

# North Central Missouri College Board Policy Manual



*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.*



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## 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 All information included within the manuals will remain in force unless superseded by Board action.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

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 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. The Missouri Sunshine Law, 610.010 through 610.030, is one of those statutes. *updated 10/27/15*

- 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.

1.6.00 Changes to Policy Manuals: Changes to policies contained within the Board Policy Manual, the Faculty Policy Manual, and the Classified Staff Manual can be accomplished by official action of the Board of Trustees. However, Board action is not required to replace an employee's name in a policy which lists a particular position and the name of the employee when the employee holding the position changes.

## 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 (*see also 3.16.00 Amorous Romantic/Sexual Relationships*)
- 3.1.21 Introduction: All elected and appointed officials as well as candidates for election as an official and specific employees of a political subdivision must comply with RSMo. 105.485.4 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. *updated 7/28/15*
- 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:

3.1.41.1 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.

3.1.41.3 Those who do not file financial interest statements in a timely manner may be subject to penalties in accordance with state law. *added 7/28/15*

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 Posting Policy: NCMC is committed to creating a campus which supports the educational mission of the College, provides a campus culture conducive to learning, and is free from obscene materials and hostile environments. Members of the College community are allowed to publicize their events in designated areas, with prior permission from the President's Office or Dean of Student Affairs Office. The form and content of the publicity will be restricted if it is libelous, obscene, incites riot or other unlawful action. Postings should follow relevant procedures and contain the name of the organization or department, and if applicable event date, time, and location. Postings should also conform to local, state, and federal laws.
- 3.8.10 Procedures: All postings must follow the established guidelines. The posting and/or distribution of signs, handbills and flyers in buildings at North Central Missouri College will be limited to students, registered student groups and official units of the College. Business and profit organizations will be allowed to post information on public bulletin boards in academic buildings and in the Ketcham Community Center only, with prior approval. Posters advertising non-College sponsored events must be of general interest to the College community and sponsored by not-for-profit organizations.



### 3.8.20 Regulations

3.8.20.1 Any and all items for general posting must be approved by the President's Office or Dean of Student Affairs Office. The approval process requires a minimum of 2 business days for review and approval. To receive approval, email a copy of the posting or send the original to the President's Office or Dean of Student Affairs Office. If approved, a stamped original will be returned to the appropriate party. All postings must have stamped approval. Postings inside the residence halls require approval from the Residence Life Office. Postings in classrooms and/or on boards assigned to departments need Department Chair approval.

3.8.20.2 Posters and flyers must not exceed 14"x 22" in size. Signs exceeding the limit must have special permission from the President's Office or Dean of Student Affairs Office for posting.

3.8.20.3 The name of the sponsoring group or unit must appear on the flyer or sign and if applicable, include the event date, time and location.

3.8.20.4 Signs, posters, flyers, etc., should be posted for a period not exceeding two weeks.

3.8.20.5 Signs may be posted in areas designed for posters (i.e. bulletin boards designated for general use or kiosks). Posters and flyers may not be attached to windows, doors, walls, floors, trees, or any other part of the College grounds.

3.8.20.6 A limit of 10 posters may be posted throughout campus and posting over or removing existing material is prohibited, unless it is past the advertised date.

3.8.20.7 Banners and lawn signs may be used for some special occasions, but must be approved by the President's Office or Dean of Student Affairs Office in advance.

3.8.20.8 Advertisements for persons running for state or local elected positions may be placed on the public bulletin boards only.

3.8.20.9 Writing with water-based chalk on the sidewalks and/or stairs should receive prior permission from the President's Office or Dean of Student Affairs Office.

3.8.20.10 The sponsoring organization has the primary responsibility for removing promotional information within 48 hours after an event. Failure to remove signs or postings in unauthorized locations may result in the organization being billed for sign removal and possible denial of future posting privileges.

3.8.20.11 Posters/flyers etc. promoting the consumption of alcohol and/or illegal substances are not permitted to be posted on campus.

3.8.20.12 Postings not in English need an English translation on the posting.

3.8.20.13 The College reserves the right to remove any form of advertising which does not comply with these procedures and/or bill the responsible party for the cost of removal. *entire posting policy revised 2/27/17*

### 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 Electronic Information Systems Use Policy *updated 12/18/12*

It is the policy of North Central Missouri College to maintain access to local, national, and international sources of information and provide an atmosphere that encourages free exchange of ideas and promote learning. Use of the College's electronic information systems is a privilege and not a right. Users must respect the rights of other users, respect the integrity of the systems and related physical resources, and comply with all relevant laws, College policies and procedures, and contractual agreements.

- 3.11.10 Network Definition: The College network is defined to include any and all computer and electronic based communication facilities (voice, data, and video) and/or equipment which are owned or operated under the supervision of North Central Missouri College.
- 3.11.20 Criminal or Illegal Acts: Electronic information systems of the College, which include hardware, software, and network environment, shall not be used for illegal or criminal activities. Such activities may involve, but are not limited to, unauthorized access, intentional corruption or misuse of resources, theft, defamation, obscenity, pornography, child pornography, and harassment based upon ethnicity, disability, age, religion, or sex. The College will cooperate with all branches of law enforcement (local, state, federal, or international) in investigations of a

criminal nature by making available transmissions and files within the College's network.

3.11.30 Copyright Law: North Central Missouri College treats copyright infringement very seriously. It is illegal to violate the copyright law, including downloading or sharing music and videos without permission from the copyright owner. Copyright owners have begun using software to aggressively search for people who are providing copyrighted materials to others over the Internet without the copyright owner's permission.

3.11.40 Information Security: Employees must understand and follow the information security policies. All data that is collected must be secure. Secure Data Elements, also known as personal identifiable information, must never be released to any entity outside of the college without supervisory approval. Employees that fail to follow the Information Security policies are subject to the sanctions of the North Central Missouri College's Electronic Information System Use Policy.

3.11.40.1 Secure Data Elements: Although commonly stored, these data elements are protected and must not be made available. This information should not be released verbally, and electronic or paper reports containing this data must be approved before release: first name (or first initial) and last name in combination with any of the following: Social Security Number, Driver's License Number, Student ID, or other unique number assigned or collected by a governmental body, financial account, credit card, or debit card number, unique electronic identifier or routing code in combination with any required security code, access code, or password that would permit access to an individual's financial account, medical information, or health insurance information.

3.11.40.2 Never store these data elements electronically or on paper: full credit card numbers (the last 4 digits are acceptable), credit card card-validation codes (3 or 4 digit code on front or back of card used to verify card no present transactions), or credit card PIN numbers.

3.11.40.3 FERPA: Employees of North Central Missouri College are expected to maintain the confidentiality of all educational records as outlined in the Family Educational Right and Privacy Act (FERPA). FERPA is a federal act designed to protect the privacy of educational records, to establish the right of students to inspect and review their educational records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings. The College Catalog and website state the policy regarding academic records at North Central Missouri College. Academic records are open to members of the faculty and staff who have a legitimate educational interest in seeing the records. Information should not be viewed unless it

is required to fulfill job responsibilities at NCMC. Under the terms of FERPA, certain directory information may be released to third parties without the written consent of students, however students have the right to restrict release of directory information. All third-party requests for academic information should be cleared through the offices of the Dean of Student Services or the Registrar at North Central Missouri College.

3.11.40.4 Smart Phone / Mobile Device: All portable devices that use the college network or resources to synchronize or store data must have an automated lock configured to prevent unauthorized access. All devices must be updated to insure the highest level of security. IT Services must be notified of missing or stolen devices no later than the next business day.

3.11.40.5 Flash Drives: College employees must use an approved password-protected encrypted flash drive. Lost or stolen storage devices must be reported to IT Services no later than the next business day.

3.11.40.6 Notebooks: All college-owned notebook computers must have the hard drive encrypted, use NTFS partitions, and be a member of the domain. IT Services must be notified of missing or stolen computers no later than the next business day.

3.11.40.7 Off Campus Data Storage: The use of personal or cloud base (hosted) storage such as, but not limited to SkyDrive, Dropbox, and Google Documents is not permitted.

3.11.50 Email: Email containing private data elements must only be sent off campus in an encrypted transmission. Users must comply with the CAN-SPAM Act that deals with sending bulk/commercial messages that are unsolicited. Contact the helpdesk before sending messages to recipients with which you do not have a prior working relationship.

3.11.60 Acceptable uses of NCMC electronic information systems are (this list is not all-inclusive):

3.11.60.1 A means for authorized users to have legitimate access to email, network resources, and/or internet access.

3.11.60.2 Any use necessary to complete research or coursework assigned to a College employee or student.

3.11.60.3 Communication for professional development.

3.11.60.4 Other administrative and/or academic communications or activities in direct support of College projects and missions.

3.11.60.5 Limited personal use may be allowed when such use meets the following criteria: it does not interfere with College operations, it does not compromise the functioning of the College network and computing resources, it does not interfere with the user's employment or other obligations to the College, and it does not violate any other laws, regulations, or College policy.

3.11.70 Unacceptable uses of NCMC electronic information systems are:

(this list is not all-inclusive):

- 3.11.70.1 Any commercial or for-profit use.
- 3.11.70.2 Attempting to gain or gaining unauthorized access to the computer system or files of another.
- 3.11.70.3 Including the use of another individual's identification, network, email or other College-based account and/or related passwords.
- 3.11.70.4 Any use that causes unauthorized network disruption, system failure, or data corruption.
- 3.11.70.5 Any use related to achieving, enabling, or hiding unauthorized access to network resources, College-owned software, or other information belonging to North Central Missouri College.
- 3.11.70.6 Unauthorized or excessive personal use.
- 3.11.70.7 Use of computing facilities or network resources to send obscene, harassing, abusive, or threatening messages or computer viruses or worms.
- 3.11.70.8 Use of all peer-to-peer file sharing (Bittorrent, Limeware, Shareaza, Kazaa, iMesh, Bearshare, eMule, and many others are considered peer-to-peer file sharing sites).
- 3.11.80 User Responsibility and Account Ownership: Users may not allow other individuals to use their College-assigned network, email, or other College-based account. Employees and students are individually responsible and accountable for the proper use of their assigned accounts. Users should take proper security measures to ensure the integrity of their accounts and should also report any notice of unauthorized access. All network shares on individual's computers must be properly password protected. The College uses email to communicate important information; therefore all users are encouraged to check their email on a regular basis.
- 3.11.90 Additional Policies: North Central Missouri College is required by contract with MOREnet to abide by (and therefore enforce) their policies and procedures. More information about MOREnet's policies, procedures, and security measures is available at <http://www.more.net/?q=content/service-policies>.
- 3.11.100 User Conduct and Sanctions: Abuse of the College's electronic information system or violation of any local, state, or federal telecommunication law or regulation, or College policy, is not allowed and may subject the individual to criminal, civil, and institutional penalties and liabilities.
  - 3.11.100.1 Penalties for violation of college policies including unauthorized peer-to-peer file sharing, illegal downloading or unauthorized distribution of copyrighted material using the College's information technology system can include, but not be limited to, loss of all College computer network privileges,

probation, suspension from the College, and/or referral to law enforcement for prosecution, including criminal or civil action. Employees can also be subject to termination.

3.11.100.2 Penalties for violation of federal copyright laws and copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, visit the US Copyright Office at: [www.copyright.gov/](http://www.copyright.gov/)

3.11.100.3 FERPA is enforced by the Family Compliance Office, which is part of the U.S. Department of Education. Violations may result in NCMC’s loss of ability to offer federal financial aid programs, institutional fines, personal law suits, termination of employment, and other sanctions. All employees shall read and become familiar with the “Guidelines for Release of Education Records” as posted on the NCMC website. More information is available at

[http://www.ncmissouri.edu/registrar/Pages/guidelines\\_release\\_records.aspx](http://www.ncmissouri.edu/registrar/Pages/guidelines_release_records.aspx)

3.11.110 Policy Posting and Updates: This Electronic Information Systems Use Policy is available on NCMC’s intranet at <https://portal.ncmissouri.edu/staff/intranet/it/employee-AUP.pdf>. Email notifications will be made available as changes affect this policy.

3.12.00 Records Retention: North Central Missouri College adheres to the University General Retention Schedule (UGRS) regarding the retention and disposal of college records as instructed by the Missouri Office of the Secretary of State, Division of Records Management. *updated 9/26/17*

3.13.00 Tuition Waivers for Non-College Employees *revised 7/31/17*

3.13.10 Trenton IX Employees

3.13.10.1 Employees considered to be full-time by the R-IX District may enroll in college credit courses at NCMC with tuition waived, excluding tuition for noncredit courses (e.g., seminars, community service courses, and continuing education courses), audited courses, and repeated courses. Employees who take courses with tuition rates which exceed the in-district rate must pay the difference between the in-state rate and the charged tuition rate. In order to be eligible for a tuition waiver, employees must complete the

Free Application for Federal Student Aid (FAFSA) for the corresponding academic year and meet the definitions of Title IV financial aid eligibility. The FAFSA and verification of FAFSA, if selected for verification, must be submitted to NCMC and finalized prior to the end of the term in which the waiver is to be applied. Waivers may not be applied to prior terms retroactively. Federal and state grants, including the A+ scholarship, and all other tuition specific financial aid will be applied toward costs prior to the award of any tuition waivers. Employees are responsible for any fees assessed for No Shows.

3.13.10.2 Other charges such as fees (e.g., application, activity, facility, health, course, and lab), books, supplies, housing, fines, etc., will not be waived.

3.13.10.3 The policy is limited to Trenton R-IX full-time employees and their dependents. For the purpose of tuition waivers only, dependents are those individuals defined as unmarried child under the age of 24, and/or disabled child over the age of 24. Employees seeking a waiver for a dependent must submit a Dependent Eligibility Verification (DEV) form along with the waiver. Trenton R-IX employees' dependents qualify for tuition waivers equal to 50% of the tuition, with the same restrictions as in 3.13.10.1. Dependents who will be enrolled in high school while taking college courses are exempt from completing the FAFSA. Individuals must be eligible to receive a waiver in the semester in which they use the waiver.

3.13.10.4 For individuals who have retired with at least five 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 their dependents.

3.13.10.5 Tuition waiver forms and DEV forms are available from the NCMC Financial Aid Office. Waiver forms must be signed by the Superintendent and the NCMC President. Waiver forms must be submitted to NCMC's Financial Aid Office by the final payment deadline of the term for which the waiver is requested.

### 3.13.20 Head Start and WIOA Employees

3.13.20.1 Employees considered to be full-time by Head Start/WIOA may enroll in college credit courses at NCMC with tuition waived, excluding tuition for noncredit courses (e.g., seminars, community service courses, and continuing education courses), audited courses, and repeated courses. Employees who take courses with tuition rates which exceed the in-state rate must pay the difference between the in-state rate and the charged tuition rate. In order to be

eligible for a tuition waiver, employees must complete the Free Application for Federal Student Aid (FAFSA) for the corresponding academic year and meet the definitions of Title IV financial aid eligibility. The FAFSA and verification of FAFSA, if selected for verification, must be submitted to NCMC and finalized prior to the end of the term in which the waiver is to be applied. Waivers may not be applied to prior terms retroactively. Federal and state grants, including the A+ scholarship, and all other tuition specific financial aid will be applied toward costs prior to the award of any tuition waivers. Employees are responsible for any fees assessed for No Shows.

- 3.13.20.2 Other charges such as fees (e.g., facility, activity, facility, course, and lab), books, supplies, housing, fines, etc., will not be waived, with the exception of the health fee.
- 3.13.20.3 The policy is limited to Head Start and WIOA employees, spouses/domestic partners, and their dependents. For the purpose of tuition waivers only, dependents are those individuals defined as unmarried child under the age of 24, and/or disabled child over the age of 24. Employees seeking a waiver for a dependent must submit a Dependent Eligibility Verification (DEV) form along with the waiver. The restrictions listed in 3.13.20.1 will apply for dependents. Dependents who will be enrolled in high school while taking college courses are exempt from completing the FAFSA. Individuals must be eligible to receive a waiver in the semester in which they use the waiver.
- 3.13.20.4 If a Head Start/WIOA 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 a Head Start/WIOA employee works 1,400 hours or more per year, the tuition will be fully waived. Waivers for dependents of employees will be applied at the same rate as the employee. The restrictions listed in 3.13.20.1 will apply.
- 3.13.20.5 For individuals who have retired with at least five years of service from Head Start or WIOA but are not yet 60 years of age, tuition will be waived for the retired employee but not for their dependents.
- 3.13.20.6 Tuition waiver forms and DEV forms are available from the NCMC Financial Aid Office. Waiver forms must be signed by the Head Start/WIOA program administrator and the NCMC President. Waiver forms must be submitted to NCMC's Financial Aid Office by the final payment deadline of the term for which the waiver is requested.



### 3.14.00 Waivers for Senior Citizens *revised 7/31/17*

- 3.14.00.1 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 resident who is at least 65 years of age on or before August first of a school year may enroll in an available credit-bearing course on a not-for-credit (audit) basis. Persons may begin enrolling in a course for which a waiver is requested no earlier than one business day prior to the first day of the scheduled term. Audit declarations must be made with the Registrar. Persons seeking a waiver pursuant to this section shall provide documentation of age and shall satisfy all other necessary entrance requirements in order to be eligible to receive a waiver.
- 3.14.00.2 Other charges such as fees (e.g., application, activity, facility, course, and lab), books, supplies, housing, fines, etc., will not be waived, with the exception of the health fee.
- 3.14.00.3 The number of available senior citizen waivers is limited to no more than ten students per semester.
- 3.14.00.4 Tuition waiver forms are available from the NCMC Financial Aid Office. Audit declarations must be made and waiver forms submitted to NCMC at the time of registration.

### 3.15.00 Sexual Misconduct Policy *revised 11/06/17*

- 3.15.10 General Statement of Policy: NCMC prohibits sex discrimination and is committed to fostering a learning environment that is safe, inclusive, and fosters academic success. NCMC considers sex discrimination in all its forms to be a serious offense and a violation of this policy. Sex discrimination involves differential treatment or adverse action based on a person's real or perceived sex, gender identity and/or gender expression. Sex discrimination includes discrimination on the basis of pregnancy, sexual orientation, gender identity, and failure to conform to stereotypical notions of femininity and masculinity, as well as same gender harassment. Sexual harassment is a form of prohibited sex discrimination, and sexual violence is a particularly severe form of sexual harassment. "Sexual misconduct," as used in this policy, is an umbrella term that collectively refers to sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking. The specific definitions of these terms are set forth below.
- 3.15.20 Scope of the Policy: NCMC's Sexual Misconduct Policy applies to all members of the NCMC community. This includes allegations made by or against students, faculty, staff, administrators, Board of Trustees, and third parties. The College's prohibition of sexual misconduct extends to all aspects of its educational programs and

activities, including, but not limited to, admissions, employment, academics, athletics, housing, and student services. NCMC has jurisdiction over conduct covered by this policy that occurs on campus, during or at an official College program or activity (regardless of location), or off campus when the conduct could create a hostile environment on campus. The College will investigate complaints made under this policy and, if necessary, take action to prevent the recurrence of sexual misconduct and remedy its effects.

3.15.30 Definitions: The following definitions are provided for clarity purposes. Offenses listed fall under NCMC's Sexual Misconduct Policy.

3.15.30.1 Complainant: A person who alleges that he or she is the subject of sexual misconduct, or of retaliation related to the complaint or investigation thereof and can be an NCMC employee, student, volunteer, guest, visitor or third party affiliated with the institution.

3.15.30.2 Consent: An active process where there is clear and unmistakable voluntary agreement, expressed in mutually understandable words or actions, to engage in sexual activity. Silence or absence of resistance does not imply consent. Informed consent cannot be gained by force, coercion, threat, by ignoring or acting in spite of the objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Informed consent is also absent when the activity in question exceeds the scope of informed consent previously given, i.e. past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. In the state of Missouri, consent cannot be provided if the person lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or it is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason anyone under the age of seventeen cannot give informed consent. In evaluating whether consent was given, consideration will be given to the totality of the facts and circumstances, including but not limited to the extent to which a complainant affirmatively uses words or actions indicating a willingness to engage in sexual contact, free from manipulation, intimidation, fear, or coercion; whether a reasonable person in the respondent's position would

have understood such person's words and acts as an expression of consent; and whether there are any circumstances, known or reasonably apparent to the respondent, demonstrating incapacitation or fear.

3.15.30.3 Dating Violence: Violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship. If a dating relationship is asserted by the reporting party, the assumption of a dating relationship will be made. Missouri law does not specifically define dating violence, but conduct of this nature is covered by Missouri's definitions of domestic violence and domestic assault.

3.15.30.4 Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. This would include the following categories:

- Incidents between persons who are spouses
- Incidents between persons who are former spouses
- Incidents between persons who have a child in common regardless of whether or not they have been married or have resided together in the past
- Incidents between persons (of any age) related by blood
- Incidents between persons (of any age) related by marriage, excluding spouses
- Incidents between persons, not married, but presently residing together
- Incidents between persons, not married, but who have resided together in the past
- Incidents between persons who are or have been in a continuing social relationship of a romantic or intimate nature

Missouri's definition of domestic violence can be found at

- Mo. Rev. Stat. § 455.010. Under Missouri law, domestic violence also includes the crime of “domestic assault” which can be found at Mo. Rev. Stat. §§ 565.072-565.074.
- 3.15.30.5 Force: Physical force, violence, threat, intimidation, or coercion.
- 3.15.30.6 Incapacitation: The physical and/or mental inability to make informed rational judgments. States of incapacitation include, without limitation, sleep, blackouts, flash-backs, when a person is unconscious, or because of an intellectual or other disability that prevents the person from having the capacity to give consent. A person can also be incapacitated due to the use of drugs or alcohol. Where alcohol or other drugs are involved, one does not have to be intoxicated or drunk to be considered incapacitated. Rather, incapacitation is determined by how the alcohol consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make informed decisions. The question is whether the respondent knew, or a sober, reasonable person in the position of the respondent should have known, that the complainant was incapacitated. Because incapacitation may be difficult to discern, students and employees are strongly encouraged to err on the side of caution; i.e., when in doubt, assume that another person is incapacitated and therefore unable to give consent. Being intoxicated or drunk is never a defense to a complaint of sexual misconduct under this policy.
- 3.15.30.7 Intimidation: Spoken or written words or other types of electronic communications, physical actions including gestures, or threats of retaliation that would cause a reasonable person to be put into fear or fear harm to property.
- 3.15.30.8 Respondent: A person whose alleged conduct is the subject of a complaint under this policy and can be an NCMC employee, student, volunteer, guest, visitor or third party affiliated with the institution.
- 3.15.30.9 Retaliation: Any adverse action, to include employment or educational action, taken against a person because of the person’s participation in a complaint or investigation of discrimination or sexual misconduct. Includes, but is not limited to, threat, intimidation, reprisals, and/or adverse actions related to employment or education.
- 3.15.30.10 Sexual Harassment: Sexual harassment is unwelcome conduct of a sexual nature and includes sexual advances, requests for sexual favors, and other verbal, physical, visual, or digital conduct of a sexual nature when: (A) Submission to such conduct is made or threatened to be

made, either explicitly or implicitly, a term or condition of an individual's employment or education; (B) Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for academic or employment decisions affecting that individual; or (C) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating what a reasonable person would perceive as an intimidating, hostile, or offensive employment, education, or living environment. Examples of sexual harassment 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) remarks about sexual activity or speculations about sexual experiences, and (5) whistling or other sexually explicit sounds or gestures. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical.

3.15.30.11 Sexual Violence: Sexual violence is a particularly severe form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity, because he or she is below the minimum age of consent in the applicable jurisdiction, or because of his or her incapacitation due to the use of drugs and/or alcohol. Other types of conduct may also constitute sexual violence. Examples of sexual violence include, but are not limited to, the following: (A) Rape or sexual assault: sexual intercourse (anal, oral, or vaginal) by a man or woman upon a man or woman without consent; (B) The use of force or coercion to effect sexual intercourse or some other form of sexual contact with a person who has not given consent; (C) Unwilling sexual penetration (anal, vaginal, or oral) or other sexual touching with any object or body part that is committed by force, threat, intimidation, or otherwise without consent; (D) Having sexual intercourse with a person who is unconscious because of drug or alcohol use; (E) Hazing that involves penetrating a person's vagina or anus with an object; (F) Sexual exploitation, which includes, but is not limited to, the following: sexual voyeurism, use of the "date rape drug" to effect sexual intercourse or some other form of sexual contact with a person, knowingly transmitting a sexually

transmitted disease such as HIV to another person through sexual activity, secretly videotaping or photographing sexual activity where the other party has not consented, disseminating sexual pictures or videos of another person without consent regardless if the pictures or videos were obtained with consent, or prostituting another person.

3.15.30.12 Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress. Missouri’s definition of stalking can be found at Mo. Rev. Stat. § 455.010 and § 565.225. Cyberstalking is a form of stalking. Cyberstalking is a pattern of threatening behaviors and unwanted advances directed from one individual to another over the Internet and other electronic, online and computer communications. It can involve, but is not limited to: threatening/obscene emails and text messages, online verbal abuse, and tracing a victim’s computer and internet activity.

3.15.40 Title IX Coordinator’s Role & the Title IX Compliance Team

3.15.40.1 The Title IX Coordinator’s Role: The College’s Title IX Coordinator has primary responsibility for coordinating the College’s efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of this College, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. The Title IX Coordinator oversees the College’s response to reports and complaints that involve possible sex discrimination to monitor outcomes, identify and address any patterns of sexual misconduct, and assess effects on the campus climate, so the College can address issues that affect the wider school community. The Title IX Coordinator is also responsible for working with the Title IX Compliance Team to implement training and educational programs for students, faculty, and staff. Specific responsibilities that fall under the Title IX Coordinator are outlined on the document “Title IX Coordinator Role and Responsibilities.” These responsibilities exclude gender equity in athletic programs, which are assigned to the Title IX Coordinator for Gender Equity in Athletics. Interested parties may contact the Title IX Coordinator in order to: (A) seek information about courses of action available to resolve reports or complaints that involve potential sexual misconduct; (B) file a complaint or make a report of sexual misconduct; (C) notify the College of an incident or policy or procedure that

may raise potential Title IX concerns; (D) get information about available resources (including confidential resources) and support services related to sexual misconduct; (E) ask questions about the College's policies and procedures related sexual misconduct; or (F) discuss options for training and educational programming. The Title IX Coordinator for Gender Equity in Athletics provides oversight for and coordinator for gender equity in athletic programs. Athletic programs include any interscholastic, intercollegiate, club, or intramural athletics offered, including with respect to (a) student interests and abilities; (b) athletic benefits and opportunities; and (c) athletic financial assistance. This individual monitors student participation in athletics to identify programs with disproportionate enrollment based on sex. The individual is also responsible for ensuring that sex discrimination is not causing any disproportionality or otherwise negatively affecting access to equal athletic opportunities for members of both sexes.

#### 3.15.40.2 The Title IX Compliance Team:

The Title IX Coordinator is:

Dr. Kristen Alley, Associate Vice President of Student Affairs/Dean of Students

Address: NCMC Campus, Alexander Student Center

Office 12, 1204 Main Street, Trenton, MO

Phone: 660-359-3948, ext. 1400

Email: [kalley@mail.ncmissouri.edu](mailto:kalley@mail.ncmissouri.edu)

The Deputy Title IX Investigators assist the Title IX Coordinator with investigations. They are:

Kristi Harris, Chief of Staff

Address: NCMC Campus, President's Office Frey, 1113 Mabel Street, Trenton, MO

Phone: 660-359-3948, ext. 1203

Email: [kharris@mail.ncmissouri.edu](mailto:kharris@mail.ncmissouri.edu)

Dr. Beth Caldarello, Director of Library Services

Address: NCMC Campus, Geyer Hall Library, 1301 Main Street, Trenton, MO

Phone: 660-359-3948 ext. 1322

Email: [bcaldarello@mail.ncmissouri.edu](mailto:bcaldarello@mail.ncmissouri.edu)

Title IX Athletics: Steve Richman, Athletic Director/Coach

Address: NCMC, Ketcham Community Center 1322 Mabel Street

Trenton, MO

Phone: 660-359-3948, ext. 1409

Email: [srichman@mail.ncmissouri.edu](mailto:srichman@mail.ncmissouri.edu)

### 3.15.40.3 Investigative Roles and Primary Disciplinary Authority:

As the supervisor of the investigation, the Title IX Coordinator will work with the investigators to assist in the investigation of a complaint and supervise the investigation, assure remedial action takes place, comply with timelines, and provide communication to all parties. If the Title IX Coordinator is unavailable or is a complainant or respondent, an investigator will fulfill the Title IX Coordinator's function under this policy. The Title IX Coordinator reserves the right to conduct the investigation alone, hire an outside investigator, involve both Deputy Title IX Investigators, or designate other appropriate College official(s) to investigate the complaint.

### 3.15.50 Reporting Policies and Protocol

3.15.50.1 Institutional Complaint: A person who wishes to make a complaint with the College can contact the Title IX Coordinator directly to file a formal complaint or contact any NCMC employee and request their assistance in filing a formal complaint with the Title IX Coordinator. Contact and submission of a formal complaint can be completed in person, over the phone, electronically, or in paper form. Any person can file a report of sexual misconduct even if the alleged conduct was not perpetrated against him or her. For submission of an electronic or paper complaint, individuals are encouraged to complete a Sexual Misconduct Form in order to assure accurate information is recorded. Sexual Misconduct Forms are located on the NCMC website and/or available at the following locations: NCMC Library, Associate Vice President of Student Affairs/Dean of Students Office, Vice President of Academic Affairs Office, or Academic Resource Center. In all formal complaint submissions, individuals are encouraged to provide as much information as possible, including a written description of the incident(s), the name of the respondent if known, the date(s), time(s) and location(s) of the conduct, the names of any witnesses, and if there is any specific relief being sought. The College encourages person to make complaints of sexual misconduct as soon as possible because delayed reporting may limit the College's ability to investigate and respond to the conduct.

3.15.50.2 An Employee's Obligation to Report: NCMC mandates reporting from all employees, but encourages anyone who believes that s/he has experienced or witnessed sexual misconduct 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 misconduct or related retaliation, receives a written or oral report of sexual misconduct or related retaliation, or in the exercise of reasonable care, should know about sexual misconduct or related retaliation is required to report it to the Title IX Coordinator. Any employee who knew about the sexual misconduct and took no action to stop it or failed to report the prohibited sexual misconduct will be subject to disciplinary action. An employee should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement. Students should be aware that sharing information about an incident of sexual misconduct with an NCMC employee will result in a report to the Title IX Coordinator and that the College will then take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. It is not possible to have an "off-the-record" conversation with an employee regarding an incident of sexual misconduct or related retaliation because of the employee's reporting obligation. Employees should, to the extent possible, ensure a student understands the employee's reporting obligations before information is disclosed – and, if the student wants to maintain confidentiality, direct the student to the confidential resource listed in the Section below. Employees should not pressure the complainant to seek out confidential resources, but will honor and support the complainant's wishes, including for the college to fully investigate an incident. Employees will also not pressure the complainant to make a full report if the complainant is not ready. For purposes of this section, 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 and includes Resident Assistants. Reports of sexual misconduct shall be made to the Title IX Coordinator. If the Title IX Coordinator is the subject of the sexual misconduct claim, it may be reported to another member of the Title IX Compliance Team.

- 3.15.50.3 Confidential Discussions: North Central Missouri College works with North Central Missouri Mental Health Center (NCMMHC), a local, off-campus mental health care provider, to provide professional counseling to students. These professional counselors work with, but are separate

from, the College and may talk to a victim in confidence. These counselors will generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosures to these counselors will not trigger a College investigation into an incident against the victim's wishes. Following is the contact information for these individuals:

North Central Missouri Mental Health Center  
1601 East 28th Street  
Trenton, MO 64683  
660-359-4487

#### 3.15.50.4 Information Provided to Complainant and Respondent:

A complainant who makes a claim of sexual misconduct to the College will be given a copy of the document titled "Rights and Options" under NCMC's Sexual Misconduct Policy. This document provides information about this policy, rights, and options parties have when a sexual misconduct complaint has occurred. . A person against whom a complaint has been filed will also be given similar information about the process and resources.

#### 3.15.50.5 Criminal Complaints: Any victim of sexual crime is encouraged to contact local law enforcement to report the crime. A victim can contact law enforcement directly, or NCMC can provide assistance in contacting law enforcement at the victim's request. To report a crime, call 911 or contact local law enforcement. In Trenton, individuals may call:

Trenton Police Department  
Emergencies: 911 or 660-359-2121  
Non-Emergency: 660-359-5557  
17th and Harris, Trenton, MO

NCMC has provided a copy of this policy and relevant resources to the Trenton Police Department. NCMC will work with local enforcement in the investigation, as is allowed under Title IX. With prior permission from either the complainant or respondent, NCMC will share the evidence supplied by those respective individuals to assist law enforcement in their investigation. However, NCMC will comply with all lawful orders issued by criminal, civil, or tribal courts.

#### 3.15.50.6 Complaints Concerning Off-Campus Conduct:

Complaints or reports of sexual misconduct or related retaliation made by an NCMC student, employee, or third-party affiliated with the institution shall be handled in accordance with the procedures outlined in this policy, regardless of where the conduct occurred.

- 3.15.50.7 False Complaints: It is a violation of this policy for anyone to make an intentionally false accusation of sexual misconduct or related retaliation through the use of NCMC procedures. Anyone found to have made an intentionally false accusation of sexual misconduct or related retaliation will be subject to disciplinary action that may lead to suspension, expulsion, or termination.
- 3.15.50.8 Anonymous Reporting: NCMC does not have a procedure that provides for anonymous reporting. If information about sexual misconduct is received but the identities of the parties are unknown, the College will investigate the situation to the extent possible based on available information.
- 3.15.50.9 Complaints Filed By Third Parties: If the individual seeking to file the complaint is not the subject of the alleged misconduct, the Title IX Coordinator shall contact the victim, if identified, make them aware that they have been named in a report, and give him/her the opportunity to file a complaint. If the victim declines the option to file a complaint, the investigator shall then advise the victim of other resolution options. Where the welfare of NCMC requires it, NCMC reserves the right to initiate an investigation as outlined in this policy. There shall be no retaliation against the subject who declines to participate in an investigation. The Title IX Coordinator will also inform the victim of their rights under this policy and identify forms of support, including interim measures available.
- 3.15.50.10 Amnesty: To encourage reporting, NCMC provides amnesty to victims who may be hesitant to report to College officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking or visitation, related to the sexual misconduct incident. Amnesty means that the individual's conduct will not be subject to punitive conduct action, but may be addressed through education, assessment and/or treatment. No conduct proceedings or conduct record will result from conduct that falls under amnesty. The Title IX Coordinator will make decisions regarding amnesty. The College's commitment to amnesty in these situations does not prevent action by police or other legal authorities against an individual who has illegally consumed alcohol or drugs or has otherwise violated the law.
- 3.15.50.11 Public Statements: Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of sexual misconduct, are

not considered notice to the College of sexual misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts.

3.15.50.12 U.S. Department of Education: Inquiries or complaints that involve potential violations of Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights (OCR), which can be reached at:

Kansas City Office (OCR Office for Missouri)

Office for Civil Rights

U.S. Department of Education

One Petticoat Lane

1010 Walnut Street, 3rd floor, Suite 320

Kansas City, MO 64106

Telephone: 816-268-0550

FAX: 816-268-0599; TDD: 800-877-8339

Email: OCR.KansasCity@ed.gov

U.S. Department of Education

(OCR National Headquarters)

Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg

400 Maryland Avenue, SW

Washington, DC 20202-1100

Telephone: 800-421-3481

FAX: 202-453-6012; TDD: 800-877-8339

Email: OCR@ed.gov

To file complaints of discrimination with OCR, you may use the online complaint form available at:

<http://www.ed.gov/ocr/complaintintro.html> or send a letter to the OCR enforcement office for the state of Missouri.

3.15.50.13 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act): The Clery Act provides mandatory reporting requirements for specific crimes, which may also be incidents reported under Title IX. In instances where there is a report of a crime that meets the crime definitions outlined in the Clery Act and occur within the geographic boundaries identified by Clery, the following will be initiated: (A) per Clery guidelines, each incident will be included in crime statistics in the respective year the crime occurred. The Title IX Coordinator and Deputy Investigators are Campus Security Authorities and have specific reporting duties under Clery to report and record applicable crimes in annual statistics; (B) if the incident represents a serious or ongoing threat to the campus community, a timely warning will be issued to the entire campus community; (C) if the incident is a

significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, emergency notification will occur without delay. “Immediate” is defined as posing an imminent or impending threat. For more information about Clery, Clery crimes, definitions, or mandatory crime reporting under the Clery Act, go to:

<http://www.ncmissouri.edu/about/Pages/safetyreport.aspx>  
or speak with the Title IX Coordinator or Vice President of Academic Affairs.

### 3.15.60 Requests for Confidentiality

3.15.60.1 General: If a complainant does not wish to pursue resolution or requests confidentiality, NCMC will take all reasonable steps to investigate and respond to the complaint consistent with the request of confidentiality. NCMC will evaluate the request for confidentiality in the context of their responsibility to provide a safe and nondiscriminatory environment for all students and employees, including the complainant. NCMC will weigh the complainant’s age, the seriousness of the alleged sexual misconduct, other sexual misconduct complaints against the respondent, and the respondent’s rights to receive information. There are times when the College may not be able to honor a complainant’s request. NCMC may exercise its right to initiate an investigation into sexual misconduct or retaliation even if the alleged subject of the sexual misconduct is unwilling to pursue the claim or believes that the claim has been satisfactorily resolved. If an investigation is pursued despite a request for confidentiality, the complainant will be informed that an investigation is going to occur and will, to the extent possible, only share information with people responsible for handling the College’s response. If the College honors the request for confidentiality, the complainant must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. If the investigation or conduct action cannot occur due to confidentiality requests by the complainant, NCMC reserves the right to pursue other steps to limit the effects of the alleged harassment and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the complainant. Examples include: providing increased monitoring, supervision at locations or activities where the misconduct occurred, providing training and education materials for students and employees, revising and publicizing the

school's policies on sexual misconduct, and conducting climate surveys regarding sexual misconduct.

- 3.15.60.2 Requesting Confidentiality from the College: How the College Will Weigh the Request and Respond: The Title IX Coordinator, in consultation with other members of the Title IX Compliance Team as appropriate, is the person designated to evaluate requests for confidentiality. When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including, but not limited to, the following: (A) the increased risk that the alleged perpetrator will commit additional acts of sexual misconduct, such as whether there have been other sexual misconduct complaints about the same alleged perpetrator, whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of sexual misconduct, or whether the alleged perpetrator threatened further sexual misconduct or other violence against the victim or others; (B) whether the sexual violence was committed by multiple perpetrators; (C) whether the sexual violence was perpetrated with a weapon; (D) whether the victim is a minor; (E) whether the College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence); or (F) whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group. The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action.
- 3.15.70 Protecting the Complainant: Pending final outcome of an investigation under this policy, the College will take steps to protect the complainant from further discrimination or harassment. This may include assisting and allowing the complainant to change his or her academic, living, transportation, or work situation, to the extent that the College has control over these environments, if options to do so are reasonably available and upon request of the complainant. Such changes may be available regardless of whether the victim chooses to report the crime to local law enforcement. The College will also assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, and health or mental health services both on and off campus. Requests to change an academic, living, transportation, or work situation, or for any other protective measure or assistance, should be made to the Title IX Coordinator. If a complainant has obtained an ex parte order of protection, full order of protection, or any other temporary restraining order or no

contact order against the alleged perpetrator from a criminal, civil, or tribal court, the complainant should provide such information to the Title IX Coordinator. The College will take all reasonable and legal action to implement the order. Through the College's agreement with North Central Missouri Mental Health Center, counseling and support for students is available, whether or not a victim chooses to make an official report or participate in the institutional disciplinary or criminal process.

3.15.80 Protection Against Retaliation: NCMC prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g. a witness). Individuals should report any acts of retaliation to the Title IX Coordinator and NCMC will take strong responsive action if retaliation occurs. Individuals who are found to have violated this provision will be subject to disciplinary action that may lead to suspension, expulsion or termination as relevant for students and/or employees. 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) a student receives harassing phone calls because s/he reported an incident of sexual misconduct, and (3) a student has their residence hall room vandalized because s/he testified during an investigation of a sexual misconduct case. Protected activity can include, but not be limited to: reporting or filing a complaint of sexual misconduct; assisting someone in reporting or filing a complaint of sexual misconduct; participating in any manner in an investigation of sexual misconduct; protesting any form of sexual misconduct.

3.15.90 Special Guidance for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking

3.15.90.1 Contacting Law Enforcement and Preserving Evidence:

If someone is a victim of sexual assault, domestic violence, dating violence, or stalking, the College recommends that they contact the appropriate law enforcement agency (dial 911 in emergency situations), in addition to making a complaint under this policy. A victim may decline to notify such authorities. It is important to take steps to preserve any available evidence because it may be needed for criminal prosecution or in obtaining a protection order. Evidence of sexual assault, domestic violence, dating violence, or stalking should be preserved as soon as possible after the incident, even if the reporting student is unsure about reporting or filing criminal charges. Some evidence may only be collected within a short period of time after the incident occurs and delaying action to

preserve evidence immediately after an incident may reduce the chances for a successful criminal prosecution in the future. Staff are available to assist anyone interested in seeking a forensic exam. Contact the Title IX Coordinator for assistance. Please note that in instances of stalking, it is likely that the best available evidence is in the form of a letter, email, text, etc., rather than evidence of physical contact or violence. Obtaining a forensic exam allows an individual to have the future option of criminal prosecution without the obligation to take that step immediately. A forensic exam is a medical examination specifically for individuals that have experienced sexual assault. In addition to the general care provided in the emergency room (physical exam, treatment for injuries and testing for sexually transmitted infections and pregnancy), individuals can opt to receive a forensic exam that will check for evidence relating to the sexual assault. Physical evidence, such as hair, semen or photographs of injuries, will be collected during this exam and stored for possible future use in court to prosecute the person(s) who committed the sexual assault. Individuals pursuing a forensic exam should try NOT to: shower, douche, drink, smoke, eat, change clothes, use the bathroom, change clothes or brush their teeth. They may also want to bring extra clothes to change into after the exam. Victims of sexual assault are encouraged to not change their clothes, however, if a change of clothes occurred, place the original clothing in a paper bag (plastic may destroy evidence). Wright Memorial Hospital in Trenton has a forensics team and provides specially-trained nurses (SANE - Sexual Assault Nurse Examiner) to assist victims of sexual assault. Forensic exams are provided free of charge to victims of sexual assault. However, there may be costs associated with ER visits and other medical care received.

3.15.90.2 Off-Campus Resources: The following list contains options for assistance following an incident:

North Central Missouri Mental Health Center  
1601 East 28th Street  
Trenton, MO 64683  
660-359-4487

Trenton Police Department  
17th and Harris  
Trenton, MO

Emergencies: 911 or 660-359-2121  
or Non-Emergency: 660-359-5557

Outreach sites



Bethany Police Department: 660-425-3199  
 Brookfield Police Department: 660-258-3385  
 Chillicothe Police Department: 660-646-2121  
 Maryville Police Department: 660-562-3209  
 St. Joseph Police Department: 816-271-4702  
 Unionville Police Department: 660-947-7397  
 Wright Memorial Hospital  
 191 Iowa Boulevard  
 Trenton, MO  
 660-358-5700

A Sexual Assault Nurse Examiner (SANE) is available and calls may be placed ahead of arrival to request that a SANE nurse be accessible when a victim arrives. Green Hills Women's Shelter provides advocacy and support for victims of sexual violence. They operate a 24-hour hotline: 1-800-942-0649, serving both male and female victims of domestic violence and/or sexual assault. Two shelters, one in Trenton and one in Cameron are also available for women and children needing safe refuge. To contact the Trenton shelter, call 660-359-3297. To contact the Cameron shelter, call 816-632-4900.

Crisis hotlines are also available, including the following: (A) Missouri Crisis Line – 1-888-761-HELP (4357); Text HAND to 839863; (B) RAINN Sexual Abuse Hotline – 800-656-HOPE (4673); (C) Comprehensive Mental Health Services Crisis Line – 1-888-279-8188; (D) National Domestic Violence Hotline – 800-799-7233; (E) DoD Safe Helpline – 887-995-5247 (Crisis intervention for members of the military); and (F) The Trevor Project – 866-488-7386 (Crisis intervention for LGBTQ community).

### 3.15.100 Preliminary Matters Related to the Investigation and Resolution Process

3.15.100.1 Applicability: The procedures described in Section XI and XII, below, apply to the resolution of all complaints of sexual misconduct. They are the exclusive means of resolving complaints of sexual misconduct, and they apply regardless of the status of the parties involved (e.g., faculty, staff, administrators, students, third parties).

3.15.100.2 Promptness, Fairness, and Impartiality: The procedures provide for prompt, fair, and impartial investigations and resolutions. Those implementing the procedures shall discharge their obligations fairly and impartially. If a person determines that he or she cannot apply the procedures fairly and impartially because of the identity of a complainant, respondent, or witness, or due to any other conflict of interest, another appropriate individual shall be

designated to fulfill the role of the conflicted individual. Complainants and respondents may raise concerns of a conflict of interest with the Title IX Coordinator.

3.15.100.3 Training: The procedures will be implemented by officials who receive annual training on the issues related to sexual misconduct and how to conduct an investigation process including such topics as: hearing decorum, standards of proof, compliance, report writing, conduct and investigation procedures that protect the safety of victims and promote accountability, and other information relevant to their roles. All faculty/staff must complete HR training related to sexual harassment. Faculty, staff and students are provided with ongoing prevention and awareness campaigns and information related to sexual misconduct, sex discrimination policy and procedures, and their role in reporting sexual misconduct. Training topics also include: (A) NCMC's Title IX Coordinator, who it is and how to reach; (B) Title IX and NCMC's Sexual Misconduct policy and procedures used to process complaints, applicable disciplinary code provisions relating to sexual misconduct and the consequences of violating those provisions; (C) What constitutes sexual misconduct and when it creates a hostile environment, sexual violence, including same-sex sexual violence; (D) NCMC's definition of consent applied to sexual conduct, including examples; (E) Signs of abusive behavior and how to avoid potential attacks; (F) How NCMC determines conduct that is unwelcome under Title IX and when it creates a hostile environment; (G) Reporting options, including reports to responsible employees, local law enforcement, and confidential disclosure options, as well as timeframes; (H) Effects of trauma, including neurobiological changes victims might experience; (I) The role alcohol and drugs often play in sexual misconduct incidents, including the deliberate use of alcohol and/or other drugs to perpetrate sexual violence; (J) Strategies, skills, and options for bystanders to intervene safely and positively to prevent harm and possible sexual violence; (K) How to report sexual violence to campus or local law enforcement and concurrent reporting; the role of "responsible employees;" (L) Students rights under Title IX; (M) Resources that provide support service; (N) Title IX's protections against retaliation; and (O) Amnesty rule. Specifically, for NCMC employees, training will also include their rights and obligations under Title IX, including the appropriate response to reports of sexual misconduct and the obligation to report sexual misconduct

to appropriate College officials. Training is also provided to specific audiences, such as Resident Assistants, student athletes, residential students and student workers on, at minimum, an annual basis. All new, full-time students attend mandatory orientation sessions and receive Title IX training. A Safety Awareness Week is also conducted on campus and sexual misconduct education is provided, as well as bystander intervention information. Passive programming is also provided on the NCMC website and portal. A variety of assessments are used to evaluate the effectiveness of training and education initiatives.

- 3.15.100.4 Timing of the Process: NCMC will endeavor to conclude its investigation and resolution of the complaint within sixty (60) calendar days of receiving it. Both the complainant and the respondent will be given periodic updates regarding the status of the investigation. If either the complainant or respondent needs additional time to prepare or to gather their witnesses or information, they shall notify the Title IX Coordinator in writing explaining how much additional time is needed and why it is needed. The Title IX Coordinator shall respond to any such request within three (3) days.
- 3.15.100.5 Informal Resolution: Informal means of resolution, such as mediation, may be used in lieu of the formal procedure. The following standards apply to any informal resolution method that is utilized: (A) Can only be used with the complainant's voluntary cooperation, the respondent's cooperation, and the involvement of the Title IX Coordinator; (B) The complainant will not be required to work out the problem directly with the respondent; (C) Either party may terminate the informal process at any time and elevate the complaint to the formal investigation procedures described below; and (D) Informal means, even on a voluntary basis, will not be used to resolve complaints alleging any form of sexual violence.
- 3.15.100.6 Interim Measures: In all complaints of alleged sexual misconduct, regardless of whether the complainant wishes to pursue a formal complaint, NCMC will take prompt and effective action to support and protect the complainant, including taking interim steps before the final outcome of the investigation, as well as remedial measures after the final outcome, and making the complainant aware of all available resources. Accordingly, Title IX Coordinator may impose a "no contact" order, which typically includes a directive that mandates parties refrain from having contact with another in any way, including in person, via

email, phone, text messaging, social media or any other electronic or direct communication. The order also includes third parties acting on the person's behalf. The Title IX Coordinator may also take any further protective action that he/she deems appropriate concerning the interaction of the parties, including without limitation, directing College officials to make academic accommodations (alter academic schedules, withdraw from/retake a class without penalty), access academic support such as tutoring, change college housing, access to dining facilities, and/or college employment arrangements. When taking steps to separate the complainant and the respondent, the Title IX Coordinator will seek to minimize unnecessary or unreasonable burdens on either party; provided, however, that every reasonable effort will be made to allow the complainant to continue in his/her academic, college housing, and/or college employment arrangements. Violation(s) of the directive and/or protective actions will constitute a separate violation of policy that may lead to disciplinary action up to and including suspension and/or termination regardless of the outcome of the underlying complaint.

- 3.15.100.7 Advisor: During all stages of the process, the complainant and respondent may have an advisor accompany them. Generally, if either party brings an attorney, the College may also have legal counsel present in an observational role. In cases involving multiple complainants or respondents, the advisor cannot be another complainant or respondent. An advisor does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and must agree to maintain the confidentiality of the process. Advisors may speak privately to the advisee, and the complainant and respondent may request a break during any disciplinary proceeding to consult with the advisor, which will be granted at the discretion of the Title IX Coordinator. An advisor cannot address the Title IX Coordinator, opposing party, or anyone else in the room but the advisee. An advisor may be removed if he or she becomes disruptive or does not abide by the limitations discussed in the previous sentences. An advisor will be asked to sign an affirmation that he or she understands his or her role in the process.
- 3.15.100.8 Pending Criminal Investigation: Some instances of sexual misconduct may also constitute criminal conduct. In such instances, the complainant is also encouraged to file a report with the appropriate law enforcement authorities

and, if requested, the College will assist the complainant in doing so. The pendency of a criminal investigation, however, does not relieve the College of its responsibilities under Title IX. An investigation by the College and a criminal investigation can exist concurrently. Therefore, to the extent doing so does not interfere with any criminal investigation, the College will proceed with its own investigation and resolution of the complaint. If the College needs to temporarily delay the fact-finding portion of its Title IX investigation while the police are gathering evidence, interim measures may still be taken to protect the complainant in the educational setting. Updates will also be provided to both the respondent and the complainant regarding the status of the investigation and when the College resumes the investigation.

3.15.100.9 Standard of Review: A preponderance of the evidence standard is used to evaluate evidence and make a final decision. A preponderance of evidence means that the evidence shows that it is “more likely than not” that the respondent violated this policy.

3.15.100.10 Rights of the Parties: During the investigation and resolution of a complaint, the complainant and respondent shall have equal rights. They include: (A) equal opportunity to identify and have considered witnesses and other relevant evidence; (B) similar and timely access to all information considered by the investigator(s) and Title IX Coordinator; (C) equal opportunity to review any statements or evidence provided by the other party; (D) equal access to review and comment upon any information independently developed by the investigator(s) and/or Title IX Coordinator should the information be shared with the other party; (E) and equal opportunity to appeal determinations pursuant to the following section.

#### 3.15.110 Investigation and Resolution Procedures

3.15.110.1 Notification of Complaint and Intake Meetings: Once an incident of sexual misconduct has been reported, the Title IX Coordinator will, as soon as practicable but not later than seven days after the complaint is made, schedule separate intake meetings with the complainant and respondent in order to share College policy, provide clarification and/or answer questions about the policy and procedures. The Title IX Coordinator will also provide them with the form “Rights and Options” under NCMC’s Sexual Misconduct Policy if not previously provided, and with the complainant, identify their wishes regarding consent to the investigation, involvement of law

enforcement, and confidentiality, and to identify forms of support, including interim measures available. Through intake meetings, the Title IX Coordinator will attempt to determine the name(s) of others who may be involved in the incident(s), names of witnesses, and the date, location, and nature of the alleged sexual misconduct, if it has not been provided, and if the complaint is going to be pursued, preferences from both parties regarding informal resolution.

- 3.15.110.2 Investigators: The Title IX Coordinator will also promptly schedule a meeting with the designated investigator(s) to share the complaint and work in conjunction to conduct a prompt, thorough and impartial investigation. Investigators are neutral fact-finders, who, during the course of the investigation, typically conduct interviews with the complainant, the respondent, and each third-party witness and/or expert witnesses if applicable; visit and take photographs at each relevant site; and where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence.
- 3.15.110.3 Content of the Investigation: During the investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information.
- 3.15.110.4 Investigative Report: At the conclusion of the investigation, the investigator(s) will submit findings via an investigative report. The investigative report shall include: Names of all witnesses interviewed; any documents reviewed; summaries of interviews with the complainant, the respondent(s), and each third-party witness, where applicable; photographs of the relevant site(s) and related logs; other photographic, electronic and forensic evidence, and; a restatement of the relief (i.e., corrective or disciplinary action) requested by the complainant. Investigative reports will be provided to the Title IX Coordinator in order to seek a resolution of the complaint and determine appropriate disciplinary action in cases of

substantiated findings. If the respondent is the Title IX Coordinator, the investigative report will be submitted to the Vice President of Academic Affairs. The Title IX Coordinator will review all records to guarantee protection of the victim's confidentiality, including record-keeping that excludes personally identifiable information on victims.

3.15.110.5 Resolution of a Complaint: Within five (5) business days of receipt of the investigative report, the Title IX Coordinator will review the information gathered in the investigation process and make a determination. If necessary to reach a determination, the Title IX Coordinator may consult with the investigator(s), meet with and question the parties and/or witnesses, and review relevant evidence. The five day deadline may be extended in such situations and the parties will be notified of any extensions. Also, if the Title IX Coordinator meets with one party during this phase, the other party will be given a similar opportunity. In general, complaint findings fall into three categories: (A) Responsible/Substantiated – where any or all allegations are found by a preponderance of the evidence to have occurred; (B) Not Responsible/Unsubstantiated – where there is a lack of a preponderance of the evidence to support the allegations in the complaint; or (C) False/Malicious Complaints – where there is a preponderance of the evidence that the allegations were intentionally false and malicious. After a determination has been made, the parties will be notified of the outcome in writing along with an explanation of appeal procedures. The Final Outcome Letter will indicate whether or not the complaint was substantiated, the final relief/remedy in cases of a substantiated complaint, as well as a final summary of the investigation, to include all witnesses interviewed and a list of all documents reviewed. The complainant's letter will contain: any individual remedies offered or provided to the complainant or any sanctions imposed on the respondent that directly relate to the complainant, and other steps the school has taken to eliminate the hostile environment, if one is found to exist, and prevent recurrence (e.g., requiring the respondent to stay away from the complainant until both parties graduate, prohibiting the respondent from attending school for a period of time, or transferring the respondent to another residence hall room or other class). The respondent will not be notified of the individual remedies offered or provided to the complainant. NCMC will not require a

party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the proceeding. The Final Outcome Letter is the final determination on the matter unless appealed in accordance with the procedures in Section XII.

3.15.110.6 Possible Sanctions: If there is a finding of a substantiated complaint, the Title IX Coordinator will impose appropriate, corrective remedies to: (A) eliminate the policy violation, (B) reasonably prevent a recurrence of the violation, and (C) remedy the effects of the violation on the complainant and the College community. Suspension or expulsion for students and termination for employees will be considered, however, the Title IX Coordinator may impose sanctions that it finds to be fair and proportionate to the violation, while meeting the corrective action conditions above. Past violations of College policy may be considered, as well as the nature and severity of such past violation(s). Other remedies may include: probation, termination of housing agreement, counseling, no contact orders, adjustment of schedules, etc. Sanctions are not effective until the resolution of any timely appeal of the decision. However, if advisable to protect the welfare of the complainant or the College community, the Title IX Coordinator may determine that interim measures be taken immediately and continue in effect until such time as an appeal has been heard. These measures may include, but are not limited to: allowing the respondent to attend class, engage in other activities on a supervised or monitored basis, or other modifications to the determination as may be advisable. The Title IX Coordinator may suspend the interim measures pending exhaustion of any appeals by the respondent. If the respondent is a student and the Title IX Coordinator imposes a sanction of suspension or expulsion, then, following exhaustion of any appeals by the student, the Title IX Coordinator will notify the Registrar's Office to place a notation on the student's transcript reading "Disciplinary Suspension" or Disciplinary Expulsion," as the case may be.

3.15.110.7 Other Possible Remedies: In addition to any sanctions imposed against the respondent, additional remedies will be sought to eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects. All services needed to remedy the hostile environment will be offered to the complainant. These remedies are separate from, and in addition to, any interim measure that may have



been provided prior to the conclusion of the investigation. In any instance in which the complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, those services will continue to be offered. Remedies sought may include changes to the College services and/or policies by (A) providing an effective escort to ensure that the complainant can move safely between classes and activities; (B) insuring the complainant and perpetrator do not share classes or extracurricular activities; (C) moving the perpetrator or complainant (if the complainant requests to be moved) to a different residence hall room; (D) providing counseling; (E) providing academic support services, such as tutoring; (F) arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without any academic or financial penalty; and (G) reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the sexual violence and the misconduct that may have resulted in the complainant being disciplined. Remedies for the broader student population may include, but are not limited to: (A) providing an on-call counselor specifically trained in providing trauma-informed comprehensive services to victims of sexual violence; (B) training or retraining employees on the College's responsibilities to address allegations of sexual violence; (D) developing materials on sexual violence, which should be distributed to all students and employees; (E) conducting bystander intervention and sexual violence prevention programs with students and employees; (F) issuing policy statements or taking other steps that clearly communicate that the College does not tolerate sexual violence and will respond to any incidents and to any individual who reports such incidents; (G) conducting, in conjunction with student leaders, a campus climate check to assess the effectiveness of efforts to ensure that the College is free from sexual violence, and using that information to inform future proactive steps that the College will take; (H) providing targeted training for a group of students if, for example, the sexual violence created a hostile environment in a residence hall or on an athletic team; and (I) reviewing protocol for working with local law enforcement.

- 3.15.120 Appeals: Either party may appeal the Title IX Coordinator's decision within ten (10) calendar days of the date noted on the Final Outcome letter. Appeals should be sent to the Vice President of Academic Affairs. An appeal can only be filed on one of the

following grounds: (A) there was a procedural error significant enough to call the outcome into question; (B) there is a substantial likelihood that newly discovered information, not available at the time evidence was presented to the investigator(s), would result in a different decision; or (C) the sanctions imposed are disproportionate to the offense. The appeal must be in writing and contain the following: (A) name of the complainant; (B) name of the respondent; (C) a statement of the determination of the complaint, including corrective action if any; (D) a detailed statement of the basis for the appeal including the specific facts, circumstances, and argument in support of it, and (E) requested action, if any. Upon receipt, the Appellate Officer will inform the non-appealing party that an appeal has been filed. The individual making the appeal may request a meeting with the Appellate Officer, but the decision to grant a meeting is within the Appellate Officer's discretion. However, if a meeting is granted, then the other party will be granted a similar opportunity. The Appellate Officer will resolve the appeal within five (5) business days of receiving it and may take any and all actions that he/she determines to be in the interest of a fair and just decision. The parties will be notified in writing if the Appellate Officer's decision will take longer than 5 days. The decision of the Appellate Officer is final. The Appellate Officer shall issue a short written statement of the resolution of the appeal, including any changes made to the previous determination and/or the sanctions and remedial measures imposed. The written statement will be promptly and concurrently provided to the complainant, respondent, and Title IX Coordinator.

- 3.15.130 Documentation: Throughout all stages of the investigation, resolution, and appeal, the investigator(s), Title IX Coordinator, and Vice President of Academic Affairs, as the case may be, are responsible for maintaining documentation of the investigation and appeal, including documentation of all proceedings conducted under these procedures.
- 3.15.140 Dissemination of Campus Policy: This policy shall be available through campus publications, orientation programs, NCMC website, in Board Policy located on the intranet, and other appropriate forms of communication. In accordance with Title IX, NCMC disseminates a notice of nondiscrimination, has a designated Title IX Coordinator to coordinate efforts to comply with and carry out responsibilities under Title IX, take specific and continuing steps to disseminate information, and adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints.
- 3.15.150 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 Title IX Coordinator. Any modifications of the policy shall be recommended to the President and Board of Trustees for review and approval.

3.16.00 Amorous (Romantic/Sexual) Relationships: *section added 10/17*

Members of the NCMC community, to include students and employees, put academic and professional trust and ethics at risk when they engage in or initiate amorous (romantic/sexual) relationships with individuals they have a direct evaluative or supervisory relationship. This may include, but not be limited to, supervisor and subordinate relationships or instructor and student relationships when an evaluative relationship exists. In these instances, integrity of academic and employment decisions are compromised. These practices are considered a conflict of interest and are prohibited.

3.16.10 Any employee or student engaging in these circumstances will be ordered to stop immediately and may face further disciplinary action including possible suspension, expulsion or termination, as relevant to their role within the College.

3.16.20 The individual in the evaluative/supervisory position has a responsibility to ensure professional behavior at all times. 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/supervisory responsibility will abuse her/his power and sexually exploit the employee or student. Moreover, others may be adversely affected by such behavior because it places the supervisor or instructor in a position to favor or advance one employee's/student's interest at the expense of others and implicitly makes obtaining benefits contingent upon romantic or sexual favors.

3.16.30 An amorous relationship between two employees or an employee and a student constitutes a conflict of interest when a evaluative/supervisory 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/supervisory relationship.

3.16.30.1 To accomplish this resolution, if the amorous relationship exists in a supervisor/supervisee evaluative/supervisory relationship, it must be disclosed to the supervisor's unit head. If an amorous relationship exists between an instructor and student, it must be disclosed to the instructor's respective Dean or VP.

3.16.30.2 The primary responsibility to disclose rests with the person in the evaluative/supervisory position.

- 3.16.30.3 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/supervisory 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.
  - 3.16.30.4 A report of the relationship and the action taken to resolve the conflict shall be made to the Title IX Coordinator.
  - 3.16.40 In situations involving spouses, NCMC's Conflict of Interest and Nepotism policies apply. (See Board Manual sections 3.1.20 and 5.2.60)
  - 3.16.50 The College strongly discourages amorous relationships between any employee and a student even when no evaluative/supervisory relationship exists.
- 3.17.00 Nondiscrimination: This policy is designed to express the College's intent and commitment to comply with the requirements of federal, state, and local non-discrimination laws. It shall be applied co-extensively with those non-discrimination laws and shall not be interpreted as creating any rights, contractual or otherwise, that are greater than exist under those laws.
- 3.17.10 North Central Missouri College does not discriminate in its programs, activities and facilities on the basis of race, color, national origin, sex, disability, religion, age, genetic information, veteran status, marital status, ancestry, gender identity, gender expression, or sexual orientation, as those terms are defined under applicable law, as it administers its admissions policies, educational policies, financial aid, athletic programs, student treatment and services, housing, and other institutionally administered programs or activities and employment. The College also provides equal access to the Boy Scouts and other designated youth groups. North Central Missouri College prohibits sexual harassment, including sexual violence. Sources: Title IX of the Educational Amendments of 1972; the Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; Title VII of the Civil Rights Act of 1964; discrimination prohibited by Title VI Public Law 88-352, 1964; Title IX, Public Law 88-380, 1972; the Age Discrimination Act; Missouri Statutes; and other applicable statutes and College policies. Title IX prohibits a recipient from discriminating on the basis of sex in admissions, recruitment, financial aid, academic programs, activities, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation,

physical education, athletics, housing, use of buildings, and employment.

- 3.17.20 Questions regarding this policy statement or compliance with its provisions may be directed to Dr. Lenny Klaver, President, Frey Administrative Center, 1213 Mabel Street, Trenton MO 64683, 660 359 3948 ext. 1200, [klaver@mail.ncmissouri.edu](mailto:klaver@mail.ncmissouri.edu); or Dr. Kristen Alley, Dean of Student Affairs, Alexander Student Center Office 12, 1204 Main Street, Trenton MO 64683, 660 359 3948 ext. 1400, [kalley@mail.ncmissouri.edu](mailto:kalley@mail.ncmissouri.edu). Questions may also be directed to government agencies having oversight and enforcement authority with respect to the referenced laws.

For further information on notice of nondiscrimination, visit <http://wdcrobcopl01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the U.S. Department of Education office that serves your area, or call 1-800-421-3481.

- 3.17.30 The following persons have been designated to handle inquiries regarding NCMC's non-discrimination policies and to serve as the overall campus coordinators for the respective purposes outlined below:

3.17.30.1 **Title IX** Title IX Coordinator: Dr. Kristen Alley, Dean of Student Affairs, Alexander Student Center, Office 12, 1204 Main Street, Trenton, MO 64683, 660-359-3948, Ext. 1400, [kalley@mail.ncmissouri.edu](mailto:kalley@mail.ncmissouri.edu); Deputy Title IX Coordinators: Students - Marcie Cutsinger, TRIO Director, Geyer Hall 103, 1301 Main Street, Trenton, MO 64683, 660-359-3948 Ext. 1348, [mcutsinger@mail.ncmissouri.edu](mailto:mcutsinger@mail.ncmissouri.edu); employees - Dr. Sharon Weiser, Dean of Instruction, Geyer Hall 123, 1301 Main Street, Trenton, MO 64683, 660-359-3948, Ext. 1300, [sweiser@mail.ncmissouri.edu](mailto:sweiser@mail.ncmissouri.edu); Athletics - Steve Richman, Athletic Director, Ketcham Community Center, 1322 Mable Street, Trenton, MO 64683, 660-359-3948, Ext. 1409, [srichman@mail.ncmissouri.edu](mailto:srichman@mail.ncmissouri.edu). Inquiries regarding Title IX can also be referred to the Assistant Secretary for Civil Rights, Office for Civil Rights, United States Department of Education.

3.17.30.2 **Title VII** Tyson Otto, Chief Financial Officer, Frey Building, 1213 Mabel Street, Trenton, MO, 64683, 660-359-3948 Ext. 1500, [totto@mail.ncmissouri.edu](mailto:totto@mail.ncmissouri.edu)

3.17.30.3 **The Americans with Disabilities Act/Section 504 of the Rehabilitation Act** Employees: Kristi Harris, Executive Assistant/Public Relations Director, Frey Building, 1213 Mable Street, Trenton, MO 64683, 660-359-3948 Ext. 1203; Students: Megan Pester, Accessibility Services Coordinator, Alexander Student Center, 1204 Main Street, Trenton, MO 64683, 660-359-3948 Ext. 1405.

- 3.17.40 In compliance with Federal Rules and Regulations, North Central Missouri College has adopted procedures for resolving complaints, including complaints of discrimination. The procedures are available to any North Central Missouri College student, employee, or applicant who feels that he or she has been discriminated against.
- 3.17.40.1 For more information about filing a student complaint/grievance please visit:  
<http://www.ncmissouri.edu/hea/Pages/student-complaint-policy.aspx>
- 3.17.40.2 For more information about reporting a sexual misconduct incident to the Title IX Coordinator, please visit:  
[http://www.ncmissouri.edu/current\\_student/titleix/Pages/HowtoReportanIncident.aspx](http://www.ncmissouri.edu/current_student/titleix/Pages/HowtoReportanIncident.aspx)
- 3.17.50 Copies of the North Central Missouri College Notice of Non-Discrimination and Policy Statement, Complaint Policy/Grievance Procedure, or Sexual Misconduct Policy may be obtained at [www.ncmissouri.edu](http://www.ncmissouri.edu) or by contacting the President's Office. Paper copies can also be obtained by contacting the Dean of Student Affairs. Persons with print-related disabilities may request this publication in an alternate format by contacting the Accessibility Services Coordinator, at (660) 359-3948, Ext. 1405.
- 3.17.60 NCMC's printed materials/brochures shall contain the following statement: North Central Missouri College is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, genetic information, veteran status, marital status, ancestry, gender identity, gender expression, or sexual orientation in its admissions, educational programs, activities, services, or employment practices as required by law, applicable statutes, and College policy. Sexual harassment, to include sexual violence, is a form of sex discrimination and is prohibited. Inquiries concerning NCMC nondiscrimination policies should be referred to: Dr. Lenny Klaver, President, Frey Administrative Center, 1301 Main Street, (660)359-3948 x1200, or [klaver@mail.ncmissouri.edu](mailto:klaver@mail.ncmissouri.edu)  
*Entire Section 3.16.00 revised 9/27/16*

### 3.18.00 Guidelines for Naming Opportunities

- 3.18.10 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.
- 3.18.20 The interests of prospective donors shall be a primary consideration with respect to any gift to the Foundation/College.

- 3.18.30 Recommendations for naming opportunities shall be made by the NCMC Foundation and/or the College President to the Board of Trustees for its approval.
  - 3.18.40 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.
  - 3.18.50 Financial Guidelines: The following amounts are recommended minimums for establishment of a named gift:
    - 3.18.51 Scholarship: \$15,000
    - 3.18.52 Equipment: \$25,000
    - 3.18.53 Classroom: \$50,000
    - 3.18.54 Area of Building: \$100,000
    - 3.18.55 Endowment of a Faculty Chair: \$500,000
    - 3.18.56 Building: \$1,000,000 or 100% of a building costing less than \$1 million
    - 3.18.57 Educational Program: \$1,000,000
  - 3.18.60 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.
- 3.19.00 Inclement Weather Policy: NCMC is committed to providing a safe environment to learn and work; therefore, students and employees must make it their personal responsibility to stay informed regarding closures, cancellations, and delays. Every effort will be made to provide inclement weather announcements prior to 5:30 a.m.; however, changing weather conditions may require decisions to be made at other times. These decisions will typically be made by the College President or his/her designee. *entire section added 6/28/11*
- 3.19.10 If classes are cancelled but offices remain open, non-faculty employees will be charged a day of vacation leave if they are absent. If the employee has no leave balance, he/she will be charged with unpaid leave. Faculty will be responsible to make presentations and assignments via online for the designated day.
  - 3.19.20 If classes are cancelled and offices are closed, only essential personnel are expected to work. Non-exempt will be paid at 1.5 times their regular rate of pay.
  - 3.19.30 If a delayed start is announced, classes will begin with the class scheduled to start at 9 a.m. (on Monday, Wednesday, or Friday) or 9:30 a.m. (on Tuesday or Thursday). Non-faculty employees will be paid for a full day of service at their regular rate of pay.
  - 3.19.40 If the College is to close early, an announcement will be made by 3 p.m. to allow adequate time to notify those in evening classes. Non-faculty employees will be paid for a full day of service at their regular rate of pay. Staff assigned to work at the Ketcham Community Center will work their regular shift if the facility is not closed.

### 3.20.00 Health and Wellness

#### 3.20.10 Vaccination Policy *added 11/25/14*

3.20.10.1 North Central Missouri College, per Missouri Law (RSMo 199.290), requires a tuberculosis (TB) screening for all on-campus students and faculty. Any individual referred for TB testing must demonstrate a non-contagious status for active tuberculosis to continue their enrollment and/or employment.

3.20.10.2 North Central Missouri College, per Missouri Law (RSMo 174.335), requires students who reside in on-campus housing to obtain a meningococcal vaccine or submit a signed statement for a religious or medical exemption. Per Missouri Law (RSMo 167.638), a copy of the required meningococcal brochure will be provided to all students, and if the student is under 18 years of age, to the student's parent or guardian.

#### 3.20.20 Control Measures for Spread of Illness and Disease

##### Contamination *(added 11/28/17)*

Under federal occupational safety and health laws, NCMC has a duty to ensure the environment for students and staff is safe and healthy. The following measures may take place to ensure spread of illness and disease contamination is controlled:

3.20.20.1 Employees or students who self-report or bring documentation that they are currently carrying, or were exposed to an airborne, highly contagious illness or disease, may be asked to leave the premises to help control the risk of infecting co-workers, students, and constituents and/or not to return to NCMC grounds without a documented clearance from an accredited physician or healthcare organization.

3.20.20.2 If employees and students are able to meet acceptable performance standards and medical evidence indicates that their condition is not a threat to themselves or to others, they shall be assured continued employment or studies. If it becomes necessary, reasonable accommodations shall be made to enable the qualified individual to continue to work or continue their studies. All information regarding the health of any employee or student shall be held in strict confidence, and released only to those who have a legitimate need to know.

3.20.20.3 NCMC will conform to standards promulgated by the U.S. Occupational Health and Safety Administration for the prevention of infections. All employees working in a job that might place them "at risk" for exposure to



bloodborne pathogens will be expected to complete annual educational training on bloodborne prevention and exposure. At risk employees include, but may not be limited to, persons working in the allied health department, student housing and residential life, and custodial workers.

3.20.20.4 All federal and state occupational and safety laws will take precedence should an illness or disease be exposed on any of NCMC's buildings or properties.

## 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.
- 4.4.00 Student-Athlete Drug Use Testing Policy (*policy approved 8/28/12*)
- 4.4.10 Statement of Need and Purpose: Recognizing that observed and suspected use of alcohol and illegal drugs by North Central Missouri College student-athletes is increasing, a program of deterrence will be instituted as a pro-active approach to a truly drug-free college. Likewise, through participating in athletics, students using illegal drugs pose a threat to their own health and safety as well as to that of other students. The purpose is threefold: 1) to provide for the health and safety of all student-athletes; 2) to undermine the effects of peer pressure by providing a legitimate

reason for student-athletes to refuse to use illegal drugs; and 3) to encourage student-athletes who use drugs to participate in drug treatment programs. The program is designed to create a safe drug-free environment for student-athletes and to assist them in getting help when needed.

- 4.4.20 Program Objectives: 1) to provide a deterrent to the use of illegal drugs by students participating in athletics at NCMC; 2) to give students a valid reason to resist peer pressure to use illegal drugs; 3) to prevent injury, illness, and harm as a result of drug use and its effects; and 4) to educate students as to the serious physical, mental and emotional harm cause by the use of illegal drugs.
- 4.4.30 Drug Use Testing Policy to be Non-Punitive: No student-athlete will be penalized academically for testing positive for illegal drugs, banned substances, or other items listed in 4.4.70. The results of drug use tests pursuant to this policy will not be documented in any student-athlete's academic records.
- 4.4.40 Definition of an Athletic Program: An NCMC athletic program is an activity sponsored by the National Junior College Athletic Association and the NCMC Board of Trustees. The NJCAA states that athletic participation is a privilege and those student-athletes who use illegal performance-enhancing and/or recreational drugs substantively violate that privilege and may impact the athlete's ability to take advantage of that privilege.
- 4.4.50 Students to Declare their Intention to Participate in Athletics: All student-athletes participating in an in-season or off-season athletic program must declare their intention at the time of their enrollment for college each semester. At that time they will become subject to random drug testing for the entire semester or for as long as they participate in the program. Student-athletes who request to declare their intentions *after* enrollment must have an acceptable reason for not doing so at the appropriate time and must be approved by the coach(es) of the athletic program(s) in question as well as the Athletic Director. Student-athletes who declare late will then be subject to the random testing program for as long as they participate in the program. Any student-athlete not involved in an in/off-season program at the time of a particular random drug test period will not be subject to a random drug test.
- 4.4.60 Consent Form to be Signed: All athletic program participants and their parents/guardians (depending on the legal age of the student-athlete) shall sign and date an Athletic Drug Use Testing Consent Form (see Appendix). This shall occur during the first semester of enrollment and shall stay in effect until the student-athlete leaves the athletic program. The student will be given a copy of the Student-Athlete Drug Use Testing Policy, along with the Consent Form, at the time of their registration in an athletic course. No

student may participate in practice or competition (either in-season or off-season) until the form is properly executed and on file with the Athletic Director and appropriate coach.

- 4.4.70 Selection for Drug Use Testing: At least five percent (5%) and no more than twenty-five percent (25%) of student-athletes in each in-season or off-season athletic program shall be randomly selected to be tested for drug use during each testing period, which shall be conducted no more than ten times per year. The percentage may be different for each test. The Athletic Director shall determine the percentage of student-athletes to be tested and the date for each test. He/she will draw student-athlete names at random. Student-athletes selected for testing during one test period will remain eligible for future tests and, if selected, may be tested in consecutive tests.
- 4.4.80 Examples of Drugs for which to be Tested: Drugs that an individual may not buy, possess, use, sell, or distribute under federal or Missouri law including but are not limited to marijuana, cocaine, opiates, amphetamines, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, and propoxyphene; all prescription drugs obtained without authorization; all prescription and/or over-the-counter drugs that are being used in an abusive manner; and performance-enhancing drugs. Tests for alcohol use may be by means of a breathalyzer or saliva test.
- 4.4.90 Student-Athlete's Right to Privacy: All aspects of the drug testing program will be conducted in a manner that will safeguard the personal and privacy rights of the student-athlete to the maximum degree possible.
- 4.4.100 Sample Collection and Testing Procedures:  
Student-athletes who are selected to be tested for drug use will be required to report to Wright Memorial Hospital to provide a sample within sixty (60) minutes of the time that they are requested to do so. Refusal to provide a sample will be treated as a positive test for the student-athlete and the appropriate sanction shall be applied. NCMC shall give each student-athlete a form on which he/she may list any medications that he/she has taken or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding four (4) days.
- 4.4.101 NCMC's Athletic Director may accompany the student-athletes to Wright Memorial Hospital where the sample is to be produced under their supervision.
- 4.4.102 Monitor(s) shall not observe the student-athlete while the sample is being produced but shall remain within hearing distance in order to guard against tampered samples and to ensure an accurate chain of custody of the sample. If at any time during the procedure a monitor has reason to

- believe that a student-athlete is tampering with a sample, the monitor may inform the Athletic Director who will determine if a new sample should be produced.
- 4.4.103 All samples will be identified with the student-athlete's assigned individual sport number and sealed.
- 4.4.104 The designated Medical Review Officer (MRO) shall read the test and make a determination for further testing. Any licensed professional chosen by NCMC to conduct the subsequent testing shall be required to have detailed written procedures to assure proper chain of custody of samples, proper control, and scientifically validated testing methods. Student-athletes may be contacted directly by the MRO for clarification of test results.
- 4.4.105 The licensed professional shall promptly contact the Athletic Director if the result of the drug use test is positive for any student-athlete.
- 4.4.106 The Athletic Director shall promptly contact the student-athlete and his/her parents/guardians (depending on the legal age of the student-athlete) to schedule a conference.
- 4.4.107 At the conference, the student-athlete or parents/guardians may offer any explanation of the positive result, including doctor's prescriptions for any drugs the student-athlete has used which might affect the outcome of the drug use test or alcohol test. Another test may be requested on the remaining portion of the sample at the expense of the student-athlete.
- 4.4.110 Sanctions for Positive Testing: A student-athlete who tests positive on a drug use test will be subject to the sanctions below. All offenses are cumulative for the student-athlete's enrollment at NCMC.
- 4.4.111 First Offense
- 4.4.111.1 The student-athlete will be suspended from all athletic programs for a period of six (6) weeks commencing with the confirmation of a positive drug use/alcohol test.
- 4.4.111.2 The student-athlete will submit to weekly drug use testing for six (6) weeks at their expense and participate in a drug assistance program that is designed to meet the needs of the student-athlete through mandatory counseling. A student-athlete may, at their expense, elect to pursue private counseling to fulfill this requirement; those unable to afford private counseling may be eligible to receive private counseling as arranged by the NCMC Dean of Student Services. As a condition of continued participation in NCMC athletic programs, student-athletes who elect private counseling are required to submit verification that they have received such.

4.4.111.3 At the end of the six (6) weeks, if the student-athlete has completed a counseling program and tested negative on all drug use tests authorized by NCMC, he/she may resume participation in NCMC athletic programs.

4.4.111.4 Failure to comply with the provisions above will result in the suspension of the student-athlete from athletic practice/competition for the remainder of the semester. If the suspension occurs during the last six (6) weeks of the semester, the suspension shall extend into the next semester.

4.4.112 Second offense in any two (2) consecutive years:

4.4.112.1 The student-athlete will be suspended from all athletic programs for the remainder of the current semester; however, if the suspension occurs during the last six (6) weeks of the semester, the suspension shall extend to the next semester.

4.4.112.2 Under a full-semester suspension, the student-athlete will forfeit any athletic scholarship.

4.4.112.3 The student-athlete must successfully complete, at his/her expense, an approved drug education/counseling program. Documentation shall include approved reports from the provider.

4.4.112.4 The student-athlete will be subject to bi-monthly drug use testing, as authorized by NCMC, during the period of suspension at his/her expense. He/she must test negative on each test.

4.4.112.5 Failure to comply with the provisions above will result in the suspension of the student-athlete from athletic practice/competition for an additional semester.

4.4.120 Appeals: A student-athlete may appeal a suspension under this Policy to the Athletic Director by filing a written notice within five (5) days of the positive report of drug use. The student-athlete will remain suspended pending the appeal. The Athletic Director shall conduct an investigation to determine whether the original findings and suspension were justified. His/her findings may be appealed in accordance with existing Board policy.

4.4.130 *Volunteering for Help* Component: Student-athletes with drug dependence may voluntarily be tested. They may obtain intervention and should be given help without automatic loss of eligibility. In order to participate in *Volunteering for Help*, a student-athlete must identify themselves and initiate a request to their coach or Athletic Director prior to being selected for random drug use testing. However, a student-athlete will not be permitted to enter the *Volunteering for Help* program less than thirty (30) days prior to an NJCAA or conference post-season competition.

4.4.131 Program Purpose: Coaches occupy special roles in the

- lives of athletes, as student-athletes may choose to talk about a personal problem with a coach rather than a parent or other important adult. Therefore, this program allows a student-athlete to voluntarily come forward to ask for help.
- 4.4.132 Program Promotion: Coaches shall inform their student-athletes at the beginning of the practice season of the *Volunteering for Help* program and shall provide this outline to their student-athletes.
- 4.4.133 Drug Use Test Required: The student-athlete entering the *Volunteering for Help* program will be required to take a drug use test immediately to establish a baseline for follow-up testing. He/she will be referred to Wright Memorial Hospital for testing for the drugs listed in 4.4.70. Re-testing will be limited to such drugs when the initial positive sample is among the drugs listed. The sample to be tested would be drawn at Wright Memorial Hospital and reviewed by the Athletic Director.
- 4.4.134 Athletic Eligibility: A positive test from a volunteering student-athlete shall not be used to automatically remove athletic eligibility for six (6) weeks; instead, the test results will be used to help the provider complete an assessment on the extent of the problem. This assessment is necessary before an intervention program can be designed. The volunteering student-athlete will remain as a member of his/her athletic team but will not practice/compete until a negative sample is verified by the College's lab. This second test will be at the student-athlete's expense. The student-athlete will regain athletic eligibility immediately upon lab verification of the negative sample.
- 4.4.135 Program Steps: The NCMC coach or other staff member identified above shall meet with the student-athlete, and with his/her consent, the NCMC coach/staff member may arrange for a meeting with the parents/guardians (depending on the legal age of the student-athlete) and possibly other NCMC staff members. The Coach shall become involved in helping the student-athlete and family take the first step to getting trained professional help. Eventually, the student-athlete and/or family will select an agency from the approved provider list to get an assessment and begin an intervention program. If the student-athlete changes his/her mind, the Coach will ask for evidence (a negative sample) before any involvement in athletic programs is allowed.
- 4.4.136 Status of Volunteer Student-Athlete: The status of a student-athlete who enters the *Volunteering for Help* program continues until the end of the season. If the season

ends before six (6) weeks, the student-athlete's status continues into the next season. Once the volunteer student-athlete regains athletic eligibility, at least two (2) tests have been conducted. One (1) additional test at the College's expense will be conducted within four (4) weeks of the student-athlete's return to athletic eligibility. After the volunteer student-athlete has had two (2) successive negative tests, the student-athlete shall be returned to the random drug use testing program.



## 5.000 GENERAL PERSONNEL POLICIES

- 5.1.00 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:
- 5.1.10 Maintain the efficiency of College operations
  - 5.1.20 Determine the methods, means, job classification and personnel by which College operations will be conducted
  - 5.1.30 Hire, promote, transfer, assign, retain, and terminate employees
  - 5.1.40 Establish the methods and process by which work is performed
  - 5.1.50 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
  - 5.1.60 Take whatever actions may be necessary to carry out the missions of the College in situations of emergency
- 5.2.00 New Positions or Vacancies
- 5.2.10 Qualifications for Hiring, Promotion, or Transfer
    - 5.2.11 All hiring, promotions, and transfers will be based on qualifications, ability, and past performance.
    - 5.2.12 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.
  - 5.2.20 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.
    - 5.2.21 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.
    - 5.2.22 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.
    - 5.2.23 College employees may apply for any vacancy by contacting the Personnel Office.
    - 5.2.24 Reclassification or upgrading of an existing permanent position is not considered a new position or vacancy.

- 5.2.25 The Personnel Office accepts applications and recruits new applicants for current and/or anticipated positions or vacancies.
- 5.2.26 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.
- 5.2.27 Advertising for vacancies will be processed through the Personnel Office.
- 5.2.30 Acting Positions/Temporary Upgrades
  - 5.2.31 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.
  - 5.2.32 Posting is waived for temporary and part-time positions.
- 5.2.40 Pending Board approval, conditional employment offers may be extended to new hires.
- 5.2.50 Applicant Travel Policy *updated 6/28/16*
  - 5.2.51 North Central Missouri College may reimburse employment applicants for expenses related to employment interviews, teaching demonstrations, and/or other events related to employment recruitment for which an applicant must physically travel to campus. The expense reimbursement is available up to two (2) job candidates per listing of open position.
  - 5.2.52 Travel expenses that qualify for reimbursement may include airfare at the coach rate (with all flights arranged by the candidate); mileage established at the approved IRS rate; and hotel expense for one night for rate of stay and tax charge only (no extra amenities included).
  - 5.2.53 Applicant travel reimbursement shall not exceed \$1,000 per candidate. However, additional reimbursement above \$1,000 may be given to presidential candidates and other leadership positions as the Board of Trustees deems necessary for quality recruitment.
  - 5.2.54 Reimbursement may be made for positions including administrative leadership, in-demand faculty positions, and other top level management positions.
  - 5.2.55 An applicant offered employment who then declines the offer will not be reimbursed for travel expenses.
  - 5.2.56 Applicant travel reimbursement shall be awarded until budgetary funds are exhausted for the fiscal year.

- 5.2.60 Nepotism (*see also 3.16.00 Amorous(Romantic/Sexual Relationships)*)
- 5.2.61 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.
- 5.2.62 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.
- 5.2.70 Change of Employee Status: Any change in salary or title must be approved by the President and the Board of Trustees.

### 5.3.00 Administrative Vacancies

- 5.3.10 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.
- 5.3.20 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.
- 5.3.30 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.

5.3.40 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.

5.4.00 New Employees *entire section added 12/20/16*

5.4.10 E-Verify: In its procedures for recruiting and hiring employees, the College will comply with applicable federal regulations including use of E-Verify as mandated through state/federal law. Personnel/Payroll staff will maintain documentation, including Eligibility Verification Forms (Form I-9), as required under the Immigration Reform and Control Act.

5.4.20 Background Check: All offers of employment are conditioned on receipt of a background check report that is satisfactory to North Central Missouri College. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and applicable law. Reports are kept confidential and are only viewed by those involved in the hiring process. Although an offer of employment may be extended to an applicant prior to the completion of the background check, including the criminal conviction check, continued employment will be contingent upon receipt of a satisfactory background check.

5.4.30 Orientation: North Central Missouri College's personnel office will provide orientation for new faculty, administrative, management, professional, classified, adjunct, and part-time employees. Orientation shall include information on the following policies: sexual misconduct, drug and alcohol prevention,

electronic information systems use, timely warning, emergency evacuation, and notice of nondiscrimination. New employees will be provided information on how to report an incident to the Title IX Coordinator and where to find NCMC's Clery Security Report and Higher Education Act Student Consumer Information.

5.4.31 NCMC's personnel office will provide up-to-date, accurate, and complete information to each new employee regarding eligibility for Public Service Loan Forgiveness within 10 days of the start of employment. This information may be provided electronically or as a paper copy.

5.4.32 New employees will be notified on where to find the Board Policy Manual and any other applicable employee handbooks for the hired position, provided with an overview of how to use phone and email, Business Office Online, and the staff portal, and given a campus tour. They will also be introduced to key personnel if available.

5.4.33 Immediate supervisors shall assist new hires by making introductions and ensuring that the employee is familiar with the responsibilities and duties of his/her position. They will also address with the new employee working hours, attendance, reporting policies, department overview, evaluation process, emergency procedures, and other areas of importance as it pertains to the new employee's job duties.

#### 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.

5.5.21 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. Employees in this classification may be exempt or non-exempt. *Updated 11/22/16*
- 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 Overtime: Overtime is time worked in excess of 40 hours in a standard work week. Sick leave, personal leave, vacation leave, jury duty, bereavement, College holidays and closings, or any other form of paid time-off are treated as paid leave and not hours worked in regards to overtime. Only non-exempt employees, as defined by the U.S. Department of Labor, are eligible for overtime compensation.

- 5.6.51 Non-exempt employees may not make unauthorized decisions to work overtime or extra hours. Overtime worked for non-exempt employees must be authorized by the supervisor with a copy of the authorization sent to the Business Office. For non-exempt employees, working outside of the normal work schedule is restricted unless it is de minimis or required by the supervisor. Examples of working outside of the normal work schedule may include working afterhours, working weekends and checking/responding to College e-mails outside of normal work hours. Working unauthorized time may subject the employee to disciplinary action. Similarly, non-exempt employees may not agree, even voluntarily, or otherwise waive their rights under the Fair Labor Standards Act.
- 5.6.52 To ensure compliance with federal and state labor regulations, non-exempt employees must accurately record all working time. In recording working time, insubstantial or insignificant periods of time outside the scheduled working hours that cannot practically be precisely recorded may be disregarded. Overtime is recorded on the employee's time report to the nearest one-fourth hour.
- 5.6.53 Non-exempt staff will receive additional compensation for authorized overtime worked. Such additional compensation is paid at one and one-half times the straight-time rate. Payment for overtime is normally included in the regularly scheduled paycheck following receipt of the employee's time report by the Payroll Department. The timesheet must indicate all overtime hours worked and must be approved by the supervisor.
- 5.6.54 Sick, vacation, and personal leave will not be used to pay an employee more than 40 hours/week.
- 5.6.55 It is expected that activities be planned, organized, and scheduled so that work may be accomplished within the standard workweek. Supervisors have the authority to determine work schedules and to make individual assignments as necessary. Supervisors may adjust an employee's schedule to maintain a standard workweek. The use of flexible time off is allowed to prevent a non-exempt employee from accumulating more than 40 hours of work within a week. The utilization of flex time must occur within the same work week that the extra hours are worked. *entire Overtime section added 11/22/16*
- 5.6.60 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 Records<sup>1</sup>
- 5.8.31 File Contents
  - 5.8.311 Personal
    - 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.

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<sup>1</sup> for additional information on personnel files of faculty, see the Faculty Policy Manual

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 *updated July 26, 2011*

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 and Accidental Death and Dismemberment insurance coverage at one times the employee's annual salary up to \$50,000. The insurance renewal date is July 1 with open enrollment 30 days prior.

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. All college-paid insurance will end the last day of the month in which employment terminates.

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 Leaves<sup>2</sup>
- 5.12.60.1 Leaves of Absence
- 5.12.60.1.1 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.
- 5.12.60.1.2 Requests for leaves of absence must be recommended by the appropriate dean and approved by the President and the Board of Trustees.
- 5.12.60.1.3 Additional information and regulations for leaves of absence are specified in the Faculty Policy Manual and Staff Policy Manual.
- 5.12.60.2 Vacation Leave
- 5.12.60.2.1 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*
- 5.12.60.2.2 *deleted 7/25/06*
- 5.12.60.2.3 Employees do not accrue vacation leave while in a leave-without-pay status.
- 5.12.60.2.4 *deleted 7/25/06*
- 5.12.60.2.5 Employees accrue vacation leave according to their appropriate schedule. However, the Board of Trustees may, at their discretion, allow for additional vacation leave credits depending upon individual circumstances. Administrative/management/professional staff earn 20

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<sup>2</sup> See Faculty Manual for additional information on faculty leaves and sabbaticals.

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.

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

5.12.60.2.7 *deleted 7/25/06*

5.12.60.2.8 Cash Payment for Unused Vacation

5.12.60.2.8.1 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.

5.12.60.2.8.2 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.

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

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

5.12.60.2.11 Vacation charges will be recorded in 1/2 day increments for exempt staff and in hourly increments for non-exempt staff. *revised 11/22/16*

5.12.60.2.12 *deleted 7/25/06*

5.12.60.2.13 *deleted 7/25/06*

5.12.60.3 Holiday Leave

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

5.12.60.3.2 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.

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

5.12.60.3.4 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.

5.12.60.3.5 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 with the Wednesday before and the Friday after (*12/23/14*)

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.

5.12.60.4 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.

5.12.60.5 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:

5.12.60.5.1 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.

5.12.60.5.2 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.

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

5.12.60.5.4 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.

5.12.60.5.5 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.

#### 5.12.60.6 Sick Leave

5.12.60.6.1 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 for exempt staff and in hourly increments for non-exempt staff 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. *revised 11/22/16*

5.12.60.6.2 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.

5.12.60.6.3 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.

5.12.60.6.4 *deleted 7/25/06*

5.12.60.6.5 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.

5.12.60.6.6 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.

5.12.60.6.7 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.

5.12.60.6.8 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.

5.12.60.6.9 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.

5.12.60.6.10 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.

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

5.12.60.6.12 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.

5.11.60.6.13 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.

5.12.60.7 Flex Leave Day *added 8/24/14*

Each full-time employee may use one of his/her earned leave days each fiscal year as a Flex Leave Day. Flex Leave Days are used as per the guidelines for personal leave days and may be requested only after personal leave days for that fiscal year have been used.

5.12.60.8 Emergency Leave

5.12.60.8.1 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*

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

5.12.60.8.3 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.

5.12.60.9 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.

5.12.60.10 Bereavement Leave: Full-time employees are permitted a paid bereavement leave up to five working days for the death of an employee's spouse, child, sibling, parent, step-parent, grandparent or grandchild; a spouse's child, parent, step-parent, grandparent or grandchild; or a member of the employee's household. *revised 11/24/15*

5.12.60.11 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.

- 5.12.60.12 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
- 5.12.60.13 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.
- 5.12.60.14 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.

5.12.60.15 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*

5.12.60.16 Leave without Pay

5.12.60.16.1 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.

5.12.60.16.2 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 Opportunities for Training and Advancement *rvsd 4/24/12*

5.12.70.1 General Guidelines: Career development opportunities shall be made available to all full-time employees who want to improve their service to NCMC and/or to upgrade personal or academic skills. Full-time employees may enroll in college courses, participate in on-site development and training programs, and attend relevant conferences, seminars and workshops. The conferences, seminars and workshops selected for the employees should relate directly to their current job responsibilities or to future job responsibilities as determined by their supervisor. College courses need not be specifically work-related, as long as attendance 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 the employee's supervisor deems applicable to a skill specific to an employee's job description.

5.12.70.1.1 Not-work-related-classes taken during the regular working day: 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.

5.12.70.1.2 Work-related-(as defined)-classes taken during the regular working day: 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.

#### 5.12.70.2 NCMC Tuition Waivers *revised 7/31/17*

Employees considered to be full-time by NCMC may enroll in credit courses at NCMC with tuition waived, excluding tuition for noncredit courses (e.g., seminars, community service courses, and continuing education courses) audited courses, and repeated courses. Employees who take courses with tuition rates which exceed the in-state rate must pay the difference between the in-state rate and the charged tuition rate. In order to be eligible for a tuition waiver, employees must complete the Free Application for Federal Student Aid (FAFSA) for the corresponding academic year and meet the definition of Title IV financial aid eligibility. The FAFSA and verification of FAFSA, if selected for verification, must be submitted to NCMC and finalized prior to the end of the term in which the waiver is to be applied. Waivers may not be applied to prior terms retroactively. Federal and state grants, including the A+ scholarship, and all other tuition specific financial aid will be applied toward costs prior to the award of any tuition waivers. Employees are responsible for any fees assessed for No Shows.

5.12.70.2.1 Other charges such as fees, (e.g., application, activity, facility, course, and lab), books, supplies, housing, fines, etc., will not be waived, with the exception of the health fee.

5.12.70.2.2 The policy is limited to NCMC employees, spouses/domestic partners, and their dependents. For the purpose of tuition waivers only, dependents are those individuals defined as unmarried child under the age of 24, and/or disabled child over the age of 24. Employees

seeking a waiver for a dependent must submit a Dependent Eligibility Verification (DEV) form along with the waiver. The restrictions listed above will apply for dependents. Dependents who will be enrolled in high school while taking college courses are exempt from completing the FAFSA. Individuals must be eligible to receive a waiver in the semester in which they use the waiver.

5.12.70.2.3 For individuals who have retired from North Central Missouri College with at least five years of service but are not yet 60 years of age, tuition will be waived for the retired employee but not for their dependents.

5.12.70.2.4 Tuition waiver forms and DEV forms are available from the Financial Aid Office. Waiver forms must be signed by the NCMC Human Resources Department and the College President. Waiver forms must be submitted to NCMC's Financial Aid Office by the final payment deadline of the term for which the waiver is requested.

5.12.70.3 Tuition Reimbursements for Colleges other than NCMC: NCMC will reimburse tuition paid by NCMC employees (faculty, staff or administrators) up to \$70 per credit hour for courses taken at colleges other than NCMC. The total reimbursement expenditure for all employees shall not exceed the fiscal year budget for tuition allowances, and reimbursements shall be made during the last month of the fiscal year.

5.12.70.3.1 Any course(s) taken under this plan must be relevant to the employee's current position at NCMC and approved by the appropriate administrator and the President prior to enrollment, with the employee being reimbursed upon successful completion of the course(s). Tuition reimbursements are not guaranteed and are subject to budget restrictions.

5.12.70.3.2 Employees accepting such reimbursements will agree in writing to remain in the employ of NCMC for two years after completion of the course(s) for which reimbursements are made. Those who leave NCMC less than one year after completion of the course(s), unless they are terminated or laid off by NCMC, will repay the College 100% of the reimbursed amounts. Those who leave NCMC after one year but less than two years after completion of the course(s), unless they are terminated or laid off by NCMC, will repay the College 50% of the reimbursed amounts.

## 5.12.80 Emeritus Status

5.12.80.1 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.

### 5.12.80.2 Eligibility

5.12.80.2.1 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.

5.12.80.2.2 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.

### 5.12.80.3 Procedures for Requesting the Emeritus Title

5.12.80.3.1 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.

5.12.80.3.2 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.

### 5.12.80.4 Emeritus Staff Benefits at NCMC

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

5.12.80.4.2 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.

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

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

5.12.80.4.5 Tuition waivers 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.

5.12.80.4.6 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.

5.12.80.4.6 Professional Meetings

5.12.80.4.6.1 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.

5.12.80.4.6.2 Financial support will be provided according to Board policy.

5.12.90 KCC Memberships *added 11/21/11*

5.12.90.1 Employees: Full-time NCMC, Head Start, and WIB employees are Ketcham Community Center members. Benefits include the use of the gym, fitness equipment and the Harry Sugg tennis courts as well as free/reduced rates for fitness classes and free admission to NCMC basketball games. Admission to special tournament/playoff basketball games is not included.

5.12.90.2 Employees' Dependents: Immediate family members (living in the home) of full-time NCMC, Head Start, and WIB employees will be eligible for the same benefits at a reduced rate. *revised 9/23/14*

## 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, Business Office Coordinator, and the College President have authority to access all safe deposit boxes the College may rent. *6.1.70 changed 5/23/16*
- 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 OMB Uniform Guidance, 2 CFR 200.317 through 200.326: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Some of the general standards over federal grant procurement include:

(1) Grant recipients must avoid acquisition of unnecessary or duplicative items;

(2) Where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach; and

(3) Solicitations for goods and services shall follow NCMC's purchasing/expenditures and conflict of interest policies.

*entire section updated 1/24/17*

6.4.60 Investment Policy *section updated 6/24/14*

6.4.61 It is the policy of the North Central Missouri College to invest public funds in a manner which will provide maximum security and investment returns while meeting the daily cash flow demands of the College and conforming to all state and local statutes governing the investment of public funds. This investment policy applies to all financial assets of the District. Any and all funds currently existing or anticipated are included unless specifically excluded by the College officials or set aside in a special escrow account.

6.4.62 The Chief Financial Officer and Business Office Coordinator are the only authorized personnel to conduct investment transactions for the District. When investing or depositing public funds, the Chief Financial Officer and Director of Business shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the investment objectives. Investing transactions will be reported to the Board of Trustees as a part of the monthly Treasurer's Report. *section updated 5/23/16*

6.4.63 The primary objectives, in priority order, of North Central Missouri College are:  
Safety: Safety and preservation of principal in the overall portfolio

Liquidity: Maintaining the necessary liquidity to match expected liabilities

Return: Obtaining a reasonable return

- 6.4.64 All officers and employees of North Central Missouri College involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.
- 6.4.65 Authorized and Suitable Investments and Institutions:
- 6.4.651 The College may invest public funds in certificates of deposit, savings accounts or interest-bearing time deposits when such funds are held in United States banks, state banks, savings and loan associations operating under Chapter 369 RSMo., or savings and loan associations authorized by the United States government, so long as such deposits, savings accounts, and interest bearing deposits are secured by one or more of the types of securities described in section 6.4.653.
- 6.4.652 The Board designates “The Common Fund” for investment of endowed funds and Edward Jones for investment of the Derry Scholarship funds. Funds will be monitored and invested by a committee of two Trustees, the Chief Financial Officer, and the President, with investment results reported to the Trustees on at least a quarterly basis.
- 6.4.653 Collateral shall be required on all qualified investments. In order to anticipate market changes and provide a level of security for all funds, the collateral value of the pledged security shall be at least 100% of the actual amount of funds invested with the depository, less the amount, if any, insured by FDIC. This collateral shall be limited to bonds, bills, notes, debentures or other obligations guaranteed as to payment of principal and interest by the government of the United States or any agency or instrumentality thereof, and the State of Missouri, (RSMo 30.270, 110.010, and 110.020) or a letter of credit issued to the District by the Federal Home Loan Bank.
- 6.4.654 To the extent possible, the District will attempt to match its investments with anticipated cash flow requirements. Unless matched to specific cash flows, the College will not directly invest in



securities maturing more than two years from the date of purchase.

- 6.4.66 Investment reports describing the portfolio in terms of investment securities, maturities, rates, characteristics and other features shall be submitted to the Board of Trustees on a semi-annual basis.
- 6.4.67 The policy shall be reviewed on an annual basis and any modification made thereto must be approved by the entire Board of Trustees.
- 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 Buildings and Grounds

7.1.10 Purpose: This policy governs the use of buildings and grounds located on the College's campuses or under the College's operating authority and applies to "expressive activities" which are defined to include "all forms of peaceful assembly, protests, speeches, distribution of literature, signs, and circulating petitions." It applies to College groups and groups unaffiliated with the College. This policy imposes limits on the use of College buildings and grounds so that they can fulfill their primary missions.

7.1.20 Policy: College buildings and grounds are primarily intended, and will be made available, principally for College programs, activities, and operations. Requests for use by persons, groups or organizations affiliated or unaffiliated with the College, will be resolved in accordance with the reasonable time, place, and manner restrictions expressed in this policy and its accompanying procedures, all of which will be administered in a manner reasonably designed to advance the mission of the College, preserve the order necessary to conduct customary College operations and activities, protect the safety of persons and security of property, and maintain the aesthetic appearance of the campus.

### 7.1.30 Procedures

#### 7.1.31 Priorities

(1) College activities take priority over all other requests for use. Space will be made available for college activities in the following order of priorities: (a) College instructional programs; (b) Official College events; (c) College sponsored educational activities; (d) Actively chartered student clubs and organizations

(2) Space will be made available to outside organizations other than for commercial solicitations when use does not conflict with scheduled College functions.

(3) The College regulates any use of its buildings and grounds for solicitation.

7.1.32 Reservation Process: The following procedures apply to reservations requested by or for individual faculty, staff or students, registered student organization or non-college entities:

(1) Advance reservations are required for the use of any College building. Advance reservations are also required for the use of College grounds but only if use of grounds is likely to affect pedestrian or motor vehicle traffic. Examples of situations where use of grounds would likely affect pedestrian or motor vehicle traffic would include, but

not be limited to, the erection of temporary displays, use of free-standing signage, tents, booths, or tables, the use of seating, use of College owned equipment, or other uses that present a heightened security risk. Normal leafletting activity described in Section 4 below would not require an advance reservation.

(2) Those requesting a reservation of College buildings or grounds should contact the President's office to determine location and availability, as well as any specific policies applicable to that location. Those requesting reservations of College buildings or grounds must complete the Application for Permit to Use North Central Missouri College Common Area/Facilities Form ("Application for Permit") and submit it to the Business Office.

(3) For reservations of College buildings, the Application for Permit (found in the business office) must be submitted at least three (3) days prior to the event. When a reservation is required for use of College grounds, the Application for Permit must be submitted at least one business day prior to the event.

#### 7.1.33 Areas Open for Use

(1) Designated College buildings and grounds are available for eligible users during normal College hours which are generally defined as 8:00 am to 4:30 pm Monday through Friday. Overnight use of College buildings or grounds is not permitted. The College is closed during certain times throughout the year for holidays and semester breaks and use of College buildings and grounds is not permitted during these times. Any exceptions to this policy must be authorized by the President.

(2) A fee will be charged for the buildings used depending upon the setup required, equipment needed, and the room utilized. Those requesting a fee schedule should contact the Business Office.

(3) The following groups or types of events are exempt from paying a fee unless the activity requires additional or out of the ordinary expenses on behalf of the College, or the organization charges any admission fee: (a) Student-sponsored organizations or activities: Any student group officially recognized by the College and not charging an admission fee. Student-sponsored organizations may also co-sponsor outside organizations with prior approval by the Dean of Student Services; (b) College-sponsored groups or activities: Institutions or groups providing services for College students or employees; (c) Guests and invitees of College departments: Organizations and groups invited for

financial, educational or relational reasons. Examples might include a local service organization invited to hold a regular member meeting, or a community group invited to utilize a room and tour the building.

(4) All other organizations or events will be charged the designated amount unless the President's office deems otherwise.

(5) All reservations will be coordinated by the CFO's office and the appropriate building manager. Reservations are on a first-come, first-serve basis. All food and beverage service shall be coordinated and approved through the area coordinator. The College reserves the right of first refusal to be sole provider of food and beverage needs through their contracted services. College administration reserves the right to prevent uses that would result in excessive wear and tear, provide safety or security risks. All users will be responsible for picking up trash and returning the space used to its original condition. Additional fees may be charged for cleanup beyond normal usage.

#### 7.1.34 Distribution of Pamphlets, Leafletting and Other Written Materials

(1) The distribution of non-commercial newspapers, notices, pamphlets, leaflets, and other printed material is permitted on College grounds. The distribution of the materials must not interfere with the orderly conduct of College affairs, the maintenance of College property and the free flow of traffic and persons.

(2) Distributing materials on parked vehicles or otherwise leaving materials unattended is expressly prohibited.

#### 7.1.35 Responsibilities of Users

(1) Users of buildings and grounds will be required to comply with College policies, which include the prohibition of tobacco use, alcoholic beverages, controlled substances or firearm possession of any kind in any College building or on College grounds. All users are also required to comply with all federal, state, and local laws that apply to the College.

(2) No use of College buildings or grounds may exclude individuals on the basis of political preference, race, sex or creed. College buildings and grounds will not be used regularly, or other than temporarily on an ad hoc or emergency basis by any church or non-College religious organization for religious worship, or for the teaching or indicating of any of the tenants or doctrine of such religious organizations.

#### 7.1.36 When any College building is used, a certificate of general

liability insurance may be required naming the College as an additional named insured with minimum limits of liability in the amount of \$1,000,000 and \$3,000,000 per occurrence. In certain instances, the College may require proof of additional insurance as necessary for a unique situation, and users agree to comply with this request. A certificate evidencing such general liability insurance, and any other applicable insurance, shall be furnished to the College prior to use of the building. Notwithstanding the insurance certificate, users must agree to indemnify and hold harmless the College from any and all claims, demands, costs, judgments (including attorney's fees), arising out of or relating to the acts or omissions of users or its representatives using the buildings, and users must execute an indemnity agreement along the lines described in this paragraph.)

7.1.37 Prohibited Conduct

(1) College buildings, grounds or services may not be used for any activity or event which materially disrupts the learning environment of the College, interferes with regular academic programs, substantially impedes normal operation of the College or infringes on the individual rights of those who study or work on the campus.

(2) The use of amplification equipment will not be permitted on College grounds or in College buildings under circumstances which would interfere with the learning environment required for instruction and study or which would interfere with the individual rights of those living or working on or near the campus.

(3) Any conduct violating federal, state, or local law.

(4) Inciting or participating in violent behavior.

7.1.38 Appeal Process: Appeals of a denial of a use request may be made in writing within five (5) business days of the denial to the President or his or her designee. Such appeal may address a denial of an application for use or the specified conditions of approval of the use. The decision of the President or his or her designee shall be final.

7.1.39 Consequences of Unauthorized Use: Unauthorized use of institutional grounds, and other resources may violate this Policy, other applicable College Policies, and civil and criminal laws. A demonstrated violation of policy may result in disciplinary or legal action against violators. In addition, the College reserves the right to promptly discontinue unauthorized uses, without compensation - to persons, groups, or organizations acting in violation of this Policy



- 7.1.310 Contacts: All questions related to this Policy should be directed to the President's Office.
- 7.1.40 Definitions: "Grounds," "outside grounds" or "ground" shall mean all areas owned, or leased by the College, or under the College's control, outside of a building.
- 7.1.50 Authority: This policy is maintained under the authority of the President of NCMC.
- 7.1.60: Related Policies: Policy 6.14, Advertising and Solicitation
- 7.1.70: Implementation
  - 7.1.71 Purpose, procedures, responsibilities and definitions approved and adopted by the President's Cabinet in September 2015.
  - 7.1.72 Revised Policy approved by the Board of Trustees on 10/27/15.
  
- 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

## ATHLETIC DRUG TESTING CONSENT FORM

North Central Missouri College

Each student participating in the North Central Missouri College athletic program shall be provided with a copy of the “Athletic Drug Use Testing Policy” and the “Athletic Drug Testing Consent Form”, which shall be read, signed and dated by the student athlete, parent or custodial guardian and coach before the student shall be eligible to practice or participate in any athletic program. The consent shall provide a sample as chosen by the random selection basis and at any time requested to be tested for illegal drugs, prescription and over-the-counter drugs used in an abusive manner, performance-enhancing drugs and alcohol. No student shall be allowed to practice or participate in any athletic program until the student has returned the properly signed Drug Testing Consent Form.

Student’s Last Name	First Name	Middle Name

Social Security Number (optional): \_\_\_\_\_

I understand after having read the “Athletic Drug Use Testing Policy” and the “Athletic Drug Testing Consent Form” that out of concern for my safety and health, the North Central Missouri College enforced the rules applying to the use of illegal drugs, prescription and over-the-counter drugs used in an abusive manner, performance-enhancing drugs and alcohol. I realize that the personal decisions that I make daily in regard to the use of illegal drugs, prescription and over-the counter drugs used in an abusive manner, performance-enhancing drugs and alcohol may affect my health and well-being as well as the possible endangerment of those around me and reflect upon the North Central Missouri College athletic program with which I am associated. If I choose to violate college policy regarding the use of illegal drugs, prescription and over-the-counter drugs used in an abusive manner, performance-enhancing drugs and alcohol, I understand that I will be subject to the restrictions of my participation as outlined in the

policy. Furthermore, I understand that the financial assistance I am receiving to support my participation in athletics may be terminated as a result of the enforcement of this policy.

---

Signature of Student

Date

We have read and understand the North Central Missouri College “Athletic Drug Use Testing Policy” and the “Athletic Drug Testing Consent Form”. We desire that \_\_\_\_\_ participate in athletics provided by North Central Missouri College, and we hereby agree for him/her to be subject to its terms. We accept the method of obtaining samples, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the reporting of the results as provided in the program. Furthermore we understand that said student’s scholarship may be eliminated as a result of the enforcement of the policy.

\_\_\_\_\_ is taking or has taken the following medications in the last 96 hours (4 days):

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Signature of Parent: \_\_\_\_\_

Date: \_\_\_\_\_

## ATHLETIC DRUG TESTING HOSPITAL FORM

North Central Missouri College

Date: \_\_\_\_\_

Authorization for Wright Memorial Hospital to bill North Central Missouri College for the collection of a Urine Drug Screen on:

Student Name \_\_\_\_\_

DOB: \_\_\_\_\_

SSN: \_\_\_\_\_

(mark one)

\_\_\_\_ 5 Panel Urine Drug Screen\*      \_\_\_\_ 5 Panel Urine Drug Screen plus Ethanol

\_\_\_\_ 10 Panel Urine Drug Screen      \_\_\_\_ 10 Panel Urine Drug Screen plus Ethanol

\_\_\_\_\_  
Authorized Signature

North Central Missouri College  
1301 Main Street  
Trenton, MO 64683