or receives a written or oral report of sexual harassment or related retaliation shall report it. The information contained in the report and the type of subsequent resolution, e.g., informal or formal, will depend upon the circumstances under which the report was filed and the interests of the parties involved. All reasonable efforts will be made to promptly address all reports. It is not possible to have an "off-the-record" conversation with an employee regarding an incident of sexual harassment or related retaliation because of the employee's reporting obligation. This section of the Policy does not obligate an NCMC employee who may be required by their profession and NCMC responsibilities to keep certain communication confidential (e.g., a professional counselor) to report confidential communications received while performing those NCMC responsibilities.

For purposes of this Policy, an NCMC employee refers to anyone who is employed by the College and whose employment is defined in NCMC's faculty and employee classification policies in their respective manuals.

Reports of faculty/staff-related sexual harassment shall be made to the Equal Opportunity Coordinator. Reports of student-related sexual harassment shall be made to the Dean of Student Services. If the Equal Opportunity Coordinator is the subject of the sexual harassment claim, it may be reported to the Dean of Student Services. If the Dean of Student Services is the subject of the sexual harassment claim, it may be reported to the Equal Opportunity Coordinator.

- 3.15.42 NCMC's Right to Pursue Complaints: Because of NCMC's legal and ethical obligation to address sexual harassment and related retaliation when it occurs, NCMC, in certain situations (e.g., where multiple complaints are brought against the same individual), may exercise its right to initiate an investigation into sexual harassment or retaliation even if the alleged subject is unwilling to pursue the claim or believes that the claim has been satisfactorily resolved.
- 3.15.43 Off Campus Complaints: Complaints or reports of sexual harassment or related retaliation shall be handled pursuant to the procedures of NCMC. Related disciplinary action taken shall be initiated by the supervisor or other appropriate individual with disciplinary authority over the individual charged in the complaint ("respondent") and conducted according to the relevant procedures for the respondent. In NCMC-sponsored situations where the alleged sexual harassment or related retaliation occurred in a program or activity that takes place off campus, the complain shall also be handled pursuant to the procedures of NCMC due to its responsibility of sponsoring the program or activity.
- 3.15.44 Complaints by and against Employees Arising in an Affiliated Entity: Affiliation agreements between NCMC and other entities should provide for the resolution of sexual harassment and related retaliation complaints made by or against NCMC employees when the employee is working or studying at the affiliated organization's worksite or in its program.
- 3.15.50 Enforcement Procedures: Both formal and informal options are available for addressing claims of sexual harassment, as described below. For purposes of this Policy, formal complaints are those that are reported in writing and result in a formal investigation. Informal complaints are those that are reported either in writing or orally and resolved through means other than a formal investigation. Claims of retaliation may also be addressed through these procedures. For the purpose of this policy, the "complainant" shall be the individual filing the complaint and the "respondent" shall be the individual accused of sexual harassment or retaliation. Allegations of sexual assault or other criminal behavior should also be reported to the Trenton Police (emergencies at 911 and other services at 359-5557 at 17th & Harris Streets), or other local law enforcement authorities where the alleged conduct occurred.

- 3.15.51 Resolution by an Administrator: Unless the complainant should request another form of resolution as described in this Policy, an administrator may attempt to resolve a sexual harassment complaint arising in the area supervised by the administrator as long as the following are satisfied:
- 3.15.511 The administrator has informed the complainant of applicable options for redressing complaints;
 - 3.15.512 The administrator has advised the complainant of the administrator's obligation to report;
 - 3.15.513. The administrator has been trained in the handling of complaints; and
 - 3.15.514 The alleged harasser is within the administrator's authority to administer discipline.

The administrator, in consultation with the Equal Opportunity Coordinator, will work towards a resolution of the complaint. This process should be completed in a timely fashion, usually within twenty (20) working days of the initiation of the complaint unless extended for good cause. At the conclusion of this process the administrator will submit a written report of the complaint and the action taken to the equal opportunity coordinator with a copy to the complainant and the respondent. Neither the administrator nor the Equal Opportunity Coordinator will disseminate or distribute any records of the complaint except as required by this Policy or by law.

The administrator is required to advise the complainant of remaining options available if the complainant is not satisfied with the actions taken. At any time during the process, the administrator may choose to refer the complainant to the Equal Opportunity Coordinator. The complainant and respondent must be informed by the administrator when this has occurred.

NMC may also elect to use its faculty and staff policies regarding discipline and discontinuance of employment for willful failure or inability to perform his/her duties, final conviction of a felony, endangering the health or safety of others, assault on another person, exploitation of students for private advantage, or any other offense which involves moral turpitude.

- 3.15.52 Informal Resolution: The Equal Opportunity Coordinator is available to answer questions about the policy and procedures and to refer an individual to other resources. The Dean of Student Services and the Dean of Instruction may also suggest informal means of addressing complaints. As an employee, however, the deans may not conduct "off the record" discussions of specific incidents of alleged

sexual harassment. The deans or other administrators must maintain a confidential record of any informal complaints, but this does not require that a formal complaint be filed or pursued.

Individuals may also seek assistance from NCMC's counseling center available on campus or through off-campus agencies.

3.15.53 Formal Procedures: Formal procedures provide a structured approach to resolving cases of sexual harassment, including a thorough investigation of the complaint. A formal complaint may be filed with the Equal Opportunity Coordinator by anyone who believes he/she has been subjected to behavior that violates this Policy. It is not necessary to pursue informal resolutions before initiating formal procedures.

The Equal Opportunity Coordinator may, at his/her discretion: 1) request the assistance of a dean to conduct the investigation, or 2) hire an independent investigator outside of NCMC to conduct the investigation. If the respondent of the complaint is the President, an outside investigator normally will be used.

3.15.54 When and How to File a Formal Complaint: A formal complaint must be filed in writing with the Equal Opportunity Coordinator within 90 days of the last incident considered to be sexual harassment or retaliation. The complaint must describe the conduct which forms the basis of the complaint, including the name of the respondent, the date(s), time(s) and location(s) of the conduct, the names of any witnesses, and the relief being sought.

3.15.55 The Investigation

3.15.551 Preliminary Review: The Equal Opportunity Coordinator or his/her designee will conduct a preliminary review to determine whether the alleged conduct, if true, would be a violation of the policy. If it is determined that the alleged conduct would not violate this Policy, the complainant will be informed of this conclusion in writing. If the Equal Opportunity Coordinator or his/her designee determines that the alleged conduct, if true, would violate this policy, s/he has the discretion (1) to conduct the investigation by her/himself, (2) to request an investigation by an appropriate administrator or, (3) to hire an independent investigator outside the NCMC. A complaint against the President usually will be referred to an outside investigator. The Equal Opportunity Coordinator or designee will (1) inform the complainant in writing that an investigation will be undertaken and who will be

conducting the investigation, (2) inform the respondent once it is decided that an investigation is to be undertaken and send the respondent a copy of the complaint and this policy, and (3) discuss with the disciplinary authority potential actions which may be necessary to protect the interests of the parties on an interim basis during the investigation and until resolution of the complaint.

3.15.552 Rights of the Complainant: To file a written complaint. The complaint shall include a description of the alleged harassing activity along with the harm the complainant sustained as a result of the alleged harassment and the specific relief (i.e., corrective or disciplinary action), requested in response to the alleged harassment; To be informed about what options may be taken if the complainant is subjected to retaliation; To present information to the investigator that the complainant believes is important for consideration with respect to the complaint. This information may be presented by personal testimony on the part of the complainant, by witness testimony, and/or by the written statement(s) of witnesses; To be accompanied by an advisor during all meetings with the investigator. The role of the advisor is to provide support and guidance to the complainant. The advisor is not to speak for, or on behalf of, the complainant; To receive written notification of the outcome of the investigation including the names and departments of all witnesses interviewed, a listing of all documents reviewed, the finding, the reasons for the finding, and, where the finding is one of substantiated sexual harassment, the relief requested and the recommended relief; To review, upon request, after receiving the written report, all documentary evidence provided to the investigator, including written statements made by the respondent and by the witnesses. Access to documentary evidence shall be available through the equal opportunity coordinator or his/her designee.

3.15.553 Rights of the Respondent: To receive written notice of the complaint and a copy of the policy; To present information to the investigator that s/he believes is important for consideration with respect to the complaint. This information may be presented by personal testimony on the part of the respondent by witness testimony, and/or by the written statement(s) of witnesses; To be accompanied by an advisor during all meetings with the investigator. The role of the advisor is to provide support and guidance to the respondent. The advisor is not to speak for, or on behalf of, the respondent; To receive written

notification of the outcome of the investigation, including the names and departments of all witnesses interviewed, a list of all documents reviewed, the finding, the reasons for the finding, and, where the finding is one of substantiated sexual harassment, the relief requested by the complainant and the recommended relief; To review, upon request, after receiving the written report, all documentary evidence provided to the investigator, including written statements made by the complainant and witnesses. Access to documentary evidence shall be available through the Equal Opportunity Coordinator or his/her designee.

3.15.554 Third Party Complaints: If the individual seeking to file the complaint is not the subject of the alleged harassment, the equal opportunity coordinator or his/her designee shall contact the subject and give him/her the opportunity to file the complaint. If the subject declines the option to file a complaint, the investigator shall then advise the subject of other resolution options. Where the welfare of NCMC requires it, NCMC reserves the right to initiate an investigation (e.g., where multiple individuals have been subjected to alleged harassment by the same person or when it is otherwise determined to be in NCMC's interest). There shall be no retaliation against the subject who declines to participate in an investigation. When the Equal Opportunity Coordinator determines to initiate an investigation of a third party complaint, the investigation shall be conducted on behalf of NCMC, and the third party complainant shall have the right to: To be informed about what options may be taken if the complainant is subjected to retaliation; To present information to the investigator that the complainant believes is important for consideration with respect to the complaint. This information may be presented by personal testimony on the part of the complainant, by witness testimony, and/or by the written statement(s) of witnesses; To receive written notification of the outcome of the investigation.

3.15.555 Summary and Recommendation: Except for good cause shown, including the schedules of all individuals participating in an investigation, the investigator shall complete a written summary of his/her findings within thirty (30) working days of the filing of the complaint. The investigator's summary shall include the following: Names and departments of all witnesses interviewed; all documents reviewed; the finding of the investigation; reason for the finding; where the finding is one of a substantiated complaint, the section(s) of this

policy which were violated; where the finding is one of a substantiated complaint, a restatement of the relief (i.e., corrective or disciplinary action) requested by the complainant; and where the finding is one of a substantiated complaint, a recommendation to the disciplinary authority on the requested relief. In general, outcomes of complaints fall into three categories: Substantiated complaints – where any or all allegations are found by a preponderance of the evidence to have occurred; Unsubstantiated complaints – where there is a lack of a preponderance of the evidence to support the allegations in the complaint; or False/Malicious complaints – where there is a preponderance of the evidence that the allegations were intentionally false and malicious.

The Equal Opportunity Coordinator or his/her designee will forward the summary and recommendations to the appropriate disciplinary authority and the parties within ten (10) working days (unless extended for good cause shown) of receiving the report. If the respondent is the Equal Opportunity Coordinator, the final report will be submitted to the President. If the respondent is the President, the final report will be forwarded to the Chair of the Board of Trustees.

3.15.556 Discipline: If the Equal Opportunity Coordinator or her/his designee finds the sexual harassment occurred and recommends disciplinary action, the disciplinary authority must initiate a disciplinary proceeding against the respondent. Similarly, if the investigator finds that the complainant made an intentionally false accusation of sexual harassment or related retaliation and recommends disciplinary action, the disciplinary authority must initiate a disciplinary proceeding against the complainant. The disciplinary authority may have access to the records of the formal investigation and may adopt the findings and recommendations resulting from the investigation. Disciplinary proceedings will be conducted pursuant to the relevant procedures. If the respondent seeks to appeal the discipline imposed, the appropriate disciplinary appeal process should be used.

3.15.60 Dissemination of Campus Policy: This policy shall be available through campus publications, orientation programs and other appropriate forms of communication.

3.15.70 Review of Policy: This policy shall be reviewed regularly. Revisions shall be made as deemed necessary after each review. Comments on the policy may be

submitted at any time to the equal opportunity coordinator or dean of student services. Any modifications of the Policy shall be recommended to the President for review and approval.

3.16.00 Guidelines for Naming Opportunities

- 3.16.10 Recognition of Donors: NCMC in cooperation with the NCMC Foundation acknowledges that recognition of donors is essential to the College's development efforts. It is critical that donors be thanked promptly in a manner appropriate to the size of their gift and consistent with their wishes.
- 3.16.20 The interests of prospective donors shall be a primary consideration with respect to any gift to the Foundation/College.
- 3.16.30 Recommendations for naming opportunities shall be made by the NCMC Foundation and/or the College President to the Board of Trustees for its approval.
- 3.16.40 The NCMC Board of Trustees will serve as the final authority in accepting and/or denying gifts as well as determining all criteria for all naming opportunities.
- 3.16.50 Financial Guidelines: The following amounts are recommended minimums for establishment of a named gift:
 - 3.16.51 Scholarship: \$15,000
 - 3.16.52 Equipment: \$25,000
 - 3.16.53 Classroom: \$50,000
 - 3.16.54 Area of Building: \$100,000
 - 3.16.55 Endowment of a Faculty Chair: \$500,000
 - 3.16.56 Building: \$1,000,000 or 100% of a building costing less than \$1 million
 - 3.16.57 Educational Program: \$1,000,000
- 3.16.60 In the event that a named entity has been dissolved, destroyed or remodeled, all gift agreements remain in effect and will be honored in perpetuity to the best of the College's abilities.

4.000 STUDENT POLICIES

- 4.1.00 General Student Policy Statement: It will be the policy of the Board of Trustees to recognize and support the policies regarding all students as stated in the Academic Catalog, Academic Program Handbooks, Student Handbook, Athletic Handbook, and the Housing/Food Service Terms and Conditions and Contract.
- 4.2.00 Student Background Investigations: North Central Missouri College will complete a criminal background investigation on students and faculty as required in RSMo. 610.120, 43.530, and 660.317. NCMC will make inquiry to the Department of Social Services, Division of Aging, to determine if the individual is listed on the "Employee Disqualification List," as required in RSMo. 660.315. The background investigations are performed to ensure student/faculty eligibility for participation in clinical/work experiences required for successful completion of particular program curriculum. All information is confidential. Information shared is done in a matter that maintains an individual's confidentiality.
- 4.3.00 Student Indebtedness to the College: Where a student has not cleared indebtedness to the College after notification has been duly given any or all of the following policy may be used:
- 4.3.10 A student may be suspended from classes for nonpayment of tuition/fees until such time as the money is paid or reasonable arrangements to pay have been made with the Business Office.
- 4.3.20 A student may be suspended from the residence halls for nonpayment of room and/or board charges until such time as the money is paid or reasonable arrangements to pay have been made with the Business Office.
- 4.3.30 A student's application for subsequent registration may be suspended until any indebtedness to the College has been paid or reasonable arrangements have been made at the Business Office
- 4.3.40 A student's request for a transcript or other academic record may be held until all indebtedness to the College has been paid.
- 4.3.50 When all collection attempts have failed, the Business Manager may proceed by referring the matter to a collection agency.

5.000 GENERAL PERSONNEL POLICIES

- 5.1.00 Nondiscrimination: College policy is to provide equal opportunity in all personnel actions including employment, compensation, promotions, benefits, transfers, layoffs, training, tuition assistance, etc., without regard to race, color, religion, national origin, ancestry, sex, handicap, or familial status. Further, College policy expects all contractors, sub-contractors, and suppliers to practice similar policies. RSMo. 213.040, .050, .055, .065, .070.
- 5.1.10 This policy will be administered by the Personnel Officer, who is appointed by and reports directly to the President.
- 5.1.20 The Personnel Officer will be responsible for all aspects of nondiscrimination, including, but not limited to, Affirmative Action, Equal Opportunity, Civil/Human Rights (Title IV of the Civil Rights Act of 1965), Sex Equity (Title IX), Handicapped (Section 504 of the Rehabilitation Act of 1973), and in some instances, of NCMC's sexual harassment policy.
- 5.1.30 Inquiries regarding compliance with nondiscrimination may be directed to the Personnel Officer or to the Director of the Office for Civil Rights, United States Department of Education, Washington, DC.
- 5.2.00 College's Right to Manage, Discipline, and Discharge: The College, as employer, has the right (and responsibility) to operate and manage its affairs in such areas as, but not limited to:
- 5.2.10 Maintain the efficiency of College operations
- 5.2.20 Determine the methods, means, job classification and personnel by which College operations will be conducted
- 5.2.30 Hire, promote, transfer, assign, retain, and terminate employees
- 5.2.40 Establish the methods and process by which work is performed
- 5.2.50 Relieve employees from duties because of lack of work or funds or under conditions where continuation of such work would be inefficient and non-productive
- 5.2.60 Take whatever actions may be necessary to carry out the missions of the College in situations of emergency
- 5.3.00 New Positions or Vacancies
- 5.3.10 Qualifications for Hiring, Promotion, or Transfer
- 5.3.11 All hiring, promotions, and transfers will be based on qualifications, ability, and past performance.
- 5.3.12 Employees will be given preference in the selection process for positions, provided their qualifications, ability, and past performance are substantially equal as determined by the College. Seniority will be given weight when two or more employees possess qualifications which are substantially equal as determined by the College. The College may

- chose to conduct an internal-only search for a specific vacancy.
- 5.3.20 Recruitment of Personnel/Posting of Vacancies: When practical, new positions will be approved by the Board of Trustees prior to the posting and recruitment of applicants. In limited circumstances, the Board of Trustees reserves the right to fill vacancies without recruitment. The President will recommend and justify these circumstances to the Board.
 - 5.3.21 Except as provided elsewhere in this manual, all new positions and vacancies will be posted internally on bulletin boards throughout the College for a period of one week.
 - 5.3.22 Upon notification of the need to hire an employee, the Personnel Office posts the position announcement on bulletin boards throughout the College for a period of one week.
 - 5.3.23 College employees may apply for any vacancy by contacting the Personnel Office.
 - 5.3.24 Reclassification or upgrading of an existing permanent position is not considered a new position or vacancy.
 - 5.3.25 The Personnel Office accepts applications and recruits new applicants for current and/or anticipated positions or vacancies.
 - 5.3.26 Other College employees, not in the Personnel Office, may assist the Personnel Office in locating qualified candidates. All such candidates should be referred to the Personnel Office.
 - 5.3.27 Advertising for vacancies will be processed through the Personnel Office.
 - 5.3.30 Acting Positions/Temporary Upgrades
 - 5.3.31 When employees are to be appointed to “acting” positions (i.e. acting supervisor, acting director, etc.), or to receive temporary upgrades, either of which is to be for more than six consecutive months, prior consultation with the Personnel Officer and the EEO Officer is required to assure compliance with the intent of personnel and EEO policies regarding promotions, posting, etc.
 - 5.3.32 Posting is waived for temporary and part-time positions.
 - 5.3.40 Pending Board approval, conditional employment offers may be extended to new hires.
 - 5.3.50 Travel and Moving Expenses – The College does not normally reimburse travel and moving expenses of persons hired.
 - 5.3.60 Nepotism
 - 5.5.610 Near relatives by blood or marriage may not be employed by the College in any position in which one relative would have a supervisory relationship over the other or be in a position to

influence the employment of the other by reason of relationship rather than merit.

5.6.110 If there is a change in the family relationship or rank which would violate the above policy, the situation must be corrected within six months by transfer, resignation, or discharge.

5.3.70 Change of Employee Status: Any change in salary or title must be approved by the President and the Board of Trustees.

5.4.00 Administrative Vacancies

5.4.10 Search and Screening for the President: Search and screening committees for the President may include representatives of the Board, faculty, students, alumni, community representatives, administrative staff, and others as determined by the Board. The Board will exercise its prerogative of appointing the members of the search committee for a president. A nationwide search will normally be made for a president. The Board will develop a job description and specify the qualifications for a president to be used in the search process. The search committee will be instructed by the Board as to its role in the search process and the criteria to be used in evaluating applicants. The search committee will normally submit a slate of candidates to the Board for their consideration as final candidates. The Board will determine whom to invite for an interview and make the final selection. After the selection process is complete, the Board will discharge the search committee. Nothing in this policy will preclude the Board from selecting a president using a different process than described above or from retaining a search consultant.

5.4.20 Acting President: When it becomes necessary to designate an acting president, the Board will involve Board representatives, faculty, administrators, and students at the College in identifying qualified persons for this position. The Board will make the final selection or, if necessary, request additional names for consideration. If the designee who accepts the position is a permanent employee of the College, the Board will offer the said employee a contract or letter of understanding that indicates the term of the acting position and whether the employee has the right to return to his/her position after a permanent president is chosen. If this is not stated in the contract or letter of understanding, the employee automatically will have the right to return to his/her former position.

5.4.30 Recruitment of Administrative/Management/Professional Personnel: A vacancy in an Administrative/Management/Professional position at the College will be filled by the President and confirmed by the Board of Trustees. Normally, the President will appoint a screening committee comprised of representatives of the College community. The President will name a chairperson

and specify the scope of the committee's authority, priorities for designing a position announcement, EEO guidelines, and other matters pertinent to the search. Candidates for positions at the Dean level will have opportunities for internal College and external community interaction. The search committee will submit the names of finalists to the President. After a final selection is made by the President, he/she will submit the finalist's name to the Board of Trustees for approval. Whenever possible, new Administrative/Management/Professional positions will be approved by the Board of Trustees prior to initiating the selection process.

5.4.40 Termination Settlement of the President and Administrative/Management/Professionals: If the President and/or an Administrative/Management/Professional is given a termination notice, the Board may negotiate a settlement in the best interest of NCMC, which may involve relinquishing the office prior to the lapse of the contract period with the Board purchasing the remainder of the contract. This provision will not apply where dismissal is a result of malfeasance or gross neglect of duty.

5.5.00 Employment Contracts

5.5.10 All annual contracts specifying salary and other terms of employment must be approved by the Board of Trustees and signed by the President of the Board.

5.5.20 The Board of Trustees will give the President an initial three-year contract, unless they decide otherwise.

5.2.21 The President is required to have an annual physical. The President will share the results of the physical with the president of the Board of Trustees. The Board will pay for the physical up to a maximum of \$500 per year.

5.5.30 The annual salary is paid in twelve equal installments with paychecks available on the last working day of the month. Should an employee's contract be terminated during the year, the employee should receive a total salary which shall be in proportion to the number of days worked compared to the number of days of contractual obligation. *5.5.30 added 10/28/08*

5.6.00 Wage and Salary Administration

5.6.10 Management / Professional Staff: This employee classification is for staff members who direct or manage administrative functions or perform highly technical functions within the College community. All employees in this classification are exempt employees.

5.6.11 Salary Ranges: Positions are placed in one of several Salary Ranges based on the knowledge, problem solving, and accountability measures of the position compared with

- all other positions at the College. Salaries for new employees will be set based on educational background, experience, and relevant market factors.
- 5.6.12 Salary Increases: Salary Ranges are usually adjusted each July 1st based on approval by the Board of Trustees. Upward movement, within the Salary Range, also occurs each July 1st based on approval by the Board of Trustees. New employees must have worked more than six months prior to moving up in their Salary Range.
- 5.6.13 Contract Renewal: Normally, the Board of Trustees will decide the contract renewal status (for the fiscal year beginning July 1) for this group of employees at its March meeting.
- 5.6.20 Administrative Staff: This employee classification is for Deans or Associate Deans and the Business Manager. All employees in this classification are exempt employees.
- 5.6.21 Salary: Salaries for these employees will be set at the time of hire.
- 5.6.22 Salary Increases: Salary increases for these employees are usually given each July 1st based on approval by the Board of Trustees.
- 5.6.23 Contract Renewal: Normally, the Board of Trustees will decide the contract renewal status (for the fiscal year beginning July 1) for this group of employees at its February meeting.
- 5.6.30 Paydays: All employees will be paid on the month-end payroll with payday being the last workday of the month. Any current employee may opt for the month-end payment.
- 5.6.40 Extraordinary Salary Increases or Bonuses: From time to time and for, perhaps, a variety of reasons, employee job performance may be exceptionally meritorious to the degree that College management deems it appropriate to give the employee an extraordinary salary increase or a one-time bonus. Such increases or bonuses would be brought to the Board of Trustees for approval.
- 5.6.50 Payroll Deductions: Upon proper written authorization of the employee, the College will administer payroll deductions. Some examples of allowable deductions are savings bonds and personal retirement/investment programs.
- 5.7.00 Annual Performance Evaluation
(Administrative/Management/Professional Employees)
- 5.7.10 General Policy: The evaluative process assists in identifying the employee's contribution to the College, contributes toward professional growth and development, establishes goals, identifies strengths and areas for improvement, and provides systematic

documentation for supporting continuance of employment, pay increases, promotions, or transfers.

- 5.7.20 The Performance Evaluation (Appraisal) Process: The Performance Evaluation (Appraisal) form should be completed (by the appropriate supervisor) within six months of an employee's initial date of hire and annually thereafter. The form must be reviewed with the employee, signed by the immediate supervisor, and forwarded to the NCMC Human Resources Department where it will be placed in the employee's personnel file. The employee and the appropriate supervisor should retain a copy of the completed form. *(revised 2/26/07)*

5.8.00 Personnel Information Disclosure

5.8.10 College policy is to:

- 5.8.11 Protect employees' rights of privacy, as well as the public's right to know, in the collection and maintenance of personnel information, pursuant to RSMo. 288.250, and the principles outlined by the 1974 Federal Family Educational Rights and Privacy Act.
 - 5.8.12 Collect and store personnel information which is relevant to the College's purpose and to insure that records are accurate, timely, and complete. RSMo. 168.128
 - 5.8.13 Inform employees about what personnel information is collected, why it is collected, and who will have access to the information.
 - 5.8.14 Provide security systems which limit access to confidential information.
 - 5.8.15 Grant employees the right to correct or dispute personnel information.
 - 5.8.16 Disclose confidential personnel information outside the College only with the informed and voluntary consent of the employee or under a valid legal order.
- 5.8.20 The objectives of this policy are to establish record keeping practices in accordance with:
- 5.8.21 Right to Know, RSMo. 610.010
 - 5.8.22 Right of Privacy, RSMo. 288.250
 - 5.8.23 Public Records and their Management, RSMo. 610.010
 - 5.8.24 Authority of the Legislative Auditor in Relationship to Records, RSMo. 29.130
 - 5.8.25 Principles of the 1974 Federal Family Educational Rights and Privacy Act.
 - 5.8.30 Personnel Records¹
 - 5.8.31 File Contents
 - 5.8.311 Personal

¹ for additional information on personnel files of faculty, see the Faculty Policy Manual

- a) Resume or employment history
- b) Any records pertaining to hiring, promotion, transfer and selection for training
- c) Enrollment in health insurance plans
- d) Copies of any documentation for licenses or certifications for any applicable position (e.g. nurse, teacher, etc.)
- e) Any other information that is essential to the College

5.8.312 Financial

- a) All copies of payroll status forms affecting pay and/or status
- b) W-4 forms
- c) Employee leave records
- d) Authorizations to deduct money from paychecks, such as health insurance premiums, Christmas Club, tax sheltered annuities, etc.

5.8.313 Confidential

- a) Performance evaluations
- b) Disciplinary matters
- c) Personal matters requiring employer assistance

5.8.314 Documents of Separation

- a) Copy of termination form
- b) Letter of resignation

5.8.32 File Security

5.8.321 Files containing personnel information documents will be kept secured at all times.

5.8.322 Employee position, title, dates and duration of employment and salary are public information and must be released upon request. The College may require that the request be in writing.

5.8.323 Those having limited access to personnel files, including articles related to position and/or position performance, are the Personnel Officer, the EEO officer, the employee, the immediate supervisor, and those above the immediate supervisor in the direct line of authority to and including the President and the Board of Trustees.

5.8.324 Others may obtain access to personnel files only with the employee's informed and written permission or with a valid legal order.

5.8.325 The office of the Legislative Auditor has access to personnel files pursuant to RSMo 29.130, for purposes of auditing state agencies.

5.8.326 Employees have the right to file a written rebuttal to information maintained in their personnel file. Such rebuttals will be placed in the particular employee's file.

5.8.327 Employees have a right to file a grievance based on information maintained in personnel files, consistent with provisions in this policy.

5.8.328 Records of sponsored agencies (e.g., Head Start, WIA) may have additional restrictions placed upon them and therefore all requests for information should first be placed with the respective sponsoring agency. Federal Register Vol. 47, No. 195, Page 44497, dated 10/7/82.

5.9.00 Corrective Discipline for Non-Faculty

5.9.10 General Policy: Corrective discipline is designed to provide employees with the opportunity to become aware of and correct misconduct or substandard job performance. As such, corrective discipline should define what needs to be corrected and a timeline for correction.

5.9.20 Types of Corrective Discipline (not necessarily in sequential order)

5.9.21 Verbal warnings are generally used by the supervisor for minor infractions or to correct minor faults in employee performance.

5.9.22 Documented warnings are addressed to the employee and utilized when the deficiency or infraction is of a greater degree or if the employee refused to correct faults noted in 5.9.21.

5.9.23 Probation may be used for serious offenses or for continued substandard performance or misconduct after previous attempts to correct have failed. Probation may be for up to 6 months.

5.9.24 Suspension with or without pay may be used for serious offenses or for continued substandard performance or misconduct after previous attempts to correct have failed. Suspension may be for up to 6 months.

5.9.25 Discharge

5.9.251 Discharge is not a type of corrective discipline; however, it is a possible consequence of failure in corrective discipline and is, therefore, considered here. An employee may be discharged when the seriousness of the matter is such that the employee should not be permitted to remain employed by the College.

5.9.252 Permanent employees below the Dean level and who have completed the probationary period may only be discharged for cause or per Section 5.10.00.

5.9.253 The College will furnish any discharged employee, below the Dean level, a written statement of the reason(s) for the discharge. RSMo. 290.140

5.9.254 This discharge policy does not apply to probationary employees who may be terminated any time prior to completion of the probationary period.

5.9.255 See "Termination of Employment," Section 5.10.00.

5.9.30 Approvals for Corrective Discipline

5.9.31 Supervisors, in consultation with their supervisor and the Personnel Officer, may take corrective discipline with an employee under their authority, with prior approval of the President. Copies of any documented disciplinary action must be furnished to the Personnel Officer and the President.

5.9.32 The President has the authority to suspend and/or discharge an employee. Therefore, any probation, suspension or discharge cases must have approval of the Personnel Officer and the President.

5.10.00 Termination of Employment

5.10.10 Types of Termination: Each termination must be categorized within one of the following seven categories:

5.10.11 Resignation

5.10.111 Employee's request. An employee is expected to give at least two weeks notice prior to the date of resignation. This notice should be in writing.

5.10.112 Employee walks off the job.

5.10.113 Employee is absent for three consecutive working days without permission except when an emergency situation precludes notification. Work days are considered consecutive even when broken by normal non-working days such as holidays or weekends.

5.10.114 Employee fails to return to work within the prescribed time limits following an authorized Leave of Absence.

5.10.12 Release: Employee is terminated at the end of temporary employment.

5.10.13 Relieved: Employee is terminated during the six-month probationary period. Probationary employees may be terminated any time during the probationary period without recourse.

5.10.14 Layoff: Employee is terminated because of reduction in force due to lack of funds, work, or other reasons. Selection of employees for layoff will be on the basis of qualifications and performance as determined by the

College, but if such are substantially equal, seniority will be a determining factor.

- 5.10.15 Discharge: Employee is terminated after corrective discipline has failed or the seriousness of an infraction committed by the employee warrants immediate termination.
- 5.10.16 Retirement: Employee retires under the Public School Retirement System of Missouri or the Non-Teacher School Employee Retirement System of Missouri.
- 5.10.17 Incapacity: Employee for any reason becomes either physically or mentally incapable of performing their job duties. Such incapacity must be expected to last more than six months, not necessarily consecutive. Termination will be at the discretion of the College administration giving consideration to the employee's rights under the Family and Medical Leave Act of 1993, other sections of this policy manual, or other appropriate federal or state statutes. The employee may be eligible for long-term disability benefits under one of the College's two retirement programs.
- 5.10.20 Notice of Termination: The College will make a good faith effort to provide a minimum of two weeks notice of termination. Temporary employees, probationary employees, and employees being discharged for cause should be given reasonable notice, but no minimum notice is required.
- 5.10.30 Pay in Lieu of Notice: Pay in lieu of notice may be given at straight-time rate when giving notice is not practical. However, pay in lieu of notice should not be given in cases of termination during probation or discharge for serious infractions.

5.11.00 Grievance Procedure for Non-Faculty

5.11.10 Purpose

- 5.11.11 This grievance procedure will apply to administrative/management professional and classified staff. Faculty should see the Faculty Policy Manual for faculty grievance procedures.
- 5.11.12 The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to individual grievances, which may arise regarding terms and conditions of employment.
- 5.11.13 If an employee seeks formal resolution of a grievance matter in any forum or by any set of procedures other than those established in the Article, whether administrative or judicial, the employer will have no obligation to proceed further with the matter.

5.11.20 Definitions

5.11.21 A grievance means a complaint by an employee that he/she/ has been adversely affected by a violation of North Central Missouri College's policies and practices regarding terms and conditions of employment.

5.11.22 The term "grievance" and the procedure relevant will not be deemed applicable in the following instances:

5.11.221 Disputes as to whether or not an established College policy or practice is good or otherwise. Such disputes will be pursued through other administrative channels.

5.11.222 Matters where the College is without authority to act or does not have the ability to provide a remedy.

5.11.223 Probationary employees relieved prior to the expiration of their probationary period; temporary employees released prior to or at the end of their temporary employment period; or employees laid off because of reduction in work force due to lack of funds, work or other legitimate reasons.

5.11.224 Employee complaints charging discrimination based on race, color religion, national origin, ancestry, sex, handicap or familial status, shall be administered by the Personnel Office in accordance with procedures for discrimination charges.

5.11.30 Informal Procedure

5.11.31 No matter will be submitted under the grievance procedure unless the employee has first discussed it with the employee's immediate supervisor in an attempt to resolve the matter informally or the Personnel Office if the grievance relates to the immediate supervisor.

5.11.32 Should the matter not be resolved informally, the supervisor should refer the employee to the Personnel Office for explanation of the grievance procedure. Employees are free to write their own grievances without consulting with the Personnel Office, but supervisors should contact the Personnel Office as soon as practical after a grievance has been received.

5.11.40 Steps in Formal Grievance Procedure

5.11.41 An employee has the right to assistance by a representative of the employee's choosing at any step of the formal grievance and complaint procedure. The employee will pay cost of representation.

5.11.42 The grievance will be submitted within 20 working days following the act or condition complained, or within 20 working days after the employee became aware of the act or condition. A copy of the grievance is to be submitted to

the Personnel Office by the Dean/supervisor of the area in which the grievance is filed.

- 5.11.43 The grievance will first be presented to the office of the appropriate Dean/supervisor. The Dean/supervisor will conduct a closed conference with the grievant and his/her representative within six working days following receipt of the grievance. At the conference the grievant will present to the Dean/supervisor all information which he/she deems pertinent to the grievance as well as other information within the grievant's knowledge and/or control that the Dean/supervisor requests. The Dean/supervisor will issue a written decision within six days following the conclusion of the conference, which will include findings, and conclusions. The grievance must contain a statement of the grievance, the facts upon which it is based, the North Central Missouri College policy allegedly violated, and the remedy being sought by the aggrieved employee. If the grievance relates to the Dean/supervisor, the first step will be presented to the next higher level supervisor.
- 5.11.44 If the grievance is not resolved the grievant may file a written request for review with the President of the College on a form prescribed in the Appendix. The request will be filed with the office of the President within five working days of the receipt of the above decision. The President or her/his designee will investigate the grievance in such a manner as the President deems appropriate, and will hold a closed meeting with the grievant and his/her representative in order to discuss the merits of the grievance and/or proposals for settlement. If no settlement is reached the President will proceed to issue a decision that will include findings and conclusions and which unless otherwise agreed, will be issued no later than 10 working days after the receipt of the request for review. The decision of the President will be final in all grievances involving support staff or non-exempt employees.
- 5.11.45 If the grievance has not been resolved at Step 2, the grievant may seek a review of the President's decision by the Board. Such requests will be filed with the office of the President for transmittal to the Board on the forms prescribed in the Appendix, within five working days following receipt of the Step 2 decision. The Board will meet with the individual and discuss the grievance within ten working days following the receipt of the grievance by the Board. At this meeting, the Board will decide either to uphold the decision of the President or to make a final

decision no later than 28 days following receipt of the request for review.

5.11.46 The decision of the Board will be the final agency decision in all grievances. If the employee is not satisfied with the outcome of the Board's decision, the grievance may be brought before the applicable statutorily authorized review body: the Board of Personnel Appeals, the Merit System Council, the Human Rights Commission, or any appropriate federal enforcement agency, while those grievances not allowed redress with the aforementioned may be pursued at district court level.

5.11.50 Exceptions to Time Limit

5.11.51 The time limits provided in this section will be strictly observed unless extended by written agreement of the parties. When any action which is required to be taken within a specified time period is not taken in time, the following will apply:

5.11.511 If the grievant fails to act within the time limits provided herein, the Administration will have no obligation to process the grievance and it will be deemed withdrawn.

5.11.512 If the Administration fails to act in time, the grievant may proceed to the next review level and any subsequently issued decision on the matter at the bypassed level will be void.

5.11.52 Any claim or grievance arising may be processed through this grievance procedure until resolution.

5.11.60 No Reprisals – No reprisals of any kind will be taken by the Board or Administration against any person because of participation in this grievance procedure.

5.12.00 Benefits

5.12.10 Insurance Benefits

5.12.11 Health Insurance: College employees are covered by the health insurance plan adopted by the Board of Trustees. The College will pay the full cost of each eligible employee's coverage. The plan includes term life insurance at one times the employee's annual salary up to \$50,000. (Some adjustments to term life insurance coverage may be made as employees reach the age of 65. Current guidelines may be obtained from the Business Office.) Dependent coverage is available under the plan. The cost of this coverage must be paid by the employee through the College Cafeteria Plan. The cafeteria year is January 1 through December 31 with open enrollment 30 days prior to the start of a new year.

- 5.12.111 Eligibility: All full-time employees working 37.5 hours or more per week. *changed 6/30/09*
- 5.12.112 Effective Date: If an individual is employed on the first day of the month, health insurance is effective immediately. Otherwise, health insurance is effective the first day of the month following the date of employment.
- 5.12.113 Retired Employees: Upon taking retirement from the Missouri Public School Retirement System or the Missouri Non-teacher Public School Retirement System, retired College employees may continue to participate in the health insurance plan. Retirees must pay the monthly premiums to the insurance provider for the full cost of the insurance. *revised 7/25/06*
- 5.12.12 Disability Program: This program covers employees who participate in the Public School Retirement System of Missouri or the Non-teacher Public School Retirement System of Missouri. Booklets detailing the programs are available from the Personnel Office. It is important to note that both systems require five years of service for any disability benefit.
- 5.12.20 Retirement Programs
- 5.12.21 Employee Participation: In accordance with RSMo. Chapter 169, permanent College employees working 20 or more hours per week must participate in one of two state retirement systems. Additionally, any part-time employees who, because of employment elsewhere, already participate in one of the systems, must participate in the same system for College employment purposes.
- 5.12.211 The Public School Retirement System of Missouri covers certified teachers and other management employees who are “certified” by the College’s President. These employees are exempt from Social Security Tax. Any of these employees who have been employed by the College since prior to April 1, 1986, are exempt from Medicare Tax.
- 5.12.212 The Non-Teacher School Employee Retirement System of Missouri covers all non-certified eligible employees. These employees continue their participation in the Social Security and Medicare programs.
- 5.12.22 Contributions: The College matches employee contributions to the systems.
- 5.12.23 Program Benefits: Retirement and other benefits under the systems are outlined in booklets that are available from the Personnel Office; also, inquiries can be made directly to either system at P. O. Box 268, Jefferson City, MO 65102.

- 5.12.30 Payroll Deductions/Tax Sheltered Annuities
 - 5.12.31 Payroll Deductions: Upon proper authorization of the employee, the College will administer payroll deductions. Some examples of allowable deductions are saving bonds, personal retirement/investment programs, and community center memberships.
 - 5.12.32 Tax Sheltered Annuities: Employees may enter into contracts for tax sheltered annuities and have the payments into the annuity made by payroll reduction. Upon written request to the Business Office, the College will reduce the employee's salary up to legal limits, with the reduction amount being placed in a qualifying 403(b) annuities or an individual Retirement Account (IRA).
- 5.12.40 Workers' Compensation: All College employees are eligible for Workers' Compensation as provided under RSMo. 287.010. This benefit applies to work related bodily injury through accident or disease.
- 5.12.50 Unemployment Compensation: All College employees (except student employees) are eligible for unemployment compensation as provided under RSMo. 288.290.
- 5.12.60 Leaves²
 - 5.12.61 Leaves of Absence
 - 5.12.6111 Leaves of absence from North Central Missouri College may be granted for reasons such as health, study, professional travel, service in public office, military service, or service in the Peace Corps or similar organizations.
 - 5.12.6112 Requests for leaves of absence must be recommended by the appropriate dean and approved by the President and the Board of Trustees.
 - 5.12.6113 Additional information and regulations for leaves of absence are specified in the Faculty Policy Manual and Staff Policy Manual.
 - 5.12.62 Vacation Leave
 - 5.12.621 Full-time employees (excluding faculty members) earn vacation leave from the first day of employment. Vacation leave is credited at the end of each pay period. *revised 7/25/06*
 - 5.12.622 *deleted 7/25/06*
 - 5.12.623 Employees do not accrue vacation leave while in a leave-without-pay status.
 - 5.12.624 *deleted 7/25/06*
 - 5.12.625 Employees accrue vacation leave according to their appropriate schedule. However, the Board of Trustees

² See Faculty Manual for additional information on faculty leaves and sabbaticals.

may, at their discretion, allow for additional vacation leave credits depending upon individual circumstances.

Administrative/management/professional staff earn 20 working day credits per year; however, AMP's who had accumulated an excess of 20 working day credits per year prior to the adoption of this policy (summer 2000) will retain their current rate. Classified Staff should see the Classified Staff Policy Manual for vacation leave rates.

5.12.626 An employee can accumulate vacation days up to a maximum that is twice the number of days earned annually.

5.12.627 *deleted 7/25/06*

5.12.628 Cash Payment for Unused Vacation

5.12.6281 An employee who leaves the institution in good standing is entitled to cash compensation for unused vacation leave, provided the employee has worked the qualifying period. The cash payment will be calculated and paid the following pay period.

5.12.6282 Unused earned vacation will be paid at the employee's regular rate of pay up to a maximum of 20 days. Employees who had accumulated more than 20 days unused earned vacation as of June 30, 1991, will be paid for the total days accumulated (and not subsequently used) as of that date.

5.12.629 Paid Holidays occurring while an employee is on paid vacation will not be charged as vacation.

5.12.6210 Vacation leave must be approved by the employee's supervisor; however, the employer will respect employees' rights with regard to vacation leave.

5.12.6211 Vacation charges will be recorded in 1/2 day increments.

5.12.6212 *deleted 7/25/06*

5.12.6213 *deleted 7/25/06*

5.12.63 Holiday Leave

5.12.631 All full-time employees will receive regular pay for College observed holidays. *revised 7/25/06*

5.12.632 In order to be eligible for holiday pay, the employee will have worked the last day of his/her schedule before and the first day of his/her schedule following the holiday. (Vacation and or personal leave can be used to meet this requirement.) If an employee fails to work either of the above days without permission of his/her supervisor, the employee will forfeit the holiday pay. This does not apply to seasonal layoffs or leave without pay.

5.12.633 An employee required to work on a holiday is given a day off before or after the holiday.

5.12.634 Employees on leaves without pay will not be entitled to holiday pay except that employees in a non-working status due to Winter Break vacation will be entitled to holiday pay for Christmas and New Year's Day. Any employee in a non-working status or terminated five calendar days or less prior to Winter Break vacation or New Year's Day will receive pay for that holiday.

5.12.635 College Holidays include (*revised 7/25/06*):

Martin Luther King Day - third Monday in January

President's Day - third Monday in February

Spring break - Friday before Easter

The Friday of NCMC's spring break week

Memorial Day - last Monday in May

Independence Day - July 4

Labor Day - first Monday in September

Fall Break Day

Thanksgiving Day - fourth Thursday in November and the Friday after

Winter Break vacation – December 24 through January 1

If January 1 or July 4 falls on a non-working day, an appropriate working day will be substituted as a College holiday.

5.12.64 Religious Holidays: The College will attempt to make reasonable accommodations for individuals who wish to take other than the normally authorized holidays. It will be necessary for any employee wishing to take other than normally authorized holidays to take them from his/her vacation leave or personal leave. Alternatively, the employee may request an exchange for one of the above listed holidays or take leave without pay.

5.12.65 Sabbatical Leaves - Full-time faculty and full-time Administrative/Management/ Professional staff members are eligible for sabbatical leave after completing six years of full-time employment at the College. (Regulations for faculty sabbatical leaves are specified in the Faculty Policy Manual.) Regulations for Administrative/Management/ Professional staff include:

5.12.651 A person taking sabbatical leave will not be eligible for another such leave for six years unless by formal written agreement the first leave was less than a stated full sabbatical.

5.12.652 No more than five percent of the eligible staff or one full-time equivalent, whichever is greater, will be granted sabbatical leaves during one year. The number of

sabbatical leaves also will be limited by the availability of funds.

5.12.653 Individuals offered sabbatical leave may opt to take 12 months at half pay or up to six months at full pay.

5.12.654 The candidate for leave will submit a proposal to his/her supervisor outlining the purpose for and activities to be completed during the leave. The supervisor will make recommendations to the appropriate administrator with the President making the final recommendation to the Board of Trustees.

5.12.655 An individual taking sabbatical leave must agree in writing to return to his/her position for 12 months or repay the College the total amount received while on leave. In turn, the College agrees to return the person to his/her position or an equivalent one following the sabbatical. The person also agrees to provide a written report of his/her activities to the Board of Trustees upon completion of the leave.

5.12.66 Sick Leave

5.12.661 Sick leave is the necessary absence from duty caused by illness, injury, pregnancy, or essential parenting responsibilities, exposure to contagious disease that requires quarantine, or the necessary absence from duty to receive a medical or dental examination or treatment. Sick leave must be used in no less than ½ day increments and may be used until all sick leave credits are exhausted. Under the Family and Medical Leave Act of 1993 an employee may use up to 12 weeks of sick leave (and/or vacation leave) to care for the employee's child after birth or placement for adoption or foster care or to care for the employee's spouse, child, or parent who has a serious health condition.

5.12.662 New employees will have five of his/her allocated sick days for use beginning with the first day of employment. Sick leave credits will be earned at the rate of one day per month of active employment without restriction as to the number of working days that may be accumulated.

5.12.663 An employee may not accrue sick leave credits during a continuous leave of absence without pay which exceeds 15 calendar days, except while serving on jury duty, when subpoenaed as a witness, while in the National Guard, or on active military duty.

5.12.664 *deleted 7/25/06*

5.12.665 An employee who has worked at least two years for the College and separates his/her employment is entitled to a lump sum payment equal to ¼ of the pay attributed to

the employee's accumulated sick leave up to a maximum of 80 days (20 paid days). Payment for accumulated sick leave will be computed on the basis of the employee's salary or wage at the time of termination. For sick leave earned PRIOR to July 1, 1987, the College will pay the employee \$10 for each unused day. Sick leave taken will be subtracted from leave earned after July 1, 1987, unless no such leave is available; then leave earned before July 1, 1987 may be used.

5.12.666 An employee who receives a lump sum payment for sick leave at separation and who is again employed by the College shall not be credited with any sick leave for which the employee has been paid.

5.12.667 Abuse of sick leave is cause for dismissal and forfeiture of the lump sum payments to which the employee would otherwise be entitled upon termination. A physician's certificate or other evidence to substantiate a sick leave charge may be required if a question of abuse exists.

5.12.668 For sick leave extending beyond three days, the College reserves the right to require a physician's statement regarding the employee's illness or injury, and verification that the employee is physically able to return to work.

5.12.669 Any holidays that fall during a period that an employee is on sick leave will be charged as a holiday and not taken off the total accumulated sick leave.

5.12.6610 Because an employee's pay continues while on sick leave, no employee is entitled to be paid both sick leave and worker's compensation payments. An employee injured on the job has the option of taking either sick leave or worker's compensation payments. If the sick leave runs out, the employee may receive worker's compensation payments.

5.12.6611 Advancing sick leave credits after an employee's earned sick leave credits have been expended is prohibited.

5.12.6612 Employees may donate up to 10 days per year to an emergency leave pool, providing that they maintain a minimum balance of 20 days. A maximum of 30 days per fiscal year may be used by any one employee, not to exceed 60 days in a five-year period. The donated credits are for use in the event that the recipient has used all of his/her own sick leave and vacation leave days. Sick leave pool credits may be used for the illness or injury of the employee, their spouse, children, or other dependents as

defined in Emergency Leave, Section 5.12.67. Sick leave donations will be made in no less than ½ day increments.

5.12.6613 If an employee has exhausted all his/her sick and vacation leave, the employee may apply for emergency sick leave pool donations. Applications are made through the Personnel Office. Donations are subject to limitations set forth in section 5.12.6612. Supervisor's approval of leave and physician's certification of condition may be required.

5.12.67 Emergency Leave

5.12.671 Emergency leave is defined as a necessary absence due to acute or critical illness or injury to an employee or member of their immediate family. Chronic illnesses do not apply to this policy and are covered under FMLA, Section 5.12.661. *updated 9/25/09*

5.12.672 Emergency leave will be charged against an employee's sick leave credits.

5.12.673 The employee's immediate family includes parents, spouse, children, siblings, grandparents, current mother-in-law or current father-in-law, or members of the immediate household.

5.12.68 Personal Leave: All full-time employees are entitled to two days of paid personal leave each fiscal year. Personal leave requests will not be denied, but may be delayed or rescheduled if adequate provisions cannot be made for filling vacancies created on a particular day by employee absences or any other factors. The request for personal leave days will normally be made through usual channels of communication at least 24 hours in advance of the time to be used. Unused personal leave is not compensable and cannot be carried from one fiscal year to the next.

5.12.69 Bereavement Leave: Full-time employees are permitted a paid bereavement leave up to five working days for a death in the immediate family. For purposes of this manual, immediate family includes father, mother, foster parents, foster children, husband, wife, son, daughter, brother or sister, grandparents, current mother-in-law or current father-in-law, or any relative living in the immediate household.

5.12.610 Jury Duty or Subpoena: An employee summoned as a juror or subpoenaed as a witness may elect to take vacation/personal leave and retain all fees and allowances payable as a result of this service. Or the employee can choose not to take leave and forward such fees and allowances to the Business Office to be applied against wages due for the period of service.

5.12.611 Military Training Leave: Any employee who is a member of the organized militia of Missouri or who is a member of the organized or unorganized reserve corps or military forces of the United States will be given leave of absence with pay for a period of time not to exceed 15 working days in a calendar year for attending regular encampments, training cruises, and similar training programs of the organized militia of the military forces of the United States. Said employee will be entitled to leave of absence from the respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits, to which otherwise entitled, for all periods of military services during which they are engaged in the performance of duty or training in the service of Missouri at the call of the governor and as ordered by the adjutant general. RSMo. 105.270

5.12.612 Public Service Leave: Any employee elected or appointed to public office will be entitled to a leave of absence without pay not to exceed 180 days per year, while such employee is performing public service. Any employee granted such leave will return to work within ten days following the completion of the service for which the leave was granted.

5.12.613 Maternity/Paternity Leave: No employee may be terminated because of pregnancy or other parenting responsibilities. Under the Family and Medical Leave Act of 1993 an employee may use up to 12 weeks of sick leave (and/or vacation leave) to care for the employee's child after birth or placement for adoption or foster care or to care for the employee's spouse, child, or parent who has a serious health condition. In addition to sick leave and vacation, a reasonable leave of absence without pay will be granted to any employee not able to perform employment duties due to pregnancy, postpregnancy complications, or other essential parenting responsibilities. The period of leave of absence will be agreed upon by the College and the employee, but the maximum leave of absence will not exceed six months unless extended at the discretion of the employer, the total not to exceed one calendar year. Prior to the granting of the maternity/paternity leave, the College may require a certification of the need therefore. The employee must notify the College 15 days before returning to work and upon return will be employed at the same or a similar position held prior to maternity/paternity leave.

5.12.614 Educational Leave: Any full-time employee may, upon request and approval of the supervisor, Human

Resource Director and the President, be granted leave without pay or leave with pay if the employee arranges with the supervisor to make up the time absent from work for any number of hours per day or number of days per week for the purpose of taking any number of accredited courses. *revised 7/25/06*

5.12.615 Leave without Pay

5.12.6151 An employee desiring leave of absence without pay must obtain approval from his/her supervisor, appropriate Dean, and President. The maximum leave of absence will not exceed six months unless extended at the discretion of the College with a total not to exceed one calendar year. As a general policy, vacation leave, sick leave and personal leave must have been exhausted before leave without pay can be taken.

5.12.6152 When on leave without pay, an employee retains none of the benefits or burdens of employment except a right to return to employment. If the leave extends 15 days, neither vacation nor sick leave credits accrue and the employer's contribution to medical insurance is discontinued. However, an employee may remain in group medical insurance by personally paying the amount of the employer's contribution. No holiday pay is paid for holidays that fall during leave without pay, nor is a person a College employee during such leave for purposes of College insurance coverage or use of College property or facilities including College vehicles.

5.12.70 Tuition Waivers

5.12.71 Employees

5.12.711 Opportunities for Training and Advancement: Career development opportunities shall be made available to all employees who want to improve their service to NCMC and/or to upgrade personal or academic skills. Employees may enroll in college courses, participate in on-site development and training programs, and attend relevant conferences, seminars and workshops. Financial assistance shall be provided whenever possible. When selecting employees to attend conferences, seminars and workshops, care shall be taken to send the person or persons most directly concerned with the implementation of conference subject matter.

5.12.712 Tuition Waivers: Full-time employees may enroll in college credit courses at NCMC with tuition fees waived, excluding courses by arrangement, non-credit courses, lab and other course-related fees. Employees who take outreach or on-line courses must pay the difference between the regular on-campus rate and the outreach/dual-credit/on-line tuition rate. The number of credits need not be specifically work-related, as long as the number of classes taken does not adversely affect the employee's performance. For the purpose of clarity, "work-related development" is defined as any class, seminar, workshop, or training program that applies to a skill specific to an employee's job description. *revised 7/25/06*

Classes taken during the regular working day:

5.12.7121 Not work related: a) must be approved by the supervisor, appropriate Dean and President; b) no release time with pay granted; c) employee may request vacation time, compensatory time, or personal days with approval by the supervisor and appropriate dean; and d) the cost of any books, supplies, lab and other course-related fees will be paid by the employee.

5.12.7122 Work related (as defined): a) must be approved by supervisor, appropriate Dean and President; b) not required to make up the time; c) may be initiated by employer or supervisor.

5.12.72 Employees' Dependents

5.12.721 Tuition waivers for classes, excluding courses by arrangement, non-credit courses, and lab and other course-related fees, are granted to dependents of full-time faculty and employees. This waiver is to be signed by the President. Dependents who take outreach courses or on-line courses must pay the difference between the regular on-campus tuition rate and the outreach/on-line rate. *revised 7/25/06*

5.12.722 Dependents shall be defined as those individuals who qualify as dependents as defined by the laws governing the U.S. Internal Revenue Service.

5.12.73 Retired Employees: For individuals who have retired with at least five years from North Central Missouri College but are not yet 60 years of age, tuition will be waived for the retired employee but not for dependents. The costs of any books, supplies, lab and other course-related fees will be paid by the retired employee.

5.12.80 Tuition Allowances for Colleges other than NCMC: NCMC will reimburse tuition paid by the employee up to \$70 per credit hour for college courses taken by faculty, staff, or administrators at colleges other than NCMC. The total reimbursement expenditure for all employees shall not exceed the fiscal year budget for tuition allowances. Reimbursement shall be made during the last month of the Fiscal year. Any course taken under this plan would have to be approved by the appropriate administrator and the President prior to enrollment, with the employee being reimbursed upon successful completion of the course(s).
revised 7/25/06

5.12.90 Emeritus Status

5.12.91 Definition: Professional staff who have completed 20 years or more of full-time service at NCMC may be awarded emeritus title and status at the time of retirement.

5.12.92 Eligibility

5.12.921 Instructional staff who have completed 20 years or more of full-time service at NCMC may be awarded emeritus title and status at the time of retirement. The emeritus designation will be “professor” in the individual’s subject matter field.

5.12.922 Professional staff personnel holding an instructional/administrative/supervisory position at NCMC for 20 years or more will be eligible for emeritus status which reflects the highest instructional/ administrative/ supervisory position attained provided that position has been held for at least five years.

5.12.93 Procedures for Requesting the Emeritus Title

5.12.931 The professional staff member’s appropriate dean, or the President of the College, or the Faculty Senate, or the professional staff member may request application for emeritus status at the time the individual files for retirement.

5.12.932 Upon recommendation of the supervising administrator, or the Faculty Senate, or the College President, the request will be

submitted to the NCMC Board of Trustees for final action.

5.12.94 Emeritus Staff Benefits at NCMC

5.12.941 Members awarded the designation of emeritus will be listed in the college catalog.

5.12.942 A work space will be provided in the library or other designated building for the emeritus staff members to do work of an educational nature.

5.12.943 Clerical service may be provided for scholarly activities provided priorities of regular duties assigned clerical personnel are completed.

5.12.944 A life-time activities pass for activities sponsored by the College will be awarded to the emeritus member (including benefit for spouse).

5.12.945 Tuition waiver will be granted to the emeritus member/spouse the same as for full-time faculty: a tuition waiver recipient may not be counted to determine that a class has the minimum enrollment, and special fees must be paid.

5.12.946 Special use of labs/workshops may be granted to the emeritus member subject to the recommendation of affected instructional staff, appropriate dean, and approved by the College president. Special use will not be permitted if it interferes with regular scheduled classes or activities.

5.12.95 Professional Meetings

5.12.951 Subject to approval of the Division Chairperson, Dean of Instruction, and the President of the College, an emeritus member may represent a department, division, or the College at professional meetings.

5.12.952 Financial support will be provided according to Board policy.

6.000 BUSINESS OPERATIONS

- 6.1.00 Special Authorizations of District Employees:
 - 6.1.10 Authorization to Contract – The President is authorized and empowered to contract in the name of North Central Missouri College, subject to approval or ratification by the Board of Trustees.
 - 6.1.20 Authorization to Sign Orders – The President or delegated agent will be authorized and empowered by the Board of Trustees to sign orders for lawful expenses of the College on funds of the District as provided in the annual budget.
 - 6.1.30 Authorization to Travel on District Business – Subject to the approval of the Board of Trustees, employees of the College are authorized to carry on, at District expense, the travel required for execution of their duties. The President or delegated agent must authorize travel expense of these individuals.
 - 6.1.40 Applications for Federal Aid and Grants – In order to facilitate handling of correspondence and applications the President or delegated agent will be authorized by the Board of Trustees to file applications for federal aid.
 - 6.1.50 Authorization to Sign for Surplus Property – The President and delegated individuals on the College staff will be authorized by the Board of Trustees to sign the resolutions authorizing purchase from state or federal surplus. A list of such items will be presented to the Board of Trustees periodically for validation.
 - 6.1.60 Authorization to Pay Student Refunds – The Business Manager may pay student refunds prior to Board approval of such refund. All refunds made to students will be submitted for Board approval at the Board meeting immediately following issuance of refunds to students.
 - 6.1.70 Authorization to Access the College Safe Deposit Box – The Board President, Board Vice President, Board Treasurer, Director of Business and the College President have authority to access all safe deposit boxes the College may rent. *6.1.70 changed 10/28/08*
- 6.2.00 Accounting for Funds: The Business Manager will be responsible to the President for the proper accounting of all District funds. The managers of auxiliary enterprises belonging to the College and the treasurers of the various student organizations receiving activity funds will be responsible to the Business Manager for the accounting of all receipts.
- 6.3.00 Budget Guidelines:
 - 6.3.10 Preliminary Budget – The Trustees may approve a preliminary budget prior to the beginning of the fiscal year.
 - 6.3.20 Final Budget – The Trustees will approve a final budget prior to October 1 of the

fiscal year.

6.3.30 Budget Adjustments – It is understood that the budget represents an estimate of expenditures and that the Board of Trustees must approve of all expenditures. Unless existing programs are dropped or new programs are added mid-year, the final budget will not normally be adjusted.

6.4.00 Purchasing/Expenditures and Investment Policies

6.4.10 Purchase of items under \$500.00 may be made on the open market.

6.4.20 Efforts to obtain competitive bids from three different vendor sources are required on all purchases over \$500.00. Sole source bids must have adequate documentation to support claim. Awards will be made to the best responsible bidder whose bid is in accordance with the conditions and specifications of the bids. The right is reserved to reject any or all bids and to accept or reject any item thereon.

6.4.21 Purchase of items between a cost of \$500.00 and \$3,000.00 must have at least three verbal quotes (where reasonable). Final approval on items up to \$3,000.00 will be made by the Business Office.

6.4.22 Purchase of items between a cost of \$3,000.00 and \$10,000 must have the support of written competitive quotations (where reasonable) and must be approved by the President.

6.4.23 Purchase of items of \$10,000 and over requires sealed bids from the available vendors. Request for bids in this category will be advertised in a newspaper or newspapers of general circulation in the College district. Final approval within this category will be made by the Board of Trustees. Compliance with RSMo 34.353 is required.

6.4.24 Exceptions to the above listed bidding process may be made:

a) in an emergency situation; however, Business Manager or President approval must be obtained before the final purchase.

b) if pricing quotes are received from state/governmental contracts or group purchasing organizations for Higher Education. *added 6/30/09*

6.4.30 With prior approval of the College President, NCMC *may* transact business with vendors that have a direct/indirect, personal, professional, business, financial, or family interest/relationship with college personnel. If the business transaction involves the College President and/or his family, it must be approved by the president of Board of Trustees.

6.4.40 The director of a federal award program shall determine the allocability, allowability, and reasonableness of costs in accordance with the provisions of the applicable federal cost

principles and the terms and conditions of the award. Final approval of expenditures shall be made by the NCMC Board of Trustees in consultation with the Chief Fiscal Officer and college president. *added 6-26-07*

6.4.50 Procurement procedures for federal awards will follow Department of Health and Human Services 45 CFR Part 74, Section 74.44(a) (1-3) summarized as follows:

- (1) Grant recipients shall avoid purchasing unnecessary items;
- (2) Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical and practical procurement for the grant recipient and the federal government; and
- (3) Solicitations for goods and services shall follow NCMC's purchasing/expenditures policies. *added 6-26-07*

6.4.60 Investment Policy

6.4.61 The Treasurer will request investment quotes from interested local banks and other Board-designated institutions. These requests will be sent by fax or other appropriate means with the quotes being submitted by the same means. After the bid deadline the Treasurer will invest the funds in the best yielding investment. Should two or more quotes provide equal yields, the Treasurer will decide by a blind draw (witnessed by any two College employees) where to invest the funds. Investing transactions will be reported to the Board of Trustees as a part of the monthly Treasurer's Report.

6.4.62 The Board designates "The Common Fund" for investment of endowed funds. Funds will be monitored and invested by a committee of two Trustees, the Business Manager, and the President, with investment results reported to the Trustees on at least a quarterly basis.

6.4.70 Disbursement of WIA/Head Start Funds – The Treasurer of North Central Missouri College is authorized to pay WIA/Head Start service providers once the proper authorizations have been received from WIA/Head Start administration. These payments will then be reviewed and approved by the Board at its regular monthly meeting.

6.5.00 Inventory: All property items costing \$5,000 or more owned by the District will be capitalized and inventoried as a part of the College's accounting records. The Business Office will maintain an inventory of all College property. This will be verified as needed by a physical inventory taken by the various divisions, departments, and/or designated personnel.

- 6.6.00 Loan of Equipment: College equipment may not be loaned for private use. The Business Manager is responsible for making decisions concerning the loan of equipment for public or other school use.
- 6.7.00 District-Owned Vehicles: District-owned vehicles will be available for College personnel for activities related to College business.
- 6.8.00 Disposal of Surplus Property: College property determined as surplus will be sold either by public auction or from receipt of sealed bids after Board approval (RSMo. 177.091). Surplus property purchased by individual grant funds will be disposed of in accordance with the grant requirements.
- 6.9.00 Insurance Coverage: It is the responsibility of the Business Manager to see that the following types of insurance are carried by the College and are in effect for all College property and personnel:
- a. Fire and extended coverage on buildings and equipment
 - b. Crime coverage on monies, securities, and equipment
 - c. Other perils, as normally covered in multiperil insurance policies
 - d. Vehicle insurance
 - e. Life, liability, and medical coverage on employees and medical coverage on athletes
 - f. Liability coverage on officers and trustees of the District
 - g. Student liability insurance
 - h. Other coverage as appropriate
- 6.10.00 Bookstore: The Bookstore will provide students with required textbooks, reference books, workbooks, manuals, and supplies at a reasonable cost. A used-book purchase and resale program will be made available to students and faculty. A courtesy discount of ten percent will be given to full-time faculty and staff members on personal purchases of promotional and supply items from the Bookstore if paid at the time of purchase. Extraordinary purchases may be available at varied discount rates.
- 6.11.00 Accidents and Injuries: Any accident or injury on campus or at College-sponsored activities, to a student, employee, or visitor must be reported immediately to the College faculty or staff member in charge of the facility or activity. As soon as practicable after an accident or injury, employees, students, or visitors must file a General Purpose Incident Report with the Business Office.
- 6.12.00 Travel Policy
- 6.12.10 Definitions: North Central Missouri College employees are encouraged to attend meetings and conferences that will be professionally rewarding to the individual or the College within budgetary limitations. Reimbursement for expenditures incurred for meetings, conferences, and work-related activities on behalf of

the College will be made in accordance with Board policy and administrative procedures.

6.12.20 Transportation:

6.12.21 NCMC personnel may travel by commercial air on College business when it is as economical as other allowable transportation and/or when in the opinion of the President and/or appropriate Dean it is in the best interest of the College. Ticket reservations should be made by the individual and actual costs of coach air fare may be claimed.

6.12.22 An employee may drive his/her car on College business. Mileage reimbursement may not exceed coach air fare for one, except the current mileage rate will be allowed, even if it exceeds coach air fare, when more than one person travels in the vehicle or if the vehicle is needed to carry special equipment. If several people travel together in a privately owned vehicle, only the driver of the vehicle may claim mileage costs. The mileage allowance is made at the IRS's Standard Mileage Rate.

6.12.23 Full-time employees assigned to more than one location as part of their regular duties will be reimbursed for the additional mileage incurred over and above the normal round trip from their home or the primary worksite, whichever is the lesser mileage.

6.12.24 All taxis, bus fares, ferry, bridge and road tolls, or parking charges incurred while on official business may be claimed when properly itemized on the College travel expense voucher.

6.12.30 Lodging - Receipts for lodging must be submitted with the completed College Travel Expense Voucher and will show the items for which the charge was made.

6.12.40 Meals - Each meal purchased will be listed on the College Travel Expense Voucher by date and identified as breakfast, lunch, or dinner. Reasonable expenses for meals and tips are reimbursable. Management may establish maximum per diem meal allowance and accompanying procedures/regulations.

6.12.50 Other Permissible Expenditures:

6.12.51 All other reimbursable expenditures will be listed on the Travel Expense Voucher for reimbursement such as conference registration fees, porter fees, telephone, etc.

6.12.52 Before any College employee submits a voucher for reimbursement it is incumbent upon the employee to be familiar with all regulations concerning reimbursement in order to stay within budgetary limitations and provide necessary receipts with the claim submission.

6.12.53 To be eligible for reimbursement of travel expenses an

employee must be on travel time on College business. If a person is to receive a consulting fee or honorarium from any source while on travel time, he/she must obtain a ruling from his/her Dean, the Business Manager, and the President as to the amount of travel expenses they may claim.

- 6.12.60 Travel Advances – For those travel expenditures (excluding mileage) estimated to exceed \$50 for any one trip, the employee may request an advance. The amount of this advance must be requested at the time the travel requisition is prepared.
- 6.12.70 Regulations for Payment of Athletic Department Travel Expenses and Travel Expense Vouchers - The following regulations will apply to payment of travel expenses for teams participating in athletic competition:
 - 6.12.71 Reasonable travel expenses will be budgeted and give a complete explanation of the purpose of travel.
 - 6.12.72 Reasonable travel expenses will be paid by the College for teams to participate in national tournaments when they qualify for such tournaments by winning the required sub-regional and regional competitions.
 - 6.12.73 The College will not pay expenses for team travel other than as outlined in 71 and 72 above, except that, with approval of the Board of Trustees, travel expenses may be provided for special in-season trips that are partially or fully funded from non-College funds. Non-College funds to pay for the trip must be committed before the trip is approved.
 - 6.12.74 Traveling team size will be limited to the number of players that may be reasonably expected to participate in the scheduled games plus coaches and managers.

7.000 BUILDINGS AND GROUNDS

- 7.1.00 Use of College Facilities: The College president will establish and administer the necessary rules and regulations for the use of campus facilities. Groups and organizations that are not affiliated with the College may use College facilities under the following conditions:
- 7.1.10 The aims and purposes of the group are appropriate with the objectives of the College
 - 7.1.20 The activity will not interfere with College functions
 - 7.1.30 Use of facilities is subject to availability as determined by the College
 - 7.1.40 Appropriate fees for use of campus facilities will be assessed and fully disclosed to the sponsoring group; acceptance of the stated fees by the group is required before permission for facility use is granted
 - 7.1.50 Non-profit organizations may be entitled to use campus facilities at a reduced rate
 - 7.1.60 Any intention of the sponsoring group to charge admission to their activity must be made known to the College at the time facilities are requested; the College will consider the appropriateness of proposed fees before granting approval for facility use
- 7.2.00 Prohibited Substances: Any violations of these rules may result in disciplinary actions.
- 7.2.10 Alcoholic beverages may not be brought onto College property, except designated rental properties. Any violation of this rule may result in disciplinary action.
 - 7.2.20 No tobacco products are allowed on NCMC's campuses.
- 7.3.00 Recycling and Waste Reduction: North Central Missouri College will participate in recycling and waste reduction programs.
- 7.4.00 Biohazard Medical Waste: The biohazard medical waste policy is designed to protect students, visitors, personnel, those transporting the waste, and the community from exposure to pathogenic microorganisms. Any procedure for this policy will meet or exceed all federal, state, and local regulations regarding biohazard medical waste.
- 7.5.00 Firearms Policy: Except for licensed/accredited police officers, no person shall possess or carry any firearm, visible or concealed, on College property (including college buildings, grounds, leased or owned by the College, College athletic fields, and parking lots), or in any College van or vehicle, or at College-sponsored activities. No College official or employee may give consent under Missouri statute for any person, other than a licensed/accredited police officer, to carry a concealed firearm into

any College facility, property, or activity, except as described below. College employees who hold concealed carry weapon endorsements, as allowed by Missouri law, may not carry or bring any firearm, visible or concealed, on College property, owned or leased, or at any College activities. Firearms for use in artistic expression, academic endeavors, ceremonial purposes, or other purposes related to the College's mission may be allowed with prior approval by the College President.

Grievance Report Form
North Central Missouri College

Aggrieved Person _____

Date Filed _____

Subject Area _____

1. Date grievance occurred _____

2. Statement of Grievance:

3. Manual Section allegedly violated, misinterpreted, or misapplied:

4. Action requested or relief sought:

Signature of Grievant

Date

Grievance Step 1

1. Decision of Dean:

Signature of Dean

Date

2. Grievant's Response:

_____ I accept the above decision.

_____ I hereby refer the above decision to the next step
of the grievance procedure.

Signature of Grievant

Date

Grievance Step 2

1. Date received by President or designee: _____
2. Decision by President or designee:

Signature of President or designee

Date

3. Grievant's response:

_____ I accept the above decision.

_____ I hereby refer the above decision to the next step
of the grievance procedure.

Signature of Grievant

Date

Grievance Step 3

1. Date received by the Board of Trustees: _____
2. Decision of the Board:

Signature of the President of the Board

Date