# POLICY MANUAL

Roanoke-Chowan Community College is an Affirmative Action/Equal Opportunity employer. The College does not discriminate against students, faculty, or staff on the basis of race, color, gender, creed, age, disability, marital status, sexual orientation, veteran status, or national or ethnic origin in admission to, or access to, or employment in its programs and activities.

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**Roanoke-Chowan Community College**
**Board of Trustees Policy Manual**

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The Trustees of Roanoke-Chowan Community College are hereby vested to exercise all of the powers and duties as proscribed in Chapter 115D of the North Carolina General Statutes and as authorized by the North Carolina State Board of Community Colleges. As a body corporate, the Trustees are authorized to do all things necessary and proper to organize and operate Roanoke-Chowan Community College consistent with laws and State Board rules and regulations.

The Trustees hereby incorporate by reference the Roanoke-Chowan Community College Board of Trustees By-Laws, which shall take precedent over any policy or procedure adopted by the Board or College.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-14, -15, -20; 1B SBCC 300.1 and 300.2

The following are the official By Laws for the Roanoke-Chowan Community College Board of Trustees.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-14, -15, -20; 1B SBCC 300.1 and 300.2

The Board of Trustees ("Board") is a body corporate. Members of the Board have authority only when acting as the Board in a properly and duly called meeting. The Board will not be bound in any way by any statement or action on the part of an individual Board member or employee except when such action is specifically instructed and authorized by the Board.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-14

As required by federal and state law, members of the Board of Trustees and College employees have a legal duty to maintain the confidentiality of non-public, confidential records. From time-to-time and in the scope of their official duties, Board members and College employees are exposed to confidential information that should not be disclosed, in any fashion, except to those individuals/entities that have a legal right to have or view the information. Any College employee who is not sure whether particular information may be protected by state or federal confidentiality laws should seek clarification from his or her immediate supervisor. Board members should seek clarification from the President or Board attorney. When violations occur, appropriate disciplinary action will be taken.

Adopted: 6.25.24
Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; N.C.G.S. § 115D-27, -28, -29; § 143-318.11.

In accordance with N.C.G.S. §§ 14-234, 115D-26, 133-32 and Chapter 138A and in order to avoid conflicts of interest, the appearance of a conflict of interest or the appearance of impropriety, the Board of Trustees and College employees shall adhere to the following rules:

**A. Contracts with the College**

Board members and employees shall not do any of the following:

1. Obtain a direct benefit from a contract that he/she is involved in making or administering on the College's behalf unless a legal exception applies;
2. Influence or attempt to influence anyone who is involved in making or administering a contract on the College's behalf; or
3. Solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the College.

A Board member or employee is involved in administering a contract if he/she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. A Board member or employee is involved in making a contract if he/she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract. An employee derives a direct benefit from a contract if the employee or his/her spouse does any of the following: (a) has more than ten percent (10%) ownership or other interest in an entity that is a party to the contract; (b) derives any income or commission directly from the contract; or (c) acquires property under the contract.

**B. Receipt of Gifts**

Unless a legal exception otherwise applies, no Board member or College employee may accept gifts from any person or group desiring to do or doing business with the College unless such gifts are instructional products or advertising items of nominal value that are widely distributed.

**C. Reporting Requirements**

Any Board members or employees who have questions regarding this Policy or whose actions could be construed as involving a conflict of interest shall report as follows:

1. College employees shall report to the President.
2. President/Board Members shall report to the Board Chair.
3. Board Chair shall report to the College's legal counsel.

**D. N.C. State Ethics Act**

Pursuant to N.C.G.S. § 138A-3(30)(k), all voting Board members, the President, and the Chief Financial and Administrative Officers ("Covered Persons") are subject to the N.C. State Ethics Act. Covered Persons shall complete and file a public disclosure of economic interests as required under the Act, adhere to the ethics standard required under the Act, and shall complete all required mandatory ethics education and training.

**E. Contracts with Non-Profits**

A Board member who is also a director, officer, or governing board member of a nonprofit organization will not (1) knowingly vote on, participate in deliberations on, or administer any contract with that nonprofit; (2) influence or attempt to influence the deliberation or vote of others on any such contract; or (3) solicit or receive any gift, reward, or other benefit in exchange for recommending, influencing, or attempting to influence the award of such contract in violation of G.S. 14-234.3. A Board member must notify the Chair of any potential conflict under this section and, if the Board votes on the matter, a Board member with a conflict under this section may not participate in the debate or vote on the matter. Once the Board member's recusal is recorded in the minutes of the Board, the Board may approve the contract.

Any contract entered into in violation of this section is void.

**F. Appearance of a Conflict**

Board members and employees shall make every effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person may conclude from the circumstances that a Trustee or employee's ability to protect the public interest, or perform public duties, is compromised by familial, personal, or financial interests. An appearance of conflict may exist even in the absence of a true conflict of interest.

Any applicable State Board administrative regulations and rules and any applicable North Carolina state law will take precedence over this Policy.

Adopted: 6.25.24
Legal Reference: N.C.G.S. §§ 14-234, 115D-26, 133-32 and Chapter 138A
Cross Reference: Policy 3.4.1 – Conflict of Interest (duplicate)

The Board of Trustees' policies shall constitute the basic governance for the College. All of the Board's policies shall be contained in the College's Policy Manual.

## I. Adopting and Amending Policies

The following procedures shall be followed when adopting or revising policies:

A. Either when directed by the Board or when necessitated by changes to federal and/or state laws and regulations, when otherwise determined necessary due to operational and/or management issues, or when in the College's best interest, the President or President's designee shall draft and propose new policies and/or provide amendments to current policies.

B. The President shall present the proposed policy to the Board at a regularly scheduled Board meeting for first reading. If approved at first reading, the proposed policy will stand open until the next regularly scheduled Board meeting where the Board will take formal action on the proposed policy. In the event of an emergency or special conditions (e.g., legal changes mandated by a specific date), the Board may waive second reading and approve the proposed policy at first reading.

C. During the policy development process, the President shall consider, and when necessary solicit, the views and considerations of faculty and staff members, students, and the public.

D. Board members may propose amendments to proposed policies at any time during the process. An amendment will not require that the proposed policy go through an additional reading unless the Board determines that the amendment needs further consideration and an additional reading is warranted and necessary.

E. In order for the proposed policy to be official, the proposed policy must be formally adopted by a majority of the Board members present at an official Board meeting with the Board's action being recorded in the Board's minutes.

## II. Adopting Administrative Procedures

Unless otherwise stated in a specific policy, the President is hereby authorized to develop and implement administrative procedures and rules that are in furtherance of and consistent with Board's policies.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-20

All official business conducted by the Board of Trustees shall be conducted at a duly noticed, official meeting of the Board. Pursuant to North Carolina law, a "meeting" of the Board occurs whenever a majority of the members of the Board meet, in person or by some electronic means, in order to: conduct a hearing, deliberate, take action, or otherwise transact public business. All Board meetings must be called pursuant to the proper notice and all meetings are open to the public except for closed session.

## I. Board Meetings

Pursuant to applicable North Carolina law, the Board is allowed to conduct four types of official meetings: regular meetings, special called meetings, emergency meetings, and recessed meetings. All meetings are public meetings unless designated as a closed session meeting.

### A. Types of Meetings

1. **Regular Meeting.** Unless otherwise determined by the Board, the Board shall hold a regular meeting on the fourth Tuesday of each month, excluding July and December. The Board shall maintain a copy of the schedule for its regular meetings on its website and a hard copy shall be filed with the Board's Secretary and shall be posted in a centralized location on campus. If the schedule is revised, the Board's Secretary shall cause to have the website updated and revise the posted copy of the schedule as soon as possible. Any changes to the regular meeting schedule, except for the cancellation of a meeting, shall require seven (7) days' notice before the day of the first meeting held under the revised schedule.

   The Board's Secretary shall keep the minutes for all regular meetings and the minutes shall be approved by the Board at its next regular meeting.

   Officer shall be elected at the Board's annual meeting, which shall be the first meeting after July 1 of each year.

2. **Special Called Meeting.** A special-called meeting may be called by either the Board Chair or the College President. The Board's Secretary shall prepare the notice for the special called meeting. The notice must be sent to Board members at least 48 hours in advance and the notice must state the time, place and purpose(s) for the special called meeting. The notice will be sent via electronic mail to the Board members' email address of record. If there is a bulletin board with Board meeting schedules, the special called meeting notice must be posted there at least 48 hours prior to the special called meeting. If no bulletin board is used, the Board's Secretary shall post the notice on the door of the Board's meeting room at least 48 hours prior to the special called meeting. If, 48 hours prior to the meeting, the public

does not have access to either the bulletin board or interior door of the Board's meeting room because the building is closed (e.g., if the special called meeting occurs on Monday but the building is closed over the weekend), the Board's Secretary shall post the notice on the front of the exterior door to the building where the Board's meeting room is located.

In addition, the Board's Secretary shall deliver the notice by email to each person who has submitted a written request for notices of the Board's meetings. The notice shall also be posted on the College's website prior to the scheduled time of the meeting.

The Board's Secretary shall keep minutes of all special-called meetings and the minutes shall be approved by the Board at its next regular meeting.

**3.** **Emergency Meeting.** In the event of an unexpected circumstance for which the Board's immediate consideration is required and a meeting is necessary without 48 hours' notice, the Board Chair or the College President may call an emergency meeting. The Board's Secretary shall prepare the notice of the time and location for the meeting. The notice shall be sent via electronic mail to Board members' email address of record.

In addition, the Board's Secretary shall deliver the notice by email to each person who has submitted a written request for notices of the Board's meetings.

The Board's Secretary shall keep minutes of all special-called meetings and the minutes shall be approved by the Board at its next regular meeting.

**4.** **Recessed Meeting.** If proper notice was given at the original meeting and if the time and place of the recessed session were set during open session, no further notice is required, except, notice shall be posted on the College website prior to the scheduled recess meeting.

**B. Closed Session Meetings**

The Board may conduct business in closed session when permitted by the reasons enumerated in N.C.G.S. § 143-318.11(a)(1)-(9) or as otherwise permitted by law. The Board may hold a closed session upon a motion duly made and adopted during the open portion of the meeting. Every motion shall site the legal reason for going into closed session and the law that renders the information confidential or privileged. A motion based on the need to consult with an attorney employed by the Board regarding the handling or settlement of a lawsuit must identify the parties in the lawsuit.

Unless otherwise designated by the Chair, the Board's Secretary shall keep minutes of all special-called meetings and the minutes shall be approved by the Board at its next regular meeting.

**C. Electronic Meetings**

The Board may conduct a meeting by use of conference telephone or other electronic means indicated by N.C.G.S. § 143-318.13(a). The Board shall provide a location and means whereby the public may listen to the meeting.

## II. Committee Meetings

In accordance with the Trustees' By-Laws, the Board may establish standing or ad hoc committees as necessary. The Chair shall appoint the members of the committees as well as the committee chairs. Committees established by the Board, including the Executive Committee, are subject to this policy except that a majority of the committee's members, present and in attendance at the meeting, shall constitute a quorum of the committee.

## III. Meeting Procedures

**A. Parliamentary Procedures.** When conducting its meeting, the Board shall use the parliamentary procedures consistent with the most updated version of *Roberts Rules of Order*. As part of his/her official duties, the Board Chair shall serve as the parliamentarian officer and shall rule on issues and questions concerning parliamentary procedure, unless otherwise overruled by a majority of Trustees present. As needed, the Board Chair shall consult with the Board's attorney regarding matters of parliamentary procedure.

**B. Meeting Agenda.** The Board Chair and the President will prepare a proposed agenda for each Board meeting. A request to have an item of business placed on the agenda must be received at least five (5) business days before the meeting. Each Board member will receive a copy of the proposed agenda four (4) business days prior to the meeting and the agenda will be available for public inspection and/or distribution immediately after being made available to Board members. At the meeting, the Board may, by a majority vote, add an item that is not on the agenda.

**C. Quorum.** Seven (7) voting members of the Board in actual attendance at meetings shall constitute a quorum for the transaction of business. Unless otherwise stated, no business shall be transacted without a majority vote of the quorum. A Board member may participate by remote or electronic access as allowed by law. A majority of the full Board is required for the election, non-renewal, or termination of the College President.

**D. Ethics Statement.**

At the beginning of each Board meeting (including Board committee meetings), the Chair shall remind all members of their duty to avoid any conflict of interest and shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the Board (or Board committee) at that time.

Adopted: 6.25.2024
Legal Reference: Chapter 143, Article 33C of the North Carolina General Statutes;
N.C.G.S. § 138-15(e)

As needed, the Board will retain attorneys to provide legal services for it and the College, including both legal advice and representation in litigation. Such employment shall be at the pleasure of the Board. Any attorney retained by the Board represents the legal entity of the College and not any individual Board member or administrator.

The President may consult with the Board attorney as needed to carry out administrative operations and to protect the Board and the College from liability. Other staff may consult with the Board attorney as determined appropriate by the President.

The attorney-client privilege may only be waived by an affirmative vote of a majority of the Board of Trustees. Any waiver of the attorney-client privilege shall be waived to the narrowest extent possible and only in respect to the specific subject matter for which the Board votes to waive the privilege.

Adopted: 6.25.2024

The attorney-client privilege as interpreted by the Courts of North Carolina and the United States of America represents a fundamental protection of the clients of the attorney such as Roanoke-Chowan Community College. The Board finds that best interests of the Board of Trustees and citizens of our service area can, in most cases, be best served by preserving the attorney-client privilege to the full extent possible. The attorney-client privilege may only be waived by the client. Roanoke-Chowan Community College does not want to waive the attorney-client privilege inadvertently or without careful deliberation and good reason. Roanoke-Chowan Community College recognizes that North Carolina Public Records Act and Open Meetings laws may require production from time to time of materials that could be subject to the attorney-client privilege. Roanoke-Chowan Community College wishes to comply with and abide by the provisions of the North Carolina Public Records Acts and the Open Meetings Laws and adopts this resolution for that purpose.

**Waiver of the Board's Attorney Client Privilege**

Roanoke-Chowan Community College, staff, and Board Attorney shall follow the following policy regarding waiver of the Board's attorney-client privilege:

1. The Board's attorney-client privilege shall not be deemed waived absent an affirmative vote by a majority of the Board of Trustees to expressly waive the privilege made in open or closed session at a duly held meeting of the Board of Trustees.
2. Any waiver of the Board's attorney-client privilege pursuant to such a vote shall be deemed to waive the privilege to the narrowest extent possible and only with respect to the precise subject matter or information for which the privilege is expressly waived.
3. Disclosure of information subject to the attorney-client privilege by the Board's members, officials, employees, agents, independent contractors, or attorneys shall not be deemed a waiver of the Board's attorney-client privilege unless expressly waived in the manner required by this policy.
4. Disclosure of information subject to the attorney-client privilege pursuant to any act of the North Carolina General Assembly, including, but not limited to the Public Records Act and Open Meetings Laws, the United States Congress, or any other legislative or rulemaking body to which jurisdiction the Board is subject or pursuant to the order of any court of competent shall not be deemed a waiver of the attorney-client privilege.
5. The President, in consultation with the Board Attorney, or the Board Attorney may disclose any information when reasonably required to do so pursuant to the North Carolina Public Records Act or the North Carolina Open Meetings Law if the Board Attorney reasonably believes that doing so will not materially prejudice the Board in any ongoing or future litigation. Such a disclosure shall not be deemed to be a waiver of the Board's attorney-client privilege unless and until expressly waived in the manner required by this policy.
    a. A copy of this policy may be introduced at any trial or other proceeding and may be used to support any objection by the Board to the consideration, introduction or admission of any information subject to the attorney-client privilege unless the party opposing the Board's objection proves that the privilege has been expressly waived in the manner required by this policy.
    b. This policy applies retroactively to all prior disclosures of information subject to the attorney-client privilege by the Board's members, officials, employees, agents,

independent contractors, or attorney unless the privilege has been expressly waived in the manner required by this policy.

c. This policy shall be construed so as to waive the Board's attorney-client privilege to the least extent possible.
d. If any word, phrase, language, section, or other portions of this policy are held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, sections or other portions of this policy shall remain in full force and effect.
e. All other policies previously adopted by the Board which are inconsistent with this policy are hereby revoked.

**General Authority:** Adm. Code 2(C) .0209
**Revised:** 08-07-90; 06-22-92; 02-22-05
**Editorial Changes:** 05-19-03; 11-30-23

This policy sets forth the duties and expectations of members of the Board of Trustees as well as the process for removal of a Board member. Board members are expected to perform essential functions for the College as described in the General Statutes, the Board of Trustees' By-Laws, and College policy. Board members should perform these duties faithfully upholding the integrity of the office while avoiding impropriety or the appearance of impropriety.

Board members shall uphold the following standards of conduct when carrying out their official duties:

A. Adequately prepare for and attend Board of Trustee meetings and its respective committees.

B. Render all decisions based on the available facts and appropriately seek out information from the College President, when necessary, in order to carry out the duties of the Board when making decisions and monitoring the affairs of the College.

C. Maintain the confidentiality of information that is made private under the law and do not disclose matters discussed in closed session.

D. Avoid conflicts of interest, as defined in law and College Policy 3.4.1, and avoid the appearance of conflicts of interest. When a conflict or potential conflict arises, the member should bring the matter to the attention of the Chair.

E. Serving on and contributing to the work of Board and College committees when assigned.

F. Understand that the Board of Trustees' authority arises out of official actions taken by the Board in a called meeting. Members may not obligate the College to any contract, promise, or other liability and should refrain from acting individually on behalf of the College or Board of Trustees unless authorized to do so.

G. Adhere to North Carolina open meeting and public records laws.

H. Participate in a College-approved trustee orientation as well as the mandated State ethics training.

I. Adhere to the applicable provisions of the State Ethics Act.

**Removal of a Board of Trustee Member**

A. In accordance with N.C.G.S. §115C-19, the Board of Trustees may declare vacant the office of a member of the Board who:

1. does not attend three consecutively scheduled meetings of the Board without justifiable excuse; or

2. does not, within six months of appointment, participate in a trustee orientation and education session sponsored by the North Carolina Association of Community College Trustees or other organization approved by the Board.

Prior to declaring the office of a member vacant for the reasons above, the Board shall give the member an opportunity to provide information on why the member has failed to meet either requirement.

B. Upon notification from the State Board of Community Colleges that sufficient evidence exists that a member of the Board of Trustees is not discharging the duties of the office or is guilty of immoral or disreputable conduct, the Board shall meet to investigate the allegations provided by the State Board. The Board may request assistance from the Board's attorney or another professional to investigate the matter. The member in question shall be provided proper notice of any hearing in which the Board intends to consider the allegations and the member shall be given the opportunity to address the Board regarding the allegations. The hearing shall take place in open session and any decision by the Board shall be recorded in the minutes and made in open session. If the charges against the member are found to be true by a two-thirds vote of the members of the Board, the Board shall declare the office vacant.

The Board of Trustees may initiate its own investigation into a member's actions upon receipt of sufficient information the member is not discharging the duties required of the office or is guilty of immoral or disreputable conduct. Any hearing on the matter shall be conducted in accordance with this section.

C. The Chair shall notify the appointing agency of any vacancy on the Board.

Reference: N.C.G.S. §115D-19

Adopted: 6.25.2024

The purpose of the presidential evaluation is to improve the quality of Roanoke-Chowan Community College and the process of evaluation is intended to stimulate the leadership and productivity of the President. In addition, it is to enable the Board of Trustees to assess the performance of the President so as to:

- Close the gap between presidential authority and accountability,
- Ensure that the Board and the President concur on mutually agreed-upon goals toward which the College is moving,
- Identify strengths and weaknesses of the President and the College, and
- Define the scope and role of the office and the President's performance in it.

Evaluation of the President shall be conducted annually. The annual evaluation is to be completed prior to June of each fiscal year.

## Process of Evaluation

Prior to the month of June, the Personnel Committee of the Board of Trustees shall meet to review, revise, and discuss the evaluation instrument. The President shall have input on the revision of the evaluation instrument and shall receive a copy of the final instrument to be used for the rating period.

The President shall submit to the Personnel Committee college objectives for the coming fiscal year in conjunction with the yearly budget prior to June 30. These objectives shall become a part of, and attached to, the *Presidential Evaluation Form*.

It is required that each member of the Board perform an evaluation. Trustee evaluation of the President shall be a two-part process: (a) a self-evaluation done by the President and (b) an evaluation conducted by each Board member, using the *Presidential Evaluation Form*. Also, the comment section of the *Presidential Evaluation Form* may be used by both the Board members and the President to record any comments related to the ratings given.

After the completion of the evaluation instrument by Board members, the Board Chairperson, the Personnel Committee Chairperson, and the Board Secretary shall tally all ratings on a *Total Evaluation Results Form*. A meeting shall be held among the Board Chairperson, the Personnel Committee Chairperson, and the President to compare the self-evaluation ratings with the Board members' ratings. If there are differences which cannot be reconciled, the President may provide evidence to support his or her self-ratings.

During this meeting, the President shall be informed of agreed upon activities or a plan of action for progress and growth during the period between evaluations. The Board Chairperson, the Personnel Committee Chairperson, and the President shall sign the Board's *Total Evaluation Results Form* following the interview.

The Board Chairperson shall notify in writing the Chairperson of the State Board of Community Colleges prior to June 30 of each year that the evaluation of the President has been completed.

**General Authority:** Adm. Code 2(C) .0209
**Revised:** 08-07-90; 06-22-92; 02-22-05
**Editorial Changes:** 05-19-03; 11-30-23

The Board is committed to assessing its own performance as a Board in order to comply with the mandate of Standard 4.2g of the SACSCOC Principles of Accreditation which requires that the governing board defines and regularly evaluates its responsibilities and expectations (Board Self-Evaluation); ensure that the Board and its individual members are carrying out their roles/responsibilities in an effective and efficient manner; identify strengths and areas of improvement int eh Board's functioning; evaluate its role in monitoring its fiduciary responsibilities as guardians of the public trust for the continued success of the college; evaluate the Board 's relationship with the president and its ability to work together toward a common goal; and evaluate its performance on organizational leadership, setting and monitoring polity, improving community relations, and advocacy for the College and its students.

**Process of Evaluation**

The Board shall select an instrument that assesses the following categories:

- Leadership
- Policy making and monitoring
- Fiduciary oversight
- Community relations
- Advocacy for the college
- President and board relationship

The Board Self-Evaluation period is to be completed annually before the president's evaluation. The Board Self-Evaluation timeline is as follows:

- March—Members to be given the instrument to complete before the April Board meeting
- April—Results tabulated
- May—Publicly discuss process and outcomes at the May Board meeting
- The result of the Self-Evaluation shape Board goals for the next academic year

**General Authority:** SACSCOC Principle of Accreditation: 4.2g
**Revised:** 09-04-19
**Editorial Changes:** 11-30-2023

**Purpose**

The title of *Trustee Emeritus* is an honorary designation awarded by the Board of Trustees of Roanoke-Chowan Community College to former trustees in recognition of outstanding and dedicated service to the College. This title honors individuals whose exemplary leadership, commitment, and contributions have significantly advanced the mission and vision of the College.

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**Eligibility**

To be eligible for consideration for the title of *Trustee Emeritus*, an individual must meet the following criteria:

1. **Service** – Must have served on the Roanoke-Chowan Community College Board of Trustees for a minimum of **three full terms** (12 years), or in extraordinary cases, rendered service of distinctive impact regardless of term length.
2. **Served as Chair** of the Board of Trustees during their tenure.
3. **Served as Chair of at least one Board committee**, demonstrating effective leadership and engagement;
4. **Distinguished Contributions** – Must have demonstrated significant contributions to the growth, governance, and advancement of the College through leadership, advocacy, and active participation in Board functions.
5. **Separation from the Board** – Must no longer be serving as a current member of the Board of Trustees at the time of nomination. A mandatory waiting period of three months after retirement or resignation from the Board is required prior to conferring Emeritus/Emerita status.
6. **Judged by the Board** to have been an outstanding member throughout their service-demonstrating integrity, commitment, collaborative spirit, and visionary leadership.

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**Nomination and Selection Process**

1. **Nomination**

- A nomination may be submitted in writing by any current member of the Board of Trustees or the President of the College to the Chair of the Board.
- The nomination should include a summary of the nominee's service, contributions, and justification for the emeritus designation.

2. **Review**
   - The Executive Committee of the Board shall review all nominations and make a recommendation to the full Board.
3. **Approval**
   - The title of *Trustee Emeritus* shall be conferred by a **majority vote** of the full Board of Trustees at a regular meeting.

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**Privileges and Responsibilities**
The title of *Trustee Emeritus* is honorary and does not confer governance or voting rights. However, individuals granted this designation may:

- Be recognized publicly by the College at events and in publications.
- Receive invitations to College functions, commencements, and other ceremonial occasions as appropriate.
- Serve in an advisory or ambassadorial capacity at the discretion of the Board or President.
- Receive a certificate or plaque acknowledging their designation and contributions.

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**Limitations**
This designation is honorary and does not carry any legal authority, fiduciary responsibility, or voting rights on the Board. It shall not entitle the individual to access confidential Board materials or executive sessions.

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**Revocation of Emeritus/Emerita Status**
Emeritus/Emerita status may be revoked at any time at the discretion of the Roanoke-

Chowan Community College Board of Trustees. Revocation may occur when it has been determined that an individual's conduct, before or after Emeritus/Emerita status has been conferred, diminishes the reputation of Roanoke-Chowan Community College.

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**Amendments**

This policy may be amended at any regular meeting of the Board of Trustees by a majority vote, provided prior notice of the proposed amendment has been given.

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**Adopted by the Roanoke-Chowan Community College Board of Trustees**

Adopted: 6.24.2025

The College welcomes visitors to campus. All visitors must comply with the College's policies and procedures. Additionally, in the interest of safety, and to minimize disruption to classes and operations, all visitors shall adhere to the following rules:

## I. Visitors

A. All visitors to instructional areas must have the instructor's prior approval. Visitors unfamiliar with the campus should report to the College's information center.

B. All visitors to laboratories, shops, or other potentially hazardous areas must be escorted by a College employee.

## II. Minor Children

A. Minor children are defined as children under the age of eighteen (18).

B. Students and College employees are encouraged to make child care arrangements to reduce interruption of the educational process and avoid possible injury to a minor. Supervisors are responsible and accountable for ensuring that minor children on campus adhere to College policies and procedures. Should employees require time to resolve their childcare situation, they are required to leave work and use the appropriate leave.

C. Minor children are allowed in offices on the campus for short, occasional visitations, when accompanied by a responsible adult. In addition, instructors have the discretion to make infrequent exceptions regarding the care of minor children due to temporary, unforeseen emergencies. In these cases, minor children must remain in the classroom under their parent/guardian's direct supervision and are not allowed to sit in the hallway or be unsupervised in other locations on campus.

D. Minor children are not allowed on campus when the child has a contagious condition or is too ill to be sent to the regular childcare location or school. Minor children may not enter shops, labs or other hazards areas.

## III. Removal from Campus

To ensure a safe and secure campus environment, the President, his/her designees and senior administrators (Vice Presidents) have the authority to dismiss a person from campus. Legal action for trespassing may be taken if the person does not comply.

Adopted: 6.25.2024

The safety of the College's employees, students and visitors is of the upmost importance. To that end, the Board hereby authorizes the President to develop campus safety and emergency plans to deal with safety and/or other emergency situations that could arise at the College.

Adopted: 6.25.2024

The College is committed to providing students, faculty and staff a safe and healthy work environment. As required by federal and state laws and regulations, the College's written Hazard Communication Program and Chemical Hygiene Plan shall be available to all employees, their designated representatives, and local, state and federal occupational safety and health authorities.

A written copy of the written Hazard Communication Program and the Chemical Hygiene Plan, as well as an inventory of all chemicals on campus, and the safety data sheets for those chemicals, are located in the Office of the Security.

In complying with OSHA's Hazard Communications Standard, the College shall, among other things:

1. Develop a list of chemicals maintained on campus;

2. Label all containers that contain hazardous materials;

3. Keep Material Safety Data Sheets ("MSDS") and Safety Data Sheets ("SDS") on file and available on request; and

4. Implement a training program to ensure that all employees are familiar with the hazardous materials on campus.

In addition, the College shall not accept any donations of hazardous materials or chemicals. All hazardous materials and chemicals purchased by the College must be labeled with the following information:

1. Identity of the hazardous material/chemical;

2. Appropriate hazard warning; and

3. Name and address of the manufacturer, importer or other responsible party.

Adopted: 6.25.2024
Legal Citation: 29 CFR 1910.1200 and 29 CFR 1910 Subpart Z

Safety procedures shall always be enforced, especially in shop and laboratory facilities. The following guidelines shall be followed:

1. Course instructors shall always point out hazards in advance. This instruction shall be done as part of the regular teaching program with special emphasis placed on preventative approaches to hazards.

2. Instructors must always be present when shops and laboratories are being used.

3. For medical issues and reporting accidents, consult Policy 2.1.5 – Campus Medical Emergencies.

4. Instructors and students shall wear industrial quality eye protective devices during instruction involving any of the following conditions or activities:

    a. Hot solids, liquids or molten metals.

    b. Milling, sawing, turning, shaping, cutting or stamping of any solid materials.

    c. Heat treatment, tempering or kiln firing of any metal or material.

    d. Gas or electric arc welding.

    e. Repair or service of any vehicle.

    f. Caustic or explosive chemicals or materials.

5. The President may adopt other procedures consistent with this Policy.

Adopted: 6.25.2024

## I. Emergency Medical Assistance

A. The College has no facilities for medical treatment of employees or students. However, the College will have medical first aid kits located in each campus building.

B. In the event of an emergency, College personnel and/or individuals present will contact emergency services by dialing 9-1-1 and request first responder services in the event of a medical emergency.

C. All accidents involving College employees are to be reported to the executive director of human resources ("Administrator") within one (1) business day. All accident report forms must be completed within two (2) business days.

D. Students who are covered under student accident insurance should notify the dean of student services within one (1) business day. If the accident occurs in a classroom or lab, the appropriate employee should complete the College's Student Accident Report Form. The Administrator will assist the student in making a claim to the insurance company. Students are also encouraged to report any acute medical conditions to the Registrar's Office and to their instructors.

E. If emergency medical services are required off campus, i.e., firing range, defensive driving course, etc., established emergency medical procedures for that location should be followed in conjunction with the aforementioned procedures.

F. The following procedures should be followed if an accident occurs involving a College vehicle:

1. Dial 9-1-1 if emergency services or an ambulance is needed;
2. Contact the appropriate law enforcement agency to obtain a report;
3. Obtain as much information as possible from any other parties involved in the accident; and
4. Contact the Director of Public Safety.

Adopted: 6.25.2024

Students, staff, faculty and visitors are legally prohibited from carrying a weapon onto campus unless a legal exception applies. For purposes of this policy, a "weapon" includes firearms, explosives, BB guns, stun guns, air rifles or pistols, and certain types of knives or other sharp instruments (see N.C.G.S. § 14-269.2).

The prohibition does not apply if the weapon is on campus pursuant to one of the reasons listed in N.C.G.S. § 14-269.2(g). It is the individual's responsibility to know and understand the law prior to bringing any weapon onto campus. Failure to follow the law, regardless of the person's intent, will result in appropriate disciplinary action and a referral to local law enforcement.

It is permissible for an individual to bring a handgun onto campus under the following limited circumstances:

A. The firearm is a handgun; AND

B. The individual has a valid concealed handgun permit (or is exempt from the law requiring a permit); AND

C. The handgun remains in either: a closed compartment or container within the locked vehicle of the permit holder; or a locked container securely affixed to the locked vehicle of the permit holder; AND

D. The vehicle is unlocked only when the permit holder is entering or exiting the vehicle; AND

E. The handgun remains in the closed compartment or container at all times except for a reasonable amount of time for the person to transfer the handgun from the closed compartment or container to his person or from his person to the closed compartment or container.

Firearms (and other weapons prohibited on campus) may not be stored or transported in College-owned or rented vehicles.

Adopted: 6.25.2024
Legal Reference: N.C. Session Law 2013-369; N.C.G.S. 14-269.
Cross Reference: Policy 3.4.3 – Weapons on Campus

The illegal use of controlled substances, substances that cause impairment and abuse of alcohol are harmful to the health, well-being and safety of the College's employees and students. The College is committed to maintaining a safe workplace and an educational environment free from the influence of illegal controlled substances, substances that cause impairment and alcohol.

## I. Visitors and Guests

Unless specifically permitted by the College pursuant to Policy 2.2.5, all visitors and guests are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or drug paraphernalia. Using or being under the influence of substances that cause impairment is also prohibited. Violation of this prohibition could lead to the visitor or guest being asked to leave campus and/or campus authorities contacting campus security or law enforcement.

For more specific definitions of "controlled substance", "alcohol" and "impairing substance", consult Policy 3.4.4 – Alcohol and Drugs on Campus.

## II. Employees and Students

Unelss specifically permitted by the College pursuant to Policy 2.2.5, all College employees and students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or drug paraphernalia. Using, or being under the influence of substances that cause impairment is prohibited for all employees and students. Violation of this prohibition could lead to disciplinary action under the Employee and Student Codes of Conduct.

For more information regarding employees, including student employees, consult Policy 3.4.4 – Alcohol and Drugs on Campus. For more information regarding students, consult Policy 5.3.5 – Alcohol and Drugs on Campus.

Adopted: 6.25.2024

## I. POLICY OVERVIEW

The College is committed to providing a safe and secure environment for all members of the College's community and visitors. The College shall comply with the Crime Awareness and Security Act of 1990, as amended by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## II. DEFINITIONS

A. *Campus Security Authority* ("CSA") is a Clery-specific term that encompasses four groups of individuals and organizations associated with an educational institution:

1. A member of the educational institution's police department or campus security department;

2. Any individual(s) who has responsibility for campus security but who does not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into the College's property);

3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. For purposes of this College, this individual is the Vice President of Instruction and Student Services; and

4. An official or someone who has significant responsibility for student and campus activities, including, but not limited to: student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on the College's behalf.

B. *Clery Act Crimes* are the following crimes that must be reported by Campus Security Authorities to law enforcement and crimes that are listed in the College's Annual Security Report:

1. Murder/non-negligent manslaughter; negligent manslaughter; sex offenses (forcible and non-forcible); domestic and dating violence; stalking; robbery; aggravated assault; burglary; motor vehicle theft; and arson;

2. Hate Crimes: any of the above-mentioned offenses, and any incidents of larceny-theft; simple assault; intimidation; or destruction/damage/ vandalism of property that was motivated by bias towards race, religion, ethnicity, national origin, gender, sexual orientation, gender identity or disability; and

3. Arrests and referrals for disciplinary action for weapons (carrying, possessing, etc.); drug abuse violations and liquor law violations.

C. *College Property* is all the following property:

1. Campus Grounds, Buildings and Structures – Any building or property owned by or controlled by the College within the same reasonably contiguous geographic area and used by the College in direct support of, or in a manner related to, the College's educational purposes; and any building or property that is within or reasonably contiguous to such buildings, or property that is owned by the College but controlled by another person and is frequently used by students and supports College purposes.

2. Off-Campus and Affiliated Property – Any building or property owned or controlled by a student organization that is officially recognized by the College; or any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College.

3. Public Property – All thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus.

## III. SAFETY AND REPORTING PROCEDURES

The College encourages all members of the College community to report suspicious or criminal activity to law enforcement as soon as possible. Crimes may be reported anonymously. In the event of a crime in progress or at any time there is a risk of harm to persons or property, call 911.

In addition, CSAs have a legal obligation to file a report of suspected criminal activity with law enforcement and with the Vice President of Instruction and Student Service's Office to ensure statistical inclusion of all Clery Act Crimes in the College's Annual Security Report, when those crimes occur on or near College Property. Any individual identified by the College as a CSA shall receive notification of that designation and the requirement that the individual report information about Clery Act Crimes. Training will also be provided to all persons with this designation. While CSAs must report any Clery Act Crime that comes to their attention, at the request of the victim, the victim's identity may remain anonymous.

To promote safety and security at the College, and in compliance with the Clery Act, the College shall:

A. Submit crime statistics to the United States Department of Education;

B. Maintain a daily crime log (open to public inspection);

C. Issue campus alerts to timely warn the College community when there is information that a Clery Act Crime has occurred that represents a serious or ongoing threat to campus safety;

D. Issue emergency notifications upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The College tests the emergency notification procedure bi-annually.

E. Publishes and maintains an Annual Security Report containing safety and security related policy statements and statistics of Clery Act Crimes occurring on College Property. To prepare the Annual Security Report, the College collects, classifies, and counts crime reports and crime statistics. The Annual Security Report is available on the College's website and hard copies are available through the Office of Instruction and Student Services for inspection.

Adopted: 6.25.2024
Legal Reference: 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46; *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, available at: http://www2.ed.gov/admins/lead/safety/handbook.pdf)
Cross Reference: Policy 5.4.2 – Campus Security Reporting Act – Clery Act

In the event of a crime or an emergency in progress or at any time there is a risk of harm to persons or property, employees, students and visitors should immediately call 9-1-1 and/or notify campus security personnel. Known and suspected violations of federal and state criminal laws should be reported to the sworn officer/security who will involve the appropriate law enforcement agency and file the required College documentation.

Criminal incidents occurring off-campus involving students participating in a College function should be immediately reported to law enforcement and to the vice president of instruction and student services as soon as possible if a student is involved.

Adopted: 6.25.2024

## I. COMMUNICABLE DISEASE

Communicable diseases, those that have serious effects on human health, can pose a threat to the College community. The College will take all reasonable measures to ensure the safety of members of the College community during global and local infectious disease events. "Communicable disease" is defined as an illness due to a specific infectious agent or its toxic products that arises through transmission of that agent or its products from an infected person, animal, or reservoir to a susceptible host, either directly, or indirectly through an intermediate plant or animal host, vector, or the inanimate environment. Examples of communicable disease include, but are not limited to, acquired immunodeficiency syndrome (AIDS), chicken pox, hepatitis, measles, tuberculosis, meningitis, mononucleosis, whooping cough, coronavirus, and other viral diseases that reach a pandemic level, and for purposes of this Policy only, those communicable diseases which constitute a disability pursuant to the Americans with Disabilities Act.

The College shall not exclude individuals diagnosed with communicable diseases from participation in College programs or activities unless a determination is made that the individual presents a health risk to himself/herself or others. The College shall consider the educational or employment status of those individuals diagnosed with a communicable disease on a case by case individual basis.

### A. Procedure

1. All information and records that identify a student or employee as having a communicable disease shall be strictly confidential and shall not be shared or disclosed to others without express permission form the student or employee.

2. Disclosure of medical information shall be made by the President, or his/her designee, only to those on a need-to-know basis in order to protect the welfare of persons infected with a communicable disease or the welfare of other members of the College community.

3. Unauthorized disclosure of confidential student or personnel information by an employee of the College is prohibited. Violation of this prohibition may result in the suspension from, or termination of an individual's employment with the College.

4. A person who knows or has a reasonable basis for believing that s/he is infected with a communicable disease is expected to seek expert advice about his/her health circumstances and is obligated ethically and legally to conduct himself/herself responsibly toward other members of the College community.

5. Faculty and staff of the College and employees of contractors, or contracted services, who are infected with a communicable disease are urged to notify the appropriate Dean/Director so that the College can respond appropriately to his/her health needs. Students are urged to share information with the appropriate Dean/Director for the same reason.

6. A person infected with a communicable disease (including the AIDS virus whether active AIDS, AIDS-Related Complex, or undetectable viral load) will not be excluded from enrollment or employment or restricted in his/her access to the College's services or facilities unless, in individual cases, the College administration determines that exclusion or other restrictions are necessary for the health and welfare of the College community.

7. Included in making decisions in individual cases which restrict access to employment or a student's education, programs or activities shall be the College President, Legal Counsel for the College, the Deans/Directors, the individual's personal physician, the local Health Director (or designee) and if necessary, another physician with expertise in managing communicable disease cases.

8. The College shall provide information regarding communicable diseases, including AIDS.

**B. Immunizations**

Prior to admission or employment, the College may require students and employees to be immunized from certain communicable diseases, including but not limited to measles, mumps, rubella, tetanus, varicella, and meningitis. Students and employees are excused from providing proof of one or more of the required vaccinations if the student or employee has one of the following:

- physician's written statement of immunity due to having had the infection;
- a statement of contraindication to a vaccine (accompanied by a physician's statement);
- a lab blood test/titer documenting immunity; or
- a statement of religious exemption.

Religious and medical exemption letters will be accepted in lieu of immunization information. Medical exemption letters must be accompanied by a physician's statement.

The immunizations listed here are not meant to supersede more restrictive requirements for employment or participation in a specific College program or class, such as childcare, classes that lead to a medical degree or certificate, or clinical programs.

**C. Public Health Incidents**

Should influenza, or any other communicable disease, reach a pandemic level, the President shall regularly monitor the situation by communicating with federal, state and/or local health officials and by reviewing media sources.

Should any communicable disease reach a pandemic or epidemic level within or near the College's service area, the President, after consulting with local, state or federal health officials, may take the following actions if it is determined to be in the best interest of the College community to prevent the spread of the communicable disease:

1. Close the College or certain College buildings and/or programs temporarily;
2. Limit or prohibit employee travel and/or student field trips;
3. Prohibit those infected with a communicable disease from coming onto the College campus;
4. To the extent allowed by law, requiring or encouraging employees and students to receive testing and immunizations (not already required by the College) that prevent the spread of a communicable disease before coming back onto the College campus; and
5. Other specific actions deemed necessary for the safety of the College community.

The President shall not quarantine any student or employee while on campus unless the quarantine is ordered by local, state or federal health officials. Persons who are infected with a communicable disease that has reached a pandemic level, or know of someone in the College community who is infected, should contact College officials immediately. Students should contact the Dean of Student Services and employees should contact the Human Resources Office for reporting under this policy.

Any actions undertaken pursuant to this policy will be in accordance with applicable federal and state laws, College policies, and in the best interest of all parties.

## II. OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

The College shall comply with federal regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR §1910.1030, and the North Carolina Administrative Code, 10A NCAC 41A, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

### A. Reasonably Anticipated Occupational Exposure

An employee who could "reasonably anticipate", as a result of performing required job duties, to face contact with blood, bodily fluids or other potentially infectious materials is covered by the OSHA Bloodborne Pathogens Standard, the North Carolina Administrative Code, and this Policy. "Occupational Exposure" includes any reasonably anticipated skin, eye, mucous membrane or parenteral (brought into the body through some way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an

employee's duties. "Good Samaritan" acts, such as assisting a co-worker or student with a nosebleed would not be considered "reasonably anticipated occupational exposure."

**B. Universal Precautions**

Universal precautions will be in force at all times. All blood, body fluid and other potentially infectious material will be handled as if infected. The program standards for the control of potential exposure to HIV and HBV as outlined in the OSHA Rule "Occupational Exposure to Bloodborne Pathogens" Standard 1910.1030, the NC Administrative Codes, or the most current standards available will be followed.

**C. Testing**

An employee who suspects that s/he has had exposure to blood or body fluid may request to be tested, at the College's expense, provided that the suspected exposure poses a significant risk of transmission, as defined in the rules of the Commission for Health Services. The HIV and HBV testing of a person who is the source of an exposure that poses a significant risk of transmission will be conducted in accordance with 10A NC Administrative Code 41A .0202 (4) (HIV) and 41A .0203(b)(3) (HBV). The College will strictly adhere to existing confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

**D. Exposure Control Compliance**

The College shall comply with OSHA Regulation 29 CFR 1910.1030 and promote a healthy and safe environment for both employees and students. The College proposes to do this through minimizing the risk of transmission of infectious diseases that are blood or body fluid borne. To achieve compliance with OSHA Regulation 29 CFR 1910.1030, the College will maintain an Exposure Control Plan covering the following areas:

1. Procedures,
2. Protective equipment,
3. Hepatitis vaccinations,
4. Post-exposure and follow-up care, and
5. Training.

A copy of the Exposure Control Plan is available in the office of Administrative Services.

| | |
|---|---|
| Adopted: | Amended February 2019; July 2021 |
| Legal Reference: | 29 CFR §1910.1030; 10A NCAC 41A; 10A NC Administrative Code 41A .0202 (4) (HIV) and 41A .0203(b)(3) (HBV); 1C SBCCC 200.94 |
| Cross Reference: | Policy 3.4.5 |

During situations such as natural disasters, emergencies and/or inclement weather, the President has the discretion to alter the College's operating schedule as needed. The President shall take the necessary steps to deal with the situation, and notify College employees.

## A. USE OF LEAVE

1. If the President closes the College as a result of adverse weather or emergency, no employees will be required to take any leave. Essential employees (i.e., security, grounds, maintenance, etc.) who are required to work on closed days will be provided with comparable time-off at a later date with supervisor approval.

2. If the College is open but the employee believes s/he cannot make it to the designated work site safely, the employee will be required to do one of the following:

   a. Make-up the time on a schedule approved by the employee's immediate supervisor, if feasible;

   b. Take annual, bonus or compensatory leave; or

   c. Payroll deduction for time lost.

   Make-up time must be completed before the end of the fiscal year.

## B. LOSS OF INSTRUCTIONAL TIME

Coursework for missed academic classes due to inclement weather or an emergency closing will be made-up in one of the following ways:

1. Rescheduling the course at a time convenient for the faculty and students;

2. Documenting make-up through the use of an alternate assignment; or

3. Altering or extending the semester calendar.

4. Clinical classes: Any clinical time missed due to inclement weather must be made up in order to meet the requirements of the various accrediting boards. The Dean of College Transfer and Health Sciences, Director of Allied Health, and Director of Nursing (for nursing and EMS) will work with the clinical agencies to reschedule any missed clinical time and submit a report to the Academic Affairs.

## C. CANCELLATION OR RESCHEDULING OF ORGANIZATIONAL ACTIVITIES

When the College is officially closed, other groups or organizations meeting or working on campus will keep the same hours as the College faculty and staff. Cancellation or rescheduling of public performances held on campus for which tickets are pre-sold will be announced separately.

Adopted: 6.25.2024
Cross Reference: Policy 3.2.11

In accordance with the Campus Sex Crimes Prevention Act of 2000 ("Act"), the College is providing to its campus community a link to the National Sex Offender Public Website and North Carolina Sex Offender and Public Protection Registry ("Registry"). The Act requires the College to issue a statement advising the campus community where law enforcement information provided by North Carolina concerning registered sex offenders may be obtained. The Act also requires sex offenders already required to register in North Carolina to provide notice of each institution of higher education in North Carolina at which the person is employed or is a student.

Registered sex offenders are prohibited from entering College buildings, or sections of buildings, intended primarily for the teaching, use, or supervision of minors. The President may designate which buildings, or sections of buildings, are intended for the teaching, use or supervision of minors (i.e. day cares, early college).

Adopted: 6.25.2024
Amended: July 2021
Legal Reference: P.L. 106-386

## I. Definitions

A. Tobacco Product – cigarettes, cigars, blunts, bidis, pips, chewing tobacco, snus, snuff and other items containing or reasonably resembling tobacco or tobacco products. Tobacco Products also includes e-cigarettes and vapor cigarettes.

B. Tobacco Use – smoking, chewing, dipping or any other use of tobacco products.

## II. Overview

The College is a tobacco product free campus. The use of tobacco products is prohibited in any College buildings, facilities, vehicles or property owned, leased or operated by the College including all outside areas. The sale or free distribution of tobacco products, including merchandise, is also prohibited.

This Policy applies to all College employees, students, vendors, contractors and visitors to campus.

## III. Prohibition

All individuals shall comply with the Policy. Enforcing the Policy is the responsibility of the entire campus community. Failure to adhere to the Policy could result in disciplinary action for student and employees. Visitors, contractors and vendors who violate this Policy could lose their access to campus.

## IV. Public Education

The College shall post appropriate signage on the campus educating students, employees and visitors that the College is a tobacco product free campus and use other methods to further inform and educate the public of this prohibition.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-20.1

It is the responsibility of all members of the College community to protect College buildings, grounds and equipment.

1. Any person who willfully damages or destroys any College property will be liable for the replacement or repair of such property and may be subject to disciplinary and legal action.

2. Employees shall promptly report in writing to their supervisors the loss of any College property or loss and/or destruction of any official College records or documents. Students and visitors should report property loss or destruction of College property, records or documents to the security officer.

3. Records and documents in the College's custody are for official purposes only. It is unlawful to remove, tamper or destroy records and documents from files without approval from proper authority or as otherwise authorized under the records retention schedule. Individuals who remove, tamper or destroy College records will be subject to disciplinary and legal action.

Adopted: 6.25.2024

The College's facilities exist to meet the educational needs of citizens within the College's service area. The College offers a wide-range of credit curricula and non-credit extension courses and the College's facilities are to be utilized to facilitate these programs. The College may use its facilities in any legal matter. In addition, the College may make its facilities available upon reasonable condition for the periodic use of student organizations, government agencies, non-profit entities, community members and for-profit entities (for non-revenue generating events) provided the activities involved are in furtherance of the College's educational purposes or are in promotion of the community's cultural and educational welfare. The use of the College's facilities cannot compete with any of the College's classes or events that are or could be offered.

This Policy only applies to the use of the College's facilities. For information concerning the use of outdoor campus spaces, see Policy 2.3.5 – Campus Free Speech, Distribution of Material and Assembly.

The Board hereby delegates to the President to develop procedures and a fee schedule to be used by parties who want to utilize the College's facilities.

Adopted: 6.25.2024

A. The College and the Foundation continually seek private funds to enhance the College's ability to meet the higher education needs of the community. To that end, the College should provide appropriate recognition to donors. Naming recognition may take many forms; however, this policy is intended to establish guidelines when naming programs, buildings, facilities and other campus area for donors or for individual recognition.

B. Potential nominations for naming buildings, parts of buildings, facilities, programs or endowed chairs will be made to the President. Nominations must be accompanied by a brief written explanation regarding the nomination. Any individual may nominate any person, regardless of whether the person has provided a financial gift to the College, who is in good standing in the community and has demonstrated an exceptional and distinguished service record to the College and/or to the College's mission.

C. Within two weeks of receipt of the nomination, the President will provide all Board members with the name of the nominee, a copy of the written explanation and a copy of this Policy.

D. If the Board members determine that there is sufficient interest to consider this person or Organization for a naming right, at the next regular meeting of the Board, the Chairman shall appoint an ad hoc Naming and Recognition Committee ("Committee") of not less than three Board members. The President will be an ex officio, nonvoting member of this Committee. The Chairman may designate any other member of the College staff, the Foundation or the community to serve on the Committee in an ex officio, nonvoting capacity. No individual shall serve on the Committee in any capacity if that individual is a nominee for a naming right.

E. The Committee shall use whatever means it deems appropriate to determine whether the proposed action is in the College's best long-term interest and whether the contribution of the individual or organization is of such significance to warrant this action.

1. For naming rights based on non-financial contributions, the type and length of service to the College and/or the College's mission and the impact of the individual's service, the individual should have an outstanding reputation and be in good standing in the community and have demonstrated an exceptional and distinguished service record to the College and/or the College's mission.

2. Regardless of financial or non-financial contributions, College buildings, areas, programs and endowed chairs will only be named for companies, organizations or individuals that reflect favorably upon the College and whose gift or previous service record will or has advanced the College and its mission.

F. The Committee will make its recommendation to the Board at a regular meeting and the Board will vote in open session to consider the request.

G. Additional requirements:

1. For naming rights based on financial contributions, the naming will only occur when a cash gift is received, a pledge is satisfied, real estate or stock is converted to cash or a bequest is received. No naming will occur until the full amount necessary to fulfill the financial obligation has been received by the College or the Foundation.

2. Naming rights shall be for the life of the facility, program or area so long as such is used for the same purpose as when the gift was made. Planned demolition or significant renovation shall terminate the naming recognition unless otherwise designated by the Board.

3. Should the company, organization or individual making a naming gift come into ethical, moral or legal disrepute in the College or community at large, the College reserves the right to discontinue the use of that name in association with the College.

4. The College will make arrangements for a commemorative plague and/or dedication ceremony as appropriate.

Adopted: 6.25.2024
Amended:

A. **Use of Alcoholic Beverages Approval Required**. Alcoholic beverages may be permitted in College buildings or on College grounds only under special approval by the Board of Trustees provided, however, that student groups are never allowed to have alcoholic beverages on campus for any events.

B. **ABC Permits**. Upon such preliminary approval, a limited Special Occasion Permit and all other applicable permits for the use of alcoholic beverages must be secured by the applicant from the North Carolina ABC Commission. ABC permits must be presented to the President no less than two (2) business days prior to the event. A copy of the permit must be displayed during the event.

C. **Security**. For any event where alcohol is served, a uniformed sheriff's deputy or approved private security officer must be present on the premises. The College will determine the number of officers that will be needed to cover the event. The applicant shall pay the full cost of providing such security.

D. **Liability Insurance**. The applicant must provide to the College a certificate of liability insurance in the amount of no less than one million dollars ($1,000,000) and naming the College as an additional insured on said policy. A copy of the certificate of insurance must be received by the President no less than five (5) business days prior to the event.

E. **Service of Alcoholic Beverages**. The following regulations shall apply:

1. Alcoholic beverages may be served only by and to adults age twenty-one (21) or older. The applicant is required to ensure that all servers take precautions to ensure guests are not served inappropriate amounts of alcohol and to further ensure that no one under the age of twenty-one (21) is served.

2. All alcoholic beverages must be served and consumed only in the area in which the ABC permit is posted.

3. All alcoholic beverage distribution will be under the control of a bartender and/or caterer. Such distribution will be discontinued for a patron or an entire event at the discretion of a College official, a bartender or a security officer on duty.

4. The caterer or applicant must arrange to obtain the alcoholic beverages and transport them to and from the College facility.

5. Common source containers without an individual server through a licensed and bonded caterer (e.g., kegs, alcoholic punches, etc.) are prohibited. Brown bagging is prohibited.

F. **No Use of Public Money**. No state or local tax dollars can be used to acquire or serve alcoholic beverages.

Adopted: 6.25.2024

## I. Scheduling Facilities

The President is authorized to develop procedures for scheduling College facilities for classroom and laboratory space for instructional purposes and rooms/facilities for non-instructional purposes.

## II. Keys to Facilities

The President, Vice Presidents, Maintenance Supervisors and security personnel will be issued master keys for all facilities on the campus. Other employees will be issued keys, as needed, for individual offices, shops, classrooms, storage areas and laboratories.

No keys may be duplicated without prior written permission from the vice president of administrative and fiscal services. If an individual loses their key, s/he must immediately report the lost key to the facilities director. When an employee is leaving College employment, all keys must be returned in order to complete the employee's exit procedure.

Adopted: 6.25.2024

The College is committed to providing a sustainable workplace by reducing, reusing and recycling resources, and adopting sound institutional energy and water conservation practices to enhance the long-term well-being of the College.

The President shall develop procedures to implement this Policy.

Adopted: 6.25.2024

Maintenance work requests are to be submitted by employees in ServiceNow. If there is a budget expenditure involved or reason why the request cannot be handled expeditiously, the Director of Facilities will notify the appropriate employee.

Adopted: 6.25.2024

## I. OVERVIEW

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and other applicable federal and state law, the College may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs or activities. This Policy addresses the use of Service Animals and other animals on campus.

## II. DEFINITIONS

A. **Emotional Support Animal** – an animal selected or prescribed to an individual with a disability by a healthcare or mental health professional to play a significant part in a person's treatment process (e.g., in alleviating the symptoms of that individual's disability). An emotional support animal does not assist a person with a disability with activities of daily living and does not accompany a person with a disability at all times. An emotional support animal is not a "Service Animal".

B. **Service Animal** – an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a Service Animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Service Animals may or may not have been licensed by a state or local government or a private agency. Service Animals are limited to service dogs and, in some cases, miniature horses.

C. **Pets –** any animal that is not an Emotional Support Animal or a Service Animal.

## III. ANIMALS ON CAMPUS

Pets are not permitted on campus and may not be left in vehicles on College property. There are occasions when a student or employee may need to bring an animal onto campus for the purpose of meeting an educational objective. Such requests should be made to the appropriate academic Dean prior to the animal being allowed onto campus. Subject to the rules set forth in section IV and V below, Emotional Support and Service Animals are permitted in any area of campus where employees or students are permitted, with a few exceptions for health and safety reasons (i.e., areas that must adhere to certain required

sanitation rules (campus culinary and health sciences programs and third-party clinical partners)).

## IV. PROCEDURES REGARDING SERVICE/EMOTIONAL SUPPORT ANIMALS

### A. Responsibilities of the Service/Emotional Support Animal Owner/Handler

1. Registration

a. Service Animals

Students and employees are not required to register Service Animals. However, they are strongly encouraged to notify the Disability Services Office (students) or the Office of Human Resources (employees) if they intend to use a Service Animal on campus so that appropriate College officials are aware of the animal's presence and to assist with the Service Animal's access to areas within the College's campus. Logistical or physical accommodations within campus buildings or classrooms may be necessary to ensure that a Service Animal has the space necessary to assist its handler. In addition, there are other disability related academic accommodations a student handler may be eligible to request to ensure full access to the learning experience. Visitors with Services Animals are not required to register their animals.

b. Emotional Support Animals

After the College has made a determination that an Emotional Support Animal is allowed on campus (see Section B.2), the student or employee must register the animal with the Disability Services Office (students) or the Office of Human Resources (employees).

2. Care and Supervision

a. The care and supervision of a Service/Emotional Support Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times.

b. The Service/Emotional Support Animal must be under the control of the handler at all times and may not be left alone. A Service/Emotional Animal must be restrained by a leash that does not exceed six (6) feet in length or other appropriate devise dependent on the animal (i.e., carriers or cages). In situations where a leash or other appropriate device interferes with a Service Animals

ability to perform its task or service, the Service Animal must remain under the control of the handler at all times.

c. The owner and handler of the Service/Emotional Support Animal is responsible for any damage of personal or college property or any injuries to an individual caused by the Service/Emotional Support Animal.

d. The handler must ensure the animal is "housebroken" and trained. The handler must clean up and remove all animal waste created by the animal both inside campus buildings and outdoor campus property.

e. The Service/Emotional Support Animal may not disrupt the operation of the College or any class. Disruptions include but are not limited to: barking, growling, pacing/constant motion, foul odor, pawing and or sniffing of others. It is the assumption of the college that all Service/Emotional Support Animals on campus are "working" animals and therefore, should not be treated as a pet. There should be no petting by others and no handling by others.

**B. Responsibilities of the College Community**

1. Service Animals

If the need for a Service Animal is obvious, College officials may not question the presence of the animal on campus. If the need for a Service Animal is not obvious, College officials are permitted to ask the handler two questions:

a. Is the animal required because of a disability?
b. What work or task(s) has the animal been individually trained to perform?

At no time may a College official require a Service Animal to demonstrate the tasks for which they have been trained nor may they inquire as to the nature of the individual's disability.

If another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals and that person has contact with a Service Animal, a request for accommodation should be made by the individual to the Director of Human Resources (if an employee) or the Disability Services Office (if a student). All facts surrounding the concern will be considered in an effort to resolve the concern and provide reasonable accommodation for both individuals.

2. Emotional Support Animals

The determination of whether a student or employee with a disability is allowed to have an Emotional Support Animal on campus shall be made on a case-by-case basis. Students and employees may request, as a reasonable accommodation for a disability, the need to have an Emotional Support Animal on campus. The College is not required to grant reasonable accommodations that would result in a fundamental alteration of a program, create an unsafe environment or would constitute an undue burden. Any requests for a reasonable accommodation for an Emotional Support Animal shall be directed to the Disability Service Office (students) or the Office of Human Resources (employees).

In determining request for accommodations for an Emotional Support Animal, the consideration is: 1) does the person have a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities); 2) does the Emotional Support Animal perform tasks or services for the benefit of the person or provide emotional support that alleviates one of more of the identified symptoms for effects of the person's existing disability; and 3) is the request an undue burden on the College, does the request create an unsafe environment, or does it fundamentally alter a College program.

**C. Removal of Service/Emotional Support Animals**

The College has the authority to remove (requesting a bit of guidance here for removal...I know we can't specify exact length and each case will be different but it would be nice to have some policy wording for back-up) a Service/Emotional Support Animal from its facilities or properties if the Service/Emotional Support Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities. All cases for removal shall be decided on a case-by-case basis based on that specific situation. In appropriate situations, the College will use a progressive model beginning with a warning for a first offense and removal (either temporarily or permanently) for additional offenses. However, dependent on the severity of the situation, the first offense could result in a temporary or permanent removal.

It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training". N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal.

Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action.

Legal Citations: The Americans with Disabilities Act of 1990 As Amended; Section 504 of the Rehabilitation Act of 1973

Adopted: 6.25.2024
Amended: May 2018

## I. Standards for Participation in Construction Contracts

Unless otherwise allowed by law, all contracts formally or informally bid will be awarded to the lowest responsible, responsive bidder taking into consideration quality, performance, reliability and the time specified in the bids for performance of the contract. Prior to bidding, contractors may be required to prequalify. For all contracts valued at $1,000 or more, the Board will ensure that each bidder it is not a restricted company identified on the state treasurer's list per N.C.G.S. § 147, Articles 6G and 6E (see Policy 6.3.12 – Companies that Boycott Israel and Iran Divestment List).

The Board may request bids for contracts to build using the following construction delivery methods: single prime, multi-prime, construction management at-risk, dual bidding, design build, design-build bridging and public-private partnership methods permitted by law.

## II. Bidding Methods

The College may request bids for contracts for building and repair projects using single prime, multi-prime, construction manager at-risk, dual bidding, design-build, design-build bridging, and public-private partnerships methods, as permitted by law. The President, or designee, shall make a recommendation to the Board as to the method(s) that should be used for a project.

### A. Formal Bidding Range ($500,000 and greater)

All construction and repair work requiring the estimated expenditure of $500,000 or more will be advertised for bid and awarded using the formal bidding requirements pursuant to Article 8 of N.C.G.S. ch. 143. Dividing contracts to lower the expenditure amounts to evade formal bidding requirements is prohibited. The Board authorizes the use of newspaper advertisement, electronic advertisement or both for formal bids; however, the President is authorized to determine which method will be used for a specific purchase or categories of purchases. Unless otherwise exempted, the President shall comply with all State Construction Office bidding requirements and shall receive approval from the State Board of Community Colleges before beginning any construction and repair work under this section.

### B. Informal Bidding Range ($30,000 to $500,000)

Informal bids will be obtained for construction and repair contracts below $500,000. The College will make a reasonable effort to obtain three (3) quotes. Quotations from contractors may be solicited by telephone, email and fax. A record must be kept of all bids received. For telephone quotes, a written log sheet will be completed by the person receiving the quote. Unless otherwise exempted, the

President shall receive approval from the State Board of Community Colleges before beginning any construction and repair work under this section if the repair work is supported in part or in total by state funds.

The President may use the informal bidding method or solicit bid proposals and enter into Annual Service Agreements with contractors for a term of no more than two years in the following categories: a) roofing; b) HVAC; c) plumbing; and d) electrical. Annual Service Agreements are only applicable for projects costing less than $30,000 and the College cannot divide projects to evade the bidding requirements.

The President is authorized by the Board to enter into such contracts within the price limitation. The contract must be reviewed by the Board's attorney and meet all applicable laws and Board policies.

## III. Bonds for Construction Projects

### A. Bid Bond

For all projects in the formal bidding range, no proposal for construction or repair work may be considered or accepted by the Board unless at the time of its filing, the bid is accompanied by a deposit with the Board of cash, a cashier's check or a certified check on some bank or trust company insured by the Federal Deposit Insurance Corporation in an amount equal to not less than five percent (5%) of the bid. In lieu of making the cash deposit, a bidder may file a bid bond executed by a corporate surety licensed under the laws of North Carolina to execute such bonds, conditioned that the surety will, upon demand, make payment to the obligee upon said bond if the bidder fails to execute the contract in accordance with the bid bond. This deposit shall be retained if the successful bidder fails to execute the contract within ten (10) days after the award or fails to give satisfactory surety.

### B. Performance and Payment Bonds

For all construction and repair contracts within the financial limits specified in N.C.G.S. 44A-26(a), the Board requires all contractors or construction managers at-risk to provide a performance and payment bond for the entire value of the project.

## IV. Participation by Women and Minority-Owned Businesses

The Board will make a good faith effort to reach the State of North Carolina's verifiable percentage goal of ten percent (10%) participation in construction contracts by minority and female-owned businesses.

## V. Authorization to Enter Construction Contracts

The Board hereby delegates to the President the authority to enter into all construction and repair contracts in the informal bidding range that are not supported by State funds. At the next regularly scheduled Board meeting, the President will, as information items, update the Board regarding all contracts executed under this section. All State Construction documents and requirements will be used for informal contracts.

All construction and repair contracts in the formal bidding range must be approved by the Board. All construction and repair contracts in the informal bidding range that are supported in whole or in part by State funds must be approved by the Board. All State Construction documents and requirements will be used for formal contracts.

## VI. Change Order Authorization

After a contract for construction or repair work has been awarded, the need may arise to amend the terms, conditions or specifications of the contract by a change order. Change orders may not be used or divided to evade bidding requirements.

### A. Change Orders Approved by the President

Unless otherwise prohibited by statute or regulation, the President is authorized to approve change orders involving additive or deductive sums up to 10% so long as funding for the change order is available within the established project budget.

At the next regularly scheduled Board meeting, the President shall report to the Board all change orders that were approved by the President including those that do not impact the contract amount. The report will include the following information: (1) the contractor's name; (2) the project name; (3) a brief description of the change; (4) the contract amount, including amount(s) of any prior changes; and (5) the change order amount. The President is not required to report any proposed change order that was denied by the President.

### B. Change Orders Approved by the Board

Change orders that involve amounts over the limit specified above or are more than the remaining funds in the project budget require Board approval. The President shall present all such proposed change orders that are recommended for approval to the Board at a Board meeting. The President is not required to present to the Board any change order not recommended for approval.

If, in the President's opinion, a change order requires expedited review, the President shall notify the Board Chair who will decide whether a special meeting must be called to address the proposed change order before the next Board meeting.

Adopted: 6.25.2024
Amended: June 2025
Legal Reference: N.C.G.S. §§ 44A-26; 143-128, -128.3 and -128.3; -128.4, -129; -133.3, -135.26; 147- Articles 6C and 6G; State Construction Manual

The Board may, with the prior approval of the North Carolina Community Colleges System Office, convey a right-of-way or easement for highway construction or for utility installations or modifications. When, in the Board's opinion, the use of any other real property owned or held by the Board is unnecessary or undesirable for the purposes of the College, the Board, subject to prior approval of the State Board of Community Colleges, may sell or dispose of the property. For purposes of this Policy, "dispose" means "lease, exchange or demolish". The Board may dispose of any personal property owned or held by the Board without approval of the State Board of Community Colleges. Personal property titled to the State Board of Community Colleges consistent with N.C.G.S. §§ 115D-14 and -58.5 may be transferred to another community college at no cost and without the approval of the Department of Administration, Division of Surplus Property.

Article 12 of Chapter 160A of the General Statutes shall apply to the disposal or sale of any real or personal property. Personal property also may be disposed of under procedures adopted by the North Carolina Department of Administration.

The proceeds of any sale or lease shall be used for capital outlay purposes, except, if real or personal property is donated to the College to support a specific educational purpose, the Board may use the proceeds from the sale or lease of the property according to the terms of the donation.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-15; N.C.G.S. Ch. 160A, Art. 12.

The College shall periodically review and update its mission statement through a strategic planning process and submit any revisions to the Board for ratification. The College's mission statement must be consistent with requirements contained in the North Carolina General Statutes and by the North Carolina Community College System.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-1; 1A SBCCC 200.1

The College shall maintain an ongoing planning process. At a minimum, the College's plans shall address program and facility needs; shall include the College's mission, goals and objectives, consistent with the mission of the System and with the State Board's priorities; and shall provide for evaluation of student outcomes.

Legal Citation: 1B SBCCC 400.2
Adopted: 6.25.2024

Charitable donations are anything of value given to the College including, but not limited to: restricted and unrestricted gifts of cash, property, equipment or other forms of gifts-in-kind. Except in instances of donor preference or for some other compelling reason, gifts to the College should be channeled through the Foundation.

The President is authorized to develop procedures to address charitable donations made directly to the College.

Adopted: 6.25.2024

## I. General Provisions

Pursuant to N.C.G.S. § 115D-21, the College shall enforce the following traffic regulations.

A. Chapter 20 of the North Carolina General Statutes regarding the operation of motor vehicles on North Carolina highways shall apply to the College's streets, roads, alleys and driveways along with all other rules and regulations contained herein. These regulations shall apply on a twenty-four (24) hour basis.[1]

B. The speed limit on any College street, road, or alley shall be the maximum of 10 miles per hour.

C. While on the College campus, all drivers shall comply with the Campus Security Officer's legal instructions and shall obey all traffic and parking laws and regulations. The College shall be responsible for ensuring that the necessary signs are erected and maintained on the campus.

D. The College shall ensure that information about operating a motor vehicle on the College's campus is given out at every student orientation and registration. A copy of this Policy shall be included in all student handbooks. Failure to obtain a copy of this Policy or not knowing the traffic laws is not an excuse or justification for violation of the laws and regulations.

E. All vehicles operated on campus must be properly registered and display a College parking decal on the rear of the vehicle (the right side of the rear bumper or the lower, right corner of the back window being the preferred location). Students, faculty and staff must register their vehicles within the first five (5) business days of being hired (for employees) or within two (2) business days of class (for students).

F. Any vehicle that is driven by or is transporting a person who is handicapped and that displays a state-issued license plate, a removable windshield placard or a temporary removable windshield placard may park in designated handicap spaces on campus. No one will be allowed to park in designated handicapped spaces without the proper license plate or placard.

G. Temporary Parking Permits. Visitors – Visitors and clients doing business with the College may obtain a temporary parking permit. This permit is not valid for College employees or students. Visitors and clients may park in any legal parking space on campus. Visitors and clients must have a state-issued distinguishing license plate, a removable windshield placard or a temporary removable windshield

[1] The College may impose specific ordinances for driving on campus. This policy simplifies the process by adopting the statutory moving violations. Any rules, regulations or ordinances adopted in regard to the streets or roads on campus must be filed with the NC Secretary of State's Office. The Board of Trustees may also set the speed limit on campus.

placard to park in designated handicapped spaces.

## II. Specific Provisions

A. Campus Resource Officers shall have the authority to issue citations for all moving violations and handicapped parking violations. For a complete list of all moving violations, see Chapter 20 of the North Carolina General Statutes. Such moving violations include, but are not limited to:

1. Reckless driving.
2. Driving faster than the posted speed limit.
3. Failure to obey traffic signs.
4. Failure to yield right-of-way at pedestrian crossings.
5. Following too closely.
6. Driving while impaired or driving under the influence of alcohol or drugs.
7. Failure to yield to emergency vehicles.
8. Operating a vehicle that creates a safety hazard.
9. Parking in a designated handicapped space without the proper license place or placard.

B. Campus Resource Officers and other College personnel authorized by the President shall have the authority to issue parking citations for violations including, but not limited to:

1. Parking in a restricted parking lot or zone.
2. Parking on grass (unless a sign indicates permission).
3. Blocking any legally parked vehicle.
4. Affixing a parking decal to a vehicle other than that for which it was issued.
5. Parking against traffic flow.
6. Blocking or obstructing traffic, street, crosswalk, sidewalk, fire hydrant, building entrance or exit.
7. Parking where protruding into a lane of traffic.
8. Double parking.
9. Parking on shoulder of road (unless a sign indicates permission)
10. Failure of two-wheeled vehicles to park in designated areas.
11. Parking a vehicle in any manner that creates a safety hazard.
12. Leaving a vehicle on campus overnight without having prior permission and notifying Campus Resource Officers.

## III. Citations

The following system of citations shall be used.

A. Moving and Handicapped Violations (Section II(A))

1. Campus Resource Officers have the legal authority to issue citations for all moving violations and handicapped parking violations. Citations shall carry a penalty or fine as set forth in Chapter 20 or Chapter 14 of the North Carolina General Statutes; if no fine or penalty is specified in statute, the fine shall be no more than one hundred dollars ($100.00).

2. The Campus Resource Officer issuing the citation will advise the violator of the scheduled court date and procedure for payment of the fine.

3. In addition, employees and students are subject to disciplinary action pursuant to Board policy.

B. Parking Violations (Section II(B))

1. The first parking violation shall result in a citation placed on the vehicle and a five-dollar ($5.00) fine per offense[2]. The fine must be paid within thirty (30) calendar days or the violator will lose his/her parking privileges until the fine is paid.

2. A second parking violation shall result in a citation placed on the vehicle and a five-dollar ($5.00) fine per offense[3]. The fine must be paid within thirty (30) calendar days or the violator will lose his/her parking privileges until the fine is paid. Also, the violator will receive a follow-up letter that should s/he receive another parking citation, s/he will lose his/her parking privileges on campus for the remainder of the academic year.

3. A third parking violation will result in the vehicle's towing and loss of parking privileges on campus for the remainder of the academic year.

4. During the first two (2) class days of each semester, warning citations shall be issued for improper parking. Beginning with the third-class day, the rules outlined herein shall be enforced.

5. Student registration for new/additional courses or release of transcripts will be blocked until all parking tickets have been paid.

6. In addition, employees and students are subject to disciplinary action pursuant to Board policy.

7. All abandoned vehicles and vehicles blocking a drive, obstructing the flow of traffic, creating a safety hazard, parked in a fire lane, loading zone, or designated tow-away zone or for third parking offense violation are subject to tow-away or immobilization by a restraining device at the full expense of the owner.

[2] G.S. 115D-21(c) permits up to $25 per offense.
[3] G.S. 115D-21(c) permits up to $25 per offense.

8. All proceeds of civil penalties collected shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with N.C.G.S. § 115C-457.2.

## IV. Appeal

Individuals receiving a citation pursuant to Section II(B) may appeal in writing to the vice president of administrative and fiscal services within ten (10) calendar days of receipt of the citation. The vice president of administrative and fiscal services will review the matter and his/her decision shall be final.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. Chapter 20; N.C.G.S. § 115D-21.

Free speech, which includes the right to distribute material and peacefully assemble, is central to the College's academic mission. The College encourages and supports open, vigorous and civil debate across the full spectrum of society's issues as they present themselves to the College community. At the same time, limitations on activities on College property are necessary so that the College may fulfill its primary mission of educating students. The use of outdoor space on the College's campus does not represent an endorsement or support by the College of the content or viewpoints expressed by the individual or group using the space. The College is a limited public forum and does not discriminate based on content or viewpoint.

The President is authorized to develop procedures for public use of the College's outdoor spaces for free expression, distribution of material and assembly.

For issues dealing with the use of indoor spaces and facilities, see Policy 2.2.3 – Facility Use.

Adopted: 6.25.2024

The President shall establish procedures concerning who is responsible for all College publications and pre-publication review of all promotional and marketing materials which pertain to the College or its programs and which are designed for public viewing. Materials under this Policy include, but are not limited to: brochures, handbooks, catalogs, multimedia and programs for special events. Instructional classroom materials generated and used by instructors in their classrooms are not subject to this Policy.

Adopted: 6.25.2024

The College shall comply with the Americans with Disabilities Act of 1990, As Amended ("ADA"). To achieve compliance, the College shall:

1. Provide notices concerning the ADA.

2. Designate a responsible employee to coordinate ADA compliance.

3. Ensure that existing facilities are readily accessible to or usable by individuals with disabilities through structural changes in facilities or through other methods that are equally effective to make services, programs and activities accessible.

4. Eliminate eligibility criteria that screens out or tends to screen out individuals with disabilities or any class of individuals with disabilities from fully and equally enjoying any service, program or activity being offered.

5. Administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

6. Take appropriate steps to ensure that communications with persons who are disabled are as effective as communications with others, including the furnishing of appropriate auxiliary aids and services.

The College may from time to time engage in an accessibility audit of its facilities and programs. The College will maintain the self-evaluation and make it available to the public for three (3) years. All allegations concerning disability discrimination or harassment shall be addressed through Policy 3.3.7 – Discrimination and Harassment (employees) or Policy 5.3.4 – Discrimination and Harassment (students).

Adopted: 6.25.2024
Legal Reference: 42 U.C.S. § 12101, P.L. 110-325

## I. GENERAL POLICY

The College will retain and destroy records in accordance with this Policy and the approved Record Retention and Disposition Schedule ("the Schedule") for community colleges adopted by the North Carolina Department of Cultural Resources and the North Carolina Department of Community Colleges.

This Policy deals with general College records. For more specific information regarding personnel and student records and clarification regarding electronic records, see:

A. Policy 3.3.1 – Personnel Files.
B. Policy 5.4.3 – Students Records – FERPA.
C. Policy 7.3 – Electronic Records Retention.

## II. NORTH CAROLINA PUBLIC RECORDS ACT

Unless otherwise exempt by law, all records made or received regarding the transaction of public business are public records pursuant to the North Carolina Public Records Act, as defined by the North Carolina Public Records Act, N.C.G.S. § 132-1 *et seq*. Records may not be deleted or otherwise disposed of except in accordance with the Schedule. The content of the record determines its retention requirement.

## III. RECORDS CUSTODIAN

The College's overall records custodian is the Vice-President of Administration & Fiscal Services and inquiries regarding the College's records should be directed to this office; however, inquiries regarding student records should first be made to the Vice President for Instruction and Student Services and inquiries regarding personnel records should first be made to the Executive Director of Human Resources. For clarification as to electronic records, see Policy 7.3 – Electronic Records Retention.

## IV. LITIGATION HOLD

A litigation hold is a directive not to destroy records which might be relevant to a pending or imminent legal proceeding. The President may establish a committee to oversee and monitor litigation holds; this committee may contain a member of the Information Technology Services Department ("ITS"), the College's legal counsel and a member of the Administrative Team. In the case of a litigation hold, the committee shall direct employees and the ITS Department, as necessary, to suspend the normal retention procedure for all related records.

## V. RECORD DISPOSITION

Records may only be disposed of in accordance with the Schedule. Prior to the disposition of any record or record group after the applicable retention period, the records custodian will create and maintain a destruction log.

The President is authorized to adopt appropriate procedures to implement this policy.

Adopted: 6.25.2024
Revised: 4.28.2026
Legal Reference: N.C.G.S. §§ 121-5; 132-1 *et seq*;
Retention Schedule: https://archives.ncdcr.gov/documents/colleges-north-carolina-community-college-system-retention-and-disposition-schedule

Personal use of College property, which includes but is not limited to: real property, vehicles, equipment, tools and supplies, is not permitted for personal use and gain. The use of College property off campus is only permitted in the performance of position responsibilities.

Adopted: 6.25.2024

The President shall establish procedures for all information and news events which are to be presented to the news media and general public, and shall designate a person or persons to be responsible for the preparation and dissemination of such materials.

Adopted: 6.25.2024

The Board of Trustees is authorized to do all the things necessary and proper to organize and operate the College consistent with G.S. 115D and the policies of the State Board of Community Colleges. The Board of Trustees of Roanoke-Chowan Community College shall make and approve policy. The President is responsible for the administration of the college and to administer and implement Board policy. The Board of Trustees of Roanoke-Chowan Community College delegates to the President the authority and responsibility to establish the internal organization for the proper operation and management of the College, and further authorizes the President to make changes in the internal organization as is deemed necessary for the good of the College.

**General Authority:**
**Revised:** 09-29-81; 06-19-00; 01-28-20
**Editorial Changes:** 12-01-23

The Board, upon recommendation of the President, shall employ or retain legal counsel or legal advisory, consultants, architects, and other professional advisory personnel.

**General Authority:**
**Revised:** 09-29-81; 06-19-00
**Editorial Changes:**

All personnel at Roanoke-Chowan Community College serve at the pleasure of the President, subject to contractual obligations. The duties and titles of employees are assigned by the President and may be changed as deemed necessary. It is the responsibility of all college personnel to carry out the duties assigned in their job descriptions, as well as any other duty assigned by the President or their supervisor, and to promote the College and its mission and purpose.

**General Authority:**
**Revised:** 09-29-81; 06-19-00
**Editorial Changes:** 05-19-03

Realizing that faculty are specialists in various fields and, therefore, perform diverse duties in relation to their specialties, the Board authorizes the President to develop general and specific duties that each faculty member is expected to fulfill. Responsibility for the overall quality of educational programs resides with the Vice President of Instruction and Student Services, with the faculty being held responsible for ensuring the quality of instructional delivery. The extent of the participation and jurisdiction of the faculty in curriculum programs must be clearly set forth and published in the faculty handbook.

**General Authority:** G.S. 115D
**Revised:** 09-29-81; 06-19-00; 11-23-04
**Editorial Changes:** 02-16-11; 05-22-18; 12-01-23

Employees shall not engage in selling educational materials to students, parents, other employees, or the Board.

**General Authority:**
**Revised:** 09-29-81
**Editorial Changes:**

Employees are expected to conduct their personal financial obligations in such a manner as to prevent the involvement of the College. Failure to comply with this policy may serve as grounds for investigation by the President or his designee and disciplinary action.

**General Authority:**
**Revised:** 09-29-81
**Editorial Changes:**

# SOLICITATION

The President is authorized to establish rules and procedures regarding on-campus solicitation.

**General Authority:**
**Revised:** 09-29-81; 06-19-00
**Editorial Changes:**

The President has the authority to request the removal from college facilities any person or persons who disrupt the orderly conduct of such facility. The President may designate employees to maintain order on college facilities and persons so designated may direct the persons referenced above to leave the campus or other college facility. Persons who remain on college grounds after being directed to leave will be subject to arrest, on or off the grounds, by any duly authorized peace officer.

**General Authority:**
**Revised:** 09-29-81; 06-19-00
**Editorial Changes:**

# COLLEGE CALENDAR

The President or designee will develop and submit to the Board for its review and approval a two-year calendar. The approved calendar will be displayed in appropriate publications.

**General Authority:**
**Revised:** 09-29-81; 06-26-00
**Editorial Changes:**

The Board may furnish an automobile for use of the President on official business.
The Board will provide fuel and maintenance for the vehicle furnished to the President.
The vehicle may be housed at the local residence of the President.

**THE POLICY DOES NOT ADDRESS A VEHICLE ALLOWANCE IF THE BOARD DOES NOT FURNISH THE PRESIDENT WITH A VEHICLE.**

**General Authority:**
**Revised:** 09-29-81; 06-26-00
**Editorial Changes:** 05-22-18

# TRUSTEE TRAVEL TO CONFERENCES OR SEMINARS

A budget for trustee travel will be established during the college's budget planning cycle. Budget considerations will be given for travel and related expenses which may occur, during a given year, but for which announcements have not yet been made. For state, regional, and national meetings, travel funds will be provided based on the availability of state funds. Generally, at least two trustees may attend meetings, with opportunities available for additional trustees to attend as the budget allows. Selection of trustees to attend meetings will be at the discretion of the Board. However, all new trustees are required to participate in Trustee training within six months of their appointment, as scheduled by the North Carolina Community College Trustees Association. The College will provide transportation, registration fees, meals, and lodging (for overnight meetings) in accordance with the guidelines for Travel, Transportation, and Allowances as outlined in the State Accounting Procedures Manual. Board members who go on a trip as part of the members' trustee duties are expected to attend the sessions provided at the training. Trustees who commit to going on a trip and back out after the College has already paid for or committed to pay for (in case of hotel rooms) the trustees' travel expenses will be required to compensate the College for those expenses unless the reason the trustee is unable to go on the trip is a board-approved reason.

**General Authority:**
**Revised:** 09-29-81; 06-26-00
**Editorial Changes:** 05-22-18

# MEDICAL EMERGENCY ASSISTANCE

Every employee should be concerned with the well-being of other employees and with the well-being of students. An employee should respond immediately to anyone requiring emergency medical attention.

**General Authority:**
**Revised:** 06-24-08
**Editorial Changes:** 12-01-23

# IDENTITY THEFT PREVENTION PROGRAM

As a result of the increasing instances of identity theft, the United States Congress passed the Fair and Accurate Credit Transactions Act of 2003 (FACTA). Public Law 108-159. This amendment to the Fair Credit Reporting Act dictated that the Federal Trade Commission (FTC) promulgated by the FTC (Red Flag rules) requires any financial institution and creditor that holds any type of consumer account or other account for which a potential risk of identity theft exists to create and implement a written Identity Theft Prevention Program in order to tackle identify theft associated with new and existing accounts. "Red Flags" refer to patterns, practices, or specific activities that could indicate identity theft. This Identity Theft Prevention Program is appropriate to our size and complexity and the nature and scope of the college's activities.

Roanoke-Chowan Community College adopts this Identity Theft Prevention Program to enact reasonable policies and procedures to protect college employees, students, contractors and the college from damages associated with the compromise of sensitive personal information. This Program is intended to minimize the potential to steal the identity of someone associated with the college but also to prevent the college of being a source of false identity creation. The college will develop appropriate procedures to detect "Red Flags," develop methods to prevent and mitigate identity theft, and develop plans of action once a "Red Flag" has been detected.

- DEFINITIONS

For purposes of the Program, the following definitions apply:

A. Creditor – Any organization, including community colleges, which regularly:
   1. extends, renews, or continues credit; or
   2. arranges for someone else to extend, renew, or continue credit; or
   3. is the assignee of a creditor involved in the decision to extend, renew, or continue credit.

B. Credit - Deferral of payment of a debt incurred for the purchase of goods services, including educational services.

C. Customer – an employee, a student, a contractor (could be business or professional service agreement)

D. Covered account – Every new and existing employee, student or contractor account that meets the following criteria is covered by this program:
   Business and personal accounts for which there is a reasonably foreseeable risk of identity theft or risk to the safety and/or soundness of the college from identity theft, including financial, operational, compliance, reputation, or litigation risks.

E. Financial institution – Typically a bank, credit union, or other entity that holds for an individual an account from which the owner can make payments, and transfers.

F. Identifying information – Information which alone, or in combination with other information, can be used to identify a specific individual. Identifying information includes name, social security number, date of birth, driver's license number, identification card number, college or taxpayer identification number, unique electronic identification numbers, address or routing code, or certain electronic account identifiers associated with telephonic communications.

G. Identity theft – A fraud attempted or committed using identifying information of another person without proper authority.

H. Red Flag – A pattern, practice, or specific activity which indicates the possibility of identity theft.

I. Sensitive information – Sensitive information includes the following items whether stored in electronic or printed format:

1. Personal Information – Sensitive information consists of personal information including, but not limited to:

Credit Card Information, including any of the following:

- Credit Card Number (in part or whole)
- Credit Card Expiration Date
- Cardholder Name
- Cardholder Address

Tax Identification Numbers, including:

- Social Security Number (SSN)
- Business Identification Number
- Employer Identification Numbers

Payroll information, including, among other information:

- Paychecks
- Pay advices
- Pay rates

Medical Information for any Employees or Customers, including:

- Doctor names and claims
- Insurance claims
- Prescriptions
- Any related personal medical information

Other Personal Information belonging to Customers, Employees and Contractors, example of which include:

- Date of Birth
- Address
- Phone Numbers
- Maiden Name
- Alias
- College ID Number

2. Corporate Information – Sensitive corporate information includes, but is not limited to:

- Company, employee, customer, vendor, supplier confidential, proprietary information or trade secrets.
- Proprietary and/or confidential information, among other things, includes: business methods, customer utilization information, retention information, sales information, marketing and other Company strategy, computer codes, screens, forms, information about, or received from, Company's current, former and prospective customers, sales associates or suppliers or any other non-public information. Proprietary and/or confidential information also includes the name and identity of any customer or vendor and the specifics of any relationship between and among them and the company
- Any document marked "Confidential," "Sensitive," "Proprietary," or any document similarly labeled.
- The company personnel are encouraged to use common sense judgment in securing Confidential information to the proper extent. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact their supervisor/manager.

J. Service provider – Person providing a service directly to the financial institution or creditor.

- SCOPE – Activities Roanoke-Chowan Community College are involved that require compliance with the Red Flag Rules include:

  A. Issuance of any scholarship which requires the recipient to sign a promissory note;

  B. Maintaining an account for students from which the student can authorize payments for goods and services like books and supplies;

  C. Provision of emergency loans to students;

  D. Using debit cards;

  E. Maintaining covered accounts for employees, students, and contractors;

  F. Persons attempting to access academic or financial information.

- IDENTIFICATION OF RELEVANT RED FLAGS

| Red Flag Category | Examples of Red Flags |
|---|---|
| Alerts, notifications, or other warnings received from the Attorney General's Office, consumer reporting agencies, service providers, such as fraud detection services, or other entities used to collect data | A consumer reporting agency issues a fraud or active duty alert. |
| | A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report. |
| | A consumer reporting agency provides a notice of address discrepancy. |
| | A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:<br>1) A recent and significant increase in the volume of inquiries;<br>2) An unusual number of recently established credit relationships;<br>3) A material change in the use of credit, especially with respect to recently established credit relationships; or<br>4) An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor. |
| The presentation of suspicious documents | Documents provided for identification appear to have been altered or forged. |
| | The photograph/physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification. |
| | The Social Security Number has not been issued, or is listed on the Social Security Administration's Death Master File. |
| | A report from Homeland Security indicates inconsistencies to what has been reported to the college. |

| Red Flag Category | Examples of Red Flags |
|---|---|
| | Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification. |
| | Other information on the identification is not consistent with readily accessible information that is on file with the financial institution or creditor, such as a signature card or a recent check. |
| | An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled. |
| The unusual use of, or other suspicious activity related to, a covered account | Shortly following the notice of a change of address for a covered account, the institution or creditor receives a request for a new, additional, or replacement card or a cell phone, or for the addition of authorized users on the account. |
| | Any student account is used in a manner commonly associated with known patterns of fraud patterns. For example:<br>The customer fails to make the first payment or makes an initial payment but no subsequent payments. |
| | A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:<br>a. Nonpayment when there is no history of late or missed payments;<br>b. A material increase in the use of available credit;<br>c. A material change in purchasing or spending patterns;<br>d. A material change in electronic fund transfer patterns in connection with a deposit account; or<br>e. A material change in telephone call patterns in connection with a cellular phone account. |
| | A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors |
| | Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account. |
| | The college is notified that the customer is not receiving paper account statements. |

| Red Flag Category | Examples of Red Flags |
|---|---|
| | The college is notified of unauthorized charges or transactions in connection with a customer's covered account. |
| | A customer initiates multiple address changes over a short period of time. |
| | A customer is attempting to access information about a deceased student. |
| | The college is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft. |
| Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the college | A student, borrower, law enforcement personnel or service provider notifies the college of unusual activity related to a covered account. This includes discrepancies in the social security number to a student's name (provided typically by the NC Department of Revenue from debt set-off); address is not a valid address (provided typically by the NC Attorney General's Office), and/or payment plan provider having a discrepancy of data between college and responsible party. |
| | A student or customer does not know personal information that they should know, i.e. social security number, date of birth, student identification number. |
| Requests for access to information | A student attempts to change his or her address when an account for that student has been inactive for a prolonged period of time. |
| Students returning to school after a long period of time | A student wishes to register for courses and/or apply for financial aid when that student's account has been inactive for a prolonged period of time. |
| | All students who have had a break in enrollment (excluding summer session) are readmitted only after a current admissions application is received. |
| Student registration | R-CCC will perform verifications of students when registering to be assured that the correct student is being registered for courses.<br>When a student registers for class when more than one student has same first and last name one or more of the following is required: picture ID, SSN, date of birth, address, and phone number required. |

| Red Flag Category | Examples of Red Flags |
|---|---|
| | To initiate a name change student must present a legal document (marriage certificate, divorce decree or social security card) with the student's new name. |

- DETECTING RED FLAGS
  - A. Opening a Covered Account
    - a. Admissions. Students may be admitted to the college in Student Services. Students must present a picture form of identification and their SSN before completing required forms. It should be stressed that students should provide their full name, maiden name if married, and other pertinent information to ensure the student is who they claim to be. Inconsistencies will be reconciled and if not reconcilable, actions must be taken in accordance with Section VIII.

      All admission and financial data will be directly entered into Datatel using R-CCC computers or by entering financial aid data into a secure website. R-CCC needs to do verifications of students when registering to be assured that the correct student is being registered for courses. Issues that can exist include registering the incorrect student when multiple students are in the college database with the same name; use of an inactive account by someone other than the student to obtain financial aid and/or student benefits; and students attempting to register when they have been away from the college for a long period of time.

      Financial Aid. Students are asked to submit their FAFSA electronically. Student signature and official transcripts are the only required documents used for identification. Students selected for verification by the Department of Education are required to provide additional documentation (financial records, income tax information, etc.).
    - b. Hiring.
      - i. Employees. All new employees will be requested to provide a SSN and picture identification. All new employees will be entered into the Homeland Security database within 5 days of hire. Inconsistencies will be resolved or referred to Section VIII.
      - ii. Contractors. These are both Professional Service Contracts and individual firms that are contracted by the college. Every effort will be made to verify the individual and firms name to include Tax ID as appropriate.
  - B. Existing Covered Account
    - a. Hard Copy Distribution Every employee and contractor performing work for the company will comply with the following policies:

      1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be locked when not in use.

      2. Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday.

      3. Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.

      4. Whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas will be erased or removed when not in use.

5. When documents containing sensitive information are discarded they will be shredded using a mechanical cross cut or Department of Defense (DOD) approved shredding device. Shred bins are labeled "Confidential paper shredding and recycling." If you need any assistance in locating one of these bins, please contact a supervisor/manager.

b. Electronic Distribution Every employee and contractor performing work for the company will comply with the following policies:

1. Internally, sensitive information may be transmitted using approved company e-mail. All sensitive information must be password protected when stored in an electronic format with individuals designed for proper access.

2. Any sensitive information sent external must be encrypted and password protected and only to approved recipients. Additionally, a statement such as this should be included in the email, "This message may contain confidential and/or proprietary information, and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

c. Dissemination of Sensitive Data. It is customary that certain information be provided to selected organizations as a way of performing day-to-day business. Any abnormal requests for sensitive data should initially be denied until the full justification of why the information is necessary is substantiated. It must also be determined that the individual/organization requesting the information is also substantiated and verified.

d. Working with Banks. Formal arrangements must be made with participating banks and financial institutions on the proper methods of communication and handling transactions. Only a small selected number of individuals will be on signature cards and these will be updated as individuals depart. Periodically meetings between bank officials and college officials will take place to ensure that working arrangements are fully understood. This includes electronic payroll processing, check and credit card transactions, lock box and various savings and checking accounts.

e. Third Party Agencies. The college coordinates with various agencies sponsoring students. These agencies range from Federal programs to local small businesses to family members of prospective students. The relationship between the third party and the student varies. However, it is not the college responsibility to provide sensitive information to the third parties even though they are sponsoring a student. It is the student's discretion as to what type of information is passed on to third parties. Third Party Agencies should also be reminded periodically of their responsibility to keep student information confidential.

Third party agencies that handle sensitive data for the college need to be evaluated no less than annually to ensure that they are in compliance with "red flag rules."

f. Collection Agencies. In order for collection agencies to be effective they need sensitive information to do their job. The college will contract only with approved North Carolina Collection Agencies and will only provide information electronically in the prescribed format. Collection agencies requesting additional information will be challenged and reported.

g. Unauthorized breaches or attempted entry into our system. Any and all breaches or attempted breaches of the security system to gain access to covered accounts will be immediately investigated and a report submitted

to the Identity Theft Prevention Officer. The report will determine whether sensitive information was obtained and a listing of potential covered accounts identified.

R-CCC will perform routine diagnostics on firewalls and the security of electronic data portals.

Security scans to detect unauthorized or attempted access should be completed at regular intervals as well as unscheduled scans to detect breaches.
Physical access to where data is stored electronically is restricted to MIS and personnel approved by the President of the college.
R-CCC utilizes a firewall to prevent unauthorized internet users from accessing its private network connected to the internet.
The internal network is segmented into vlans to further limit who can access the server vlan and what servers they can access.
Employees accessing the Datatel server have passwords that must meet our password complexity policy in which these passwords are required to be changed every 45 days.
MIS employees have their desktops configured to lock after a specified time of inactivity to prevent unauthorized access to sensitive information.
Periodically the MIS security officer should review changes to sensitive information to determine unusual or repetitive activity.
Any laptop or computer that is reported missing containing access to the Datatel system will be immediately reported to the MIS security officer and the Identity Theft Prevention Officer. A determination will be made if obtaining that computer poses any threat and if so, appropriate actions will be made to prevent unauthorized entry.

h. Transaction Processing. As a minimum when an individual is requesting a processing of any activity to their account including, but not limited to registration activity, financial aid processing, bookstore transactions, and business office payments/inquiries, as a minimum a picture ID and/or a college ID will be needed to verify a person's identity. When corresponding by phone or e-mail sufficient information exchange will be necessary to verify the individual's identity.
R-CCC will maintain PCI compliant on portals where payments are taken electronically in an effort for prevention and mitigation of red flags.

- PREVENTING AND MITIGATING IDENTITY THEFT

A. Opening a Covered Account

a. When a person does not provide any identification or provides insufficient identification, the college should deny registration or financial aid until a picture identification and a valid SSN card is presented. The person may be required to obtain a picture identification card from the Department of Motor Vehicles.

B. Existing Covered Account

a. The college has identified the Dean, Finance & Administration as the Identity Theft Prevention Officer. In the event that suspected identity issues arise the Prevention Officer will be notified.

b. The college's bookstore buys back books from students at the end of the semester. The bookstore will verify the identity of the student obtaining the cash. This, in correlation with security reports of possible book thefts, could be used to identify if stolen books are attempted to be sold. If anything seems questionable regarding the student selling back the books, bookstore personnel need to be able to verify courses

taken by the student within that semester to verify that the books are valid for the student's course enrollment.

c. R-CCC should have regular, mandatory staff meetings to educate employees about risks and liabilities of data loss or theft.
d. R-CCC will train appropriate employees, then review and test procedures for dealing with sensitive information and with access requests.
e. R-CCC should review internal access to paper, electronic documents and information systems containing sensitive information.

- RESPONDING TO DETECTION OF RED FLAGS

Once potentially fraudulent activity is detected, it is essential to act quickly as a rapid appropriate response can protect customers and the company from damages and loss.

a. Once potentially fraudulent activity is detected, gather all related documentation and write a description of the situation. Take this information and present it to the Identity Theft Prevention Officer.
b. The designated program representative will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.
c. If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:
   - Cancel the transaction
   - Notify and cooperate with appropriate law enforcement
   - Determine extent of liability to company
d. Notify actual customer that fraud has been attempted. Receipt of notification of suspicious activity by student, law enforcement or borrower should be disseminated to specifically identified individuals.
e. As appropriate the following additional items should be considered.
   1. Ask for validation and/or supplemental documentation/identification when a student's identity is in question.
   2. Check credit card receipts when possible fraudulent charges are reported from a customer's bank statement.
   3. Verify original student documents when a discrepancy is reported regarding social security number discrepancies to name and other red flag issues regarding aged accounts.
   4. Deny access to information or disable an account pending upon further investigation and resolution of suspicious activity.
   5. Follow-up on reported thefts which possibly involve the compromise of sensitive data.
   6. Develop a plan for notifying victims of possible identity theft and proper authorities. Receipt of notifications from service providers of red flag criteria (i.e., discrepancies in social security number to name, address differences, etc.) should be disseminated to specifically identified individuals.
   7. Develop a plan for using all available media to disseminate information concerning an improper disclosure of sensitive information. The records of current students, former students, and employees should be considered when disseminating the information concerning a breach.

- UPDATE OF IDENTITY THEFT PROGRAM

a. At periodic intervals, but no less than two years, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment.
b. Periodic reviews will include an assessment of which accounts are covered by the program.
c. As part of the review, Red Flags may be revised, replaced or eliminated. New Red Flags may also be appropriate.

d. Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the company and its customers.

- PROGRAM ADMINISTRATION
  A. Program Oversight The Board of Trustees is required to review and approve an Identity Theft Prevention Policy. The Board of Trustees designates that the Dean, Finance & Administration be designated as the Identity Theft Prevention Officer who is responsible for the oversight, development, implementation, and administration of the Identity Theft Prevention Program.
  B. Staff Training The Identity Theft Prevention Officer will identify selected individuals to be trained in FERPA. Additionally, training should be conducted for individuals involved in managing or entering data in covered accounts and that periodic reviews are performed to ensure compliance with this policy. The training needs that include multiple records, multiple account managers, and adjunct professors will need to be included.
  C. Oversight of Service Providers It is the responsibility of the company to ensure that the activities of all Service Providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. A Service Provider that maintains its own Identity Theft Prevention Program, consistent with the guidance of the Red Flag Rules and validated by appropriate due diligence, may be considered to be meeting these requirements. Any specific requirements should be specifically addressed in the appropriate contract arrangements.

**General Authority:**
**Revised:** 06-23-09
**Editorial Changes:** 12-01-23

It is the responsibility of all employees to report unlawful or inappropriate actions or misconduct. The college is committed to protecting employees who report another employee's unlawful or inappropriate actions or misconduct. The college has established and follows internal procedures for enabling faculty and staff to make such reports with protection from retaliation, harassment, or adverse employment consequences because of a report made following this procedure.

Employees and anyone else providing services to Roanoke-Chowan Community College are encouraged to report either orally or in writing all evidence of any activity on the part of its current or former employees, trustees, or anyone else with whom Roanoke-Chowan Community College has a business relationship that may constitute:

- A violation of any state, federal, or local law, rule, or regulation applicable to the operations of Roanoke-Chowan Community College;
- Misappropriation or misuse of college resources;
- Substantial and specific danger to the employee's or public's health and safety; or
- An act of gross mismanagement, gross waste of public funds, or gross neglect of duty.

The College shall promptly investigate all alleged violations and provide a response to the person(s) reporting the violation (unless the report was submitted anonymously) within 30 calendar days after the close of the investigation.

Any employee who reports such violations as described above in good faith shall be protected from any retaliatory action including discharge, suspension, demotion, or any other adverse employment action. In addition, employees are also protected for refusing to carry out a directive which constitutes a violation as described above. Any alleged retaliatory actions shall be promptly investigated by the College.

Employees who commit any of the violations described above or retaliate against someone who, in good faith, has reported a violation shall be subject to disciplinary action up to and including termination of employment and/or criminal or civil prosecution. Likewise, any employee who knowingly or maliciously reports a violation or retaliatory action that has no factual basis shall be subject to disciplinary actions up to and including termination of employment.

These employee protections extend to violations reported both internally and to the "hotline" maintained by the North Carolina Office of the State Auditor. Roanoke-Chowan Community College will, to the extent possible and consistent with the need to conduct an adequate investigation, maintain confidentiality of reported violations.

This policy shall in no way affect the requirements of General Statute § 114-15.1 whereby employees and state agencies must report cases of damage, theft, embezzlement, or misuse of state-owned personal or real property to the State Bureau of Investigation.

American Recovery and Reinvestment Act (ARRA)
Roanoke-Chowan Community College adheres to the American Recovery and Reinvestment Act (ARRA) Whistleblower Protection policy for State and local government and contract employees, who report concerns about possible misuse of funds. The statute prohibits reprisals against whistleblowers, requires a Federal investigation of all complaints, and requires recipients to notify employees of their rights and remedies under ARRA.

College employees can report possible misuse of federal ARRA funds through the www.Recovery.org website or by accessing the NC Office of Economic Recovery and Investment (OERI) whistleblower webpage at the following address: https://www.oversight.gov/content/Where-Report-Fraud-Waste-Abuse-or-Retaliation.

Employees can also report possible misuse of ARRA – State Fiscal Stabilization Fund (SFSF) to the US Department of Education's Inspector General's Hotline, which can be accessed here: http://www2.ed.gov/about/offices/list/oig/hotline.html?src=rt

**General Authority:**
**Adopted:** 01-25-11
**Revised:** 02-26-19
**Editorial Changes:** 12-01-23

The College provides equal employment opportunities to all employees and applicants for employment without regard to race, religion, color, national origin, sex, gender, gender identity, sexual orientation, age, disability, genetic information, political affiliation or status as a covered veteran in accordance with all applicable federal, state and local laws. Upon request, the College will make reasonable accommodations for qualified individuals with disabilities so that they may be able to perform the essential functions of their job unless doing so would result in an undue burden for the College.

This policy applies to all terms and conditions of employment including, but not limited to: hiring, placement, promotion, termination and compensation.

Any inquiries, questions or clarifications regarding this policy should be made to the College's Director of Human Resources.

Adopted: 6.25.2024

Legal Reference: Title VII of the Civil Rights Act of 1964; The Age Discrimination in Employment Act of 1967; Section 504 of the Rehabilitation Act of 1973; The Americans with Disabilities Act of 1990; The Genetic Information Nondiscrimination Act of 2008; Title IX of the Education Amendments of 1972; 1C SBCCC 200.95

## I. FULL-TIME EMPLOYEES

A. The Board authorizes the President to hire all full-time College employees. The President shall inform the Board at the next regularly scheduled Board meeting of any new hires made since the last Board meeting.

B. All newly hired full-time employees shall receive a letter of appointment stating that the employee shall serve a probationary period of at-will employment lasting three months. Supervisors review the employee's progress and performance during this period. If satisfactory performance is not attained, the College may extend the probationary period or not renew the contract after the probationary period. After the probationary period, full-time employees may be eligible for annual employment contracts for at least nine (9) and no more than twelve (12) months dependent on the employee's duties. If an employee is hired after the academic semester has already begun and the employee's probationary period ends during the subsequent academic year, the term of the employee's initial employment contract, if offered, shall only be for the remainder of that subsequent academic year. Nothing in this Policy or in the employee's letter of appointment shall entitle the employee to an employment contract or contract renewal. Although the College may employ someone between contract periods, any employment is terminable at the will of the College or the employee until a contract is fully executed by the employee and the College.

The President is authorized to dismiss any full-time employee during that employee's probationary period for any reason deemed sufficient except for reasons related to the employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation, status as a covered veteran or if the decision is otherwise a violation of state or federal law ("Impermissible Grounds"). The President's decision is final and not subject to Board appeal unless the employee believes his/her dismissal was solely based on Impermissible Grounds. If the employee believes the President's decision was solely based on Impermissible Grounds, the employee may appeal to the Board pursuant to Policy 3.3.6 – Right of Appeal.

## II. PART-TIME AND TEMPORARY EMPLOYEES

A. The Board authorizes the President or the President's designee to hire all part-time and temporary employees. The President shall inform the Board at the next regularly scheduled Board meeting of any new hires made since the last Board meeting.

B. All part-time and temporary College employees shall receive a letter of appointment and shall serve as at-will employees. Nothing in this Policy or in the employee's letter of appointment shall entitle the employee to an employment

contract. Personnel hired as part-time and temporary appointments do not earn benefits.

C. The President is authorized to dismiss any part-time or temporary employee for any reason deemed sufficient except for Impermissible Grounds. The President's decision is final and not subject to Board appeal unless the employee believes his/her dismissal was solely based on Impermissible Grounds. If the employee believes the President's decision was solely based on Impermissible Grounds, the employee may appeal to the Board pursuant to Policy 3.3.6 – Right of Appeal.

EMPLOYMENT USING OTHER FUNDS

A. All persons employed by Roanoke-Chowan Community College through the use of funds from other state and local sources, or who are assigned to the College and paid through other sources, are temporary employees. These individuals are hired for a fixed term for a specific purpose, and nothing written in the contract or by oral agreement is to state or imply that the employment will be continued beyond that term.

B. Persons employed with funds from sources other than state and local cannot carry over any vacation time earned beyond the term of the contract.

**MISCELLANEOUS PROVISIONS**

A. The quality of the College's programs and services are dependent on the skills, commitment and enthusiasm of all of its employees. The Board seeks to employ the best qualified personnel available. In return, the Board expects its employees to accept and support the College's mission and vision. Specifically, all employees are expected to know the College's policies and procedures, devote their professional services and individual skills to the realization of the College's objectives and to discharge their duties in such a manner as to reflect positively upon the College. All College employees are expected to assume and perform all responsibilities and duties listed in their official Job Descriptions and as assigned to them by the President.

B. No applicant will be considered for any employment position who does not complete and submit a College employment application form.

C. Employment preference will be given to eligible veterans, their spouses or surviving spouses and surviving dependents as defined by N.C.G.S. § 128-15. This preference applies to initial employment, subsequent hiring, promotions, reassignments and horizontal transfers when two or more candidates are equally qualified for the position. To claim veterans' employment preference, all eligible veterans shall submit a Department of Defense Form 214 (Certificate of Release or Discharge from Active Duty) along with a College application for employment. To claim veterans' employment preference, eligible veterans must meet the minimum

training and experience requirements for the position and must be capable of performing the duties assigned to the position.

D. All employed instructional personnel shall meet Southern Association of Colleges and Schools criteria.

Adopted: 6.25.2024

Legal Reference: G.S. 115D-20; G.S.128-15; 1D SBCCC 400.4; 1C SBCCC 200.94
General Authority:

General Authority:
Approved: 01-27-2009
Revised:
Editorial Changes: 12-6-23

# I. EMPLOYMENT CLASSIFICATIONS

A. Full-Time Employee – any individual who occupies a College designated full-time position working 40 hours per week. All full-time positions are classified as either full-time curriculum or full-time non-curriculum and exempt or non-exempt. Full-time curriculum employees receive contracts for nine month periods within a fiscal year and may be contracted on a month-to-month basis per instructional needs.

B. Part-Time Employee with Benefits – any individual who is employed for 30 to 39 hours per week for at least nine months per year. All part-time employees with benefits positions are classified as either part-time curriculum or part-time non-curriculum.

C. Part-Time Employee – any individual who is employed for less than 30 hours per week. All part-time employee positions are classified as either part-time curriculum or part-time non-curriculum.

D. Full-Time, Temporary Employee – any individual who is employed in a full-time position (i.e., 40 hours or more per week) but the job is temporary (i.e., generally less than six months except in extraordinary situations). All full-time, temporary employees are classified as exempt or non-exempt. For purposes of the Affordable Care Act only, any full-time, temporary employee who is anticipated at the date of hire to work in excess of three (3) months during the academic year is considered a full-time employee for purposes of an offer of health insurance.

E. Part-Time, Temporary Employee – any individual who is employed in a part-time position (i.e., less than 30 hours per week) but the job is temporary (i.e., generally less than six months except in extraordinary situations).

F. Emergency Appointment - Periodically circumstances occur beyond the College's control where it becomes necessary to make a faculty or staff appointment to a position without going through a formal search. An example is when a staff member or faculty member suddenly vacates their position before their contract period has ended due to unforeseeable circumstances. When such staffing needs arise within the College, they require a quick hire or "emergency appointment". Emergency appointments fall under the category of full-time temporary hires and should not exceed a year's duration, unless otherwise approved by the President. Full-time temporary appointees are not eligible to participate within the state retirement system; however, the college has the discretion of providing health care benefits on an individual basis. Once sufficient time has lapsed, not to exceed twelve months from making an emergency appointment, if the college decides to keep the position in question, a formal search shall be done according to the normal process for searches and hires.

## II. WORKLOADS

The President is hereby authorized to develop administrative procedures to establish workloads consistent with this Policy.

Adopted: 6.25.2024
General Authority:
Revised: 12-5-23
Editorial Changes:

Compensatory time will be granted to a full-time, non-curriculum, non-exempt employee under the provisions of the Fair Labor Standards Act. If a non-exempt employee works more than forty (40) hours in a given work week, that employee shall receive compensatory time.

For accrual and use of compensatory time, the following rules shall apply:

A. The employee's immediate supervisor must approve, in writing, any time over forty (40) hours per week prior to the employee working the time. Overtime work is discouraged and should only be implemented due to an emergency or extraordinary situation. Approved leave taken during a workweek (i.e., annual, sick, holiday, etc.) will not be counted as time worked for purposes of overtime.

B. If it is necessary for an employee to work over forty (40) hours per week, one and one-half (1.5) hours of compensatory time shall be granted for each hour of overtime worked. The employee is responsible for accurately and honestly recording hours worked on time records and in accordance with College policy and practice. The employee's supervisor shall review and approve time records at the conclusion of each period to determine that all recorded overtime hours are accurate.

C. Except in extreme circumstances and with the appropriate Vice President's approval, supervisors shall make sure that employees do not accrue more than forty (40) hours of compensatory time at any time and all accrued compensatory time must be used by the last day of the fiscal year (June 30th). If an employee fails to exhaust his/her compensatory time by the end of the fiscal year, the appropriate Vice President shall consult with the President to determine whether the unused accrued compensatory time shall be paid to the employee or if the College shall require the employee to use the leave at a time determined by the Vice President.

D. Employees are required to use compensatory time prior to using any other accrued leave (annual, bonus, sick, etc.)

E. The employee's immediate supervisor must approve the use of compensatory time. To the extent possible, compensatory time should be used within the pay period it was received. An employee who has accrued compensatory time and requests the use of such time must be permitted to take the time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the College's operations.

F. In the event an employee leaves his/her College employment, the employee must, to the extent possible, exhaust all compensatory time before the last day of employment. Unused compensatory time must be paid at a rate of not less than the average of the employee’s regular pay rate for the last three years of employment or the final regular rate received by the employee, whichever is greater.

Compensatory time may not be used to extend dates of retirement, resignation or other forms of severance from the College.

G. Compensatory time shall be accumulated in quarter hours. The College shall round up to the nearest quarter hour when calculating compensatory time.

H. Any work from home is not allowed to be counted as part of the forty (40) hour workweek and/or compensatory leave unless pre-approved by the employee's immediate supervisor and appropriate Vice President.

I. Failure to follow the requirements set forth in this policy is grounds for disciplinary action, up to and including non-renewal or termination.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 200.94; The Fair Labor Standards Act of 1938, as amended.

The College recognizes that a retired state employee has valuable experience to offer. The College further recognizes that the age of the College and the longevity of many employees will predicate an increase in retirements.

The College may employ retirees of the State of North Carolina when such employment is necessary for the College's efficient and effective operation. Such employment will be authorized by the President. Retirees are subject to a mandatory six (6) month waiting period before re-employment may occur. A retiree of the Teachers' and State Employees' Retirement System ("TSERS") is subject to earnings limitations, as established by TSERS. Further, the College shall not arrange post-retirement employment with any person currently employed by the College, or other TSERS-participating agency or local government. A retiree may only be employed in an interim, part-time, temporary, or fee-for-service position and may not be employed in a position that requires membership in TSERS.

The purpose of this Policy is to define and authorize benefits to be available to employees in this classification when the restricted earnings will be less than the employee will earn under the College salary plan.

**A. Benefits – Leave Accruals**

Full-time employees who are also retirees of the TSERS will earn annual leave and sick leave under the same guidelines as active full-time employees.

**B. Benefits – Longevity Pay**

A full-time employee who is also a retiree of the TSERS is eligible for longevity pay subject to the earnings limitation.

**C. Health Insurance**

If a re-hired retiree returns to work and, as a result of the position and hours worked, qualifies for an offer of health insurance by the College, TSERS will transfer health insurance responsibilities back to the College and the retiree-employee will receive the legal, mandated health insurance coverage from the College as required by law.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 300.4

A. The College shall not employ two (2) or more persons concurrently who are "closely related" in positions which would result in one person of such relationship supervising another closely related person or having a substantial influence over employment, salary or wages or other management or personnel actions pertaining to the close relative.

B. "Closely related" is defined to mean mother, father, brother, sister, son, daughter, father/mother-in-law, son/daughter-in-law, brother/sister-in-law, grandfather, grandmother, grandson, granddaughter, uncle, aunt, nephew, niece, husband, wife, first cousin, step-parent, step-child, step-brother/sister, guardian/ward or some person engaged in an amorous, physical or romantic relationship without the benefit of marriage that live in the same house.

C. With respect to the concurrent service of closely related persons within the same academic department or other comparable institutional subdivision of employment, neither relative shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other relative.

D. Board members shall not take part in any official action regarding the employment of a closely related family member that results in financial gain to the Board member. For any official action regarding the employment status of a family member that would result in the financial gain to the Board member, the Board member shall disclose the conflict to the full Board and will not take part in the official action unless otherwise allowed by law.

E. Employees with the authority to recommend the hiring of another employee shall not recommend the hiring of another person with whom they are "closely related."

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 200.98

Roanoke Chowan Community College's employment salary plan is a market-based plan which supports and fosters a performance driven culture. The salary plan provides for salaries for all employees, which will attract and retain qualified individuals. The goal is to provide salaries on the basis of the external market, internal equity and individual performance.

The President is hereby authorized to develop salary plans for non-curriculum and curriculum employees consistent with this Policy.

Adopted: 6.25.2024

The College recognizes that educational quality is dependent upon the availability of qualified and dedicated employees. The essential responsibility for professional growth and development rests with each individual employee; however, the College expects the involvement of all employees in appropriate professional growth activities.

To promote personal and professional growth, the College provides opportunities for all full-time employees to coordinate individual goals with supervisors and develop their own plan for professional development. The College makes available several programs designed to help employees meet their goals.

The President may adopt procedures on the best use of College resources to provide quality professional development for employees.

Adopted: 6.25.2024

## I. President Selection Process

A. When a presidential vacancy occurs or is anticipated, the Board shall notify the System President and invite the System President or the System President's designee to meet with the board of trustees to discuss legal requirements and other procedural matters while also providing technical assistance to the Board as needed.

B. In selecting the College's President, the Board shall, at minimum, consider general input from College and community stakeholders on the desired attributes of a college's president and evaluate more than one candidate for the position. The State Board may waive this requirement at the request of the Board if the State Board determines it is in the College's interest to do so.

C. The Board shall submit at least one candidate to the System President for review at least ten business days prior to the next regularly scheduled SBCC Personnel Committee meeting or at least ten business days prior to a special called SBCC Personnel Committee meeting.

D. While completing the review process, the System President or the System President's designee shall confirm that the Board completed a background check to include the following:

1. Social security number verification,
2. Criminal history check,
3. Civil litigation history check,
4. Education verification,
5. Employment verification, and
6. Personal credit history check.

E. Upon completion of the review process, the System President shall present the name(s) of candidate(s) to the Personnel Committee of the SBCC for consideration and assessment.

F. Following consideration and assessment of the candidate(s), the Personnel Committee of the SBCC or the SBCC shall authorize the System President to communicate the Personnel Committee's or the SBCC's assessment to the Board.

G. The Board shall proceed with the final election process and submit the Board's final election to the SBCC for approval. The Board shall submit its recommendation in writing to the System President at least five business days prior to the next meeting of the SBCC.

H. The SBCC shall act upon the Board's election at the SBCC's regularly scheduled meeting following receipt of the Board's election unless delayed for cause as determined by the SBCC.

I. The System Office shall convey in writing to the chairman of the Board the SBCC's action on the Board's election. The action of the SBCC is final.

J. Until the SBCC votes to approve the final candidate and communicates its approval to the College, the College may not publicly communicate or publicly confirm or deny the name of the final candidate submitted to the SBCC for approval.

K. The Board shall not execute a contract prior to SBCC action to approve the Board's presidential election unless it has a provision specifying that the effective date of the contract is subject to the SBCC's approval of the presidential election.

## II. Contract

The President shall receive a contract and the Board shall specify in the President's contract the contractual term, salary, additional benefits, if any, and contract termination procedures. The Board shall receive a copy of the President's contact and all addendums.

## III. Duties

The President is charged by the Board with full responsibility and authority for the College's operation pursuant to state and federal statutes, policies, rules and regulations and the Board's policies and procedures. The President shall be responsible for other duties as the Board may delegate and require.

Adopted: 6.25.2024
Amended June 2021
Legal Reference: N.C.G.S. § 115D-20; 1C SBCCC 300.1

Roanoke Chowan Community College shall make available a comprehensive benefit package to all full-time employees and part-time employees with benefits (see Policy 3.1.3 – Employment Classifications and Working Hours) or other employees as required by law.

The College reserves the right to amend or terminate any benefit plan at any time, or require or alter the amount of employee premium contributions. Master Plan contracts or documents will be maintained by the Executive Director of Human Resources. In the event of a contradiction of information in communications such as memorandum, brochures, or summary plan documents, the contract or master plan document shall govern.

Adopted: 6.25.2024

A. Upon completion of at least ten (10) years of total qualifying service with the College in a full-time, permanent position or part-time, permanent position (employed at least nine (9) months per year and for at least twenty (20) hours per week), an employee is eligible for Longevity Pay.

B. Qualifying service is based on a month-for-month computation of employment with:

1. An institution in the North Carolina Community College System or a school administrative unit regardless of the source of salary and including state, local or other paid employment.

    a. Employment for a full school year is equivalent to one full calendar year (credit for a partial year is given on a month-for-month basis).

    b. In no event will an employee earn more than a year of aggregate service credit in a twelve (12) month period.

    c. If an employee is in pay status for one-half (i.e., working, exhausting leave, workers' compensation, or military leave) or more of the regularly scheduled workdays in a month, credit shall be given for the entire month.

2. Departments, agencies, and institutions of the State of North Carolina (e.g., State Department of Administration, North Carolina Department of Revenue, University of North Carolina, North Carolina Community College System, State Department of Public Instruction).

3. Other governmental units which are now agencies of the State of North Carolina (e.g., county highway maintenance forces, War Manpower Commission, the Judicial System).

4. County agricultural extension service.

5. Local mental health, public health, social services, or civil preparedness agencies in North Carolina, if such employment is subject to the State Personnel Act.

6. Authorized military leave.

    a. Credit for military leave is granted only for persons who were employees of the State of North Carolina or other agencies listed in Section 2(a)-(e) herein who were granted leave without pay:

        - for a period of involuntary service plus ninety (90) days or for a period of voluntary enlistment for up to four years, plus ninety (90) days, so long as they returned to employment in a covered agency within the ninety (90) days; or

- for a period of active duty for service, alerts, or required annual training while in the National Guard or in a military reserve program.

b. Employees who enlist for more than four years or who re-enlist shall not be eligible for longevity consideration for military leave.

c. Employees hospitalized for a service-connected disability or injury shall be granted additional leave without pay for the period of hospitalization plus ninety (90) days or for twelve (12) months, whichever is shorter. The hospitalization must commence before reinstatement into qualifying service for the provisions of this part to apply.

C. Aggregate service to the State of North Carolina for the longevity pay plan does not include:

1. Temporary service, that is, service by an employee who works in a temporary position, or who is working temporarily in the absence of a full-time regular employee on leave of absence.

2. Periods of out-of-state employment with other states, schools, colleges or universities.

3. Periods of employment with agencies of the federal government.

4. Periods of military service other than those categories described above.

5. Periods of employment for employers other than the State of North Carolina even though credit in the North Carolina Retirement System has been purchased for such employment.

D. Annual longevity pay amounts are based on the length of aggregate service to the State of North Carolina, community colleges, and public schools as designated herein and a percentage of the employee's annual rate of pay on the date of eligibility.

1. Longevity pay amounts are computed by multiplying the employee's annual base salary rate as of the eligibility date by the appropriate percentage, rounded to the nearest dollar, in accordance with the following table:

| YEARS OF AGGREGATE STATE SERVICE | LONGEVITY PAY RATE |
|---|---|
| 10 but less than 15 years | 1.50 % |
| 15 but less than 20 years | 2.25 % |
| 20 but less than 25 years | 3.25 % |

| | |
|---|---|
| 25 or more years | 4.50% |

2. Longevity pay is not considered a part of annual base or contract pay nor is it to be represented in personnel and payroll records as part of annual base salary. (Salary increases effective on the same date as longevity eligibility date shall be incorporated in the base pay before computing longevity).

E. The payment of longevity pay to eligible employees is automatic. Payment shall be made in a lump sum subject to all statutory deductions, during the monthly pay period in which the employee has satisfied all eligibility requirements.

1. Eligible employees on worker's compensation leave shall receive longevity payment in the same manner as if they were working.

2. If an employee retires, resigns, dies, or is otherwise separated on or after the date of becoming eligible for a longevity payment, the full payment shall be made to the employee or to the estate of the employee in the event of death.

3. If on the effective date of these procedures, an employee has completed the qualifying length of service but is between eligibility dates, longevity payment will be made on the next longevity anniversary date.

4. If the employee has worked part but not all of one year since qualifying for longevity payment, the employee shall receive a prorated payment in the event of:

   a. separation from the College, or
   b. change in employment status to temporary part-time or to a position not covered in the Policy.

5. If an employee separates from the College and receives a partial longevity payment and is employed by another community college, school administrative unit, or state agency, the balance of the longevity payment shall be made upon completion of additional service totaling twelve (12) months for an employee having a 12-month period of employment or upon completion of a lesser term for a teacher other than a 12-month contract. The balance due is computed on the annual salary being paid at the completion of the requirement.

6. If an eligible employee at the time of separation has a fraction of a year toward the next higher percentage rate, payment shall be based on the higher rate; however, the basic eligibility for longevity requirement must have been satisfied before this provision can apply.

7. Leave without pay in excess of half the work days in a month (with the exception of authorized military leave and worker's compensation leave) will delay the longevity anniversary date on a month-for-month basis.

F. Longevity pay shall be made from the same source of funds in the same prorated amounts from which the employee's regular annual salary is paid (e.g., state, federal, local fund). The Trustees may provide longevity payments to employees from other than state allotted funds.

G. The President shall:

1. Determine the quality of qualifying service and the longevity anniversary date for each eligible employee.

2. Furnish to the State Board, on forms prescribed by NCCCS, data necessary for a determination of the cost of the longevity pay plan from state funds.

H. The State President shall determine the total cost of the longevity pay plan from data submitted by each community college. The State President shall advise the State Board whether funds available for longevity pay are adequate. If funds are not adequate, the State President shall submit a budget revision to the State Budget Officer requesting additional funds from other available sources within State Aid.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 400.8

A. The College President shall be responsible for the administration of the leave program. The College's Human Resources office shall maintain leave records for all employees. The College will retain leave records for all separated employees for a period of at least five (5) years from the date of separation or longer as determined by applicable law.

B. The following types of leave are authorized for the College's employees in accordance with state and federal law and these policies and procedures:

| | |
|---|---|
| Sick Leave | Voluntary Shared Leave |
| Annual Leave | Family and Medical Leave |
| Educational Leave | Child Involvement Leave |
| Civil Leave | Military Leave |
| Workers' Comp Leave | Bereavement Leave |
| Bonus Leave | Leave without Pay |
| Adverse Weather | Holidays |

C. Absences from work during scheduled working hours shall be charged to the employee's appropriate leave account.

D. If an employee is unable to report for work, the employee shall notify the supervisor of the anticipated absence or tardiness as soon as possible stating the reason and the anticipated length of absence.

E. Any employee who is absent from work for three or more consecutive workdays without appropriate notification and approval by his or her supervisor may be considered to have voluntarily resigned from the College.

Adopted: 6.25.2024

General Authority:
Revised: 09-29-81; 07-10-00; 6-23-09; 06-26-18
Editorial Changes:

## I. Amount Earned

A. A full-time employee working or on paid leave for one-half or more of the regularly scheduled workdays in any month shall earn eight (8) sick leave hours per month (ninety-six (96) sick leave hours per year for twelve (12) month employees).

B. A part-time employee with benefits working or on paid leave for one-half or more of the regularly scheduled workdays in any month shall earn five and one-half (5.5) sick leave hours per month (sixty-six (66) sick leave hours per year for twelve (12) month employees) (approximately two-thirds the rate of full-time employees).

C. Unused sick leave may be used for credit towards retirement under the policies and regulations of the North Carolina Teachers' and State Employees' Retirement System.

## II. Advancement

The College may advance sick leave not to exceed the amount of sick leave an employee can earn during the current fiscal year. Such sick leave advancement must be approved in advance by the President and will only be used in extraordinary situations.

## III. Verification

The College may require a statement from a medical provider or other acceptable proof that the employee was unable to work for one of the accepted uses listed in Section IV. The College requires a statement from a medical doctor if an employee is absent for 3 consecutive days, indicating that the employee was unable to work due to personal or family illness.

## IV. Accepted Uses

Sick leave may only be used for the following reasons:

A. Illness or injury of the employee or the employee's immediate family. For purposes of this Policy, "immediate family" means the employee's spouse, parent, child, sibling, grandparent, or grandchild. This also includes all step, half, and in-law relationships;

B. Bereavement Leave (see Policy 3.2.16 - Bereavement Leave);

C. Medical appointments for an employee or the employee's immediate family;

D. Quarantine due to a contagious disease in the employee's immediate family living in the same house;

E. The actual period of temporary disability due to childbearing and/or recovery therefrom or for the care of the mother or newborn during the mother's temporary disability; and

F. Adoption of a child, limited to a maximum of thirty (30) days.

## V. Other Procedures

A. Leave Charges

All sick leave shall be taken in one-hour increments. Only scheduled work hours shall be charged in calculating the amount of sick leave taken. Saturdays and Sundays are charged only if they are scheduled workdays.

Earned compensatory time must be used before using sick leave.

B. Transfer of Leave

An employee who transferred from a North Carolina public K-12 school, North Carolina community college, a UNC System University, or a state agency ("public employers") to the College shall be credited with any sick leave which s/he had at the end of employment with the public employer provided that his/her employment was continuous.

C. Separation

When an employee separates from College employment, the College shall not pay the employee for any accrued, unused sick leave. Sick leave must first be exhausted before going on leave without pay or extended illness. While an employee is exhausting sick leave, s/he earns all benefits for which s/he is entitled.

If an employee separates from College employment and is overdrawn on sick leave, the College shall make deductions from the employee's final pay check. All deductions shall be made in one hour increments. As consideration for providing sick leave, employees voluntarily agree to such deductions from their final pay check.

D. Reinstatement of Sick Leave

Employees separated from College employment for reasons unrelated to disciplinary reasons shall be credited with all accrued, unused sick leave at the time of their separation if reinstated within one year from the date of separation.

E. Recordkeeping

The College shall maintain annual records for sick leave earned and taken for each employee. The College shall notify employees of their total sick leave balance at

the end of each month. The College shall retain all sick leave records of all separated employees for a period of at least five (5) years from the date of separation.

Adopted: 6.25.2024

## I. Amount Earned

A. Each full-time employee who is working or on paid leave for one-half or more of the workdays in any month earns annual leave. Employees shall earn annual leave rate at the following rate:

| Years of Total State Service[1] | Hours Earned Each Month | Hours Earned Each Year (12 month employees) |
|---|---|---|
| Less than 5 years | 9 hours 20 minutes | 112 |
| 5 but less than 10 years | 11 hours 20 minutes | 136 |
| 10 but less than 15 years | 13 hours 20 minutes | 160 |
| 15 but less than 20 years | 15 hours 20 minutes | 184 |
| 20 years or more | 17 hours 20 minutes | 208 |

B. Each part-time employee with benefits shall earn annual leave if s/he works one-half or more of the scheduled workdays in a month. Employees shall earn annual leave rate at the following rate (approximately two-thirds the rate of full-time employees):

| Years of Total State Service | Hours Earned Each Month | Hours Earned Each Year (12 month employees) |
|---|---|---|
| Less than 5 years | 6 hours 20 minutes | 76 |
| 5 but less than 10 years | 7 hours 30 minutes | 90 |
| 10 but less than 15 years | 9 hours 0 minutes | 108 |
| 15 but less than 20 years | 10 hours 20 minutes | 124 |
| 20 years or more | 11 hours 40 minutes | 140 |

## II. Maximum Accumulation

Annual leave may be accumulated without any applicable maximum until June 30th of each fiscal year. On June 30th of each fiscal year, or upon separation of service, any employee with more than 240 hours of accumulated annual leave shall have the excess (i.e., the amount over 240 hours) converted to sick leave.

## III. Advancement

A. Annual leave may be advanced by the President in an amount not to exceed what an employee can earn during the remainder of the fiscal year.

B. For the first six (6) months of service, new employees can only earn annual leave as stipulated in Section I. Thereafter, an employee may be advanced the amount of leave they would earn during the remainder of the fiscal year.

[1] "Total State Service" means an employee working in a permanent position (working at least 30 hours per week) for a North Carolina K-12 school, North Carolina Community College, a UNC System University, a state agency or service with the United States Armed Forces or North Carolina National Guard.

C. An employee desiring an advancement of annual leave must submit, in addition to the requested form, a statement of need outlining the circumstances which require use of as-yet-unearned annual leave. Each case will be assessed on its merits and considerations given as to the urgency of the request and the College's business needs.

## IV. Accepted Uses

The primary purpose of annual leave is to allow and encourage employees to renew their physical and mental capabilities and to remain a fully productive employee.

Annual leave may also be requested for other periods of absence for personal reasons, absences due to adverse weather conditions and for personal illness or illnesses in the immediate family when the employee has exhausted sick leave. Annual leave must be exhausted before an employee goes on leave without pay, except in cases of the birth or adoption of a child as covered under Policy 3.2.13 – Family and Medical Leave Act.

## V. Other Procedures

A. Scheduling Annual Leave

Annual leave shall be taken only upon authorization of the employee's supervisor, who shall designate such time or times when it will least interfere with the College's efficient operation. Employees must request annual leave in advance. A supervisor may deny an employee's request to use annual leave if the leave would otherwise hinder the efficient operation of the College or the employee has not provided reasonable notice of the request. Annual leave must be taken in units of one hour.

Only scheduled work hours shall be charged in calculating the amount of annual leave taken. Weekends and/or holidays are charged only if they are scheduled workdays.

Except for in unusual circumstances or otherwise allowed by State law or policy, or College policy, Curriculum Employees should not use annual leave on days in which the employee is scheduled to teach.

B. Separation from Employment

1. Lump sum payment for annual leave is made only at the time of separation from employment. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of two-hundred forty (240) hours when separated from employment from the College due to resignation, dismissal, reduction-in-force, death or service retirement. Employees retiring on disability retirement may exhaust leave rather than be paid in a lump sum.

2. If an employee separates from employment and is overdrawn on annual leave, deductions will be made from the final salary check. It will be deducted in full hour units, i.e., a full hour for any part of an hour overdrawn. As consideration for providing annual leave, employees voluntarily agree to such deductions from their final pay check.

3. Payment for annual leave may be made on the regular payroll or on a supplemental payroll, reflecting the number of days of leave and the amount of payment. Annual leave may be paid through the last full hour of unused leave.

4. Retirement deductions shall be made from all annual leave payouts.

5. The last day of work is the date of separation, except when an employee exhausts sick and annual leave before disability retirement.

C. Transfer of Annual Leave

For new employees, the College does not accept annual leave from other state agencies or local educational entities.

D. Annual Leave Records

The College shall maintain records for annual leave earned and taken for each employee. The College shall notify employees of their total annual leave balance at the end of each month. The College shall retain all annual leave records of all separated employees for a period of at least five years from the date of separation.

It is the employee's responsibility to report any discrepancy or problem with his/her sick leave balance to Human Resources.

Adopted: 6.25.2024

**Educational Leave with Pay**

Educational leave refers to the release from duties or time normally required of a full-time employee in carrying out his/her full load of assigned responsibilities for the purpose of furthering the employee's education. State funds may be used to pay employee salaries while they are on educational leave if the following criteria are fulfilled:

A. The employee is employed full-time on a nine (9), ten (10), eleven (11), or twelve (12) month basis;

B. The employee has been a full-time College employee for at least three (3) years;

C. Any employee granted educational leave shall complete a promissory note and contract for the full amount of salary and benefits. The contract will include a provision that the employee will remain employed by the College for at least one year after the educational leave ends;

D. An employee who fails to honor the contract shall be required to repay the full amount of salary and benefits expended for the educational leave. If the employee fulfills a portion of the contract but does not work the entire year after the educational leave, the employee shall be required to repay a pro-rata portion of the salary and benefits expended by the College for the educational leave.

E. Educational leave will not exceed a period of one (1) semester during a fiscal year.

The President is hereby authorized to develop procedures to implement this Policy.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 400.6

For jury duty and other court attendance, it is the employee's responsibility to inform the appropriate Vice President or Dean when the duty is scheduled and the expected duration. Employees shall provide notice of the required jury or court appearance as soon as practical.

## I. Jury Duty

All employees who serve on a jury are entitled to civil leave with pay plus fees received for jury duty. The employee should report back to work as soon as jury duty is completed. They must report back to work the day following completion of the duty. If jury duty occurs on a scheduled day off, the employee is not entitled to additional time off.

## II. Court Attendance

When an employee attends court in his or her official capacity as a College employee, the employee is entitled to civil leave with pay. The employee is required to give any fees received as a witness while serving in an official capacity to the College. (If court is on a day that would normally be an off-day, the time is to be considered as working time and included in total hours worked per week).

If an employee is a party or subpoenaed to appear as a witness in a court matter where the employee's appearance is not related to their College duties, the employee shall be allowed to take annual leave, compensatory leave or leave without pay for purpose of attending court.

Employees sued in their official capacities (or individual capacities but engaging in activities within the course and scope of their duties) shall be granted civil leave with pay.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 200.94

## I. Use of Leave due to Workers' Compensation Injury

When an employee suffers an accidental injury or contracts an occupational disease within the meaning of the North Carolina Workers' Compensation Act ("Act"), the employee is entitled to benefits provided by the Act. The employee is entitled to medical benefits and compensation for time lost from work due to the injury. The Act does not entitle an employee to job protection due to a workers' compensation injury.

If an employee is not able to work because of the accident, the Act requires a seven (7) day waiting period before the employee is eligible for weekly benefits. After the seven (7) day waiting period has expired, if an employee is not able to work because of the accident, an employee qualifies for compensation under the Act at the rate of sixty-six and two-thirds percent (66-2/3%) of an employee's average weekly wage, but no more than the amount established by the Act.

If the injury results in disability of more than twenty one (21) calendar days from the date of disability, the Act provides that compensation shall be allowed for the seven (7) day waiting period. At any time during the period of disability, an employee may use accrued leave in order to make up the difference between the compensation provided under the Act and their average weekly wage.

## II. Responsibility of Employer and Employee

In accordance with N.C.G.S. 97-22, the employee or their representative must provide written notice of an accident to the employee's supervisor as soon as possible. No compensation shall be payable unless such written notice is given within thirty (30) days after occurrence of the accident or death, unless reasonable excuse is made to the satisfaction of the North Carolina Industrial Commission ("Commission") for not providing adequate notice and the Commission is satisfied that the employer has not been otherwise prejudiced by the delay.

The College is required to report an employee injury to the Commission using I.C. Form No. 19. The injured employee is responsible for claiming compensation. A claim must be filed by the employee through the College with the Commission within two (2) years from the date of injury. Otherwise, the claim is barred by law.

## III. Continuation of Benefits

A. Performance Increase. Upon reinstatement, an employee's salary will be computed based on the last salary plus any legislative increases to which the employee is entitled.

B. Annual and Sick Leave. While on workers' compensation leave, an employee will continue to accumulate annual and sick leave to be credited to his/her account for use upon return.

Accumulation of annual leave may in some cases exceed the 240-hour maximum as set forth in Policy 3.2.6. In those cases:

1. The maximum to be carried forward to the next fiscal year may be exceeded by the amount of vacation accumulated while the employee is out of work due to their workers' compensation injury. The excess may be used after returning to work or be added to the employee's remaining balance of leave carried until the end of the fiscal year following a full year after the employee's return to work, at which time the excess will be paid in a lump sum to the employee.

2. If the employee separates during the period that excess annual leave is allowed, the excess annual leave to be paid in a lump sum may not exceed the amount accumulated during the first twelve (12) months of when the employee is out of work and receiving workers' compensation benefit.

C. Health Insurance

While an employee is out of work and receiving compensation under the Act, the employee is in pay status and will continue coverage under the state's health insurance program.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. Chapter 97 – Workers' Compensation Act

The College may award bonus leave to full-time employees only when authorized by the General Assembly. The award of bonus leave may be prorated based on the months of employment the employee works.

A. Scheduling Bonus Leave – Bonus leave may be used under the same circumstances as annual leave pursuant to Policy 3.2.6 and shall be taken only upon authorization of the appropriate Vice President. Based on the College's staffing needs, an individual may be required to take bonus leave at a different time than the employee requested.

B. Maximum Accumulation – There is no maximum accumulation of bonus leave.

C. Transfer of Bonus Leave – Bonus leave may be transferred into the College from other state agencies or community colleges at the time of hire. Upon separation due to resignation, dismissal or a reduction-in-force, bonus leave is transferable to an employee's account with another state agency or community college.

D. Separation – Payment of Bonus Leave:

1. Lump sum payment for bonus leave is made only at the time of separation from the College service due to resignation, dismissal, reduction-in-force, death or service retirement.

2. Employees retiring on disability may exhaust bonus leave rather than be paid in a lump sum.

3. Payment for bonus leave may be made on the regular payroll or on a supplemental payroll, reflecting the number of days of bonus leave and the amount of payment. Bonus leave may be paid through the last full hour of unused bonus leave. Overdrawn annual or sick leave amounts may be deducted from bonus leave prior to payment.

Adopted: 6.25.2024
Cross Reference: Policy 3.2.6

During situations such as natural disasters, emergencies and/or inclement weather, the President has the discretion to alter the College's operating schedule as needed. The President shall take steps necessary to deal with the situation and notify College employees.

**A. Use of Leave**

1. If the President closes the College as a result of adverse weather or emergency, no employees will be required to take any leave. Essential employees (i.e., security, grounds, maintenance, etc.) who are required to work on closed days will be provide with comparable time-off at a later date with supervisor approval.

2. If the College is open but the employee believes they cannot make it to the designated work site safely, the employee will be required to do one of the following:

   a. Make-up the time on a schedule approved by the employee's immediate supervisor, if feasible;

   b. Take annual, bonus or compensatory leave; or

   c. Payroll deduction for time lost.

   Make-up time must be completed before the end of the fiscal year.

**B. Loss of Instructional Time**

Coursework for missed academic classes due to inclement weather or an emergency closing will be made-up in one of the following ways:

1. Rescheduling the course at a time convenient to the faculty and students;

2. Documenting make-up through the use of an alternate assignment; or

3. Extending the semester by the time missed.

4. Clinical classes: Any clinical time missed due to inclement weather must be made up in order to meet the requirements of the various accrediting boards. The Dean of College Transfer and Health Sciences, Director of Allied Health, and Director of Nursing (for nursing and EMS) will work with the clinical agencies to reschedule any missed clinical time and submit a report to Academic Affairs.

C. **Cancellation Or Reschduling of Organizational Activities**

When the college is officially closed, other groups or organizations meetings or working on campus will keep the same hours as the college faculty and staff. Cancellation or

rescheduling of public performances held on campus for which tickets are pre-sold will be announced separately.

Adopted: 6.25.2024
Cross Reference Policy 2.1.11

## I. PURPOSE

The Voluntary Shared Leave Program ("Program") allows a College employee to voluntarily donate a portion of their leave to a fellow College employee who, due to that employee's serious or prolonged medical condition or that employee's immediate family member's serious or prolonged medical condition, has exhausted all their bonus, annual, and sick leave and is being placed on leave-without-pay status.

Based on the rules as contained herein, College employees may participate in the Program by:

A. Donating annual, bonus or sick leave to an immediate family member in any State agency, public school or community college;

B. Donating annual or bonus leave to a coworker's immediate family member who is an employee in a State agency or public school provided the employee and coworker both work at the College; and/or

C. Donating annual, bonus or sick leave to a non-immediate family member employee at a North Carolina community college.

## II. DEFINITIONS

A. **Donor** - the employee who donated leave.

B. **College Employee** - a permanent or probationary full-time or part-time employee that accrues sick and annual leave.

C. **Immediate Family Member** - a spouse, parent, child, brother, sister, grandparent or grandchild. The term also includes the step, half, foster and in-law relationship and dependent living in the employee's household.

D. **Recipient** - the employee or the employee's immediate family who receives leave.

E. **Serious or Prolonged Medical Condition** - a medical condition of an employee or their immediate family that will require their absence from duty for a period of at least twenty (20) consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences or if the employee has had a previous, but different serious or prolonged medical condition within the last twelve (12) months, the College may make an exception to the twenty (20) day period.

## III. LEAVE REASONS

A. Qualifying Reasons

To receive voluntary shared leave, a prospective recipient must have complied with existing leave rules and:

1. Have a serious and prolonged medical condition (or a member of the employee's immediate family has a medical condition that requires the employee's absence for a prolonged period);

2. Apply for or be nominated to become a recipient;

3. Produce medical evidence to support the need for leave beyond the available accumulated leave; and

4. Be approved by the President to participate in the Program.

A College employee on maternity leave may be eligible to receive voluntary shared leave to cover the period of disability related to the pregnancy and/or birth as documented by a physician.

B. Non-Qualifying Reasons

A College employee who is receiving benefits from the Disability Income Plan of North Carolina ("DIPNC") is not eligible to participate in the Program. Shared leave may be used during the required waiting period and following the waiting period provided DIPNC benefits have not begun.

An employee on workers' compensation leave who is drawing temporary total disability compensation may be eligible to participate in the voluntary shared leave program. Use of donated leave under the workers' compensation program shall be limited to use with the supplemental leave schedule as described in 25 NCAC 01E .0707.

This Policy does not apply to short-term or sporadic conditions or illnesses. This would include such things as sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term, recurring medical or therapeutic treatments. These examples are illustrative, but not all inclusive. Each case, however, must be examined and decided based on its conformity to this Policy's intent and must be handled consistently and equitably. Voluntary shared leave cannot be used for parental care of a newborn child absent a documented prolonged health condition.

## IV. APPLICATION FOR LEAVE

A prospective recipient may apply or be nominated by a fellow employee to participate in the Program. The application may be in the form of a letter or statement to the President or to the Human Resources Department. The request must include a description of the medical condition, the estimated duration of the illness and, in most cases, a certification from a physician. After review of the current leave status and eligibility by the Director of Human Resources, the request will be presented to the President for approval.

## V. LEAVE CONTRIBUTION AND DONATION

A. An employee may begin using voluntary shared leave after all available bonus, annual and sick leave has been exhausted. While using voluntary shared leave, employees continue to earn leave.

B. The amount of voluntary shared leave a recipient may receive is one thousand forty (1,040) hours per year (prorated for part-time employees), either continuously or, if for the same condition, on a recurring basis. However, the President may grant continuation, on a month-to-month basis, to a maximum of two thousand eighty (2,080) hours, if the President would have otherwise granted leave without pay.

C. A College employee donating sick leave to an immediate family member may donate up to one thousand forty (1,040) hours but may not reduce the donor's sick leave account below forty (40) hours. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave. The minimum amount of sick leave to be donated is four (4) hours.

D. A College employee may donate up to five (5) days of sick leave to a non-immediate family member employee of a North Carolina community college. The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed twenty (20) days per year. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave. The minimum amount of sick leave to be donated is four (4) hours.

E. The minimum amount of annual and/or bonus leave that may be donated per recipient is four (4) hours per year. The maximum amount of annual leave that may be donated:

1. May not be more than the amount of the donor's annual accrual rate; and

2. May not reduce the donor's annual leave balance below one-half of the yearly annual leave accrual rate.

3. Bonus leave may be donated without regard to the above limitations on annual leave.

F. All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis or may be retroactive for up to sixty (60) calendar days to substitute for advanced vacation or sick leave already granted to

the recipient or to substitute for leave without pay. Donated leave shall be applied to advanced leave before applying it to leave without pay.

G. To donate voluntary shared leave, a donor must, at the time of donation:

1. Be an active employee (not separated);

2. Be in a position that earns leave; and

3. Have sufficient leave balances.

## VI. UNUSED SHARED LEAVE

A. End of Medical Condition

Any unused leave at the expiration of the medical condition, as determined by the President, shall be treated as follows:

1. The recipient's sick leave account balance shall not exceed a total of forty (40) hours (prorated for part-time employees).

2. Any additional unused donated leave shall be returned to donor(s) on a pro-rata basis and credited to the leave account from which it was donated.

B. Separation from Service

If a recipient separates from service due to resignation, death, or retirement, participation in the Program ends. Unused leave shall be returned to the donor(s) on a pro-rata basis and credited to the same account from which it was donated.

C. Transfer

If a recipient transfers to another North Carolina state agency, public education system or community college, unused voluntary shared leave shall be returned to the donor(s) and credited to the same account from which it was donated.

## VII. CONFIDENTIALITY

An employee's medical information is confidential. When disclosing information on an approved recipient, only a statement that the recipient has a prolonged medical condition (or the family member) needs to be made. If the employee wishes to make the medical status public, the employee must sign a release to allow the status to be known.

## VIII. INTIMIDATION OR COERCION PROHIBITED

An employee may not intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which the employee

may have with respect to donating, receiving, or using leave under this Program. Such action shall be grounds for disciplinary action, up to and including, dismissal.

Adopted: 6.25.2024
Legal Citation: G.S. 115D-25.3; 1C SBCC 200.94(c); 25 NCAC 01E.1301-.1307; 25; NCAC 01E .0707; S.L. 2016-94, § 36.19

## I. OVERVIEW

Pursuant to the Family and Medical Leave Act of 1993 ("FMLA"), any eligible employee may be granted up to a total of twelve (12), or in some cases twenty-six (26), weeks of unpaid, job-protected family and medical leave in any twelve (12) month period for one or more of the following reasons:

A. For the birth of a child and to care for the child after birth, provided the leave is taken within a twelve (12) month period following birth;

B. For the employee to care for a child placed with the employee for adoption or foster care, provided the leave is taken within a twelve (12) month period following adoption;

C. For the employee to care for the employee's child, spouse or parent, where that child, spouse or parent has a serious health condition;

D. Because the employee has a serious health condition that makes the employee unable to perform the functions of the employee's position;

E. Because of any qualifying exigency where the employee's spouse, child of any age or parent is a military service member under a call or order to federal active duty in support of a contingency operation; or

F. Because of the need to care for a family member or next of kin who has been injured while serving in the armed forces. For this provision, the amount of FMLA is up to twenty-six (26) weeks within a twelve (12) month period.

## II. DEFINITIONS

The following definitions shall apply to this policy:

A. "Eligible employee" means an employee who has been employed: (a) for at least twelve (12) months by the College; and (b) for at least one thousand two hundred fifty (1250) hours of service with the College during the previous twelve (12) month period.

B. "Health care provider" means:

1. Doctor of medicine or osteopathy who is authorized to practice medicine or surgery in the State in which the doctor practices; or
2. Any of the following individuals as long as they are authorized to practice medicine in the State and are performing within the scope of their practice as defined under state law:

a. Podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner, nurse-midwife and clinical social worker;

b. A health care provider from whom the College's group health plan's benefit manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and

c. A health care provider listed above who is authorized to practice in accordance with the laws of that country and who is performing within the scope of his/her practice as defined under those laws.

3. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

a. inpatient care in a hospital, hospice or residential medical care facility;

b. a period of incapacity of more than three (3) consecutive days that also involves continuing treatment by a health care provider; continuing treatment means one in-person visit to a health care provider within the first seven (7) days of incapacity and either a second visit within the first thirty (30) days or a regimen of continuing treatment under the supervision of a health care provider;

c. any period of incapacity due to pregnancy or for pre-natal care;

d. chronic conditions requiring treatment;

e. permanent/long-term conditions requiring supervision; or

f. multiple treatments for non-chronic conditions.

4. Family Definitions

a. "Son or daughter" includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is: (1) under eighteen (18) years of age; or (2) eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability.

b. "Spouse" means a partner joined in marriage recognized by the State of North Carolina or any other state, including common law marriages.

c. "Parent" means the biological, step, adoptive or foster parent or an individual who stood *in loco parentis* to an employee when the employee was a child. This term does not include parents "in-law".

5. Military Service Member Definitions

a. "Next of kin" of a covered service member means the nearest blood relative other than the covered service member's spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions; brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of FMLA military caregiver leave. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin.

b. "Military service member" means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.

c. "Qualifying exigency" means short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities.

d. "Active duty or call to active duty" means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, and 12406 of Title 10 of the United States Code, Chapter 15 of Title 10 of the United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

## III. PROCEDURE

### A. Paid/Unpaid Leave

When applicable, all eligible employees are required to use appropriate accrued paid leave (i.e., annual, bonus, compensatory and sick leave) for any portion of

FMLA leave. All benefits accrue during any period of paid leave; however, no benefits or seniority will be accrued during a period of unpaid FMLA leave. Any use of paid leave runs concurrent with FMLA leave and counts toward the FMLA leave entitlement.

Holidays occurring during an FMLA period of a full week count toward the FMLA leave entitlement. Holidays occurring in a partial week of FMLA do not count toward the FMLA leave entitlement unless the employee was scheduled to work on the holiday.

B. **Intermittent Leave or Reduced Work Schedule**

Under certain circumstances, FMLA leave may be taken intermittently or on a reduced leave schedule which reduces the regular workday or workweek. If the employee's request for intermittent leave or leave on a reduced work schedule is foreseeable because of a planned medical treatment, the College may transfer the employee temporarily to another position for which the employee is qualified and which better accommodates recurring periods of leave. The alternative position must have equivalent pay and benefits. There is no limit on the size of an increment of leave when intermittent or reduced leave is taken. The College may limit leave increments to the shortest period of time that the payroll system uses to account for absences or leave, provided it is one (1) hour or less. An employee may not be required to take more FMLA leave than necessary to address the circumstances that precipitated the need for the leave.

C. **Notices**

1. **Notice to Employer**

In all instances where the employee is required to provide the College notice of requested FMLA leave, the employee shall inform the Human Resources office and his/her immediate supervisor. It is the responsibility of the employee to explain the reasons for FMLA leave in sufficient detail as to allow the College to determine that the leave qualifies under the FMLA. If the employee fails to adequately explain or document FMLA qualifying reasons for the leave after a request by the College, leave may be denied. Where the necessity for FMLA leave for the birth or placement of a child is foreseeable, the employee shall notify the College at least thirty (30) days before the date the leave is to begin or the employee's intention to take such leave. In other cases, the employee shall provide such notice as soon as practicable. For foreseeable leave where it is not possible to give as much as thirty (30) days' notice, "as soon as practicable" means at least verbal notification within one (1) or two (2) business days of when the need for leave becomes known to the employee. An employee shall provide at least verbal notice sufficient to make the College aware that the employee needs FMLA leave and the anticipated timing and duration of the leave. The College may also require an employee to comply with the College's usual

and customary notice and procedural requirements for requesting leave. If the employee fails to give timely advanced notice when the need for FMLA leave is foreseeable, the College may delay the taking of FMLA leave until thirty (30) days after the date the employee provides notice to the College of the need for FMLA leave. An employee may not be entitled to FMLA leave if he or she fails to provide adequate notice of the leave and certification of the medical condition as provided within this policy and the law.

2. **Notice to Employee**

Within five (5) business days of the employee notifying the College of the need for FMLA leave, the College shall give the employee a written notice detailing the specific rights, expectations and obligations of the employee on FMLA leave. The College shall use the U.S. Department of Labor model notice form. Within five (5) business days after receiving sufficient information to determine whether the need for leave is FMLA qualifying, the College shall give the employee notice that informs the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. The College shall use the U.S. Department of Labor model designation form.

D. **Medical Certification**

Any request for FMLA leave for a serious health condition shall be supported by a certification issued by the health care provider of the eligible employee or of the son, daughter, spouse or parent of the employee as appropriate. Such medical certification should be attached to the employee's request for FMLA leave, or in the case of unforeseen leave, generally within two (2) business days after the leave begins. In the case of foreseeable leave, the College may delay the taking of FMLA leave to an employee who fails to provide timely certification after being requested by the College to furnish such certification (within fifteen (15) calendar days, if practicable) until the required certification is provided. In the case of unforeseeable leave, if the employee does not provide the medical certification within a reasonable time under the pertinent circumstance, the College may delay the continuation of FMLA leave. If the employee never produces the required medical certification, or if the certification does not confirm the existence of a serious health condition as defined under FMLA, then the leave is not FMLA leave. In any case in which the College has reason to question the appropriateness of the leave or its duration, the College may request certification at some later date. If the College has reason to doubt the validity of the certification provided, the College may require, at its expense, that the eligible employee obtain the opinion of a second (or third) health care provider. Second and third opinions are not permitted for the military caregiver leave.

If the College deems a medical certification to be incomplete or insufficient, the College must specify in writing what information is lacking and give the employee seven (7) calendar days to cure the deficiency.

The College may not ask for recertification any more frequently than every thirty (30) days. If the initial certification is for more than thirty (30) days, the College must wait for the initial leave period set forth in the certification to run before asking for recertification. Recertification may only be required when employees are taking leave for their own serious health conditions. Under the qualified exigency leave, the College may not request recertification of the covered service member's active duty or call to active duty orders. Also, recertification is not permitted for the military caregiver leave.

The College's representative contacting the health care provider must be a health care provider, human resource professional, a leave administrator, or a management official, but in no case may it be the employee's direct supervisor. Further, the College may not ask health care providers for additional information beyond that required by the medical certification form.

E. **Confidentiality**

All records and documents relating to medical certifications, recertification or medical histories of an employee or an employee's family members shall be maintained in a separate medical file from the employee's personnel file and shall be treated as confidential medical records in accordance with the Americans with Disabilities Act of 1990 ("ADA").

F. **Fitness-for-Duty/Notice of Intent to Return to Work**

The College may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. The College shall require that the employee provide reasonable notice within two (2) business days, where foreseeable, of a change in circumstances or duration of FMLA leave. As a condition of restoration for any employee who has taken FMLA leave for the employee's own serious health condition (except for intermittent leave), the College shall require each such employee obtain (at the employee's expense) and present certification from the employee's health care provider, with regard to the particular health condition that caused the employee's need for FMLA leave, that the employee is able to resume work, if such certification is job-related and consistent with business necessity. The College may delay restoration to employment until an employee submits a required fitness-for-duty certification. Unless the employee provides either a fitness-for-duty certification or a new medical certification for a serious health condition at the time FMLA leave is concluded, the employee may be terminated.

G. **Restoration to Work**

Except as provided under "Exemption" below, any eligible employee who takes approved FMLA leave shall be entitled upon return from such leave:

1. To be restored by the College to the same position of employment held by the employee when the leave commenced; or

2. To be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

If the employee is unable to perform an essential function of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. However, the College will review such situations on a case-by-case basis under the ADA.

Exemption:

If the employee is a salaried FMLA-eligible employee who is among the highest paid ten percent (10%) of all College employees (i.e., a "key employee"), the College may deny restoration of such employee if the denial is necessary to prevent substantial and grievous economic injury to the operations of the College, and after notification to the employee to that effect, the employee elects not to return to employment.

Taking FMLA leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, an employee is not entitled to the accrual of any seniority or employment benefits during unpaid FMLA leave.

H. **Group Health Coverage**

The College shall maintain the employee's coverage under any group health plan (as defined in the FMLA regulations) on the same conditions as coverage would have been provided if the employee had been continuously employed during the entire FMLA leave period. However, the College may recover the premium that it paid for maintaining such group health plan coverage for the employee under certain circumstances set forth in the Notice provided to employees when they request FMLA leave. The College's obligation to maintain health insurance coverage ceases under FMLA if an employee's premium payment is more than thirty (30) days late, after the College has provided written notice to the employee, mailed at least fifteen (15) days before coverage is to cease, that the payment has not been received.

I. **Miscellaneous**

An employee's entitlement to benefits other than group health benefits during a period of FMLA leave shall be determined by the College's policy regarding

benefits for other types of leave (paid or unpaid, as appropriate). Maintenance of health insurance policies that are not a part of the College's group health plan (where no contributions are made by the College) is the sole responsibility of the employee.

The College shall not interfere with an eligible employee's rights under the FMLA, shall not discharge or otherwise discriminate against employees who exercise such rights, and shall not retaliate against employees who file, initiate or otherwise assist in charges or investigations against the College.

J. **Posting and Requirements**

The Executive Director of Human Resources or designee shall ensure that notices of FMLA provisions and information on procedures for filing complaints are posted in places that are readily accessible to employees and applicants.

Adopted: 6.25.2024
Legal Reference: Americans with Disabilities Act of 1990, 42 U.S.C. 12101, *et seq.*; Family and Medical Leave Act of 1993, 29 U.S.C. 2601, *et seq.*, 29 C.F.R. pt. 825

A. Purpose – The purpose of child involvement leave is to promote employees' involvement in the education of youth and to promote employees' assistance to schools. Employees may take leave under this policy to:

1. Meet with a teacher or administrator of any elementary school, middle school, high school or child care program authorized to operate under the laws of the state of North Carolina concerning the employee's children, step-children or children over whom the employee has custody. For purposes of this policy, "school" means any: (i) public school; (ii) private church school, church of religious charter or nonpublic school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction; (iii) preschool; and (iv) child care facility as defined in N.C.G.S. 110-86(3).

2. Attend any function sponsored by the school or child care program as defined above in which the children, step-children, or children over whom the employee has custody are participating. This provision shall only be utilized in conjunction with non-athletic programs that are a part of or a supplement to the school's or daycare's academic or artistic program.

3. To perform, by any employee, without regard to parental status, school-approved volunteer work approved by a teacher, school administrator, or program administrator.

B. Amount of Leave

1. Employees, including new employees, may take up to four (4) hours of unpaid leave each calendar year regardless of the number of children. The four (4) hours of leave will be credited to employees on July 1 of each year.

2. For each leave period requested, leave shall be taken in units of no less than one (1) hour and in quarter hour increments thereafter.

C. Approval of Leave

1. Employees must receive approval from their immediate supervisor to use this leave. The College may require acceptable proof that leave taken is within the purpose of this policy and a forty-eight (48) hour advanced notice.

2. The College will endeavor to grant the leave as requested by the employee but, based on the College's needs, the leave may need to be taken at a different time.

3. Leave not taken in a fiscal year in which it is earned will be forfeited.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. 95-28.3

Pursuant to federal and state law, military leave shall be granted to College employees for certain periods of service in the uniformed services.

A. Military Leave with pay shall be granted to members of the uniformed services of the U.S. Armed Forces for certain periods of active duty training and for State military duty. Such leave shall be granted to full-time, part-time, regular, provisional, trainee, and probationary employees for up to one hundred twenty (120) working hours per federal fiscal year (Oct. 1 – Sept. 30) for any type of active duty not considered to be "Extended Active Duty".

B. Leave with Pay for Reserve Active Duty. Members of the uniformed services reserve components who are called to "Involuntary Active Duty" shall receive up to thirty (30) calendar days of leave with pay. After the thirty (30) day period, members shall receive differential pay for any period of involuntary service. This pay shall be the difference between military basic pay and the employee's annual College salary, if military pay is the lesser.

C. Retention and Continuation of Benefits During Leave with and without Pay. Retention and/or continuation of benefits are dependent upon the type and duration of leave granted and is determined on an individual basis.

D. Additional Leave Requirements. Members of the uniformed services are granted leave with pay for infrequent special activities in the interest of the State when so ordered by the Governor or his/her authorized representative. Members shall be granted leave with pay for active State duty for periods not exceeding thirty (30) consecutive calendar days; for periods in excess of thirty (30) calendar days, employees shall be entitled to military leave with differential pay.

E. Military Leave without pay shall be granted for the following periods:

1. Regularly scheduled unit assemblies usually occurring on weekends and referred to as "drills";
2. Duties resulting from disciplinary actions imposed by military authorities;
3. Unscheduled or incidental military activities such as volunteer work at military facilities, unofficial military activities, etc.;
4. Inactive duty training, "drills" performed for the convenience of the member, such as equivalent training, split unit assemblies, make-up drills, etc.;
5. Extended active duty for a period not to exceed five (5) years;
6. Full time National Guard duty (usually a three (3) year contract);
7. Initial active duty for training (initial enlistment); and/or
8. Certain periods of incapacity in a medical facility resulting from injuries sustained while on active or inactive duty.

F. Reinstatement/Reemployment from Military Duty. Members of the uniformed services shall have reinstatement/reemployment rights as defined by prevailing law and/or guidelines established by Federal and State law.

No agent or employee of the College shall discriminate against any College employee or applicant for employment because of their membership, application for membership, performance of service, application for service, or obligation for service in the Uniformed Services. The President is authorized to develop procedures consistent with this policy.

Adopted: 6.25.2024
Legal Reference: Uniformed Services and Reemployment Act of 1994; N.C.G.S. 127A-116; and 25 NCAC 01E.0802-.0821; 1C SBCCC 400.7

All full-time employees and part-time employees with benefits may use a maximum three days of sick leave when there is death of an immediate family member. For purposes of this Policy, "immediate family member" means the employee's spouse, parent, child, sibling, grandparent and grandchild. This also includes all step, half and in-law relationships.

Any leave taken beyond the three (3) days must be charged to annual, or leave without pay. An employee should notify his/her immediate supervisor when a death in the immediate family occurs. If leave is taken beyond the three days of bereavement leave, the employee and supervisor must ensure that the employee's job duties are adequately covered.

Adopted: 6.25.2024

**General Authority:**
**Revised:** 09-29-81; 01-25-83; 09-28-10
**Editorial Changes:**

Leave without pay may be granted to an employee for: a) educational purposes which will better equip the employee for the performance of his/her duties and responsibilities; b) to do special work for the federal/state government in cases of emergency or when the College is to profit by the experience gained or the work performed; c) for vacation purposes; d) for reasons specified in College policy; or e) for other reasons deemed justified by the appropriate Vice President and the President or otherwise required by law.

## I. Maximum Amount

Leave without pay normally shall not exceed twelve (12) months. Any exception to this should be agreed upon by the appropriate Vice President and the President. For military leave without pay, see Policy 3.2.15 – Military Leave.

## II. Employee Responsibility

The employee shall apply in writing to his or her supervisor for leave without pay at least two (2) weeks prior to such leave. The employee is obligated to return to duty within or at the end of the time granted. If the employee finds s/he will not return to work, the employee must notify the College immediately. Failure to report to work at the expiration of a leave without pay, unless an extension has been requested, shall be treated as a resignation.

## III. College Responsibility

The decision to grant leave without pay is an administrative one for which the Vice President and President must assume full responsibility. Factors to consider are workload, need for filling employee's job, chances of employee's returning to duty and chances of the College's ability to reinstate employee to a position of similar status and pay. If it is necessary to fill a position vacant by leave without pay or if it is necessary to terminate an employee on leave without pay, the position may be filled by a temporary or permanent appointment provided the employee on leave without pay is notified of such action immediately.

## IV. Retention of Benefits

While on leave without pay, the employee shall retain all accumulated annual leave and sick leave and time earned towards salary increments; however, the employee ceases to earn any additional sick or annual leave on the date leave without pay begins except in cases where an employee is receiving worker's compensation benefits. The employee also ceases to earn time toward salary increments except while on military leave, educational leave or while receiving worker's compensation benefits. Employees on leave without pay (excluding military leave or workmen's compensation) for more than one-half of the total workdays in any month will be responsible for paying the State Health Plan premium if they wish to continue coverage.

## V. Payment for Non-workdays – Short Periods of Leave without Pay

A short period of leave without pay is a period of not more than 10 workdays. An employee on leave without pay for a short period is entitled to be paid for non-workdays (weekends and holidays), if they are scheduled to work that day and only when he or she is in pay status at least half the day immediately preceding or following the non-workdays.

Adopted: 6.25.2024

**General Authority:**
**Revised: Adopted** 02-09-93, 12-5-23
**Editorial Changes:**

The College shall designate and observe certain days each year as holidays. All eligible employees will be given a day off with pay for each holiday as provided herein.

A. The President shall cause to be published the schedule of holidays to be observed before July 1st each year for the next academic year. A holiday that occurs on a Saturday or Sunday generally will be observed by the College on either the preceding Friday or following Monday. The holiday schedule shall not exceed twelve (12) paid holidays per academic year.

B. An eligible employee is a full-time employee who:
   1. Is in pay status through the day on which the holiday is scheduled; or
   2. On a leave of absence without pay but was in pay status for half or more of the workdays in the month.

C. The College recognizes that some eligible employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the College's regular holiday schedule. In such cases, eligible employees may take other earned leave for those reasons if it does not unduly disrupt the College's business and is approved by the employee's immediate supervisor.

D. The College retains the right to schedule work on a holiday for some or all eligible employees should it become necessary and critical to the College's operation. In such cases, the employee will be given the time-off at another time on an hour-for-hour basis unless the Fair Labor and Standards Act stipulates otherwise. For purposes of this Policy, a holiday is a total of eight (8) hours.

E. In the event the College must establish an alternative operational schedule, an alternative holiday schedule may be developed in keeping with the College's operational needs provided that all employees are given the same number of holidays and the holidays do not exceed twelve (12) days. The alternative holiday schedule must be approved by the President prior to any observed holidays.

F. When a holiday falls during a week in which an employee is taking FMLA leave for the entire week, the entire week is counted toward the employee's FMLA entitlement. However, if the employee is also using accrued paid leave during FMLA leave, the employee will not be charged accrued leave on the holiday. If the College closes for an extended holiday lasting a week or more while an employee is taking FMLA leave, the extended holiday does not count against the employee's FMLA leave entitlement.

Legal Citation: 1C SBCCC 200.94(a)(d)
Adopted: 6.25.2024

When personal difficulties adversely affect job performance the College will provide an opportunity for an employee to seek professional counseling services through its Employee Assistance Program (EAP).

The Employee Assistance Program (EAP) is designed to assist employees in resolving personal problems that affect their current job performance.

An employee may become a participant in the program by either self-referral or supervisor referral.

There is no charge to the employee for the initial diagnostic screening through the second appointment. The employee may go to a certified psychological or counseling professional selected by the College or he/she may select an appropriate advisor to provide the service. Any information discussed between the employee and the service provider will be strictly confidential.

After the initial three visits to EAP the employee will be required to pick up the cost of continued assistance. Subsequent sessions may be covered under the current State Health Plan. Leave during an employee's work day to attend EAP sessions will be treated and charged out as normal sick leave and annual leave.

Participation by an employee in the EAP Program does not constitute a waiver of or limit to the College's responsibility to maintain standards of discipline and performance. Nor does it prohibit the college from taking appropriate disciplinary actions for misbehavior, which may include dismissal. Employees participating in the Employee Assistance Program are expected to maintain satisfactory job performance.

**General Authority:**
**Revised:4-23-24**
**Editorial Changes: 12-6-23**

## I. Purpose

Personal Observance Leave may be used by eligible employees on any day of significance to the employee, including days of cultural, religious, or personal importance.

## II. Eligibility

All full-time employees will receive Personal Observance Leave ("leave") Part-time,temporary and interim employees will not receive this leave.

Newly hired employees are eligible for leave upon their hire date.

## III. Amount of Leave

A. Full-time employees will receive eight (8) hours of Leave each calendar year. The Leave will be credited to employees on January 1st of each year.

B. Part-time employees, if eligible, will receive a prorated amount based on their number of hours compared to a fulltime schedule.

C. All Leave must be used on the same day.

D. The Leave has no cash value and does not carry over each year. Leave unused within a calendar year is forfeited.

E. This leave may not be transferred to other employees.

F. If an employee separates from the College and moves to another State agency within the calendar year, unused leave may be transferred if the new agency accepts the leave.

## IV. Use of Leave

A. This leave may be used on any single day of significance to the employee, including but not limited to days of cultural and/or religious importance. The day in which leave is taken does not have to be a day from the employee's own religious or cultural background.

B. Employees may use this leave prior to exhausting any accumulated compensatory leave or other leave available to the employee.

C. This leave may not be used as sick leave or on used on days already scheduled as vacation or a holiday in the College calendar.

D. This leave may not be used to extend a holiday or vacation already scheduled in the College calendar.

E. This leave will not be applied to existing negative leave balances. This leave cannot be donated under the Voluntary Shared Leave policy.

## V. Approval of Leave

A. Employees must receive prior approval from their immediate supervisor prior to using this leave. Requests for the use of leave should be made at least two (2) weeks prior to the expected day of leave.

B. Supervisors will honor all leave requests unless the use of the leave will create a disruption in the College's operation, in which case the supervisor may require the leave be taken at a time other than the time requested.

C. Supervisors may not require a justification of the employee's request to use the leave.

D. It is the responsibility of an employee and their supervisor to ensure all leave is reported accurately.

Legal Citation: Executive Order No. 262, §5 (June 6, 2022)

Adopted: 6.25.2024

Effective: 7-1-24

(1) Personal leave is defined as any absence due to personal business that cannot be scheduled during semester breaks. It is available only to instructors with earned but unused sick leave who have obtained their supervisor's advance approval of any planned personal leave. A maximum of three days (24 hours) of earned sick leave may be converted to personal leave during a fiscal year (July 1 - June 30), provided that the personal leave has been approved in accordance with this policy.

(2) There are events held by the College in which employees are contractually obligated to attend, including convocations, graduation, faculty/staff professional development, registration, and special called meetings by the President. These dates constitute blackout dates for personal leave unless approved by the President.

(3) Personal leave time is not cumulative.

General Authority:

Revised: 06-28-94, 04-26-06, 08-28-2007, 06-26-18

Editorial Changes: 4-23-24

## I. PURPOSE

Paid Parental Leave is designed to promote families' physical and mental health, increase employee retention and morale, and to afford employees the ability to take time from work after the birth, adoption or placement of a child. This policy applies to both full-time and part-time employees that qualify for parental leave.

## II. DEFINITIONS

A. "Child" means a newborn biological Child or a newly-placed adopted, foster or otherwise legally placed Child under the age of 18, whose Parent is an eligible employee.

B. "Paid Parental Leave" is fully paid leave to be provided to an eligible employee either (a) upon the employee giving birth for both recuperation during the disability period and bonding with a newborn Child, or (b) to other eligible employees to care for and bond with a newborn Child or newly adopted, foster or otherwise legally placed Child.

C. "Parent" means:

1. the mother or father of a Child through birth or legal adoption; or
2. an individual who cares for a Child through foster or other legal placement under the direction of a government authority.

D. "Public safety concern" means a significant impairment to the College's ability to conduct its operations in a manner that protects the health and safety of students, employees or other individuals on the College campus.

E. "Qualifying event" means when an employee becomes a Parent to a Child. This includes miscarriage or stillbirth that occurs after the twelfth ($12^{th}$) completed week of pregnancy but before childbirth.

## III. ELIGIBILITY FOR PARENTAL LEAVE

A. Employees who become Parents via childbirth, adoption, foster care, or another legal placement are eligible for Paid Parental Leave if:

1. Employee is in a permanent, time-limited, or probationary appointment. Temporary employees are not eligible for Paid Parental Leave.

2. At the time of the qualifying event, the employee meets each of the following conditions:

   (i) For the immediate 12 preceding months, the employee has been employed without a break in service by the College in a permanent, time-limited, or probationary appointment. Periods of worker's compensation or short-term disability months preceding the qualifying events do not make the employee ineligible for Paid Parental Leave. Further, periods of leave without pay for illness, educational purposes, vacation, or other reasons deemed by the President shall not constitute a break in service; and

   (ii) The employee has been in pay status with the College for at least 1,040 hours during the previous 12-month period. Exhaustion of Family and Medical Leave does not affect eligibility for Paid Parental Leave.

3. The employee may aggregate periods of employment with different employers offering Paid Parental Leave, including other community colleges, other public-school units or state agencies that offer Paid Parental Leave , to meet the eligibility requirement in subsection (B).

4. For employees that only work nine (9), ten (10), or eleven (11) months of the year, the months between the conclusion of the spring and fall academic terms shall not constitute a break in service.

## IV. LEAVE FOR FULL-TIME EMPLOYEES

A. Full-time employees eligible for Paid Parental Leave may take, in their discretion, up to the following amounts of leave:

   1. Eight (8) weeks of paid leave after a Parent gives birth to a child. Four weeks for recuperation after childbirth and 4 weeks for bonding with the child.

   2. Four weeks of paid leave after any other qualifying event for bonding.

B. Each week of Paid Parental Leave shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differentials, premium pay, or overtime.

## V. LEAVE FOR PART-TIME EMPLOYEES

A. Part-time employees (regardless of whether they work half-time or more) shall receive Paid Parental Leave if the employee meets all other requirements for eligibility.

B. Part-time employees eligible for Paid Parental Leave may take, in their discretion, a prorated leave amount, corresponding to the percentage of hours the employee is normally scheduled to work compared to the normal hours of a full-time employee, not to exceed the amount of parental leave available to full-time employees.

C. Each week of Paid Parental Leave shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differentials, premium pay, or overtime.

## VI. USE OF OTHER LEAVE

A. Paid Parental Leave provided under is in addition to any other leave authorized by this state or federal law, or College or policies established by the College, provided that the Paid Parental Leave :

1. Shall not be counted against or deducted from an eligible employee's sick, vacation, or other accrued leave; and

2. Shall run concurrently with any leave to which the employee may be entitled under the Family and Medical Leave Act, 28 U.S.C. 2601 *et seq*, provided the employee received appropriate notice.

## VI. REQUESTING PARENTAL LEAVE

A. Eligible employees may take Paid Parental Leave in one continuous period or may take intermittent use of Paid Parental Leave. Requests for intermittent use of Paid Parental Leave are subject to the College's approval as stated in this Section.

B. Whenever possible, eligible employees shall notify the College's Human Resources Department at least 10 weeks in advance of their intention to use Paid Parental Leave. Employees may withdraw their request for Paid Parental Leave at any time.

C. Absent unusual circumstances, the employee shall be required to comply with all other College leave request procedures. The College may require written evidence of a Qualifying Event.

D. The College will not deny, delay, or require intermittent use of Paid Parental Leave to employees who gave birth and seek to use Paid Parental Leave in one continuous period.

E. For all other employees not subject to Paragraph (4) above, the College may delay providing Paid Parental Leave or may provide Paid Parental Leave intermittently if it determines that providing the leave will cause a public safety concern at the College. For example, the extension of Paid Parental Leave to an eligible employee who did not give birth may constitute a Public Safety Concern if:

1. Providing the Paid Parental Leave would result in College staffing levels;

2. Below what is required by federal or state law to maintain operational safety;

   i. Providing the Paid Parental Leave may impact the health or safety of staff, students, or other individuals on the College's campus; and

   ii. The College has been unable to secure supplemental staffing after requesting or diligently exploring alternative staffing options.

F. If the College determines that it must delay Paid Parental Leave, or make Paid Parental Leave intermittent, because of a public safety concern under paragraph (5) above, the College shall provide Paid Parental Leave as soon as practical following the Qualifying Event.

G. If both Parents are eligible employees of the College, each may receive Paid Parental Leave. Both Parents may take their leave simultaneously or at different times, pending no Public Safety Concern.

H. The College will respond to all requests for Paid Parental Leave in writing within two weeks of the request.

## VII. USE OF LEAVE

A. Paid Parental Leave may be used only once for a Qualifying Event within a twelve (12) month period. The fact that a multiple birth, adoption, or other legal placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of Paid Parental Leave granted for that event.

B. Unused Parental Leave is forfeited 12 months from the date of the Qualifying Event.

C. Paid Parental Leave shall not accrue or be donated to another employee.

D. Employees shall not be paid for parental leave upon separation from the employer. Parental leave shall not be used for calculating an employee's retirement benefits and shall not accrue or be donated as voluntary shared leave.

E. Leave usage must be recorded in the same required increments as all other leave under College policy.

F. If the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available accrued leave shall

be utilized in accordance with the College's leave policies. Paid Parental Leave shall not be used prior to the Qualifying Event.

G. Eligible employees may not use accrued sick leave, annual leave or other leave in lieu of Paid Parental Leave.

## VIII. USING LEAVE FOR ADOPTIONS AND FOSTER CARE PLACEMENTS

A. If an employee, who gives birth and meets the eligibility requirements under Section II, places their child up for adoption or in foster care, the employee shall remain eligible for the Paid Parental Leave listed in Sections III and IV of this policy, whichever is applicable.

B. When an employee is a prospective adoptive parent or foster parent, but the adoption or foster placement does not occur, the employee is not eligible for Paid Parental Leave. However, if applicable, other available leave balances may be utilized in accordance with the College's leave policies.

## IX. USING LEAVE FOR MISCARRIAGE AND STILLBIRTHS

A. It is not a Qualifying Event when an employee is pregnant and the fetus dies during the first twelve (12) weeks of pregnancy.

B. When a fetus dies during or after the thirteenth ($13^{th}$) week of pregnancy, but before childbirth, the employee is eligible for the full amount of Paid Parental Leave listed in Section III or IV, whichever is applicable, if the employee otherwise meets the eligibility requirements of Section II. This is eight (8) weeks for full-time, eligible employees.

C. When a child dies after childbirth is complete, the employee is eligible for the full Paid Parental Leave listed in Section III or IV, whichever is applicable, if the employee otherwise meets the eligibility requirements of Section II. Paid Parental Leave will not end at the time of the child's death.

D. In any of the situations above, if the employee requires leave for bereavement or recovery, other available leave balances shall be utilized in accordance with the College's leave policies.

The President, or designee, is authorized to create appropriate procedures and processes for the implementation of this policy.

Adopted: 6.24.25

The Executive Director of Human Resources, or designee, shall maintain all employees' personnel files. The College shall maintain in individual personnel files only those records which are required or necessary and relevant to accomplish legitimate personnel administrative needs.

## I. PUBLIC INFORMATION

The following information on each college employee is public information and shall be open for inspection:

A. Name;
B. Age;
C. Date of original employment or appointment;
D. The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the board has the written contract or a record of the oral contract in its possession;
E. Current position;
F. Title;
G. Current salary (includes pay, benefits, incentives, bonuses, deferred compensation and all other forms of compensation);
H. Date and amount of each increase or decrease in salary with the College;
I. Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position or classification with the College;
J. Date and general description of the reasons for each promotion with the College;
K. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the College. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board of trustees setting forth the specific acts or omissions that are the basis of the dismissal; and
L. The office or station to which the employee is currently assigned.

Any person, including College personnel, may have access to the information listed above for the purpose of inspection, examination and copying during regular business hours Monday through Friday. Access to personnel files may be arranged by contacting Human Resources for an appointment. If an individual wishes to have a reproduced copy of the information, the College may require a reasonable duplication fee. All College personnel shall be entitled to one (1) free copy of their personnel file.

## II. CONFIDENTIAL INFORMATION

All information other than the information listed in Section I is confidential and shall not be open for inspection and examination except to the following persons:

A. The employee, applicant for employment, former employee, or his/her properly authorized agent, who may examine his/her own personnel file at all reasonable times in its entirety except for letters of reference solicited prior to employment;
B. The President, other supervisory personnel and legal counsel for the President;
C. The Board of Trustees and the Board's attorney;

D. A party by authority of a subpoena or proper court order may inspect and examine a particular confidential portion of an employee's personnel file;

E. An official of any agency of the state or federal government, or any political subdivision of the state, may inspect any portion of a personnel file when such information is deemed by the College to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purposes of assisting in a criminal prosecution nor for purposes of assisting in a tax investigation.

F. The President may, in his/her discretion, or shall at the direction of the Board of Trustees, inform any person or corporation of any promotion, demotion, suspension, reinstatement, transfer, separation, dismissal, employment or non-employment of any applicant, employee or former employee and the reasons for such action and may allow the personnel file of the person or any portion to be released or inspected to any person or corporation provided that the Board of Trustees has determined that the release of the information is essential to maintaining the integrity of the Board of Trustees or to maintaining the level or quality of services provided by the College. Prior to releasing the information or making the file or any portion available to a person or corporation pursuant to this subsection, the President shall prepare a memorandum setting forth the circumstances which s/he and the Board deem to require the disclosure and the information to be disclosed. The memorandum shall be retained in the files of the President and shall be a public record.

Each individual requesting access to confidential personnel information will be required to submit satisfactory proof of identity.

## III. OBJECTING TO RECORDS IN PERSONNEL FILE

An employee, former employee or applicant for employment who objects to materials in his/her personnel file may place in the file a statement relating to the materials the employee considers to be inaccurate or misleading. An individual may seek the removal of material(s) from his/her file through Policy 3.3.8 – Grievance.

## IV. MEDICAL AND IMMIGRATION INFORMATION

Pursuant to the Americans with Disabilities Act, all medical information, including workers' compensation history and requests for reasonable accommodation for a disability, medical insurance information and medical documentation for FMLA and other types of leaves related to an employee's medical condition shall be kept separate from an employee's personnel file and shall be disclosed only as follows:

A. To supervisors who may be told only about work restrictions for an applicant or employee;

B. To first aid and safety officials where emergency treatment might be required; and

C. To government officials charged with enforcement of disability law.

All I-9 and other immigration status records shall be kept in a separate file not included within an employee's personnel file.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. 115D-27 through -28

## I. Employee Development Plans and Evaluations

An employee development and evaluation process has been established to ensure relevant feedback between faculty and staff and the respective supervisors. This evaluation procedure is designed and intended to offer suggestions for improvement and develop strategies for the attainment of specific goals or the revision of related processes.

All employees will be evaluated annually. Each year, every full-time employee will have a pre-evaluation conference with his/her supervisor. An outcome of this conference will be a development plan to evaluate the performance of the employee and to develop strategies for improvement. The Personnel Office will be responsible for coordinating and monitoring the evaluation process and may implement a timeline for the evaluation process.

Development plans and evaluations will be retained in the personnel file.

Supervisors may only use evaluation instruments that have been approved by the Personnel Office. The President may use a different evaluation instrument and procedures when evaluating employees reporting directly to the President; however, these employees shall be evaluated annually.

In addition to the above, all curriculum employees may be evaluated by students through course evaluations.

## II. President's Evaluation

The Board shall evaluate the performance of the President annually. The evaluation instrument and methodology shall be selected by the Board, but at a minimum, the evaluation shall include the following categories:

A. General Administration
B. Relationship
   1. Internal relationships with faculty, staff, students and trustees.
   2. External relationships with business and industry, the media, governmental bodies and the general public.
C. Personal Attributes
D. Personnel Administration
E. Fiscal and Facilities Administration
F. Academic Administration

Prior to June 30th each year, the Board shall submit, in writing, to the State Board a report of the President's evaluation with the following information:

A. The time period for which the President was evaluated and the date the evaluation was completed;

B. Description of the methodology used for the evaluation;
C. Certification that the evaluation included a written assessment of the President's performance in each of the categories identified in Section II(A)-(F) herein;
D. Certification that the full Board received a copy and discussed the evaluation results and the results were discussed with the President;
E. Certification that the full Board received a copy of and reviewed the President's contract if the President has a contract;
F. A listing of Board members in attendance at the meeting when the President's evaluation was conducted; and
G. Certification that appropriate action has been taken if the President's performance is less than satisfactory in any of the categories identified in the evaluation.

If the President has a contract, the Board shall note in the meeting minutes that they have reviewed the President's contract.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 300.2

All College employees shall adhere to the following Code of Conduct. Failure to adhere to the Code of Conduct may subject the employee to disciplinary action, suspension or dismissal as outlined in Policy 3.3.4 – Employee Disciplinary Action, Suspension and Dismissal or, for cases of unlawful discrimination or harassment, Policy 3.3.7 – Discrimination and Harassment. Employees may be disciplined for conduct that occurs outside of work if such conduct brings disrepute to the employee or College or negatively affects the employee's ability to perform his or her job.

All employees shall:

1. Comply with all statutes, regulations and Board of Trustee policies.
2. Direct all complaints regarding the work environment to the appropriate supervisors and/or file grievances instead of acting to undermine or diminish the authority of co-workers and supervisors.
3. Avoid confrontations with co-workers or students, including but not limited to, engaging in actions or conversations which the employee knows or should know will result in an actual disruption.
4. Comply with all administrative directives in a timely and professional manner, including written directives regarding specific issues or behaviors.
5. Perform all assigned and/or accepted extracurricular and non-instructional duties in a timely and professional manner.
6. Participate in and complete any required professional development activities required by the College.
7. Attend and participate in all required staff meetings and other required meetings.
8. Complete and transmit all required reports and other documentation in a timely and professional manner.
9. Dress appropriately for job duties and in accordance with supervisor's directives.
10. Arrive to work on time.
11. Maintain a courteous and professional attitude when working with other staff members, students and visitors.
12. Exercise proper care and maintenance of College property.
13. Avoid conflicts of interest.

The following are examples of professional and personal conduct that may serve as grounds for disciplinary action, including suspension, demotion or termination. This list is illustrative and not all-inclusive.

## I. Performance of Duties

1. Inadequate performance and/or failure to perform duties.
2. Physical or mental incapability for performing duties.
3. Improper use of College property or equipment.
4. Failure to maintain satisfactory and harmonious working relationship with the public and/or employees.
5. Improper use of leave.

6. Failure to report for duty at the assigned time and place.
7. Failure to obtain or maintain a current license, certificate or credential required by law as a condition for employment.
8. Refusal to accept a reasonable and proper assignment from an authorized supervisor.

**II. Personal Conduct**

1. Gross misconduct, immorality and/or lascivious behavior that has a negative impact on the College and/or on the employee's ability to perform their job.
2. Conviction, arrest, indictment or charge that: (i) poses a threat to the physical safety of students or personnel; (ii) demonstrates that the employee does not have the integrity or honesty to fulfill his or her employment duties with the College; and/or (iii) creates a substantial disruption to the ordinary operation of the College.
3. Improper use, misappropriation and/or theft of College property (including College funds).
4. Falsified job information or omitting material information in order to secure employment with the College.
5. Participation in any action that would in any way seriously disrupt or disturb the College's normal operations.
6. Trespassing at any trustee or employee's home for the purpose of harassing or forcing dialogue or discussion from the occupants.
7. Willful damage or destruction of College property.
8. Willful acts that would endanger the lives and property of others.
9. Possession of unauthorized firearms or lethal weapons on the College's property.
10. Refusal to accept a reasonable and proper assignment from an authorized supervisor.
11. Reporting to work under the influence of alcohol or an illegal or unauthorized controlled substance or partaking of such items while on the campus.
12. Acceptance of gifts in exchange for favors or influences related to the College.
13. Disclosing confidential information, including student information, from official records to an unauthorized person or entity.
14. Engaging in employment or activities that constitute a conflict of interest to the College.
15. Taking part in political management or political campaigns prohibited by law.
16. Any form of unlawful discrimination or harassment.
17. Deliberately or willfully making false, misleading or ambiguous statements in connection with any official College business, official records or about College employees or students.
18. Violent acts, threats of violence (direct or implied), stalking, or physical intimidation towards College employees or students.
19. Violating the College's technology acceptable use policies and procedures.
20. Violations of College policies and procedures.

III. Employee and Student/Employee Relationships

Romantic or sexual relationships between College employees and students are prohibited if (a) the employee and the student have an academic relationship; (b) if the student is still enrolled in high school; or (c) the student is under the age of eighteen. Academic relationships include any activities in which the employee is a direct or indirect supervisor or instructor for the student, as in a classroom or lab, or is a sponsor for any College activity involving the student, including work study or organizational/club/sport activities. This prohibition shall continue until the student or the employee is no longer affiliated with the College. Employees engaging in inappropriate relationships will be subject to disciplinary action up to and including termination of employment.

Individuals employed by Roanoke-Chowan Community College who engage in relationships with individuals associated with the College who are in unequal positions within the organizational structure may undermine the real or perceived integrity of the supervision and evaluation process, as well as affect the trust inherent in the educational environment. It is the policy of Roanoke-Chowan Community College that romantic, amorous or sexual relationships not be conducted by persons in unequal positions. Romantic, amorous, or sexual relationships between College employees in unequal positions that impairs the College employee's effectiveness, disrupts the workplace learning environment, and/or impairs the public confidence in the College will be subject to disciplinary action up to and including termination of employment.

Romantic or sexual relationships between College employees and students, subordinate, or colleague upon whose academic or work performance he or she will be required to make professional judgments. that do not violate the above provision but that otherwise impair the College employee's effectiveness, disrupts the workplace/learning environment, and/or impairs the public confidence in the College will be subject to disciplinary action up to and including termination of employment or expulsion from the College.

Adopted: Amended July 2021
Cross Reference: Policy 3.3.1 – Personnel Files; Procedures 3.3.3.1 – Arrests and Convictions; Policy 3.3.7 – Discrimination and Harassment; Policy 3.4.1 – Conflicts of Interest; Policy 3.4.2 – Employee Political Activity; Policy 3.4.3 – Weapons on Campus; Policy 3.4.5 – Alcohol and Drugs on Campus; Policy 5.4.1 - Student Records; Policy 7.1.1 – Internet and Network Acceptable Use

General Authority:
Revised: 11-23-04, 10-24-06, 6-15-15
Editorial Changes:

All disciplinary action is intended to be progressive in nature. However, the type of disciplinary action will be based on the factual situation as well as the nature, severity, and type of offense. If warranted by the facts and situation, even for first time offenses, administrators/supervisors may recommend dismissal.

Except for serious misconduct and performance issues and as stated elsewhere in the policy, employees shall receive two (2) warnings for minor performance or conduct issues: first, an oral warning with a follow-up letter from the supervisor to the employee documenting the deficiencies in performance or conduct which were discussed and the improvement(s) required; second, a written warning/reprimand which will serve notice upon the employee that a continuation of the deficiencies in performance or conduct may result in disciplinary action, which may include dismissal.

Generally, the President may delegate authority under this policy to another College administrator, such as a Vice President. Any reference to the President in this policy, is also a reference to the President's designee.

## I. WARNINGS

A. Oral Warnings with Follow-Up Letter

1. The employee's supervisor shall meet with the employee and review with the employee exactly what is expected of them and explain to the employee how they have not met the College's expectations.

2. The supervisor shall provide the employee an opportunity to explain their actions.

3. The supervisor shall make recommendations for corrections and establish a reasonable period of time for the employee to correct the issues.

4. The supervisor shall provide the employee a letter regarding the oral warning and the College's expectations. A copy of the letter, and all subsequent letters, shall be included in the employee's personnel file.

B. Written Warnings

After giving an oral warning and allowing for a reasonable period of time to correct the issues outlined in the supervisor's follow-up letter to the employee, if the employee has not corrected the issues, the supervisor shall meet with the employee for the purpose of delivering a written warning. The written warning shall further document the continued issues and shall state that if the employee does not immediately correct the issues, the employee may be subject to additional disciplinary action which could include dismissal. Before issuing to the employee

the written warning, the President, Human Resources, and any intermediate superior/supervisor shall review the contents of the letter. A copy of the written warning, and all subsequent letters, shall also be included in the employee's personnel file.

C. Serious Misconduct

For serious misconduct, as determined by the President, an employee may be subject to termination or other disciplinary action without first receiving oral or written warnings.

## II. SUSPENSION

Suspensions may be used in two ways: as an independent discipline action or in conjunction with an investigation and dismissal proceedings.

A. Independent Discipline Action

1. The President has the authority to suspend an employee with or without pay as a disciplinary action and may delegate this authority to a Vice President or other College administrator. The President or designee may make such determination without a recommendation from a supervisor and/or Vice President. The President or designee may choose other disciplinary action, too.

2. Before suspending an employee as a disciplinary action, the President or designee shall meet with the employee and give the employee an opportunity to be heard. After hearing from the employee, the President or designee shall make a determination regarding the suspension, whether it shall be paid or unpaid and the length of the suspension. The President or designee shall prepare a follow-up written statement providing the circumstances and facts which led to the suspension. A copy of the letter shall be included in the employee's personnel file.

3. When an employee is suspended, they shall leave the College property at once and not be allowed to return until the end of the suspension unless authorized by the President.

4. Failure of the employee to report back to work when requested, or at the suspension expiration date, will be considered a voluntary resignation of employment and any subsequent reinstatement or re-employment shall be on the basis of new employment.

5. If the decision to suspend an employee without pay is made by the President's designee, the employee may appeal the decision to the President; however, the suspension without pay will not be tolled pending

the appeal. Any appeal must be received in writing by the President within five (5) business days. The President's decision is final and may not be appealed to the Board of Trustees. An employee may appeal the President's decision to impose suspension without pay to the Board of Trustees pursuant to Policy 3.3.6; however, the suspension without pay will not be tolled pending the appeal.

B. Suspension to Allow for an Investigation

The President or designee may suspend an employee, with pay, for up to ninety (90) days while conducting an investigation as to whether the employee engaged in conduct that would warrant dismissal or other disciplinary action. At the end of the ninety (90) day period, the President shall dismiss the employee, reinstate the employee, or implement another disciplinary action. For good cause, the President may extend the ninety (90) day suspension period. An employee may not appeal a suspension with pay.

## III. DISMISSAL

A. At Will Employees

1. At-will employees may be terminated on any basis that is not discriminatory or otherwise unlawful. The President has authority to terminate at-will employees and may delegate this authority to any Vice President or other College administrator.

2. If a supervisor determines that an employee's actions warrant dismissal, the supervisor shall recommend dismissal of the employee to the appropriate Vice President.

3. If necessary, the President or designee may suspend the employee pursuant to Section II(B). Before approving the supervisor's recommendation and dismissing the employee, the President or designee shall meet with the employee and provide the employee with an opportunity to be heard. If, after the meeting, the President or designee decide to dismiss the employee, the President or designee shall provide the employee with written notice of dismissal. The notice shall be included in the employee's personnel file.

4. If the President's designee made the decision to dismiss an employee, the employee may appeal the decision to the President. Any request for appeal must be submitted in writing and received in the President's office within five business (5) days. The President may choose to meet with the employee or render a decision based on the written record. An employee may appeal the President's decision to impose or uphold dismissal to the Board of Trustees pursuant to Policy 3.3.6; however, the dismissal shall not be tolled pending the appeal. The employee's only basis for appeal is if the

President's actions were impermissible based on a violation of state or federal law.

B. Contract Employees

1. The President has authority to dismiss a contract employee pursuant to the provisions of this section. The President may delegate this authority to a Vice President or other College administrator.

2. If a supervisor determines that an employee's actions warrant dismissal, the supervisor shall recommend termination to the appropriate Vice President who shall, after meeting and consulting with the supervisor and Human Resources, provide the recommendation to the President. If necessary, the President or Vice President shall suspend the employee pursuant to Section II (B). As necessary, the President or designee may further investigate the matter.

3. At the conclusion of any investigation and after review of the recommendation, the President or designee shall either dismiss the matter or meet with the employee and present him/her with a written notice of charges and provide the employee with an opportunity to respond. If, after the written notice of charges meeting, the President or designee decides to dismiss the employee, the President shall provide the employee with written notice that the employee is being dismissed and the reasons for the dismissal. The notice shall be included in the employee's personnel file.

4. If a Vice President made the decision to dismiss an employee, the employee may appeal the decision to the President. Any request for appeal must be submitted in writing and received by the President's office within five business (5) days. The President may choose to meet with the employee or render a decision based on the written record. An employee may appeal the President's decision to impose or uphold dismissal to the Board of Trustees pursuant to Policy 3.3.6; however, the dismissal shall not be tolled pending the appeal. The employee's only basis for appeal is if the dismissal is impermissible based on a violation of state or federal law.

5. For serious misconduct and performance issues, the President may skip any of the procedures in subsection 1 and immediately meet with the employee and provide a written notice of charges.

Adopted: 6.25.24
Revised: 10.28.25
Cross Reference: Policy 3.3.6 – Right of Appeal.

## I. DEFINITIONS

1. Non-renewal means the decision not to offer a new contract at the end of the current contract period.

2. Impermissible Grounds means the use of the employee's race, religion, color, national origin, sex, gender identity, sexual orientation, age, disability, genetic information, political affiliation, or status as a covered veteran in accordance with all applicable federal, state and local laws; or if the decision is otherwise a violation of state or federal law.

## II. NON-RENEWAL PROCESS

At least 30 days prior to the end of the contract period, the President or designee will notify, via hand-delivery, certified mail and/or campus email, any employee who will not be offered a new employment contract. The College may non-renew the employee's contract for any reason that is not based on Impermissible Grounds. The failure of the College to provide notice of non-renewal prior to the expiration of any contract does not entitle the employee to a new contract.

The employee has the right to appeal the President's decision to the Board of Trustees as outlined in Policy 3.3.6 – Right of Appeal provided; however, the Board of Trustees will only hear and consider an employee's appeal if the employee is alleging that the non-renewal is based on Impermissible Grounds.

If an employee continues working beyond the term of any contract and the College and employee have not entered into a new or extended contract, the employee shall become an at-will employee and the College or employee may terminate the employment relationship at any time subject to any state or federal laws.

## III. RESIGNATIONS

Any employee who does not wish to be nominated for re-employment should notify the appropriate Vice President in writing at least thirty (30) calendar days prior to the expiration of the current contract. Faculty employees are expected to give at least one (1) semester of notice in writing to the President. The actual leave date should coincide with the completion of an academic term in order not to disrupt classroom instruction.

In cases where, in lieu of disciplinary action and dismissal, the employee tries to unilaterally resign, the President does not need to accept the resignation and may continue with the disciplinary and dismissal process.

IV. Employees separating from College employment for any reason must complete a check-out form and have it approved by the appropriate persons noted on the form before a final

pay check will be issued. This form provides for certification that all necessary reports are complete and keys, identification card, and other College property have been returned.

Failure to return college property may result in a reduction of pay from the employee's last pay check to recover the loss, replacement and/or repair of the property. An administrative fee of five percent of the amount due the College will be assessed to offset the cost incurred by the College for the reclamation of its property.

The administration is also authorized to pursue criminal prosecution against employees who take and refuse to return property of the College.

Adopted: 6.25.2024
General Authority:
Revised: 11-25-05
Editorial Changes: 12-6-23

## I. Right of Appeal

A. In case of dismissal pursuant to Policy 3.3.4 or reduction in force pursuant to Policy 3.3.9, an eligible employee (as outlined in each Policy) has a right to appeal the President's decision and must do so within five (10) business days of the action taken. Appeals must be submitted in writing to the President who shall forward the appeal to the chair of the Board of Trustees. The employee must articulate the grounds for the appeal in the notice. Further, the employee shall state in the notice whether the employee has or is seeking legal counsel for the appeal.

B. No later than thirty (30) business days from the President's receipt of the employee's written appeal, unless mutually agreed by the parties, the Personnel Committee ("Committee") of the Board of Trustees shall conduct a hearing pursuant to Section II. The employee's failure to inform the President that they have retained legal counsel for the appeal at least three (3) business days prior to the hearing shall be automatic grounds for a continuance of the hearing if so desired by the College.

C. No later than ten (10) business days from the date of the hearing, the Committee shall provide the employee with its written determination to uphold, reject or modify the President's decision. The determination shall be included in the employee's personnel file. If the employee is reinstated, they shall receive all lost wages from the date of the suspension without pay and/or dismissal unless otherwise decided by the Committee.

D. At the next regularly scheduled Board of Trustee's meeting, the Committee shall report its determination to the full Board of Trustees.

## II. Hearing Procedure

A. The hearing shall be conducted with only the members of the Committee, the employee, the President and other appropriate College administrators and relevant witnesses. The employee, the Committee, and the President may also be represented by legal counsel. If an employee chooses to have counsel present, the employee is responsible for retaining and paying for those services. The Board's legal counsel shall act as a procedural officer during the hearing and give advice to the Committee regarding necessary rulings and matters of due process. A Committee member who has a significant conflict of interest or bias should disqualify himself/herself or be excused by the Committee's adoption of a motion to disqualify. For purposes of the appeal, a majority of the Committee members must be present. The Committee will make an audio recording of the hearing and a copy of the audio will be made available to the employee upon request. If the employee wants a transcription of the proceeding, the employee is responsible for the cost of and to arrange for the transcription.

B. Strict rules of evidence or procedure do not apply to appeal hearings before the Committee. The Committee may consider any and all evidence that it determines to be fair and reliable. All witnesses may be questioned and cross-examined by the Committee members, the employee and the President. The Committee will be the sole judge of the weight given to specific evidence and the credibility of all witnesses. The conduct of the hearing shall be under the Committee chair's control.

C. The burden is on the employee to demonstrate that they did not violate the Employee Code of Conduct or engage in the reason(s) underlying the disciplinary action or employment termination or, in appropriate cases, that the President's determination was based on illegal discrimination.

D. At least five (5) business days prior to the hearing, the parties shall exchange all documentary evidence that the parties plan on using at the hearing. The President shall be responsible to assemble all the documents and make each Committee member and the parties a packet for the hearing. The packet must contain the following in this order: a) a copy of these Procedures; b) a copy of the President's written determination that is being appealed; c) a copy of the employee's request for appeal to the Committee; d) the President's documents for the hearing, if any; and e) the employee's documents for the hearing, if any. The President shall provide the employee a copy of the packet prior to the hearing.

E. The hearing shall begin with the President's presentation of evidence. The President's presentation of evidence is limited to one (1) hour unless extended by the Committee Chair. The President, or their legal counsel, shall present and examine their witnesses and evidence. The Committee will have an opportunity to question the witnesses and review the submitted evidence. The employee may cross-examine the President's witnesses and the time used by the employee to cross-examine witnesses shall not count against the President's one (1) hour of time.

At the conclusion of the President's presentation of evidence, the employee will present their evidence. The employee's presentation of evidence is limited to one (1) hour unless extended by the Committee Chair. The employee, or their legal counsel, shall present and examine their witnesses and evidence. The Committee will have an opportunity to question the witnesses and review the submitted evidence. The President may cross-examine the employee's witnesses and the time used by the President to cross-examine witnesses shall not count against the employee's one (1) hour of time.

F. At the conclusion of the employee's presentation of evidence, the President will be given five (5) minutes to present a closing statement. Following the President's closing statement, the employee shall be given five (5) minutes to present a closing statement.

G. At the conclusion of the hearing, the Committee will deliberate in closed session and will inform the parties, in writing, of its determination to uphold, reverse or

modify the President's decision no later than ten (10) business days from the hearing.

H. The Chair of the Personnel Committee shall notify the full Board of Trustees of the Committee's decision. Either the President or Employee may appeal the Personnel Committee's decision to the full Board of Trustees. The Board of Trustees shall determine whether to hear the matter and any hearing will be set in a timely manner. Any appeal hearing before the Board will be based on the record established at the Personnel Committee hearing and no new evidence will be allowed unless the evidence was unavailable at the time of the Personnel Committee's hearing and with approval of a majority of the present Board of Trustees members. The Chair of the Board of Trustees may set reasonable time limitations on the appeal presentations. After the hearing, the Board shall deliberate in closed session and provide its decision in writing to both the President and employee. The Board of Trustees' decision is final.

Adopted: 6.25.24
Revised: 10.28.25

The College is fully committed to providing a learning and working environment that is free from prohibited discrimination. The College does not practice or condone discrimination based on race, color, national origin, religion, sex, sexual orientation, gender, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status in the administration or in any of its education programs and activities and employment practices.

The College will promptly and effectively address any such discrimination of which it has knowledge using the following procedures:

For issues related to Title IX sexual harassment, see Procedures 3.3.7.1/5.3.4.1 – Sexual Harassment.

For issues related to all other types of unlawful discrimination and harassment, see Procedures 3.3.7.2/5.3.4.2 – Unlawful Discrimination and Harassment.

Adopted: 7.31.24

Legal Reference: Title VI and VII of the Civil Rights Act of 1964; The Americans with Disabilities Act of 1990; Section 504 of the Rehabilitations Act of 1973; The Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Title II of the Genetic Information Nondiscrimination Act of 2008; Title IX of the Higher Education Amendments of 1972; Lily Ledbetter Act; NC Equal Employment Practices Act; NC Retaliatory Employment Discrimination Act; Jeanne Clery Disclosure Act of Campus Security Policy and Campus Statistic Act of 1990; Campus Sexual Assault Victim's Bill of Rights of 1992; Violence Against Women Act of 1994; Campus Sexual Violence Elimination Act of 2013; and the Pregnant Workers Fairness Act of 2023.

Cross Reference: 3.3.7

[1] The Human Resources and Student Services sections of our model policy manual both contain the Discrimination and Harassment Policy and Procedures. We have included both numbers on this policy for cross-reference. The policy and procedures should be exactly the same in both sections.

In order to maintain a harmonious and cooperative relationship between the College and its employees, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every employee shall have the right to present their problem or grievance free from coercion, restraint, discrimination or reprisal. The Policy provides for prompt and orderly consideration and determination of employee problems or grievances by supervisors and the President.

A grievance is any matter of employee concern or dissatisfaction within the College's control except: (a) employee disciplinary matters pursuant to Policy 3.3.4; (b) the non-renewal of an employment contract pursuant to Policy 3.3.5; (c) discrimination and harassment pursuant to Policy 3.3.7; (d) reduction in force and/or involuntary leave without pay pursuant to Policy 3.3.9; or (e) any other matter that has a specific grievance process outlined in College policy.

**A. Informal Grievance Process**

If an employee has a grievance, it should first be discussed with their immediate supervisor within five (5) days from the date of the situation that is grieved. The supervisor may call higher level supervisors into the discussion if the employee agrees or the supervisor may consult with higher level supervisors to seek any needed advice or counsel from their administrative superiors before giving an answer. The employee shall receive an answer within five (5) days or be advised as to the conditions which prevent an answer within five (5) days and when an answer may be expected. In any event, an answer shall be provided in writing within ten (10) days. The circumstances should be documented by both the supervisor and the grievant.

**B. Formal Grievance Process**

If the decision reached by the Informal Grievance Process is not satisfactory to the grievant, they may file a written grievance with the Director of Human Resources ("Director") within five (5) days after receipt of the Informal Grievance Process decision. The written grievance must contain with specificity the facts supporting the grievance. Depending on the nature of the appeal, the Director will determine to what extent additional facts will be required. The supervisor and employee shall provide all pertinent information the Director requests and the Director will review the facts and hold whatever discussions they deem necessary. The Director shall provide a written decision to the proper administrators or superiors and grievant within ten (10) dates of receipt of the grievance. In the absence of an appeal, the Director's decision will be carried out within a reasonable period of time and the grievance considered resolved.

**C. Appeal to the President**

If the decision reached by the Formal Grievance Process is not satisfactory to the grievant, the grievant may, within five (5) days receipt of the Director's decision, appeal the Director's decision to the President. The appeal must be in writing and provided to the President. The President will conduct an "on the record review" of the documents and supporting materials presented during the Formal Grievance Process and, if needed, conduct any further investigation. The President can accept, reject or modify the Director's determination and will make a decision within ten (10) days and the decision will be communicated to all appropriate persons. The President's decision shall be final.

**D. Grievances Involving the President**

In the event a grievance is being filed against the President, the grievant shall first follow the Informal Grievance Process outlined above and meet with the President. If the grievant is not satisfied with the resolution at the Informal Grievance Process, they may continue with the Formal Grievance Process but file the written grievance with the Board Chair. The Board Chair shall delegate the matter to the College Attorney to conduct an investigation. The Board Attorney will have the authority to conduct the investigation and will file a written report to the Board and the grievant within thirty (30) days.

The Board shall review the Board Attorney's report and if necessary, allow for the grievant and President to address the Board. The Board shall issue a written decision within thirty (30) days receipt of the Board Attorney's report.

In the event that more time is necessary for either the Board Attorney to conduct an investigation and/or the Board to review the matter, the Board Chair may extend all deadlines as necessary.

**E. Rules**

Grievances shall be processed according to the following rules:

1. If at any stage of the grievance the grievant does not take the next step within the time allotted, the grievance shall be settled in the manner recommended or decided by the administration at the last step.

2. All reference to number of days in this procedure shall be determined to mean College working days. In the event a grievance is not filed or processed in the manner and within the time set forth above, it shall be forever barred.

3. The grievant may withdraw the grievance at any level.

Adopted: 6.25.2024

## I. POLICY STATEMENT

The College may terminate employment or may require any employee or class of employees to take involuntary leave without pay at any time because of: 1) a financial exigency; or 2) a program change for institutional reasons.

## II. DEFINITIONS

A. Employee means full-time and part-time employees who are not considered "at will".

B. Financial Exigency means any decrease in the College's financial resources that are brought about by decrease in enrollment, decrease in funding from any source (federal, state, local, institutional, etc.) or by other action or events requiring the immediate expenditure or diversion of College resources that prevent or inhibit the College's ability to continue the employment or level of the employee's compensation or a class of employees and cause a need for reduction in force and/or involuntary leave without pay.

C. Impermissible Grounds means the use of the employee's race, religion, color, national origin, sex, gender identity, sexual orientation, age, disability, genetic information, political affiliation, or status as a covered veteran in accordance with all applicable federal, state and local laws; or if the decision is otherwise a violation of state or federal law.

D. Involuntary Leave without Pay means a period of mandatory separation from work during which an employee may not take or use any form of paid leave. All state mandated benefits shall continue to accrue during any period of leave without pay.

E. Program Change means any elimination, curtailment or reorganization of an educational offering or support department which may or may not be related to a financial exigency.

F. Reduction in Force means the termination of employment during a contract period as a result of financial exigency or program change. A non-renewal is not considered a reduction in force under this policy; see Policy 3.3.5 – Contracts Nonrenewal and Resignations.

## III. INVOLUNTARY LEAVE WITHOUT PAY/REDUCTION IN FORCE

### A. General Criteria for the President's Decision

All decisions made under this Policy will take into consideration the needs of the population being served with respect to the College's mission and goals while attempting to minimize the level of impact and quality of services provided. Responsibility will rest with the President working collaboratively with senior level administrators to determine the employee(s) affected by involuntary leave without pay or reduction in force based on recommendations from Vice Presidents, department heads and/or other management personnel associated with the departments where proposed actions will be implemented.

Further, the President will consider relevant factors when considering a reduction in force or, if applicable, involuntary leave without pay, which may include, but are not limited to:

1. Written recommendations regarding staffing needs from supervisors;
2. Specific and overall program enrollment history and needs;
3. Source of available funds and applicable restrictions;
4. Other beneficial service by an employee to the College;
5. Length of service in the North Carolina Community College System with a higher priority being given to the length of service for the College; and
6. Employee performance evaluations.

These factors are not listed in any particular order or priority.

**B. President's Decision and Notice to Affected Employees**

Once the President makes their decision, they shall give written notice of termination and/or involuntary leave without pay to each affected employee. The written notice will be given as soon as practicable, and in any event, no less than ten (10) business days prior to the effective date of termination and no less than five (5) business days prior to a period of involuntary leave without pay. The written notice shall include: 1) a statement of condition requiring termination and/or involuntary leave without pay; 2) a general description of the procedures followed in making the decision; and 3) a copy of this Policy. The President shall also send a copy of the notice to the Chair of the Board of Trustees ("Chair").

**C. Request for an Appeal**

An employee may appeal the President's decision to impose a reduction in force or involuntary leave without pay to the Board of Trustees pursuant to Policy 3.3.6; however, the Board of Trustees will only hear and consider an employee's appeal if the employee is alleging that the non-renewal is based on Impermissible Grounds. The decision to reduce in force or to place an employee on leave without pay shall not be tolled pending the appeal.

**D. Continuation of Health Insurance**

If an employee has at least twelve (12) months of service and is terminated in accordance with this Policy due to a financial exigency, the employee may retain health insurance coverage for up to twelve (12) months. The College shall continue to pay the employer portion of the cost of health insurance coverage for twelve (12) months, but the employee must continue to pay the employee portion of the cost of coverage. A former employee covered by this section shall lose eligibility if the former employee is provided health insurance coverage on a non-contributory basis by a subsequent employer.

## IV. EXCLUSIVE REMEDY

The rights and remedies set forth herein constitute the sole and exclusive process in the event of a termination by reduction in force or involuntary leave without pay. No other personnel action or grievance may be asserted or considered under this Policy.

Adopted: 6.25.2024
Legal Reference: N.C.G.S §135-48.40(b)(8)

In accordance with N.C.G.S. §§ 14-234, 133-32 and Chapter 138A and in order to avoid conflicts of interest, the appearance of a conflict of interest or the appearance of impropriety, the Board of Trustees and College employees shall adhere to the following rules:

**A. Contracts with the College**

Board members and employees shall not do any of the following:

1. Obtain a direct benefit from a contract that he/she is involved in making or administering on the College's behalf unless a legal exception applies;
2. Influence or attempt to influence anyone who is involved in making or administering a contract on the College's behalf; or
3. Solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the College.

A Board member or employee is involved in administering a contract if he/she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. A Board member or employee is involved in making a contract if he/she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract. An employee derives a direct benefit from a contract if the employee or his/her spouse does any of the following: (a) has more than ten percent (10%) ownership or other interest in an entity that is a party to the contract; (b) derives any income or commission directly from the contract; or (c) acquires property under the contract.

**B. Receipt of Gifts**

Unless a legal exception otherwise applies, no Board member or College employee may accept gifts from any person or group desiring to do or doing business with the College unless such gifts are instructional products or advertising items of nominal value that are widely distributed.

**C. Reporting Requirements**

Any Board members or employees who have questions regarding this Policy or whose actions could be construed as involving a conflict of interest shall report as follows:

1. College employees shall report to the President.
2. President/Board Members shall report to the Board Chair.
3. Board Chair shall report to the College's legal counsel.

**D. N.C. State Ethics Act**

- Pursuant to N.C.G.S. § 138A-3(30)(k), all voting Board members, the President, and the VP Administrative & Fiscal Services ("Covered Persons") are subject to the N.C. State Ethics Act. Covered Persons shall complete and file a public disclosure of economic interests as required under the Act, adhere to the ethics standard required under the Act, and shall complete all required mandatory ethics education and training.

**E. Contracts with Non-Profits**

A Board member who is also a director, officer, or governing board member of a nonprofit organization will not (1) knowingly vote on, participate in deliberations on, or administer any contract with that nonprofit; (2) influence or attempt to influence the deliberation or vote of others on any such contract; or (3) solicit or receive any gift, reward, or other benefit in exchange for recommending, influencing, or attempting to influence the award of such contract in violation of G.S. 14-234.3. A Board member must notify the Chair of any potential conflict under this section and, if the Board votes on the matter, a Board member with a conflict under this section may not participate in the debate or vote on the matter. Once the Board member's recusal is recorded in the minutes of the Board, the Board may approve the contract.

Any contract entered into in violation of this section is void.

**F. Appearance of a Conflict**

Board members and employees shall make every effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person may conclude from the circumstances that a Trustee or employee's ability to protect the public interest, or perform public duties, is compromised by familial, personal, or financial interests. An appearance of conflict may exist even in the absence of a true conflict of interest.

Any applicable State Board administrative regulations and rules and any applicable North Carolina state law will take precedence over this Policy.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 14-234, 115D-26, 133-32 and Chapter 138A
Cross Reference: Policy 3.4.1 – Conflict of Interest (duplicate)

# I. POLITICAL ACTIVITY – NON-SOLICITATION

No College employee shall solicit support for a political candidate or any issue on a referendum during regular College working hours, on College property, using College stationery or e-mail, or other College resources. The Board of Trustees, however, may authorize the President or the President's designee to solicit support during regular College working hours for referendums that directly support the College's interest.

Any employee who becomes a candidate for political office is prohibited from soliciting support while on duty and/or on College property. Any exceptions must have prior written approval from the President.

# II. POLITICAL ACTIVITIES BY COLLEGE EMPLOYEES

## A. COLLEGE EMPLOYEES

As an individual, a College employee retains all rights and obligations of citizenship provided in the Constitution and laws of North Carolina and the Constitution and laws of the United States. Therefore, the College encourages an employee to exercise his/her rights and obligations of citizenship.

Any College employee who decides to run for a public office shall, prior to or at the time of filing for that office, notify the President of his/her intention to run and shall, in writing, certify that his/her will not campaign or otherwise solicit support during regular work. Further, any employee who seeks a public office shall, in writing, certify that s/he will not involve the College in his/her political activities.

Any employee who wishes to participate in any political activity during the normal workday must take leave in accordance with College policy. Also, the employee shall obtain the permission of his/her supervisor in scheduling leave.

Any employee who is elected or appointed to a part-time public office shall certify, in writing, through the President to the Board of Trustees that the duties of elected office will not interfere with the employee's ability to carry out the duties of the employee's position with the College and that if those duties do interfere, as determined by the President or Board of Trustees, the employee will request leave.

Any employee who is elected or appointed to a full-time office or the General Assembly shall take a leave of absence, without pay, upon assuming that office. The Board of Trustees shall determine the length of the leave of absence.

## B. COLLEGE PRESIDENT

If the President decides to run for public office, he shall notify the Board of Trustees, prior to filing for that office, of his intention to run and certify, in writing,

that no campaigning or political activities will be engaged in during regular work hours and that the College will not be involved in the President's political activities.

If the President wishes to participate in any political activity during the normal workday, he must take leave in accordance with College policy. If the President is elected or appointed to a part-time public office, s/he shall certify, in writing, to the Board of Trustees that the duties of the elected public office will not interfere with his ability to carry out the duties of the College presidency and that if those duties do interfere, as determined by the Board of Trustees, he will request leave.

If the President is elected or appointed to a full-time public office or to the General Assembly, s/he shall take a leave of absence, without pay, upon assuming that office. The Board of Trustees shall determine the length of the leave of absence.

The President is prohibited from soliciting support for election to public office during regular work hours. The President is also prohibited from soliciting support on College property unless otherwise authorized by the Board of Trustees. The authorization shall be determined on a case-by-case basis. The Board of Trustees shall notify the State Board of Community Colleges if the President becomes a candidate for public office or if the President is elected or appointed to a public office.

## C. DEFINITIONS

Public office means any national, state or local governmental position of public trust and responsibility, whether elective or appointive, which is created or prescribed or recognized by constitution, statute or ordinance. Membership in the General Assembly is a full-time public office under this Policy.

Adopted: 6.25.2024
Legal Reference: 1C SBCCC 200.99

Students, staff, faculty and visitors are legally prohibited from carrying a weapon onto campus unless a legal exception applies. For purposes of this policy, a "weapon" includes firearms, explosives, BB guns, stun guns, air rifles or pistols and certain types of knives or other sharp instruments (see N.C.G.S. § 14-269.2).

The prohibition does not apply if the weapon is on campus pursuant to one of the reasons listed in N.C.G.S. § 14-269.2(g). It is the individual's responsibility to know and understand the law prior to bringing any weapon onto campus. Failure to follow the law, regardless of the person's intent, will result in appropriate disciplinary action and a referral to local law enforcement.

It is permissible for an individual to bring a handgun onto campus under the following limited circumstances:

A. The firearm is a handgun; AND

B. The individual has a valid concealed handgun permit (or is exempt from the law requiring a permit); AND

C. The handgun remains in either: a closed compartment or container within the locked vehicle of the permit holder; or a locked container securely affixed to the locked vehicle of the permit holder; AND

D. The vehicle is unlocked only when the permit holder is entering or exiting the vehicle; AND

E. The handgun remains in the closed compartment or container at all times except for a reasonable amount of time for the person to transfer the handgun from the closed compartment or container to his person or from his person to the closed compartment or container.

Firearms (and other weapons prohibited on campus) may not be stored or transported in College-owned or rented vehicles.

Adopted: 6.25.2024
Legal Reference: N.C. Session Law 2013-369; N.C.G.S. 14-269
Cross Reference: Policy 2.1.6

The illegal use of controlled substances, substances that cause impairment, and abuse of alcohol are harmful to the health, well-being and safety of the College's employees and students. Employees and students who illegally use controlled substances, substances that cause impairment, or who abuse alcohol are less productive, less reliable and prone to greater absenteeism resulting in unnecessary costs, delays, academic failure and safety risks. The College is committed to maintaining a safe workplace and an educational environment free from the influence of illegal controlled substances, substances that cause impairment, and alcohol.

## I. PROHIBITED BEHAVIOR

All College employees and students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or drug paraphernalia. Using or being under the influence of substances that cause impairment is prohibited for all employees and students.

This Policy does not apply to the use of alcohol in instructional situations (e.g., cooking classes, laboratory experiments) or in conjunction with events which meet the requirements of all state laws. This Policy does not apply to the proper use of lawfully prescribed controlled substances by a licensed health-care provider to the student or employee who is prescribed the controlled substance and using it in the manner in which the healthcare provider prescribed it.

## II. DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

A. *Alcohol* means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.

B. *Controlled Substance* means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.

C. *Substance* means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

D. *Conviction* means the entry in a court of law or military tribunal of: (1) a plea of guilty, nolo contendere, no contest or the equivalent; (2) a verdict of guilty; or (3) a prayer for judgment continued or a deferred prosecution.

E. *Reasonable Suspicion* is the legal standard required before the College can require an employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

## III. DUTY TO REPORT

Pursuant to Procedures 4.3.3.1 – Arrests and Convictions, all employees who are arrested, indicted, cited or convicted for a criminal offense are required to inform, in writing, his/her supervisor. This includes being arrested or receiving a citation for a violation of any federal or state controlled substance or alcohol statute. If an employee's arrest, conviction or citation has an effect on the employee's ability to perform his/her job duties or brings negative attention to the College, the employee may be subject to disciplinary action in accordance with this Policy.

Convictions of employees working under federal grants that are convicted of violating a federal or state controlled substance or alcohol statute on the College's property, or as part of any activity initiated by the College, shall be reported to the appropriate federal agency. A College official must notify the U.S. government agency, which made the grant, within ten (10) days after receiving notice from the employee or otherwise receives actual notice of a conviction of a controlled substance or alcohol statute occurring in the workplace.

Students employed under the College Work Study Program are considered to be employees of the College if the work is performed for the College in which the student is enrolled. For work performed for a federal, state, local public agency, a private nonprofit or a private for-profit agency, students are considered to be employees of the College unless the agreement between the College and the organization specifies that the organization is considered to be the employer.

## IV. CONSEQUENCES FOR VIOLATIONS

Violation of this Policy will subject students and employees to disciplinary action including, but not limited to: suspension, expulsion, non-renewal or termination of employment or the requirement that the student or employee satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program at the student or employee's expense and approved by the College and agree to certain conditions.

Article V of Chapter 90 of the North Carolina General Statutes makes it a crime to possess, manufacture, sell or deliver or possess with intent to sell or deliver a controlled substance. N.C.G.S. § 90-95. As citizens, all members of the College community are expected to

know and comply with these laws. Legal matters may be referred to local law enforcement. Employees and students who are in violation of alcohol and drug laws may suffer legal consequences ranging from fines up to incarceration. Furthermore, any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs, is also considered a violation of the drug and alcohol Policy.

## V. CONTROLLED SUBSTANCES AND ALCOHOL TESTING

Upon a conditional offer of employment, new employees may be required to be tested for substances, including controlled substances or alcohol.

Employees may be required to be tested for substances, including controlled substances or alcohol, based on individualized, reasonable suspicion. The required observations for reasonable suspicion testing shall be made by an administrator, supervisor or other trained official and the person who makes the determination that reasonable suspicion exists shall not be the same person who conducts the test. This section does not apply to law enforcement officers serving the College through the local sheriff's department. Law enforcement officers must adhere to their normal standards when conducting a search.

All substances, including controlled substances and alcohol testing, shall be administered by a non-College, third party laboratory chosen by the President. The testing shall be performed at the laboratory. A representative from Human Resources and the employee's immediate supervisor will accompany the employee to the testing site utilizing a College vehicle (if available). The chosen laboratory shall use standard testing protocols that will maintain the confidentiality of the employee and student. All tests shall be reviewed by a medical review officer not affiliated with the College. Employees will have the opportunity to provide any information to the medical center which the employee considers relevant to the test, including identification of currently or recently used prescription or non-prescription drugs. The College shall pay for the initial test. If the employee wishes to dispute the results with a subsequent re-test, the employee shall be responsible for the cost of the re-test.

Pending the results of the testing, (if not instant), the employer can suspend the employee on leave with pay. The College must give the employee written notice of positive results and notice of the right to a re-test (at the employee's expense) pursuant to G.S. 95-232(f). If the results are positive, the supervisor may recommend disciplinary action pursuant to Policy 4.3.4.

## VI. POST-ACCIDENT TESTING

In the event of a work-related injury, if the supervisor has reason to suspect that impairment is involved in the accident s/he should report the incident to a representative from the Human Resources Department and the employee may be tested as set forth above.

## VII. DISSEMINATION TO COLLEGE COMMUNITY

This Policy shall be maintained on the College's website and a copy of this policy will be maintained in the College's Human Resources Office and Student Services Office.

## VIII. POLICY REVIEW

The College Administration will review this Policy annually.

Adopted: 6.25.2024
Legal Reference: 21 CFR Part 1308; 34 CFR 86; N.C.G.S. 90-86

# I. COMMUNICABLE DISEASE

Communicable diseases, those that have serious effects on human health, can pose a threat to the College community. The College will take all reasonable measures to ensure the safety of members of the College community during global and local infectious disease events. Communicable disease is defined as an illness due to a specific infectious agent or its toxic products that arises through transmission of that agent or its products from an infected person, animal, or reservoir to a susceptible host, either directly, or indirectly through an intermediate plant or animal host, vector, or the inanimate environment. Examples of communicable disease include but are not limited to acquired immunodeficiency syndrome (AIDS), coronavirus-19 (covid-19), chicken pox, hepatitis, measles, tuberculosis, meningitis, mononucleosis, whooping cough, and other viral diseases that reach a pandemic level, and for purposes of this Policy only, those communicable diseases which constitute a disability pursuant to the Americans with Disabilities Act.

The College shall not exclude individuals with communicable diseases unless a determination is made that the individual presents a health risk to themselves or others. The College shall consider the educational or employment status of those with a communicable disease on an individual basis.

## A. Procedure

1. All information and records that identify a person as having a communicable disease shall be strictly confidential.

2. Disclosure of medical information shall be made by the President only to those on a need-to-know basis in order to protect the welfare of persons infected with a communicable disease or the welfare of other members of the College community.

3. Unauthorized disclosure of medical information by an employee of the College is prohibited. Violation of this prohibition may result in the suspension from, or termination of employment.

4. A person who knows or has a reasonable basis for believing that they are infected with a communicable disease is expected to seek expert advice about their health circumstances and is obligated ethically and legally to conduct themselves responsibly toward other members of the College community.

5. Faculty and staff of the College and employees of contractors, or contracted services, who are infected with a communicable disease are urged to notify

the appropriate Dean/Director so that the College can respond appropriately to their health needs. Students are urged to share information with the appropriate Dean/Director for the same reason.

6. A person infected with a communicable disease (including the AIDS virus whether active AIDS, AIDS-Related Complex, or undetectable viral load) will not be excluded from enrollment or employment or restricted in their access to the College's services or facilities unless, in individual cases, the College administration determines that exclusion or other restrictions are necessary for the health and welfare of others at the College.

7. Included in making decisions in individual cases which restrict access to employment may be the College President, Legal Counsel for the College, the Deans/Directors, the individual's personal physician, the local Health Director (or designee) and if necessary, another physician with expertise in managing communicable disease cases.

8. The College shall provide information regarding communicable diseases, including AIDS.

**B. Immunizations**

Prior to admission or employment, the College may require students and employees to be immunized from certain communicable diseases, including but not limited to measles, mumps, rubella, tetanus, varicella, and meningitis. Students and employees are excused from providing proof of one or more of the required vaccinations if the student or employee has one of the following:

- physician's written statement of immunity due to having had the infection;
- a statement of contraindication to a vaccine (accompanied by a physician's statement);
- a lab titer documenting immunity; or
- a statement of religious exemption

Religious and medical exemption letters will be accepted in lieu of immunization information. Medical exemption letters must be accompanied by a physician's statement.

The immunizations listed here are not meant to supersede more restrictive requirements for employment or participation in a specific College program or class, such as childcare, classes that lead to a medical degree or certificate, or clinical programs.

**C. Public Health Incidents**

Should influenza, or any other communicable disease, reach a pandemic level, the President shall regularly monitor the situation by communicating with local and state health officials and by reviewing media sources.

Should any communicable disease reach a pandemic level within or near the College's service area, the President, after consulting with local, state or federal health officials, may take the following actions if it is determined to be in the best interest of the College community to prevent the spread of the disease:

a. Close the College or certain College buildings and/or programs temporarily;
b. Limit or prohibit employee travel and/or student field trips;
c. Prohibit those infected with a communicable disease from coming onto the College campus;
d. To the extent allowed by law, requiring or encouraging employees and students to receive immunizations (not already required by the College) that prevent the spread of an infectious or communicable disease before coming back onto the College campus; and
e. Other specific actions deemed necessary for the safety of the College community

The President shall not quarantine any student or employee while on campus unless the quarantine is ordered by local, state or federal health officials. Persons who are infected with a communicable disease that has reached a pandemic level, or know of someone in the College community who is, should contact college officials immediately. Students should contact the Dean of Student Services and employees should contact the Human Resources Office.

Any actions undertaken pursuant to this policy will be in accordance with applicable federal and state laws, College policies, and in the best interest of all parties.

## II. OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

The College shall comply with federal regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR §1910.1030, and the North Carolina Administrative Code, 10A NCAC 41A, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

### A. Reasonably Anticipated Occupational Exposure

An employee who could "reasonably anticipate", as a result of performing required job duties, to face contact with blood, bodily fluids or other potentially infectious materials is covered by the OSHA Bloodborne Pathogens Standard, the North Carolina Administrative Code, and this Policy. "Occupational Exposure" includes any reasonably anticipated skin, eye, mucous membrane or parenteral (brought into the body through some way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. "Good Samaritan" acts, such as assisting a co-worker or student

with a nosebleed would not be considered "reasonably anticipated occupational exposure."

**B. Universal Precautions**

Universal precautions will be in force at all times. All blood, body fluid and other potentially infectious material will be handled as if infected. The program standards for the control of potential exposure to HIV and HBV as outlined in the OSHA Rule "Occupational Exposure to Bloodborne Pathogens" Standard 1910.1030, the NC Administrative Codes, or the most current standards available will be followed.

**C. Testing**

An employee who suspects that s/he has had exposure to blood or body fluid may request to be tested, at the College's expense, provided that the suspected exposure poses a significant risk of transmission, as defined in the rules of the Commission for Health Services. The HIV and HBV testing of a person who is the source of an exposure that poses a significant risk of transmission will be conducted in accordance with 10A NC Administrative Code 41A .0202 (4) (HIV) and 41A .0203(b)(3) (HBV). The College will strictly adhere to existing confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV-associated conditions.

**D. Exposure Control Compliance**

The College shall comply with OSHA Regulation 29 CFR 1910.1030 and promote a healthy and safe environment for both employees and students. The College proposes to do this through minimizing the risk of transmission of infectious diseases that are blood or body fluid borne. To achieve compliance with OSHA Regulation 29 CFR 1910.1030, the College will maintain an Exposure Control Plan covering the following areas:

1. Procedures,
2. Protective equipment,
3. Hepatitis vaccinations,
4. Post-exposure and follow-up care, and
5. Training.

A copy of the Exposure Control Plan is available in the office of Administrative Services.

Adopted: 6.25.2024
Amended February 2019, July 2021
Legal Reference: 29 CFR §1910.1030; 10A NCAC 41A; 10A NC Administrative Code 41A .0202 (4) (HIV) and 41A .0203(b)(3) (HBV)
Cross Reference: Policy 2.1.10

The College recognizes the necessity for freedom in legitimate academic decisions that foster an environment where faculty and students can freely inquire, study and evaluate in order to gain greater understanding. To that end, the College endeavors to give faculty members the freedom to conduct individual academic affairs in accordance with each person's best judgment.

A. Faculty members will conduct themselves within the boundaries of the law as established by the North Carolina General Statutes and the State Board Code of Community Colleges.

B. Faculty members shall use their best judgment as to appropriate material in developing and implementing course material. Faculty members shall refrain from introducing controversial materials and subject matters that have no bearing or academic relationship to that particular class or subject matter. Faculty members shall encourage students to do likewise.

C. In the academic setting, faculty members shall refrain from insisting upon the adoption of any particular point of view as authoritative in controversial issues. Engaging in personal attacks during any discussion should be avoided by faculty members and students.

D. Faculty members shall use their best judgment in conducting classes and in interactions with other members of the College community.

E. Faculty members shall keep abreast of the main academic trends and themes in their respective fields and incorporate these into their scholarship and teaching.

F. Faculty members shall organize their subject matter and present it in ways that present the optimum value for their students, subject to reasonable guidelines reflected in College, departmental and faculty policies and procedures. Faculty members shall also require an amount and quality of work from their students which, under the College's standards, justify the course.

Any questions or issues concerning the parameters of academic freedom at this College should be addressed to the appropriate Vice President. In the event the faculty member cannot reach an informal resolution, s/he may file a grievance pursuant to Policy 3.3.8. – Grievance.

This Policy is not intended to limit the rights of faculty or students in discussing any matter outside of the academic setting. However, no College employee or student shall purport to speak on behalf of the College unless specifically authorized to do so by an authorized College official.

Adopted: 6.25.2024

Teleworking, or working remotely, is a benefit and privilege of working at the College and will be considered in situations in which it can be mutually beneficial for both the College and its employees. Teleworking satisfies the College's creative sustainability efforts by reducing consumption of natural resources, to decrease pollution and to ease congestion related to commuting to work by automobile. However, the College has determined that some positions, by their very nature, do not lend themselves to teleworking. For example, positions that require the supervision of other employees are not suitable for teleworking and will not be considered. If an employee is interested in Teleworking, the employee's immediate supervisors must first evaluate the suitability. In unusual situations, and in order to ensure continuity of College operations, the President may grant teleworking approval for positions that would not normally be considered appropriate for teleworking. Telework is not intended to be used in lieu of an employee utilizing leave when the employee is unable to work.

## I. Demonstration of Suitability

Only full-time positions will be considered for a Teleworking arrangement. When considering Teleworking, the supervisor and employee are responsible for demonstrating that the following conditions can be met:

A. The employee can participate in departmental, division and campus-wide meetings appropriate to the position.

B. Teleworking does not adversely affect the College, departmental assignments/projects, student advising and assistance, customer relations, employee's completion of assigned duties or other work areas.

C. There is adequate and suitable work available for the employee to perform away from campus.

D. The employee has been employed by the College for a minimum of one year and during that time, maintained a good work record prior to making his/her request to telework (e.g., no excessive or unexcused absences, no corrective action within the last twelve (12) months of employment, and no misuse or loss of equipment).

**EXCEPTION CLAUSE FOR HARD-TO-FILL POSITIONS:**

A hard-to-fill position is typically defined as a role that has a prolonged vacancy (6 months or more) due to a shortage of qualified candidates, specialized skill requirements, or high market demand. Factors that determine whether a position is hard to fill may include:

- Specialized expertise: Requires unique or highly technical skills that are difficult to find in the local job market.
- Competitive labor market: The position competes with private sector or other institutions offering higher salaries or better benefits.

- Geographic challenges: A limited local talent pool makes recruitment difficult.
- High turnover or low applicant volume: Positions with historically high vacancy rates or minimal qualified applicants.

**Ensuring Productivity for Remote Employees**

To verify that employees are working their required hours off-site, supervisors can implement the following strategies:

1. Clear Performance Expectations: Define job responsibilities, deliverables, and performance metrics in a remote work agreement.
2. Regular Check-Ins: Schedule weekly or biweekly one-on-one meetings to discuss progress, challenges, and upcoming tasks.
3. Project & Task Tracking: Use tools like Trello, Asana, Microsoft Teams, or Google Workspace to monitor tasks, deadlines, and completed work.
4. Time Tracking & Accountability: Require employees to log their work hours or submit a brief end-of-day summary outlining accomplishments and next steps.
5. Communication Standards: Set expectations for response times, virtual availability, and participation in team meetings.
6. Periodic On-Site Work & Evaluations: Since employees will be on campus two days per week, supervisors can use these days for in-person collaboration, feedback sessions, and performance assessments.
7. Use of Technology: Utilize VPN access logs, document version histories, or system activity reports if necessary to ensure engagement with work systems.

E. Suitable equipment and technology services can be provided and/or maintained by the College and/or employee so that work can be effectively performed in a teleworking arrangement.

F. The employee can be adequately supervised when teleworking.

## II. Employee Requirements

All employees approved to telework must agree to the following:

A. Campus meetings, events and student advising/assistance shall not be scheduled around an employee's teleworking arrangement. All teleworking employees shall attend required campus meetings and events and provide student advising/assistance in fulfillment of his/her job duties.

B. Teleworking employees are responsible for all travel and per-diem to and from the employee's home to the workplace regardless of distance.

C. Teleworking employees are required to respond in a timely manner to work related voicemail and electronic mail. Unless otherwise agreed upon with the employee's supervisor, the employee is expected to work during the College's normal hours of operation while teleworking, 8:00 a.m. – 5:30 p.m. Monday-Thursday and 8:00 a.m. – noon Friday during weekdays.

D. Teleworking arrangements may be revised or discontinued at any time. The initial agreement must have a defined duration with a three (3) month or less probationary period. If the employee meets the outcome expectations of teleworking during the probationary period, a new agreement may be executed for an additional three to six months.

E. Teleworking employees are responsible for maintaining a dedicated home office and technology environment that maintains the security and confidentiality of College and student information and is a safe working environment.

F. The College and the teleworking employees shall agree on the equipment, if any, and the maintenance thereof to be provided by the College and/or the employee to enable the teleworking arrangement.

G. The supervisor shall articulate how the employee's performance will be measured and how the employee will participate in performance reviews.

H. A teleworking employee scheduled to work on a day in which the College is closed due to adverse weather is still expected to work as scheduled.

## III. Teleworking Request

The employee shall complete and submit the appropriate teleworking request form to his/her immediate supervisor at least seven (7) business days in advance. If the employee's immediate supervisor agrees with the teleworking request, s/he should add supervisor comments to the form and present it to the Vice President (VP) over their department for approval. If the Vice President approves, the request will be submitted to Human Resources for further consideration.("Director"). If approved, the Director will then present the information to the President. If approved by the President, the agreement will be signed by the employee, the employee's immediate supervisor and VP, the Director and the President. The agreement will be included as an addendum to the employee's employment contract.

Requests for telework arrangement as an accommodation under the Americans with Disabilities Act should be submitted directly to Human Resources.

## IV. Safety and Liability

The employee must designate a work space at his home or other alternative work site. The employee must protect the work space from any known hazard or danger that could affect

College equipment or the employee. The College may require the employee to provide a picture of the designated work area.

If a teleworking employee is injured in his/her work space, the employee will immediately alert his/her supervisor no later than the end of the next business day. The employee consents to allow the College or its designee to inspect the work space after a reported accident.

## V. Terminating a Teleworking Agreement

In the event the College or the employee wishes to discontinue the teleworking arrangement, the College shall determine whether the employee will remain an employee with the College and work on-site. If appropriate, a cross-training period with a replacement will commence for thirty (30) days. This period will give the College time to allocate a replacement employee and give the remote employee ample time to train and transfer duties to the individual. All equipment owned by the College will be returned by the end of the transition period.

## VI. Employees with Disabilities

This policy does not apply to teleworking as an Americans with Disabilities Act (ADA) accommodation. If teleworking is considered a reasonable accommodation pursuant to the ADA, the College will follow its ADA process with respect to such accommodation. In addition, employees with disabilities who are required or permitted to telework by the College will be provided reasonable accommodations as necessary to fulfill their job duties while teleworking.

# REMOTE WORK AGREEMENT

**This Agreement is made on [Date], by and between Roanoke-Chowan Community College ("the College") and [Employee Name] ("the Employee").**

**1. Purpose**
This agreement outlines the terms and conditions under which the Employee is authorized to perform remote work for a hard-to-fill position. The Employee will work remotely for [X] days per week and be on-site at the College for [X] days per week.

**2. Eligibility & Conditions**
The College has determined that the Employee's position qualifies as "hard to fill" based on [criteria such as specialized skills, labor market conditions, and recruitment challenges]. The Employee is granted immediate eligibility for remote work, waiving the standard one-year waiting period.

**3. Work Schedule & Availability**

- The Employee will work remotely on [Days of the Week] and will be on-site at the College on [Days of the Week].
- The Employee is required to be available during normal working hours: [Start Time] – [End Time].
- The Employee will be reachable via [Email, Phone, Instant Messaging, Video Conferencing] during working hours.

**4. Performance Expectations & Accountability Measures**

- The Employee must complete all assigned work in a timely and satisfactory manner.
- The Employee will participate in weekly check-ins with their supervisor to report progress, discuss challenges, and set priorities.
- The Employee must log work hours using [time-tracking software or daily status reports] and submit a weekly summary of completed tasks.
- The Employee will use project management tools (e.g., Trello, Asana, Microsoft Teams) to document tasks and deadlines.
- The College reserves the right to review system activity, document version histories, and work logs to verify engagement.

**5. Equipment & Security**

- The College will provide [list of equipment, if applicable], and the Employee must ensure the security and confidentiality of work-related materials.
- The Employee must use a secure internet connection and comply with all data security protocols.

**6. Communication & Meetings**

- The Employee must respond to emails and messages within [response time expectation] during work hours.
- The Employee is required to attend virtual or in-person meetings as scheduled by the supervisor.
- The Employee must notify the supervisor of any anticipated disruptions to the work schedule.

**7. Performance Review & Compliance**

- The Employee's remote work arrangement will be subject to periodic review, and continuation is contingent upon satisfactory performance.
- Failure to meet performance expectations or comply with agreement terms may result in revocation of remote work privileges.

**8. Acknowledgment & Signatures**

By signing this agreement, the Employee and the College acknowledge that they have read, understand, and agree to comply with the terms outlined herein.

**Employee Signature: _____**
**Date: _____**

**Supervisor Signature: _____**
**Date: _____**

**Vice President Signature: _____**
**Date: _____**

**Human Resources Signature: _____**
**Date: _____**

**President Signature: _____**
**Date: _____**

Adopted: 6.25.2024

Revised: 2.25.25, date6.23.26

## I. SECONDARY EMPLOYMENT

Full-time College employees' primary professional obligation is to the College. Full-time employees who engage in secondary employment have the responsibility to ensure that any such employment does not interfere with their work at the College as outlined in the employee's position description and the College's policies and procedures. The employee shall not utilize College time, facilities, supplies or equipment in relation to any secondary employment.

Prior to beginning any secondary employment, the employee shall provide a written notice of intent for secondary employment to the President or President's designee. The notice shall contain, at a minimum: 1) the name and contact information of the prospective secondary employer; 2) the proposed job duties; and 3) the estimated hours per week devoted to the secondary employment. The President or designee shall approve or disapprove of any secondary employment and his/her decision is final.

The Board of Trustees shall approve or disapprove any secondary employment of the President.

## II. OUTSIDE COMPENSATION

College employees are encouraged to provide leadership and professional expertise to various constituencies or organizations whether locally, regionally or nationally who may request their services as a result of their College employment provided that the outside activity does not interfere or compete with their full-time duties at the College. A College employee must receive the approval of his/her immediate supervisor prior to committing to any outside activity which occurs during the normal workday. College employees may accept outside compensation for services rendered during annual leave, holidays, semester breaks or other such times when classes are not in session or if the services provided take place outside the scheduled or the normal workday. Outside compensation does not include nominal honorariums that staff or faculty members receive as a representative of the College for services provided for workshops, seminars, SACS visits or state or regional committee involvement. Exceptions to this section of the Policy must be approved by the President.

Adopted: 6.25.2024

## I. OVERVIEW

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and other applicable federal and state law, the College may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs or activities. This Policy addresses the use of Service Animals and other animals on campus by qualified individuals with disabilities or individuals authorized to provide training.

## II. DEFINITIONS

A. **Emotional Support Animal** – an animal selected or prescribed to an individual with a disability by a healthcare or mental health professional to play a significant part in a person's treatment process (e.g., in alleviating the symptoms of that individual's disability). An emotional support animal does not assist a person with a disability with activities of daily living and does not accompany a person with a disability at all times. An emotional support animal is not a "Service Animal".

B. **Service Animal** – an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a Service Animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Service Animals may or may not have been licensed by a state or local government or a private agency. Service Animals are limited to service dogs and, in some cases, miniature horses.

C. **Pets –** any animal that is not an Emotional Support Animal or a Service Animal.

## III. ANIMALS ON CAMPUS

Pets are not permitted on campus and may not be left in vehicles on College property. There are occasions when a student or employee may need to bring an animal onto campus for the purpose of meeting an educational objective. Such requests should be made to the appropriate academic Dean prior to the animal being allowed onto campus. Subject to the rules set forth in section IV and V below, Emotional Support Animals and Service Animals

are permitted in any area of campus where employees or students are permitted, with a few exceptions for health and safety reasons.

## IV. PROCEDURES REGARDING SERVICE/ EMOTIONAL SUPPORT ANIMALS

### A. Responsibilities of the Service/Emotional Support Animal Owner/Handler

1. Registration

   a. Service Animals

      Students and employees are not required to register Service Animals. However, they are encouraged to notify the Disability Services Office (students) or the Office of Human Resources (employees) if they intend to use a Service Animal on campus so that appropriate College officials are aware of the animal's presence and to assist with the Service Animal's access to areas within the College's campus. Visitors with Services Animals are not required to register their animals.

   b. Emotional Support Animals

      After the College has made a determination that an Emotional Support Animal is allowed on campus (see Section B.2), the student or employee must register the animal with the Disability Services Office (students) or the Office of Human Resources (employees).

2. Care and Supervision

   a. The care and supervision of a Service/Emotional Support Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times.

   b. The Service/Emotional Support Animal must be under the control of the handler at all times and may not be left alone. A Service/Emotional Animal must be restrained by a leash or other appropriate device that does not exceed six (6) feet in length. In situations where a leash or other device interferes with a Service Animal's ability to perform its task or service, the Service Animal must remain under the control of the handler at all times.

   c. The owner and handler of the Service/Emotional Support Animal is responsible for any damage of personal property or any injuries to an individual caused by the Service/Emotional Support Animal.

d. The handler must ensure the animal is "housebroken" and trained and must clean up and remove all animal waste created by the animal.

e. The Service/Emotional Support Animal may not disrupt the operation of the College or any class.

**B. Responsibilities of the College Community**

1. Service Animals

If the need for a Service Animal is obvious, College officials may not question the presence of the animal on campus. If the need for a Service Animal is not obvious, College officials are permitted to ask the handler two questions:

a. Is the animal required because of a disability?
b. What work or task(s) has the animal been individually trained to perform?

At no time may a College official require a Service Animal to demonstrate the tasks for which they have been trained nor may they inquire as to the nature of the individual's disability.

If another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals and that person has contact with a Service Animal, a request for accommodation should be made by the individual to the Director of Human Resources (if an employee) or the Disability Services Office (if a student). All facts surrounding the concern will be considered in an effort to resolve the concern and provide reasonable accommodation for both individuals.

2. Emotional Support Animals

The determination of whether a student or employee with a disability is allowed to have an Emotional Support Animal on campus shall be made on a case-by-case basis. Students and employees may request, as a reasonable accommodation for a disability, the need to have an Emotional Support Animal on campus. The College is not required to grant reasonable accommodations that would result in a fundamental alternation of a program or would constitute an undue burden. Any requests for a reasonable accommodation for an Emotional Support Animal shall be directed to the Disability Service Office (students) or the Office of Human Resources (employees).

In determining request for accommodations for an Emotional Support Animal, the consideration is: 1) does the person have a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities); 2) does the Emotional Support Animal perform tasks or services for the benefit of the person or provide emotional support that alleviates one of more of the identified symptoms or effects of the person's existing disability; and 3) is the request an undue burden on the College or does it fundamentally alter a College program.

**C. Removal of Service/Emotional Support Animals**

The College has the authority to remove a Service/Emotional Support Animal from its facilities or properties if the Service/Emotional Support Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities.

It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training". N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal.

Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action.

Adopted: 6.25.2024

Legal Reference: Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973

## DIRECT DEPOSIT

It is the policy of Roanoke-Chowan Community College (R-CCC) that all full and part- time employees be required to participate in direct deposit. The employee may select the financial institution(s) of his/her choice to accommodate the receipt of direct deposit payments. As a condition of employment, all newly hired or rehired employees effective on the adoption date of this policy, shall be required to enroll in the direct deposit within (30) days of hire or rehire.

## BACKGROUND CHECKS

(1) Roanoke-Chowan Community College (R-CCC) is committed to providing a safe and secure environment for its students, employees, and visitors as well as protecting its funds, property, and other assets. Well-informed hiring decisions contribute to this effort; therefore, the College will conduct background checks as indicated in this policy. The Director of Human Resources has overall responsibility for this task.

(2) The College will obtain background checks on applicants/employees/volunteers as set forth below from a third-party vendor called Employment Screening, Inc (ESI). These background checks will be for employment, volunteer opportunities, and required curriculum purposes only and will consist of reports, in part, verifying information provided by the individual, such as name, aliases, current and former addresses, social security number, telephone numbers, etc. The background checks also provide information pertaining to an individual's criminal convictions at the felony and misdemeanor levels in accordance with the law.

(3) Covered Individuals

1. Background checks will be conducted on the final candidate for all full-time and part-time regular positions as well as candidates for adjunct faculty positions.
2. Background checks will be conducted on current employees who change jobs due to promotion or transfer and current employees who assume new duties that cause the reassigned position to become appropriate for background checks.
3. Background checks will be conducted on current employees who are convicted of a criminal offense (other than a minor traffic violation). Accordingly, employees are required to report any arrest or conviction to the Director of Human Resources within five days of the arrest or conviction so that HR can conduct the background check. The President will review an arrest or conviction on a case-by-case basis. Any arrest or conviction that impairs the public confidence in the College will be subject to disciplinary action up to and including termination of employment. Any employee who is aware of any criminal conviction of another employee should notify the Director of Human Resources.

    a. Background checks will be conducted on individuals who volunteer/intern at the College.

(4) Scope and Types of Background Checks

1. Criminal background checks- criminal history and sex offender registry checks will be conducted for all individuals as noted in the covered individuals section. Conditional hiring for part-time instructional employees may occur pending the receipt of a background check. If the individual has been hired or offered employment conditioned on the results of a criminal history check and the results are unsatisfactory, the individual will be subject to disciplinary action up to and including termination, or the offer of employment will be withdrawn.
2. Credit history checks- a credit history will be conducted on the final candidate(s) for any positions which are bonded or have access to, or responsibility for, cash receipts, cash accounts, blank checks, or checking accounts.

(5) Refusal

1. Applicants who refuse consent to a background check as required by the position to which they are applying will be considered to have withdrawn their application for employment.
2. Volunteers who refuse consent to a background check will not be allowed to volunteer at the College.
3. Current employees who refuse consent to a background check will not be considered for promotion, transfer, or reassignment. Current employees who refuse consent to a background check may also be subject to disciplinary action up to and including termination of employment.

**General Authority:**
Adopted: 06/26/2018 **Revised:** 4-23-24
**Editorial Changes: 12-6-23**

(1) Roanoke-Chowan Community College will protect the confidentiality of personnel information in compliance with federal and state law including but not limited to North Carolina General Statutes 115D-27, -28, and -29. No employee may release confidential personnel information except in strict compliance with the law.

(2) All requests for information regarding a current or former employee of Roanoke-Chowan Community College must be referred to the Human Resources Department. No College employee may issue a reference letter to any current or former employee without the permission of the President.

(3) Under no circumstances should any College employee release any information about any current or former College employee over the telephone. All telephone inquiries regarding any current or former employee of the College must be referred to the Human Resources Department.

General Authority: NC Administrative Code 115D
Approved: 01-27-2009
Revised: 06-26-18
Editorial Changes: 12-6-23

The College is fully committed to providing a learning and working environment that is free from prohibited discrimination. The College prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions. Pregnant and nursing employees will be provided with accommodations as required by law.

A. Reasonable Accommodations for Pregnancy-Related Limitations

In accordance with federal law, qualified applicants and employees with known limitations and/or conditions related to pregnancy, childbirth, termination of pregnancy, or lactation, or any medical conditions or recovery related to pregnancy, childbirth, termination of pregnancy, or lactation will be provided reasonable accommodations, unless the accommodation demonstrably would impose an undue hardship on the operation of the College. No adverse action will be taken against an applicant or employee for requesting or using a reasonable accommodation.

B. Break Time to Express Milk

For one year after the birth of an employee's child, the employee will be provided reasonable break times to express breast milk for the child each time the employee has need to express milk. The appropriate supervisor will designate a place, other than a bathroom, that the employee may use to express milk. Any designated place must be functional as a space for expressing milk, shielded from view, and free from intrusion from others.

Adopted: 6.24.25

Legal Reference: Consolidated Appropriations Act, P.L. 117-328, div. II - Pregnant Workers Fairness Act; Fair Labor Standards Act, as amended, 29 U.S.C. 201, *et seq.*; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106

Cross References:

The College's curriculum personnel, in partnership with the administration, ensure the overall effectiveness of the educational programs. Additionally, curriculum personnel are involved in the College's decision-making processes in the following ways:

1. Have primary responsibility for the content, quality and effectiveness of the curriculum.

2. Participate in program/division level decisions and activities.

3. Participate in College committees based on the President or designee's appointment.

4. Participate in an advisory or governance body, which is designed to provide broad-based participation in the College's planning process, educational issues and other related issues.

Adopted: 6.25.2024

The College is authorized to provide the following academic programs:

A. Curriculum Programs. Except as stated in section B, curriculum programs are organized sequences of courses leading to an associate degree, a diploma or a certificate. All curriculum programs are designed to provide education, training, or retraining for the work force.

B. Developmental Education Programs. Developmental education is a curriculum program that consists of courses and support services which may include diagnostic assessment and placement, tutoring, advising, and writing assistance. These programs are designed to address academic preparedness, workforce retraining, development of general and discipline-specific learning strategies, and affective barriers to learning. Developmental education courses do not earn credit toward a degree, diploma or certificate.

C. Continuing Education Programs. Continuing education programs provide education and training opportunities for targeted audiences. Courses are non-credit, short-term, and are offered in a variety of instructional delivery modes and locations. Included within continuing education programs are:

1. Occupational Extension Courses. Occupational extension courses consist of single courses for the specific purposes of training an individual for full or part-time employment, upgrading the skills of persons presently employed and retraining others for new employment in occupational fields.

2. Community Service. Community service courses consist of single courses that focus on an individual's personal or leisure needs rather than occupational or professional employment.

3. Self-Supporting Programs. Self-Supporting programs are specific courses of interest requested by the community or which serve a special need for the community and College.

4. Basic Skills Programs. Basic skills programs provide courses for students seeking a high school diploma equivalency, general education development, or other specific types of education services including adult basic education, English as a second language and compensatory education.

5. Customized Training Programs. Customized training programs address company-specific training customized for job growth, technology investment or productivity enhancement.

6. Human Resources Development Programs. Human resources development programs provide skill assessment services, employability skills training and career counseling to unemployed and underemployed adults.

7. Learning Laboratory Programs. Learning laboratory programs consist of self-instruction using programmed texts, audio visual equipment and other self-instructional materials.

Adopted: 6.25.2024
Legal Citation: 1D SBCCC 200.3

The President shall determine the courses and programs of instruction needed to meet the educational needs of the people in the College's service area and shall determine the effectiveness and efficiency of the programs and services in meeting these needs.

All new programs offered by the College must comply with general education requirements of the College's accrediting body. All new and revised programs of study must be approved by the Board of Trustees, and the North Carolina Community College System Office. The College must include the North Carolina Community College System Office's required components in the development of a curriculum program of study consistent with the provisions of the State Board Code.

All approved programs and courses should be contained in the College's Catalog.

The continued operation of any curriculum program is dependent upon adequate state funds and sufficient enrollment in the program.

The President shall develop procedures for the implementation of this Policy.

Adopted:6.25.2024
Revised: 6.24.2025
Legal Reference: 1D SBCCC 400.10

The College may enter into a written instructional service agreement with another community college within the North Carolina Community College System. The service agreement must be drawn in conformance with the State Board Code and include the following:

A. Specify the curriculum or continuing education program to be shared;

B. Define the plan for sharing the curriculum or continuing education program, including who shall earn the FTE and grant the award;

C. Certify that appropriate and adequate resources are available at each participating college.

D. Where feasible, the joint utilization of physical facilities, equipment, materials, and instructional faculty should be considered;

E. Certify that the curriculum or continuing education program meets the standards of the appropriate accrediting agency; and

F. Specify under what conditions and what time frame the agreement can be terminated.

The Board hereby delegates to the President the authority to approve and sign Level I and II service agreements. The Board shall approve any Level III service agreements and they shall be signed by the Board Chair.

Notification of termination of an agreement shall be sent to the System President prior to the effective termination date.

Adopted: 6.25.2024
Legal Citation: 1D SBCCC 400.7

The Vice President for Instruction and Student Services shall supervise the College's academic advisory system. Academic advisors are College employees who help students plan and complete their academic goals. Academic advisors shall assist students with course selection and requirements for the program of study.

Academic advisors can offer students opportunities to enhance their education by making them aware of the various resources available to them throughout the College community. Academic advisors play an important role in the educational progress of advisees, by continually monitoring and evaluating their progression, as well as helping them clarify their educational goals and values.

Academic advisors shall be familiar with the Board's policies and procedures as well as other academic issues including, but not limited to: grading, course pre-requisites and the College's academic program offerings.

Date: 6.25.2024

## I. Academic Terms

The calendar year is divided into three academic terms:

A. Spring Term: January 1 – May 15

B. Summer Term: May 16 – August 14

C. Fall Term: August 15 – December 31

## II. Beginning and End Date for Academic Terms

The Board of Trustees ("Board") shall determine the beginning and end date for each academic term within the timeframes set forth in Section I, unless an exception is granted by the System President. The System President may grant an exception if it does not result in an overlap with another academic term, the ten percent (10%) point of all course sections falls within the corresponding academic term reporting period, and the exception does not negatively impact the College's ability to meet data reporting requirements.

The academic semester for credit courses shall be designed so that classes may be scheduled to include the number of instructional hours shown in the College catalog and the approved curriculum program of study compliance document, and reported for FTE purposes. Instructional hours include scheduled class and laboratory sessions as well as examination sessions. Length of semesters or courses may vary as long as credit and membership hours are assigned consistent with requirements contained in the State Board Code. If necessary to meet the needs of particular constituents (e.g., courses provided at high schools, military bases, prisons, or at the specific request of business), without an exception by the System President, the College may schedule curriculum course sections that fall outside the academic term beginning and end dates, as defined by the Board. If such course sections cross academic term reporting periods, FTE enrollment shall be reported consistent with the provisions of the State Board Code.

Date: 6.25.2024
Legal Citation: 1G SBCCC 100.1, 200.93; CC17-017

The College shall follow the requirements and provisions for calculating and reporting FTEs for curriculum, continuing education and other applicable classes/programs, as proscribed in the State Board Code.

Date: 6.25.2024
Legal Citation: SBCCC, Title 1, Chapter G, Subchapter 100; CC17-017.

The President shall develop, or cause to be developed, procedures and requirements for the utilization of outside speakers or lecturers who appear at the College in classroom or non-classroom activities.

**General Authority:**
**Revised:** 09-29-81
**Editorial Changes:**

The President is authorized to establish, or cause to be established, a comprehensive system of guidelines and procedures that provide for the accounting, scheduling, and verification of assigned work activities performed by full- and part-time faculty.

**General Authority:**
**Revised:** 09-29-81
**Editorial Changes:**

Periodically it becomes necessary for the College to terminate a program. When the need to terminate a program becomes apparent, deans and program coordinators must work collaboratively to ensure that the termination goes smoothly. The following steps should be followed when a program is tagged for termination.

- The president shall notify the Board of Trustees through the Program and Policy Committee about the need to terminate. Upon hearing the justification from the President or his designee, the Program and Policy Committee shall carry a motion to the full Board regarding its decision, if it agrees to terminate.
- If the Committee does not agree to terminate, the matter shall be carried to the full Board for discussion.
- Board of Trustees will act on the recommendation of the Program and Policy Committee.
- The Dean of Academic Affairs will be responsible for ensuring that the Curriculum Program Termination Form is submitted to the North Carolina Community College System Office by the determined date.
- Notify program faculty and advisors
- Plan and conduct a meeting with students to inform/advise them of their options and, if possible, the last term program courses will be scheduled. Provide students with a detailed transitional Education Plan.
- Submit to the Assistant to the President's Office a copy of the student letter of notification
- Maintain on file in the Dean's Office copies of the student letter of notification.
- Notify the following offices:
    - Registrar
    - Financial Aid
    - Business Office
    - Library Services
    - Information Systems
    - Bookstore
- Delete the program from the catalog and other publications
- Notify SACS, if applicable
- Notify members of the Advisory Committee
- Employ the non-renewal policy for affected faculty according to Trustee Policy Manual
- Make decisions regarding the disposition of equipment, if applicable

**General Authority:**
Adopted: 10/25/2011 **Revised:**
**Editorial Changes: 11-27-18**

The College acknowledges the ownership rights associated with intellectual property and requires students and employees to adhere to all applicable state and federal laws.

Intellectual property may be defined as any intellectual or creative works that can be copyrighted, trademarked or patented. Such works may include but are not limited to literary, musical, dramatic or artistic works, computer software, multimedia presentations, brand marks or inventions.

## I. Works Made for Hire

The College recognizes that the "works made for hire doctrine" applies to College employees. Under this doctrine and this policy, a work made for hire is defined as a work prepared by any employee within the scope of his or her employment. Other works created under the terms of an agreement between the College and a creator may also be deemed works made for hire under that agreement. Works made for hire include any materials that may receive protection under federal patent, copyright, or trademark law. The College retains its ownership of works made for hire and all rights incidental to that ownership except as stated below.

This policy does not include independent works by employees that were not created within the scope of employment and without College support.

## II. Academic Exception for Copyrightable Works

The College recognizes an academic exception to the works made for hire doctrine. Unless otherwise determined by the College prior to the creation of the Work, it is the College's policy that employees own and retain the copyright, and all rights incidental to that ownership, to works created for traditional academic purposes regardless of any use of College resources used in making the work.

This exception applies only to works that may be legally registered in the United States Copyright Office, including but not limited to, textbooks, scholarly monographs, trade publications, maps, charts, articles, novels, nonfiction works, supporting materials, artistic works, syllabi, lecture notes, educational software and multimedia. Employees, however, may not use College resources to commercialize or publish a work without written approval from College administration.

For any creative work that falls under this exception, the employee grants and the College retains a perpetual, royalty-free, non-exclusive right to use the work for educational, research, and marketing purposes.

This exception does not apply to trademarks, inventions, or patent ownership.

## III. Student Works

Except as stated herein, the College recognizes that students retain ownership of intellectual property submitted in fulfillment of academic requirements. By enrolling in

the College, the student gives the College a perpetual, non-exclusive, royalty-free license to mark, modify, and use any work as may be required by the process of instruction, or for other educational, research, or marketing purposes.

This section does not apply to class or lab notes created by a student.

The College shall retain the ownership of all patentable inventions created by a student in fulfillment of academic requirements under the following conditions: the development of the invention involved substantial use of College resources, including use of facilities, time, and/or other resources.

## IV. Other Agreements

In support of its mission, the College, an employee, or a student may voluntarily enter into other agreements for ownership of intellectual property or the sharing of royalties. In these instances, the written agreement is controlling, not this policy.

In the case of a work created under the provisions of a grant, the terms of the grant will determine the ownership and all rights incidental to the ownership of the property created, not this policy.

All revenue derived by the College from the creation and production of intellectual property shall be used for educational and research purposes that directly support the College's mission.

## V. Dispute Resolution

A. Prior to creating works using College resources, employees and students should direct intellectual property ownership questions to the appropriate Vice President.

B. Employees. If issues related to ownership of intellectual property arise and cannot be resolved informally, College employees may seek resolution through Policy 3.3.8 – Employee Grievance Policy. Prior to initiating litigation, both parties will participate in voluntary mediation before a neutral third-party mediator and will equally share the cost of such mediation.

C. Students. If issues related to ownership of intellectual property arise and cannot be resolved informally, College students may seek resolution through Policy 5.3.6 – Student Grievance Policy. Prior to initiating litigation, both parties will participate in voluntary mediation before a neutral third-party mediator and will equally share the cost of such mediation.

Adopted: 6.25.2024

Live client projects are defined as:

A. Educational programs in which students, as part of their educational experiences and as part of the instructional course requirements, repair or remodel non-college owned personal or real property; or

B. Educational programs that construct structures that are sold, produce goods that are sold, or provide services for a fee, such structures, goods or services being the normal and necessary product of learning activities of students.

The President is hereby delegated to develop procedures that are consistent with the State Board Code for live client projects.

Adopted: 6.25.2024
Legal Citation: 1H SBCCC 300.1

A. The Dean of each academic department is responsible for the oversight of ordering instructional materials for his or her department.

B. Instructors will order instructional materials utilizing the system developed by the College in partnership with the bookstore vendor. At least every four (4) years, the Board shall review the College's mark-up on textbooks and other instructional materials sold through the bookstore to determine if the mark-up is appropriately balanced between affordability for students and other priorities identified by the Board.

C. Requests for textbooks are to be made as soon as possible after the next semester schedule is completed. All requests should specify the course in which the textbooks are to be used.

D. Deans, or their designees, will be responsible for acquiring textbooks for adjunct faculty.

Adopted: 6.25.2024
Legal Citation: 1H SBCCC 300.3

When employing instructional personnel, the College shall adhere to the following criteria:

1. The College shall employ instructional personnel to meet the criteria of the College's accrediting body.

2. The College shall determine appropriate teaching and non-teaching loads for instructional personnel to meet the criteria of the College's accrediting body.

3. All instructors in the area of Emergency Services Training must be qualified as established by the respective emergency services certifying agency. Emergency services training means training delivered to personnel in law enforcement, fire and rescue services, and emergency medical services agencies.

Adopted: 6.25.2024
Revised: 6.24.2025
Legal Citation: 1C SBCCC 300.3

Field trips are considered a very important aid in the communication of knowledge, ideas, and understanding to students. Instructors are encouraged to plan and make use of this teaching aid.

The following procedures apply to all filed trips offered or mandated through a College course:

**A. Planning**

1. Field trips are to be planned in advance, with pre-instruction, post-discussion and evaluation being of prime importance in the planning.

2. The site, industry or business visited should be engaged in practices which demonstrate something related to the subject matter being covered in the course.

3. All arrangements are to be made by the instructor in advance of the trip.

4. Transportation shall be arranged by the instructor. Students must bear the cost of transportation unless travel is being otherwise arranged by the College in advance.

5. When students on a field trip are to miss classes taught by other instructors at the College, prior approval is to be obtained from the instructors involved. Instructors may exchange class meeting times to make up hours lost if they so desire.

6. An approved Field Trip Form must be submitted and approved by the appropriate Dean and the Vice President for Instruction and Student Services at least three (3) days prior to the field trip.

**B. Use of Curriculum Area Travel Funds**

1. Each curriculum division will be assigned a travel budget for the fiscal year. The Dean is responsible for coordinating and regulating the use of these funds. All requests for use of the funds should be directed to the Dean prior to the planned trip. Requests for travel reimbursement from State funds, which do not have prior approval by the Dean and the Vice President for Instruction and Student Services, will not be honored.

2. For overnight travel, out-of-state travel, or other special action, a Travel Authorization Form must be submitted along with the Field Trip Form.

**C. Cultural Enrichment Travel**

1. The College may offer students and employees the opportunity to participate in educational travel experiences that are not a requirement of any course or degree or diploma program. The purpose of these trips is to

provide educational experiences for students and employees. Student and employee participation in these trips is voluntary.

2. All voluntary educational travel must be approved by the appropriate Dean and the VP for Instruction and Student Services prior to the College soliciting staff or students to participate.

3. All trip participants are expected to sign a waiver releasing the College from liability for any injury or loss occurring during a trip. It is recommended that participants purchase travel insurance for all international travel and all travel lasting more than three (3) days.

Adopted: 6.25.2024
Amended: July 2021

All College classroom instructors shall adhere to the following provision in carrying out job duties and employment responsibilities.

A. Promptness − Punctuality is a valuable habit desired by all employers. College employees can help to develop this habit in their students by meeting with their scheduled classes or other meetings at the time designated and by insisting that students also arrive on time. If an instructor fails to meet his/her class within fifteen (15) minutes past the designated starting time, students are to sign their names on a roll and are then excused.

B. General Housekeeping − Prospective students, student employers and numerous other interested individuals routinely visit the College. It is important that all employees be active in helping to maintain an orderly and well-organized appearance. The proper attitude toward clean and orderly shops, labs and other workspaces can be passed on to the student by their instructor's attitude and actions.

Employees can aid the custodial staff by ensuring that:

1. Smoking and the use of smokeless tobacco products are prohibited in all College buildings, facilities and grounds. Food is not allowed in classrooms; however, instructors may permit beverages if kept in a spill-proof container.

2. Paper and other materials which accumulate during the day are picked up prior to leaving the classroom.

3. All tools are locked in their proper storage place at the end of each class or day.

4. Furniture is left in an orderly appearance. In general, disarrangement of a classroom because of teaching activities shall be corrected by the students in the class under the supervision of the instructor in charge.

5. All labs are secured according to established departmental procedures.

C. Discipline − Effective discipline must be maintained in all learning environments. Each instructor has the responsibility of handling any discipline problems that arise in class. Extreme cases are to be immediately referred to the Vice President for Instruction and Student Services. Upon request by the instructor, administrators will serve as mediators in extreme or reoccurring disciplinary issues. The College will not condone prolonged disruptive activities by students or groups of students. Student disciplinary matters shall be dealt with pursuant to College policy.

D. Professional Appearance – Instructors should always present a professional image.

E. Safety – Every instructor should maintain a proper attitude toward safety. The instructor's attitude and habit's toward safety have a profound influence on the habits and attitudes formulated by the students. It is extremely important that the following safety regulations be utilized by all instructors:

1. Safety rules and regulations specific for each program of instruction must be posted on laboratory and shop bulletin boards.

2. The instructor should demonstrate proper procedures for the use of dangerous equipment. Hazards should always be pointed out in advance. This aspect of safety training is to be utilized prior to any student being allowed to use equipment and machinery.

3. The instructor must always be present in shops and laboratories when machinery or equipment is being used by students. In the event the instructor must leave the area, another instructor should be placed in charge, or the shop should be locked.

4. Jewelry or loose clothing should not be worn when operating moving equipment. If neckties are worn, they should be of the bow or breakaway type.

5. Unauthorized students are prohibited from using equipment and machinery.

6. Long hair must be tied at the back and placed under a hat or some type of covering while working in any vocational shop.

7. North Carolina law requires that eye protective devices be worn by students, teachers and visitors to the instructional area where any of the following activities are conducted:

   a. Working with hot solids, liquids or molten metal.

   b. Milling, sawing, turning, shaping, cutting or stamping of any solid materials.

   c. Heat-treating, tempering, or kiln firing of any metal or other material.

   d. Welding of any type.

   e. Repairing or servicing any vehicle.

   f. Using caustic or explosive chemicals or materials.

8. Any visitor to a classroom, shop or laboratory, must be accompanied by a College employee.

9. Student's children are not to be left unattended anywhere on campus and are not permitted to attend classroom sessions without specific permission from the appropriate Dean.

10. Special permission must be obtained from the instructor before a spouse or friend may audit a class session.

F. Equipment and Furniture − It is the instructor's responsibility to see that the equipment and furniture for each area is maintained. Abuse of equipment or furniture by students will not be tolerated. Longer life and better care may be derived from equipment and furniture if the instructor will utilize the following practices:

1. Stress the importance and cost of equipment and furniture.

2. Emphasize that there is a proper tool or piece of equipment for each job.

3. Demonstrate and utilize recommended preventative maintenance methods. This includes keeping equipment clean.

4. Emphasize that equipment and furniture are not to be loaned or removed from the premises for any purpose. Special consideration may be given to this regulation when pre-arranged field trips or other conditions warrant the use of equipment away from the school. Prior arrangements must be made with the appropriate administrator.

5. Repair damaged or broken equipment whenever possible. Damage and loss of equipment is to be reported to the Business Office. New equipment must be checked and processed by the Business Office prior to its disbursement to classrooms or laboratories. Thereafter, the instructor in charge of each area shall be responsible for the accountability and care, of the equipment and furniture in that area.

Adopted: 6.25.2024

The College shall obtain and maintain accreditation through a state-recognized, regional accreditation agency.

Pursuant to State law, the College shall not receive accreditation from an accreditation agency for consecutive accreditation cycles, unless the College is not granted candidacy status by a new accreditation agency at least three years prior to the expiration of the College's current accreditation.

Adopted: 6.25.2024
Revised: 6.24.2025
Legal Citation: N.C.G.S. §115D-6.2; 1B SBCCC 400.1

# HONORARY DEGREES

The Board of Trustees hereby establishes the following honorary awards:

1. Honorary Associate Degree
2. Emeritus Status Award
3. President's Award

These awards are designated as the highest and most prestigious awards for presentation to citizens who have provided meritorious service or support to the College in fulfilling its mission to the Community. The Board hereby authorizes the President to present these awards to deserving citizens on appropriate occasions following consultation with the Board of Trustees.

The Board of Trustees further authorizes the President to identify appropriate guidelines for the selection of deserving recipients and the presentation of these awards.

Date: 6.25.2024

The Board of Trustees by authority of North Carolina Administrative Code, Section 2D.0200, is authorized to establish a policy for developing and maintaining an up-to-date internal audit plan to ensure accountability and credibility in continuing education and workforce development classes. Board approval of the plan will be required prior to implementation.

The Board of Trustees authorizes the President to establish, or cause to be established and maintained, a current internal audit plan. This plan will be developed in accordance with the elements outlined in System Office Numbered Memorandum CC00-147 and will be maintained in the office of the President.

**General Authority:** Adm. Code 2(D) .0200
**Revised:** 08-27-02, 06-28-11
**Editorial Changes:** 05-19-03,08-26-08

According to the North Carolina Administrative Code 23NCAC 2C.0603, Roanoke-Chowan Community College (Roanoke-Chowan) is required to maintain regional accreditation with the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). Roanoke-Chowan Community College will inform SACSCOC of any changes in mission, affiliation, scope, merger, new programs sites, and mode of delivery of service in accordance with the Commission Policy on **SUBSTANTIVE CHANGE FOR ACCREDITED INSTITUTIONS OF THE COMMISSION ON COLLEGES.**

**Note: Failure to comply with SACS/COC Substantive Change Policy may result in the institution being placed on sanction (warning, probation, loss of accreditation) at the time of its SACS Committee on Compliance and Reports review.**

**General Authority:**
Adopted: 01/25/2011 **Revised:**
**Editorial Changes:**

Each year, the College shall select one faculty member as recipient of the Excellence in Teaching Award and one staff member as recipient of the Staff Award. The President shall cause to be established a procedure for the selection of these award recipients, and the names of those individuals will be submitted as the College nominees for the respective State awards. In addition, each award recipient shall receive a one-time $1,000 cash award, pending availability of funds, from the College. In accordance with the 1996 House Bill 53, section 17.9, the Excellence in Teaching Award will be funded from State allocated instructional resources while the Staff award will be funded from non-state institutional resources.

General Authority: 115D; HB 53 (Section 17.9)

Revised: 06-22-04

Editorial Changes:

The College does not discriminate on the basis of race, color, religion, sex, gender, gender identity or expression, pregnancy, age, national origin, disability, political affiliation, genetic information or military/veteran status in any of its activities or operations.

## I. Open Door Admissions

Except as otherwise specified herein, the College maintains an open-door admission policy to all applicants who are legal residents of the United States and who are high school graduates or are at least eighteen (18) years of age. The College shall not solicit or use information regarding the accreditation of a secondary school located in North Carolina that a person attended as a factor affecting admission to the College or to any program of study, loans, scholarships or other educational activity at the College unless the accreditation was not conducted by a State agency. For purposes of this Policy, the term "accreditation" shall include certification or any other similar approval process. Student admission processing and placement determination shall be performed by College officials. Admission requirements for an emancipated minor shall be the same as for an applicant who is eighteen (18) years old or older. Non-emancipated minors may be admitted and allowed to attend the College pursuant to 1D SBCCC 200.95.

The open-door policy does not mean there are no restrictions on admission into specific College programs. Students shall be admitted into specific College programs when they demonstrate aptitude for these programs as determined by personal interest, academic background, placement tests and personal interviews. If an academic deficiency exists, applicants will be given an opportunity to remove the deficiency by taking preparatory work.

For more specific information regarding certain admissions criteria, see Procedure 5.1.1.1.

## II. Admissions Denials

### A. Basis for Denials

1. Suspension/Expulsion from another Educational Entity.

   If the College suspends or expels a student for non-academic disciplinary purposes, the College shall record the suspension or expulsion in the student's educational record. Upon receipt of a written request signed by the student and subject to all applicable privacy laws, the College shall, in accordance with the student's request, inform other colleges and universities of the term and circumstances of the student's non-academic disciplinary suspension or expulsion, if any. The College reserves the right to refuse admission to any applicant during any period of time that the applicant is under a period of suspension or expulsion from another educational entity for non-academic disciplinary reasons.

2. Safety Concern.

The College reserves the right to refuse admission to any applicant if it is necessary to protect the safety of the applicant or other individuals. When making a safety determination, the College may refuse admission to an applicant when there is an articulable, imminent and significant threat to the applicant or other individuals. When refusing admission based on safety concerns, the Dean of Students Services shall document:

a. Detailed facts supporting the rationale for denying admission;
b. The time period within which the refusal to admit shall be applicable and the supporting rationale for the designated time period; and
c. The conditions upon which the application that is refused would be eligible to be admitted.

3. Residency for Distance Learning.

The College is not authorized to provide distance learning courses outside of North Carolina unless state authorization has been granted from the state in which the applicant resides. State authorization requires colleges to seek and secure authorization to offer instruction in that state.

Admission of applicants residing outside of North Carolina to an on-line degree, diploma, certificate program or individual on-line courses offered by the College is dependent on the College's ability to secure authorization from the applicant's state of residence.

State authorization does not affect the cost of attending the College. Tuition requirements, including those for out-of-state students, still apply. This requirement does not apply to non-credit continuing education courses.

4. Undocumented Immigrants.

An undocumented immigrant is any immigrant who is not lawfully present in the United States. The College shall not admit undocumented immigrants unless all of the following conditions apply:

a. The undocumented immigrant attended and graduated from a United States public high school, private high school or home school that operates in compliance with State or local law.

b. The undocumented immigrant must comply with all federal and state laws concerning financial aid.

c. The individual shall not be considered a North Carolina resident for tuition purposes and must be charged out-of-state tuition regardless of whether the individual resides in North Carolina.

d. When considering whether to admit the individual into a specific program of study, the College shall take into account that federal law prohibits states from granting professional licenses to undocumented immigrants.

e. Students lawfully present in the United States shall have priority over any undocumented immigrant in any class or program of study when capacity limitations exist.

f. An admitted undocumented student will not be permitted to register for a class or program of study or be placed on a waiting list until the conclusion of the last published registration date for the term.

5. Readmissions.

The College reserves the right to refuse readmission to a former student who has unsettled financial obligations at the College or who has not complied with previous disciplinary requirements.

6. Criminal Justice Education and Training.

The College requires students enrolled in courses mandated under N.C.G.S. § 17C and 17E, the North Carolina Criminal Justice Education and Training Standards Commission or the North Carolina Sheriffs' Education and Training Standards Commission to be sponsored by law enforcement agencies until completion of the program. The student must be sponsored by a law enforcement agency to be admitted into the program. Failure to have such sponsorship shall result in an admission's denial.

7. Non-Criminal Justice Education and Training Firearm Courses.

Except for courses governed by Criminal Justice Education and Training, if the College has a program that requires students to possess a firearm, prior to admission, the student must provide proof of eligibility to possess firearms. For purposes of this Policy, "firearm" means a handgun, shotgun or rifle that expels a projectile by action of an explosion; "proof of eligibility" means: i) a current, valid State-issued permit to purchase a firearm; ii) a current, valid State-issued concealed carry permit from North Carolina; iii) a current, valid State-issued concealed carry permit from a state with a reciprocal concealed carry agreement with North Carolina; iv) proof of an exemption from permit requirements pursuant to N.C.G.S. § 14-415.25; or v) a background check to determine whether the applicant can lawfully possess a firearm in North Carolina pursuant to N.C.G.S. §§ 14-269.8; -404(c); -415.1; -415.3; and -415.25.

**B. Appeal for Admissions Denials**

If an applicant is denied admissions to the College for any of the reasons specified in Section II(A)(1)-(7), within five (5) calendar days following the receipt of the reasons specifying the denial, the applicant may file a written appeal with the Vice President of Instruction and Student Services for a reconsideration. The written appeal shall contain the applicant's reasons why he/she should be admitted and shall include any supporting documentation. The Vice President of Instruction and Student Services shall also meet with the applicant and provide the applicant an opportunity to respond. Within ten (10) calendar days from receipt of the applicant's written appeal, the Vice President of Instruction and Student Services shall make his/her determination and provide the applicant with a written response.

If the applicant does not agree with the Vice President of Instruction and Student Services' determination, within five (5) calendar days following the receipt of the Vice President of Instruction and Student Services' determination, the applicant may file a written appeal with the President. The President shall conduct an "on the record review" and shall make a determination within ten (10) calendar days after receipt of the applicant's written appeal. The President's decision is final.

Adopted: 6.25.2024
Legal Reference: 1D SBCCC 200.95 and 400.2; NC Community College Written Memoranda CC10-026 (issued 7/12/10)

A. Course work transferred or accepted for credit toward an undergraduate degree must represent collegiate course work relevant to the degree with course content and level of instruction resulting in student competencies at least equivalent to those of students enrolled in the College's undergraduate degree program.

B. Any such earned credit must meet the minimum College academic standards of a grade of "C" or better and must parallel the content of similar courses offered. The maximum amount of credit allowed to be transferred is seventy five percent (75%) of the College's curriculum. Any course taken at a North Carolina Community College System institution will be accepted for the equivalent course except as specified herein.

For all others, the following criteria will be considered in determining the acceptability of the transfer course work:

1. Accreditation of the school by a regional or national accrediting body recognized by the United States Department of Education. Accreditation does not guarantee acceptance of transfer credit.

2. Equivalency of course descriptions, outcomes and analysis of course level, content, quality, comparability, and degree program relevance. It shall be the student's responsibility to provide documentation of this equivalency, which may include, but is not limited to, syllabi, course catalogs, course outcomes, etc.

3. Use of recognized guides, such as those published by the American Council on Education, the American Association of Collegiate Registrars and Admissions Officers and the National Association of Foreign Student Affairs.

4. If the school was not accredited by a regional or national accrediting body recognized by the United States Department of Education at the time the course was taken, additional documentation will be required. It shall be the student's responsibility to provide any additional documentation requested.

5. For skills-based courses, particularly those in the advanced technology programs, demonstration of student skills may be a component of the evaluation process. Once a course is approved for transfer from a particular school, the course will be entered on a master list maintained by Student Services. Courses will be re-evaluated at least once every two years. Decisions related to acceptance of credit will be made by the appropriate faculty member(s) and Dean, in consultation with the Vice President of Instruction and Student Services.

C. The responsibility for determining transfer credit from other colleges and universities rests with the Registrar and counseling staff. When there is doubt about the appropriateness of transfer credit or when a student wishes to appeal a transfer credit decision, the transcript will be referred to the appropriate faculty member(s) and Dean, whose decision will be final. In such cases, the Dean will note the decision in the student's academic file. Time

limits may be imposed in certain situations, such as for allied health program courses. Student Services and the appropriate Dean will maintain a list of courses that have time limits for transfer.

D. When a student transfers from a postsecondary institution to the College, the following steps will be implemented:

1. The student fills out an application for admission and is responsible for providing an official high school transcript and an official transcript from any other postsecondary institution. The student should allow at least one month for the transcript evaluation process prior to registering for classes.

2. The counseling staff evaluates the transcript and credit is accepted in accordance with the College's program offerings and the procedure stated herein. No credit for a course with a grade lower than a "C" may be transferred. The transcript evaluation is conducted in cooperation with the appropriate faculty member(s) and Dean, as applicable.

3. The student is given placement test(s), if applicable.

4. The student continues with registration procedure.

E. Non-curriculum to Curriculum Transfer Credit: Non-curriculum course work from the College related to curriculum instruction may be transferred or accepted for credit towards curriculum courses in specific programs. Students must have earned a minimum letter grade of a "C", passed the final assessment with a proficiency of 70% or better or successfully passed the applicable credentialing exam. The appropriate Dean for each division will approve non-curriculum course material prior to officially granting curriculum credit. Faculty teaching courses for which CE to CU credit may be awarded must meet all SACSCOC credential requirements.

To review additional opportunities for awarding credits for prior learning, see the College's Policy on Credits for Prior Learning, Policy 5.2.9.

Adopted: 6.25.2024

The College provides the opportunity for all students to apply for certain types of financial aid programs. The College administers these programs in accordance with all applicable laws, rules and regulations. Requirements and critical dates for receiving financial aid are outlined in the College's catalog and on the College's website.

Adopted: 6.25.2024

The General Assembly, in cooperation with the Department of Public Instruction and the North Carolina Community College System, has established special provisions by which students under 18 may be admitted to the College.

These special provisions are as follows:

Career and College Promise - Session Law 2011-145, the Appropriations Act of 2011, authorized the State Board of Education and the State Board of Community Colleges to establish the Career and College Promise program to offer structured opportunities for qualified high school students to dually enroll in Community College courses that provide pathways that lead to a certificate, diploma, degree, or State or industry-recognized credential as well as provide entry-level job skills.

House Bill 1246–Academically Gifted Minors – allows a student under the age of 16 to enroll in a community college if the president of the college or the president's designee finds that the student is intellectually gifted and has the maturity to justify admission to the College.

Home Schooled Students–The conditions by which community colleges may allow students who are being home schooled have been established by DPI and the NCCCS.

Basic Skills – The mission of the Basic Skills program is to provide educational opportunities for adults 16 years or older who are out of school.

This policy authorizes the President to establish procedures consistent with these special provisions, by which students under 18 are admitted/enrolled in the College.

**General Authority:** G.S. 115D-20(4); Adm Code 2C.0305; HB 1246
**Revised:** 09-29-81; 10-23-01; 02-26-02; 11-27-18
**Editorial Changes:** 05-19-03

The Board of Trustees authorizes the President to establish, or cause to be established, special funds or scholarships from which short-term loans or scholarships may be granted.

These special funds established will have guidelines to determine the eligibility of the recipient(s).

**General Authority:**
**Revised:** 09-29-81
**Editorial Changes:**

## I. ATTENDANCE REQUIREMENTS

The following attendance requirements shall apply to all College students:

A. Students are expected to attend and be on time for all scheduled classes and labs. Students should refer to the course syllabus for individual course attendance requirements. At the instructors' discretion, students may make-up work missed. When students must be absent, it is vital that they remain in contact with their instructors.

B. Any student who has not attended at least one face-to-face class meeting or completed one assignment/activity for an online class by the date in which ten percent (10%) of the class has passed will be reported by the instructor as "never attended". A student who has never attended a class by the ten percent (10%) date is no longer enrolled in the class and will not earn credit or receive a tuition refund for the course.

Under extenuating circumstances, a student who has never attended by the ten percent (10%) date may petition for reinstatement in the class and earn course credit. The student should notify the instructor, in writing, of the extenuating circumstances prior to the ten percent (10%) percent date of the class and provide compelling documentation to support the request for reinstatement. Reinstatement will only be considered by the instructor when the absences were due to unforeseeable and uncontrollable circumstances. An instructor's decision regarding reinstatement may be appealed to the appropriate Dean within two (2) business days. The Dean's decision is final. Students reported as "never attended" may request to have their status changed to "audit".

C. Any student who has been absent for two consecutive weeks in a 16-week term or one week in shorter academic terms will be administratively withdrawn from the course. A student in an online or hybrid course will be administratively withdrawn following two consecutive weeks in a 16-week term (or one week in shorter academic terms) of missed assignments, missed attendance (for hybrid), and lack of communication with the instructor regarding course participation. Consistent with policies establishing attendance in online courses, logging into a course site but failing to perform the aforementioned actions does not constitute attendance. A grade of "WF" will be assigned for any course from which the student is administratively withdrawn. Administrative withdrawals will be allowed up to the published Administrative Withdrawal deadline each semester (approximately the 85% point of the semester). Thereafter, the earned grade will be posted.

Under extenuating circumstances, a student may petition, in writing, the instructor, for reinstatement in the course upon demonstrating the capacity and likelihood of satisfactorily completing requirements as indicated on the course syllabus. Reinstatement will only be considered when the absence was due to unforeseeable

and uncontrollable circumstances. Tuition refunds or credits will not result from an administrative withdrawal.

D. A student's absence while participating in a College-sponsored or approved activity will be considered an excused absence for participating students. Such excused absences will not be considered in the students' class attendance for drop purposes, nor will excused absences be included in the determination of a grade for "participation" of which class attendance is a part. The responsibility for making up class work rests entirely with the student. All assignments, tests, labs, class time and final exams to be missed due to College sponsored or approved activity will be rescheduled prior to the excused absences or otherwise rescheduled at the discretion of the instructor.

E. The College provides reasonable accommodations, including a minimum of two (2) excused absences each academic year, for religious observances required by a student's religious practice or belief. Such reasonable accommodations must be requested in accordance with the procedures for this Policy and include the opportunity for the student to make up any tests or other work missed due to an excused absence for a religious observance. An accommodation request imposes responsibilities and obligations on both the College and the student requesting the accommodation. College faculty are required, as part of their responsibility to their students and the College, to adhere to this Policy and ensure its full and fair implementation by reasonably accommodating students' religious practices or beliefs. Regardless of any accommodation that may be granted, College students are responsible for satisfying all academic objectives, requirements and prerequisites as determined by their instructor and the College.

1. Academic year: The sequence of fall, spring and summer semesters.

2. Reasonable accommodation: Any change in an academic course or program of study with respect to the way tasks or responsibilities are customarily done that enables a student to observe his/her religious practice or belief without creating an undue hardship.

3. Religious practice or belief: A practice or observance that is sincerely held within the tenants of that religious belief.

4. Undue hardship: An accommodation that would require significant expense or difficulty for the College or would result in the inability of the student to perform an essential function of his or her course/program of study. The determination of undue hardship is dependent on the facts of each individual situation.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-5(u); 1B SBCCC 500.99; 1G SBCCC 200.93

# I. Student Voluntary Withdrawal from Course(s)

## A. Ten Percent (10%) Date

A student may withdraw from a course for a partial refund on or before the official ten percent (10%) date of the semester. For more information on tuition/fee refunds, see Policy 6.1.4 – Tuition/Fee Refunds. In the case of withdrawal on or before the official ten percent date (10%) date of the semester, the withdrawn course(s) will not be included on the transcript.

## B. Seventy Five Percent (75%) Date

At any point prior to the seventy five percent (75%) date of the semester, a student may voluntarily withdraw from his/her courses. Students will not be allowed to voluntarily withdraw from courses past the seventy five percent (75%) date. All applicable deadlines will be published in the College's official calendar.

It is the student's responsibility to withdraw from course(s) if he/she cannot meet the requirements of the course. The student should first consult his/her instructor or advisor before requesting to be withdrawn from a course. Students receiving financial aid should also consult a financial aid advisor before requesting to be withdrawn from a course. Withdrawing from a course could substantially delay the completion of the student's program of study and may have impacts on future financial aid eligibility.

To officially begin the withdrawal process, the student should notify the Enrollment Management Office of his/her intent to withdraw from the course. The student should complete the online Withdrawal Request Form or visit Student Services and complete a withdrawal form.

Students must officially withdraw from any course they stop attending in order to ensure that they will not receive an "F" in the course. In the case of a withdrawal, the student will receive a "W" which will not include the grade point average but will appear in the student's official transcript.

## C. Exception to Seventy Five Percent (75%) Date

The Vice President for Instruction and Student Services ("Vice President") may make exceptions in cases of extenuating medical circumstances and award a grade of "W" during the final twenty five percent (25%) of the academic term. A student must comply with the following steps if he/she desires a medical withdrawal:

1. Submit medical documentation supporting a request for a medical withdrawal within thirty (30) calendar days of the last attended class unless medical documentation is provided that satisfactorily explains a longer time

period. It is most feasible that the request and documentation be submitted before the end of the semester (and end of the classes) in question. The documentation must be submitted to the Vice President.

2. The Vice President will review all submitted documentation and make a decision regarding voluntary medical withdrawal within ten (10) business days after the receipt of said documentation.

3. The decision of the Vice President will be communicated to the student via registered mail, hand-delivered or electronically with confirmation of receipt from the student. The Vice President's decision is final.

4. Students who are granted medical withdrawals will receive the grade of "W" in all courses in progress and/or specified in the request.

5. Specific conditions for re-admittance are stipulated at the time of withdrawal. These conditions may specify a minimum period of time for the withdrawal and/or may require a letter of medical clearance from a physician, psychologist or psychiatrist stating that in the professional expert's opinion the student is now capable of handling the College's academic and social demands.

## II. Student Involuntary Withdrawal from Course(s)

A. Students who register for a course and do not attend classes prior to ten percent (10%) will be dropped by the instructor.

B. Any student who accumulates absences in excess of ten percent (10%) of the course contact hours may be withdrawn from the class at the instructor's discretion. If the student is withdrawn from a class during the final twenty five percent (25%) period of the term for excessive absences, the student will receive a grade of "F".

C. Students may be involuntarily withdrawal from courses for disciplinary reasons subject to the student discipline policies.

Adopted: 6.25.2024

Any individual may audit a College class based on the following:

A. The individual pays the normal tuition and fees. However, any person who is at least 65 years old may audit non-self-supporting basis courses without the payment of tuition and fees provided the individual meets the other criteria listed herein.

B. Auditing students do not take tests or examinations, they do not receive grades, credit or financial aid, and cannot later change the "audit" to credit.

C. Students auditing a course must meet the same course prerequisite and attendance standards as all other students in the course. Auditing a course will not meet the prerequisite of any sequential or higher-level course.

D. Auditing is subject to open seats in the course and a student who audits a course shall not displace other students seeking to enroll in the course.

E. Students who audit a course and withdraw or are dropped from the course will be issued a grade of "W".

F. Students who desire to audit must inform their instructor at the first-class session, complete the appropriate forms and return them to the Registrar's Office within 15 class days. Audits appear on the grade report as "Y".

Adopted: 6.25.2024
Legal Reference: 1D SBCCC 700.1; S.L. 2017-57

A final grade is awarded at the end of each course for which a student is registered. Instructors determine final grades by using the following system:

| | | |
|---|---|---|
| A | Excellent | 90-100 |
| B | Good | 80- 89 |
| C | Average | 70-79 |
| D | Poor | 60-69 |
| F | Failure in performance or failure to remove an "I" grade | |

The following chart provides a list of the grades that students can receive and a description of each. *I - Incomplete. Students may receive an "I" at the discretion of the instructor when 80% of the course has been completed and the final work required has not been completed because of extenuating circumstances. An "I" must be removed by the last day of classes of the next semester, or it will automatically become an F (see R-CCC Academic Calendar). Students cannot re-enroll in courses in which an "I" grade is the grade of record. If the student fails to remove the "I" during the required time, the student must re-enroll in the course **IF CREDIT FOR THE COURSE IS REQUIRED.**

*AU - Audit. This grade is assigned to students who audit a course or who repeat a course in which a grade of C or higher has been earned.

*W - Withdrawal. A "W" is received when a student officially withdraws from a course by the 60 percent point of the course. A "W" is assigned for administrative withdrawals resulting from disciplinary action (i.e., suspension, etc.).

*WP - Withdrawal Passing. Student is passing the course with an average of at least 60% at the time of drop.

*WF - Withdrawal Failing. Student is failing the course with an average of less than 60% at the time of drop.

*CE - Credit by Examination. Student shows proficiency by examination. This grade is awarded for credit hours only.

*CL - College Level Examination Program (CLEP). This grade is awarded to students who have taken and met the credit-granting score standard for CLEP.

*AP - Advanced Placement. This grade is awarded to students who take the College Entrance Board's Advanced Placement Examination and who meet the credit-granting score standard for AP.

*MT - Military Training. This grade is awarded to veteran students who may receive college credits through DANTES, a testing program service by the Educational Testing Service.

*BL - Basic Law Enforcement Training. This grade is awarded to students who have completed Basic Law Enforcement Training. The training must be for curriculum credit and not continuing education credit.

*P Grades. A student in developmental, supplemental, or transitional courses will receive either of the below passing grades based upon the course. They are not considered a part of the program's total hours required for graduation. However, the grade is recorded on the student's permanent college transcript.

*P - Passing
*P1 - Pass Tier 1 of the course
*P2 - Pass Tier 2 of the course
*P3 - Pass Tier 3 of the course (for Math only)
*R - Repeat. A grade of R (repeat) will be issued for unsuccessful completion supplemental or transitional courses. They are not considered a part of the program's total hours required for graduation. However, the grade is recorded on the student's permanent college transcript.

**An "In Progress" or Re-enroll grade is given in transitions courses when progress has been made but required objectives for the course have not been met. It is given in lieu of a D or F grade and has a neutral effect on the student's GPA. "IP" and "R" grades remain on the transcript.

***The "P1", "P2", "P3", "IP" and "R" grades are used in transitions math, transitions English and reading courses. "P" indicates an 80% mastery of the course content. When the student's mastery of course content is less than 80%, the student receives an "R" grade. "R" and "IP" grades have a neutral effect on the student's GPA. Students receiving an "R" grade in a prerequisite course must reenroll in that course and may not proceed to the sequential course until achieving 80% mastery of course content.

*Note: These grades do not affect a student's GPA or quality points.

**Grade Appeal**

A student has the right to appeal a final course grade when he/she believes that his/her performance in a course has been incorrectly or inappropriately evaluated by the instructor. Any such appeal should be initiated within the first two weeks of the next semester after the grade was issued.

**Grade Changes**

Any change of grade, except course repeats and incomplete grades, must be made by the instructor and approved by the academic dean. If changes are necessary and the instructor is no longer available, the decision to change a grade rest with the academic dean and with approval by the Vice President of Instruction and Student Services. A grade will only be changed if an error was made in computing or recording it. This must be done within the first three weeks of the start of the next semester.

**Grade-Point Averages (GPAs)**

For determining GPAs, final grades have the following values or points: A=4; B=3; C=2; D=1; F=0. Other grades are not included in the GPA. The cumulative GPA is computed by multiplying the points for each course by the semester hours for that course, then dividing by the total number of semester hours. A GPA of 2.0 for work taken at R-CCC is required for graduation. Some departments may have additional graduation requirements.

Please note: Students taking transitional English and Math courses will earn a grade of P (for Pass) or R (for Repeat). Since these courses are pre-curriculum level courses, meaning that they help prepare students for success in curriculum level coursework, credit hours or quality points are not earned for grade-point average calculations, nor are they considered as part of any program's total hours required for graduation. The grade earned for this course, however, is recorded on the student's permanent college transcript, which future colleges or employers may request.

**Satisfactory Academic Progress**

Each curricular student is expected to make satisfactory academic progress (SAP) toward obtaining a degree, diploma, or certificate. At the end of each semester, a student's GPA for that period and his/her cumulative GPA are examined. The minimum cumulative GPA for remaining in good standing is shown in the following scale.

| Attempted Credit Hrs. | GPA Diploma | GPA Degree |
|---|---|---|
| 1-15 | 1.50 | 1.50 |
| 16-27 | 1.65 | 1.65 |
| 28-39 | 1.80 | 1.80 |
| 40-53 | 2.00 | 1.95 |
| 54 & above | 2.00 | 2.00 |

Adopted: 6.25.2024

This Policy shall apply to grade appeals unrelated to issues pertaining to the Code of Student conduct. The grade appeal process applies only to final course grades. In the event a student appeals a grade that prevents progression in a program, the student will be allowed to enroll and attend the following semester pending the outcome of the appeal. For sequential classes that have a clinical component, the student will be allowed to take the academic coursework but will not be allowed to participate in the clinical component of the class until the appeal is over. If the grade is upheld, the student will be administratively dropped from the course and refunded the tuition.

A. If a student is dissatisfied with his or her grade, the student must first meet with the instructor who assigned the grade within ten (10) business days after official receipt of that grade. The instructor will make a written determination and provide it to the student. In cases where the student is unable to meet in person with the instructor, the student may contact the instructor by letter or email. If the instructor is no longer employed at the College, the student may proceed to step two.

B. If the student is still dissatisfied with the instructor's determination, within ten (10) business days thereafter, the student may meet with the Academic Dean. The student must present the instructor's written determination. In cases where the student is unable to meet in person with the Academic Dean, the student may contact the Dean by letter or email. The Academic Dean will make a written determination and provide it to the student.

C. If the student is dissatisfied with the Academic Dean's determination, within ten (10) business days thereafter, the student may file a written appeal with all documentary evidence to the Vice President of Instruction and Student Services ("Vice President"). The Academic Dean shall also file a written response, attaching the instructor's prior written decision, to the Vice President. The Vice President shall perform an "on the record review" and will make a determination within ten (10) business days after receipt of the student's appeal. If needed for clarification, the Vice President may meet with the student or ask the student or Academic Dean to submit additional information. The Vice President shall make a written determination and provide a copy of the decision to the student and the instructor. The Vice President's decision is final.

Adopted: 6.25.2024

A. A student is considered to be making unsatisfactory academic progress and will be placed on academic probation when his/her cumulative grade point average falls below 2.0.

B. A student on academic probation for one semester will be required to consult with an academic advisor before registering for another semester.

C. During this conference, the academic advisor and student will determine that one of the following actions is required:

1. Continue with normal academic load next semester;

2. Reduce academic load next semester;

3. Either 1 or 2 above and participate in academic assistance in the form of tutoring, counseling sessions, learning lab or other appropriate resources;

4. Enroll in preparatory courses of study; or

5. Transfer to another program of study.

D. If a student is on academic probation for two consecutive semesters, the student will be placed on academic suspension for the next semester and, prior to readmission, must meet with academic advisors and counselors. In lieu of academic suspension, the President may, at his/her discretion, institute other consequences that the President deems more appropriate for the specific situation.

Adopted: 6.25.2024

The purpose of a prerequisite and/or a co-requisite is to ensure student success in subsequent coursework. While successful completion of prerequisites and/ or co-requisites is the traditional way students demonstrate readiness, in exceptional circumstances students may demonstrate readiness through other means. In such cases, prerequisites or co-requisites may be waived with appropriate approvals and permission of the Vice President of Instruction and Student Services. Documentation of the approved waiver will be maintained on file.

Adopted: 6.25.2024
Legal Reference: 1D SBCCC 400.8; Numbered Memo CC06-269

# I. REPEATING COURSES

## A. Curriculum Courses

Curriculum courses with earned grades of "D" or "F" may be repeated. Courses with earned grades of "C" or higher may be repeated only by special permission from the appropriate Dean. When courses are repeated, the highest earned grade and hours will be computed in the cumulative grade point average. The first course (grade and hours) will be shown on the transcript and will not be included in the cumulative grade point calculations. If a student receives three "F" grades for the same course, the student must wait at least two academic terms before repeating the course. Exceptions may be made by the Dean.

## B. Extension Education Courses

Students may enroll in extension education courses as many times as necessary to accomplish their individual educational/training goals provided they continue to show progress, do not prohibit others from participating, are willing to pay fees, and do not violate North Carolina Community College System policy. Extension Education programs/courses are designed to enable participants to progress, at their individual achievement rates, in gaining knowledge and skills in specific educational areas.

# II. COURSE SUBSTITUTES

When it is determined to be in the best interest of the student's declared educational objective, appropriate courses may be substituted for other courses for graduation purposes. Necessary course substitutions within the major field (courses reflecting the prefix of the student's major curriculum) require the approval of the Academic Dean. Course substitutions from curriculums outside the student's major area, which have been made for the purpose of addressing the general education or related course requirements, must be approved by the Academic Dean. The Dean must notify the Registrar's Office in writing of all applicable course substitutions on an individual student basis.

Adopted: 6.25.2024

The College may award Credits for Prior Learning ("CPL") as designated by law and state regulations for the following prior learning methods:

1. Apprenticeship
2. Certification and licensures
3. Courses listed in high school to community college articulation agreements
4. Military education and training
5. Standardized examinations
6. Challenge exams/Proficiency
7. Portfolio assessment
8. Public Safety Training ("PST") prefix courses

The College may award curriculum CPL when the documentation of prior learning meets or exceeds a demonstration of learning outcomes at the College's standards for awarding credit for the corresponding curriculum course. The College shall award CPL in a manner consistent with State Board regulations.

To be eligible to receive CPL, students must 1) meet all admission requirements for their program of study; 2) be enrolled in a curriculum program to which the credit will directly apply; and 3) request a prior learning assessment consistent with Procedure 5.2.9.1.

## A. CREDIT THROUGH APPRENTICESHIP

The College shall award CPL based on statewide articulation as approved by the Curriculum Committee for related instruction provided by external entities for registered apprenticeship programs. All apprenticeships must be approved and registered with the North Carolina State Apprenticeship Agency through ApprenticeshipNC.

The College, participating employer, and North Carolina Community College System shall cooperatively put together an apprenticeship agreement that will require at least 2,000 hours of on-the-job learning plus an additional amount of classroom instruction.

Upon successful completion of a registered apprenticeship, the individual will receive work-based learning course credit.

## B. CREDIT THROUGH CERTIFICATION AND LICENSURES

Students seeking CPL via industry recognized and/or state regulated credentials will complete a request form for a prior learning assessment, attach supporting documentation that substantiates credential attainment, and submit it to the designated college official or office for consideration. Designated faculty/staff should review the request form and supporting documentation to determine whether the student is eligible to receive academic credit.

Students are responsible for providing evidence of their valid (non-expired) certification(s) which must have been issued within five (5) years prior to their request for articulated credit. Students must be enrolled in the associated program to receive course credit.

## C. HIGH SCHOOL TO COMMUNITY COLLEGE ARTICULATION AGREEMENT CREDITS

North Carolina Department of Public Instruction high school courses that are listed in the High School to Community College Articulation Agreement are eligible for Combined Course Library curriculum course credit. Transcripts of high school courses must be submitted to the College.

## D. MILITARY EDUCATION AND TRAINING

Servicemen and veterans may be awarded college credit for service schools they have attended. The service schools must be accredited by a regional accrediting agency. Before applying for credit, students should contact the service school(s) and ask them to which regional accrediting agency they belong.

## E. STANDARDIZED EXAMINATIONS

The College may award CPL credit for the following standardized examinations:

1. College Board Advanced Placement Program ("AP"): College course credit will be granted to students who pass the AP examinations with a score of three, four, or five.

2. Cambridge Assessment International Education: College course credit will be granted to students who score a grade of e/E or better based on the AS and A Level exam(s) taken.

3. College-Level Examination Program ("CLEP"): College course credit will be granted to students who participate in CLEP Subject Examinations and achieve the minimum passing score as recommended by the American Council on Education.

4. DANTES Subject Standardized Tests: College course credit will be granted to students who score at or above the credit-granting score recommended by the American Council on Education.

5. International Baccalaureate Diploma Programme: College course credit will be granted to students who earn a grade of 70% or higher in courses taken from a recognized international institution, validated by a US credentialing agency.

## F. REQUESTING CHALLENGE/PROFICIENCY EXAMINATION

CPL may be awarded through examinations created and administered by academic units that offer the course. The examination is constructed to allow the student to demonstrate mastery of the learning outcomes of the course.

If a department offers credit by examination, no eligible student can be refused the opportunity to take the exam for course credit. A student must meet all pre-requisite requirements before they are eligible to take the challenge/proficiency examination for a course.

Students meeting challenge exam eligibility requirements, as provided by the State Board, state and federal law, and this policy, are responsible for submitting a challenge examination request.

As defined in the State Board of Community Colleges Code, developmental courses, supplemental courses, and courses including clinical practice are not eligible for challenge exams/proficiency.

## G. PORTFOLIO ASSESSMENT PROCESS

CPL may be awarded through a portfolio assessment process managed by an academic department of the College. A portfolio is "a formal communication" presented by a student as a request for prior learning credit.

Prior learning assessment by portfolio assessment will follow a course-equivalency credit model. Students demonstrate college-level learning by submitting a portfolio consisting of an organized collection of evidence that demonstrates mastery of the learning outcomes of a specific course offered at the College.

To submit a portfolio for assessment, students must contact the department offering the course and follow the schedule established by the department. Courses eligible for credit by portfolio assessment are determined by the department. All portfolio assessments will be completed by discipline-appropriate faculty trained in assessing portfolios for credit. Departments offering prior learning assessment by portfolio will establish rubrics to guide faculty assessment and scoring.

## H. CREDIT THROUGH PUBLIC SAFETY TRAINING PREFIX COURSES

Courses in the Combined Course Library with a Public Safety Training (PST) prefix may be used for awarding prior learning credit for industry-recognized public safety training and/or credentials.

Credit shall be considered for public safety training that meets the criteria outlined in the Public Safety Training course descriptions as listed in the Combined Course Library.

Official documentation from the training provider or credentialing entity shall be provided to the College to validate the training.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-5; 1D SBCCC 800.1; 4A SBCCC 100.1; 4B SBCCC 100.1

Roanoke-Chowan Community College is authorized to award an appropriate certificate, diploma, associate in general education, and associate in applied science degrees to a student who has successfully completed the required curriculum in which he or she is enrolled.

The President shall develop, or cause to be developed, requirements for successfully completing each curriculum.

**General Authority:**
**Revised:** 09-29-81
**Editorial Changes:** 05-19-03

The following is an overview of basic student rights. For more specific information concerning these and other rights, students are directed to review the specific policy or procedure dealing with the issue of concern. The provisions and language contained in specific policies and procedures control over this Policy.

A. Students are free to pursue their educational goals. The College shall provide appropriate opportunities for learning in the classroom and on the campus. Student performance will be evaluated solely on an academic basis and not on opinions or conduct in matters unrelated to academic standards. For more information regarding attendance and academic standards, see polices contained in the Policy Manual, Section 5.2 – Attendance and Academics.

B. Students have the right to freedom of expression, inquiry and assembly without restraint or censorship, subject to reasonable and non-discriminatory rules and regulations regarding time, place and manner. For more information, consult Policy 2.3.5 – Campus Free Speech, Distribution of Material and Assembly.

C. Students have the right to inquire about and to propose improvements in policies, regulations and procedures affecting the welfare of students through established student government procedures, campus committees and College offices.

D. The Family Educational Rights and Privacy Act of 1974 ("FERPA") provides safeguards regarding the confidentiality of and access to student records and the College shall adhere to the FERPA laws and regulations. Students and former students have the right to review their official records and to request a grievance if they challenge the contents of these records. No records shall be made available to unauthorized personnel or groups outside the College without the written consent of the student involved or if a legal exception applies. For more information, consult Policy 5.4.3 – Student Records – FERPA.

E. No disciplinary sanctions, other than temporary removal from class or activity (only for duration of said activity) may be imposed upon any student without due process. For more information concerning student due process rights with respect to disciplinary situations, consult Policy 5.3.2 – Student Code of Conduct.

F. Students have the right to voluntarily withdrawn from courses under certain criteria. For more information, consult Policy 5.2.2 – Withdrawal from Courses.

G. Students have the right to be free from discrimination, harassment and sexual violence while attending the College and accessing the College's programs and opportunities. For more information, consult Policy 5.3.4 – Discrimination and Harassment.

Adopted: 6.25.2024

The College makes every effort to maintain a safe and orderly educational environment for students and staff. Therefore, when, in the judgment of College officials, a student's conduct disrupts or threatens to disrupt the College community, appropriate disciplinary action will be taken to restore and protect the sanctity of the community.

Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and morality. The purpose of these standards is not to restrict student rights but to protect the rights of individuals in their academic pursuits.

The following regulation sets forth offenses for which disciplinary proceedings may be initiated. Violation of one or more of the following code provisions may result in one of the sanctions described in Procedure 5.3.2.1 – Discipline and Appeals Procedures for Academic-Related Violations and/or Procedure 5.3.2.2 – Discipline and Appeals Procedures for Non-Academic Related Violations.

## I. Academic-Related Violations

A. **Plagiarism** – The intentional theft or unacknowledged use of another's work or ideas. Plagiarism includes, but is not limited to: a) paraphrasing or summarizing another's words or works without proper acknowledgement; b) using direct quotes of material without proper acknowledgment; or c) purchasing or using a paper or presentation written or produced by another person. If a student is uncertain about what constitutes plagiarism, he/she should discuss with the class instructor.

B. **Cheating** – Using notes or other material on an exam or class work without permission from the class instructor; receiving information from another student during an exam; obtaining a copy of an exam or questions from an exam prior to taking the exam; submitting someone else's work as one's own; or having someone take one's exam and submitting it as his/her own.

C. **Aiding Acts of Academic Dishonesty** – Providing information to another student and knowing, or reasonably should have known, that the student intends to use the information for cheating or other deceptive purposes.

## II. Non-Academic Related Violations

A. **Theft and Property Damage** – Students shall not steal or damage College property or another individual's property. Students who are caught stealing or damaging said property will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.

B. **Trespass to Property** – Students are trespassing if in an unauthorized area of the College campus; present on the College campus after closing hours (without permission); or remaining on the College campus after having been directed to leave by a College official.

C. **Drugs and Alcohol** – Unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or impairing substances at any College location. For more specific information, see Policy 5.3.5 – Students – Alcohol and Drugs on Campus. In addition, students may not use tobacco of any form or e-cigarettes on campus or at any College-affiliated activities or events.

D. **Lewd and Indecent Behavior** – Students shall not engage in lewd or indecent behavior, including public physical or verbal action or distribution of obscene material based on reasonable community standards. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct constitutes lewd and/or indecent behavior.

E. **Mental/Physical Abuse** – Students shall not mentally or physically abuse any person on the College premises or at a College-supervised function, including verbal or physical actions which threaten or endanger the health or safety of any such persons.

F. **Assault** – Students shall not assault or threaten to assault another person for any reason whatsoever. Assault includes a demonstration of force, unlawful physical touching or striking.

G. **Sexual Harassment and Sexual Violence.** Students shall not engage in sexual harassment and/or sexual violence. For more specific information and definitions of prohibited activities, consult Procedure 5.3.4.1 – Sexual Harassment and Sexual Violence.

H. **Unlawful Discrimination.** Students shall not engage in unlawful discrimination. For more specific information and definitions of prohibited activities, consult Procedure 5.4.3.2 – Unlawful Discrimination.

I. **Communicating Threats** – Students shall not verbally, in writing, through a third party or by any other means threaten to physically injure another person or that person's child, sibling, spouse or dependent, or willfully threaten to damage the property of another.

J. **Bullying** – Students shall not intimidate or threaten with harm any other individual. Bullying is defined as any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that takes place on the College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her property; or (b) creates, or is certain to create, a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits or a College's employee's ability to perform the essential functions of his/her job.

K. **Disorderly Conduct and Disruption** – Students shall not obstruct or disrupt any teaching, research, administration or disciplinary proceedings, or other College activities, including public service functions, and other duly authorized activities on or off College premises. Students shall not occupy or seize, in any manner,

College property, a College facility or any portion thereof for a use inconsistent with prescribed, customary, or authorized use. Students shall not participate in or conduct an assembly, demonstration or gathering in a manner which threatens or causes injury to person or property; which interferes with free access to, ingress or egress of College facilities; which is harmful, obstructive or disruptive to the educational process or institutional functions of the College; hold rallies, demonstrations, or any other forms of public gathering without prior approval of the College based on reasonable time, place and manner restrictions; remain at the scene of such an assembly after being asked to leave by a representative of the College staff.

L. **Possession of Weapons** – Students may not have a weapon of any kind, including but not limited to, a knife, stun gun or any firearm in their possession on campus or at any College-affiliated activities or events except handguns as allowed by N.C.G.S. § 14-269.4. Handguns are permitted under these circumstances: a) the person has a concealed handgun permit that is lawfully issued; b) the handgun is in a closed compartment or container within the person's locked vehicle; c) a person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times; and d) the vehicle is locked at all times.

M. **Tampering with Fire Alarms** - Setting off a fire alarm or using or tampering with any fire safety equipment, except with reasonable belief in the need for such alarm or equipment.

N. **Gambling** – Students may not gamble on campus or at any College-affiliated activities or events.

O. **Traffic Violations** - Violation of College regulations regarding the operation and parking of motor vehicles.

P. **Providing False Information** – Students shall not present to the College or its employees false information as part of an investigation, inquiry, hearing or in other matters related to College activities; neither may a student knowingly withhold information which may have an effect on their enrollment or their status with the College.

Q. **Disobedience / Insubordination** - Failure to comply with instructions of College officials acting in performance of their duties and failure to adhere to the terms of any discipline action.

R. **Financial Impropriety** – Financial impropriety such as failure to pay College-levied fines, failure to repay College-funded loans, misuse or failure to properly account for club or student organization funds, or the passing of worthless checks, drafts or orders to College officials.

S. **Public Laws** – Violations of any federal, state or local laws occurring while on campus may lead to legal actions as well as College discipline. Violations of federal, state or local laws occurring off campus may result in disciplinary action if

the student's continued presence on campus constitutes a threat to the safety and order of the campus.

T. **Failure to Report Criminal Activity** - Failure to inform the College, in writing, within five (5) days after he or she is convicted for violation of any federal, state, or local criminal drug statue or alcoholic beverage control statute where such violation occurred while on a College location. For more information, see Policy 5.3.5 – Student Alcohol and Drugs on Campus.

U. **Unauthorized Access to College Records** – Students may not access, view, copy or change official College records without expressed authority to do so.

V. **Animals on Campus** – Students may not have an animal of any kind on campus. This includes animals left within a vehicle. Services animals are permitted and any student with a service animal should report the use of a service animal to the College's Disability Services Coordinator. For more information regarding service animals, see Policy 5.4.5 – Service Animals and Other Animals on Campus

W. **Improper Use of the College Network/Technology** – Students are prohibited from engaging in any activities prohibited under Policy 7.2 – Internet and Network Acceptable Use.

X. **Violation of Policies and Procedures** – Students are expected to be familiar with the College's policies and procedures. Students may be disciplined for failure to follow the College's policies and procedures.

Y. **Violations of Normal Classroom Behavior** – Not complying with reasonable rules issued by an instructor, causing disruption in the classroom or being disrespectful to classmates or the instructor. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct is disruptive or disrespectful not based on content or viewpoint discrimination.

Z. **Student Assessment Team** – Not complying with a recommendation or directive by the Student Assessment Team pursuant to Policy 5.3.3 – Student Threat Assessment.

Adopted: 6.25.2024

## I. Purpose of Student Conduct Review

The College has an obligation to provide a safe place for its students to learn and a safe place for its employees to work. When any College employees or students have a concern about a student's potential to have a negative consequence on the safety of College employees, other students or themselves, they are encouraged to report the matter to the Vice President for Instruction and Student Services ("Vice President"). If warranted, a Behavioral Assessment Team ("BAT"), a cross-functional multidisciplinary group focused on prevention and early-intervention for students exhibiting concerning behaviors, may be used to address the situation. The following procedures are outlined to guide this process.

## II. Procedures for Conduct Review

### A. Step One

College employees or students who are concerned about a student displaying elevated levels of distress, disturbance, or dysregulation (e.g. suicidal thoughts or impulses, violent and aggressive impulses, depression, disruptive behavior, physical or sexual abuse) or displaying behavior that poses a direct threat to the health, welfare and safety of the College community are encouraged to contact the Vice President of Instruction and Student Services.

### B. Step Two

The Dean of Students will conduct a review based on the report. When conducting the review, the Dean of Students shall consider, among other things: (a) the severity of the reported behavior; (b) whether the reported behavior represents a direct threat to the health, welfare and safety of the College's community; (c) the student's academic, attendance and discipline records; (d) whether this type of behavior has been reported in the past; and (e) whether or not the reported behavior, if true, violates the Code of Student Conduct.

When conducting the review, the Dean of Students may: (a) speak with the student; (b) gather additional evidence or information by interviewing members of the College community; (c) compile additional documentation; and (d) review other evidentiary sources.

Based on the result of the conduct review, the Dean of Students may do the following: (a) treat the matter as a disciplinary action pursuant to Procedure 5.3.2 – Student Code of Conduct, if a violation is believed to have occurred; (b) make a written referral of his/her findings to BAT for review; or (c) no further action is warranted. If the Dean of Students makes a referral to BAT, he/she shall inform the student in writing concerning the referral and shall provide both the student and BAT with a copy of his/her conduct review findings.

## III. BAT Review and Determination

### A. Membership

Members of the BAT are:

1. A College Dean appointed by the Vice President (Chair)
2. Student Services Counselor
3. Psychology Instructor
4. Campus Resource Officer
5. One at-large appointee by Vice President
6. Other appointees as needed

### B. BAT Review

If referred by the Vice President, the BAT will review the concern to determine if the speech or behavior in question is creating, or may lead to, an unsafe environment and impede the success of the student in question. The BAT's report will be based on the nature of the behavior, the severity of the safety risk and the student's needs.

As a part of this evaluation, the BAT will review the Dean of Student's findings and may meet with the individual(s) bringing forth the concern, witnesses and the student in question. Further, the BAT may request or require that the student be evaluated by outside professional(s) to determine their suitability to be a student at the College. The student will have an opportunity to review any documentary evidence reviewed by the BAT and will be allowed to address the BAT and may be accompanied by an advocate; however, only the student will be allowed to address the BAT and not the advocate.

### C. BAT Determination

Upon completion of the review, the BAT will submit their written findings and determination to the student and Dean of Students. The BAT may include, but is not limited to, the following recommendations in their findings:

1. No action required.
2. Propose a resolution to address miscommunication.
3. Propose an action plan to address concerning behaviors and support student success.
4. Refer student for an external psychological assessment at the College's expense and without further recommendation for an assessment.

5. Refer the matter to Policy 5.3.2 – Student Code of Conduct to initiate appropriate disciplinary action if a violation is believed to have occurred. The BAT is not authorized to suspend or involuntary withdraw a student.

A student's failure or refusal to comply with determination of the BAT as administered by the Dean of Student Services will constitute a basis to charge the student with an offense under Policy 5.3.2 – Student Code of Conduct and administer according to Procedure 5.3.2.2 – Discipline and Appeal Procedure for Non-Academic Violations.

All documentation associated with each concern addressed will be maintained in the student's permanent record.

**D. Incident Follow-up**

If warranted, the BAT, at its discretion, may require periodic follow-ups with the student. The desire and frequency of such follow-ups shall be included in the BAT's written determination. Failure by the student to participate in required follow-ups may be treated as a disciplinary infraction.

Adopted: 6.25.2024

The College is fully committed to providing a learning and working environment that is free from prohibited discrimination. The College does not practice or condone discrimination based on race, color, national origin, religion, sex, sexual orientation, gender, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status in the administration or in any of its education programs and activities and employment practices.

The College will address any such discrimination of which it has actual knowledge using the following procedures:

For issues related to Title IX sexual harassment, see Procedures 3.3.7.1/5.3.4.1 – Sexual Harassment and Sexual Violence.

For issues related to all other types of unlawful discrimination and harassment, see Procedures 3.3.7.2/5.3.4.2 – Unlawful Discrimination and Harassment.

Adopted: 6.24.25

Legal Reference: Title VI and VII of the Civil Rights Act of 1964; The Americans with Disabilities Act of 1990; Section 504 of the Rehabilitations Act of 1973; The Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Title II of the Genetic Information Nondiscrimination Act of 2008; Title IX of the Higher Education Amendments of 1972; Lily Ledbetter Act; NC Equal Employment Practices Act; NC Retaliatory Employment Discrimination Act; Jeanne Clery Disclosure Act of Campus Security Policy and Campus Statistic Act of 1990; Campus Sexual Assault Victim's Bill of Rights of 1992; Violence Against Women Act of 1994; Campus Sexual Violence Elimination Act of 2013; and the Pregnant Workers Fairness Act of 2023.

Cross Reference: 3.3.7

[1] The Human Resources and Student Services sections of our model policy manual both contain the Discrimination and Harassment Policy and Procedures. We have included both numbers on this policy for cross-reference. The policy and procedures should be exactly the same in both sections.

The College is committed to providing each of its students a drug and alcohol-free environment in which to attend classes and study. From a safety perspective, the users of drugs or alcohol may impair the well-being of students, interfere with the College's educational environment and result in damage to College property.

All students shall adhere to the following:

A. All students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or impairing substances at any College location.

1. *Controlled Substance* means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.

2. *Alcohol* means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.

3. *Impairing Substances* means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

4. *College Location* means in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students to and from College or College activities; and off College property at any College-sponsored or College-approved activity, event or function, such as a field trip or athletic event, where students are under the College's jurisdiction.

5. *Reasonable Suspicion* is the legal standard required before the College can require a student to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

B. Student use of drugs as prescribed by a licensed physician is not a violation of Policy; however, individuals shall be held strictly accountable for their behavior while under the influence of prescribed drugs.

C. Students may be required to be tested for substances, including controlled substances or alcohol, based on individualized, reasonable suspicion. The required observations for reasonable suspicion testing shall be made by an administrator, supervisor or other trained official and the person who makes the determination that reasonable suspicion exists shall not be the same person who conducts the test. This section does not apply to law enforcement officers serving the College through the local sheriff's department. Law enforcement officers must adhere to their normal standards when conducting a search.

D. The College does not differentiate between drug users, drug pushers or sellers. Any student in violation of Section A herein will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.

E. A student who violates the terms of this Policy will be subject to disciplinary action in accordance with Policy 5.3.2 – Standards of Student Conduct. At his/her discretion, the Dean of Student Services may require any student who violates the terms of this Policy to satisfactorily participate in a drug abuse rehabilitation program or an alcoholic rehabilitation program sponsored by an approved private or governmental institution as a precondition of continued enrollment at the College.

F. Each student is required to inform the College, in writing, within five (5) days after he/she is convicted for violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while on or at a College location. Failure to do so could result in disciplinary action.

G. In addition to this Policy, students employed by the College, including students employed under the College's Work Study Program, shall adhere to the requirements in Policy 3.4.4 – Alcohol and Drugs on Campus.

Adopted: 6.25.2024
Legal Reference: 21 CFR Part 1308; 34 CFR 86; N.C.G.S. 90-86, *et seq.*

# I. GRIEVANCE PROCESS OVERVIEW

In order to maintain a harmonious and cooperative environment between and among the College and its students, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every student shall have the right to present his/her problems or grievances free from coercion, restraint, discrimination or reprisal. This Policy provides for prompt and orderly consideration and determination of student problems and grievances by College administrators and ultimately the President.

A grievance is any matter of student concern or dissatisfaction with the College's control except: (a) student discipline matters regarding academic and non-academic violations (Policy 5.3.2 – Student Conduct); (b) discrimination and unlawful harassment, including sexual harassment and sexual violence (Policy 5.3.4 – Discrimination and Unlawful Harassment); (c) a grade appeal (Policy 5.2.5 – Grade Appeal); or (d) any other matter that has a specific grievance process outlined in that policy or procedure.

# II. INTERNAL GRIEVANCE PROCESS

## 1. Informal Grievance – Step One

In the event the alleged grievance lies with an instructor/staff member, the student must first go to that instructor/staff member and attempt to informally resolve the matter. Both the student and instructor/staff member must have an informal conference to discuss the situation and document the attempts taken to resolve the grievance at this level. In the event that the student is unsatisfied with the resolution reached at the informal conference, he/she may proceed to Step Two within ten (10) business days after the informal conference. Not proceeding to Step Two within the time period will result in the grievance not being heard and the matter being closed.

If the grievance concerns issues unrelated to a particular instructor/staff member (for example, an issue with College policy), the student can skip the informal process and proceed to Step Two.

## 2. Formal Grievance – Step Two

If the grievance is not resolved at Step One (or, given the nature of the grievance, Step Two begins the process) the student may file a written grievance with the Dean of Student Services ("Dean"). The written grievance must contain, with specificity, the facts supporting the grievance and the attempt, if applicable, to resolve the grievance at the information level.

The Dean (or, depending on the nature of the grievance, another appropriate Dean) shall review the written grievance and conduct whatever further investigation, if any, is necessary to determine any additional facts that are needed to resolve the

grievance. The Dean shall provide his/her written decision within ten (10) business days after receipt of the grievance.

In the event that the student is unsatisfied with the resolution reached by the Dean, he/she may proceed to Step Three within ten (10) business days after receipt of the Dean's written determination. Not proceeding to Step Three within the time period will result in the grievance not being heard and the matter being closed.

**3. Appeal – Step Three**

If the student is not satisfied with the Dean's determination, the student may appeal to the Vice President of Instruction and Student Services. The appeal must be in writing, must provide a written summary of the specific facts and must contain any other documentation pertinent to the matter. The Vice President will conduct an "on the record" review and conduct any further investigation that is necessary to ascertain the facts needed to make a determination. The Vice President may, at his/her discretion, establish a committee to further investigate the matter and make a recommendation to the President.

At the conclusion of the investigation and not later than fifteen (15) business days after receipt of the student's appeal, the Vice President shall provide a written decision to the student.

The President's decision is final.

## III. EXTERNAL GRIEVANCE PROCESS

**1. North Carolina Community College System**

The College is a member of the North Carolina Community College (NCCC) System. If a student is dissatisfied with the result of a grievance within the College, the student may file a grievance with the NCCC System. The student must exhaust the College's internal grievance process prior to filing a grievance with the NCCC System. The contact information for the NCCC System Office is:

North Carolina Community College System Office
200 West Jones Street
Raleigh, NC 27603
Telephone: 919-807-7100
Website: https://studentcomplaints.northcarolina.edu/form

**2. Southern Association of Colleges and Schools Commission on Colleges**

The College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). If a student is dissatisfied with the result of a grievance within the College, the student may file a grievance with the

SACSCOC. The student must exhaust the College's internal grievance process prior to filing a grievance with the SACSCOC. The contact information for SACSCOC is:

Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)
1866 Southern Lane
Decatur, GA 30033
Telephone: 404-679-4500
Website: https://sacscoc.org/

Adopted: 6.25.2024

Pursuant to the Student Right to Know and Campus Security Act (the "Act"), the College is required to publicly disclose relevant graduation and transfer rate information for its students. The Act is a consumer information report designed for public access to relevant graduation and transfer information to enable students to make informed decisions regarding their college choice. The College makes available to currently enrolled as well as prospective students the graduation and transfer rate for the most recent cohort of entering students based on a one-year reporting period.

The Acts' report is a cohort based study. The cohort is made up of students who enrolled as first-time college students who attended full-time (i.e., twelve [12] or more hours) and had declared themselves as degree seeking. The graduation and transfer rate for the cohort is calculated one year after the cohort's initial date of enrollment. These numbers can be misleading because many community college students attend part-time. Those students are not included in this report. Moreover, students with academic goals other than transfer or degree seeking students are not included in this report. Also, not included with the report are those students who leave school to serve in the armed services, an official church mission or with a recognized foreign aid service of the Federal government.

The report is updated annually and is available in the student services' office.

Adopted: 6.25.2024
Legal Reference: P.L. 101-542 – Student Right-To-Know Act

## I. POLICY OVERVIEW

The College is committed to providing a safe and secure environment for all members of the College's community and visitors. The College shall comply with the Crime Awareness and Security Act of 1990, as amended by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## II. DEFINITIONS

A. *Campus Security Authority* ("CSA") is a Clery-specific term that encompasses four groups of individuals and organizations associated with an educational institution:

1. A member of the educational institution's police department or campus security department;

2. Any individual(s) who has responsibility for campus security but who does not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into the College's property);

3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. For purposes of this College, this individual is the Vice President of Instruction and Student Services; and

4. An official or someone who has significant responsibility for student and campus activities, including, but not limited to: student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on the College's behalf.

B. *Clery Act Crimes* are the following crimes that must be reported by Campus Security Authorities to law enforcement and crimes that are listed in the College's Annual Security Report:

1. Murder/non-negligent manslaughter; negligent manslaughter; sex offenses (forcible and non-forcible); domestic and dating violence; stalking; robbery; aggravated assault; burglary; motor vehicle theft; and arson;

2. Hate Crimes: any of the above-mentioned offenses, and any incidents of larceny-theft; simple assault; intimidation; or destruction/damage/ vandalism of property that was motivated by bias on race, religion ethnicity, national origin, gender, sexual orientation, gender identity or disability; and

3. Arrests and referrals for disciplinary action for weapons (carrying, possessing, etc); drug abuse violations and liquor law violations.

C. *College Property* is all the following property:

1. Campus Grounds, Buildings and Structures – Any building or property owned by or controlled by the College within the same reasonably contiguous geographic area and used by the College in direct support of, or in a manner related to, the College's educational purposes; and any building or property that is within or reasonably contiguous to such buildings or property that is owned by the College but controlled by another person and is frequently used by students and supports College purposes.

2. Off-Campus and Affiliated Property – Any building or property owned or controlled by a student organization that is officially recognized by the College; or any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College.

3. Public Property – All thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus.

## III. SAFETY AND REPORTING PROCEDURES

The College encourages all members of the College community to report suspicious or criminal activity to law enforcement as soon as possible. Crimes may be reported anonymously. In the event of a crime in progress or at any time there is a risk of harm to persons or property, call 911.

In addition, CSAs have a legal obligation to file a report of suspected criminal activity with law enforcement and with the Vice President of Administrative and Fiscal Service's Office to ensure statistical inclusion of all Clery Act Crimes in the College's Annual Security Report when those crimes occur on or near College Property. Any individual identified by the College as a CSA shall receive notification of that designation and the requirement that the individual report information about Clery Act Crimes. Training will also be provided to all so designated persons. While CSAs must report any Clery Act Crime that comes to their attention, at the request of the victim, the victim's identity may remain anonymous.

To promote safety and security at the College, and in compliance with the Clery Act, the College shall:

A. Submit crime statistics to the United States Department of Education;

B. Maintain a daily crime log (open to public inspection);

C. Issue campus alerts to timely warn the College community when there is information that a Clery Act Crime has occurred that represents a serious or ongoing threat to campus safety;

D. Issue emergency notifications upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The College tests the emergency notification procedure bi-annually.

E. Publishes and maintains an Annual Security Report containing safety and security related policy statements and statistics of Clery Act Crimes occurring on College Property. To prepare the Annual Security Report, the College collects, classifies and counts crime reports and crime statistics. The Annual Security Report is available on the College's website and hard copies are available through the Office of Student Services for inspection.

Adopted: 6.25.2024

Legal Reference: 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46; *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, available at: http://www2.ed.gov/admins/lead/safety/handbook.pdf)

All student records must be current and maintained with appropriate measures of security and confidentiality. The College is responsible for complying with all legal requirements pertaining to the maintenance, review and release of records retained by the College.

## I. COMPLIANCE WITH FERPA RIGHTS

A. The Family Educational Rights and Privacy Act ("FERPA") provides students with certain rights to privacy of their educational records and rights of access by others to their educational records. College employees are expected to fully comply with this Policy.

B. For purposes of this Policy, "student" means an individual who is or has been in attendance at the College. It does not include persons who have not been admitted or those who have been admitted but did not attend the College. "Attendance" starts when the individual matriculates or declares their intention to enroll at the College, whichever comes first.

## II. ANNUAL NOTIFICATION OF RIGHTS

The College shall provide every student with an annual notice of their rights under FERPA. The Vice President for Student Services, or his/her designee, is responsible for preparing and delivering this annual notice.

## III. RIGHT TO INSPECT RECORDS

A. Students who want to inspect their education records should direct that request to the individual and within the timeframe as designated in the annual notice. Records which are available for inspection shall be provided to the student during regular business hours.

B. Students may obtain copies of their educational records if circumstances make on-site inspection impractical and the student is in good standing. When copies are provided, the student may be charged a reasonable fee for the actual copying expense.

## IV. DIRECTORY INFORMATION

A. The College may release Directory Information without student consent. The College designates the following information as Directory Information:

1. Student's name;
2. Address;
3. Telephone number;
4. Email address;
5. Major field of study;
6. Participation in officially recognized activities and sports;

7. Dates of attendance, grade level and enrollment status; and
8. Degrees, honors and awards received.

B. The College shall only release Directory Information to individuals and organizations that demonstrate, in the College's opinion, a legitimate, educational interest in the information or provide a direct service to the College; however, the College shall release Directory Information to military recruiters in compliance with the Solomon Amendment unless the student specifically restricts the release of their Directory Information.

C. Students who do not wish to have their Directory Information released to the individuals and organizations identified above shall comply with the "opt out" provisions designated in the annual notice.

## V. RELEASE OF EDUCATIONAL RECORDS

A. The College will not release a student's educational records, aside from Directory Information, to any third party unless the student consents to the release; this policy specifies otherwise; or a valid, legal exception applies.

B. The College shall disclose the education records of a student, who is under the age of 18, to:

i. the student's school administrators and school counselors at the secondary school in which the student is dually enrolled, and
ii. to the student's parent(s) or guardian(s), so long as the parent or guardian claims the student as a dependent on the parent or guardian's federal tax return.

Prior to registration in any course at the College, a minor student must acknowledge in writing that the minor student's education records shall be disclosed as set forth in this subsection. The minor student shall provide the College with the name and address of the student's parents in which the student is a tax dependent. The College may also require parents or guardians to certify they claimed the student as a dependent on their most recent federal tax returns, as set forth in Section VII D below.

C. Disclosures may be made to school officials which include any of the following when that person has a legitimate educational interest in having access to the information:

1) any administrator, certified staff member, or support staff member (including health, medical, safety, and security staff) employed by the College;

2) a member of the College's Board of Trustees;

3) a contractor, consultant, volunteer, or other party to whom the College has outsourced services or functions, such as, but not limited to: an attorney, auditor, cloud storage provider, consultant, expert witness, hearing officer, law enforcement unit, criminal or administrative investigator,

insurer/insurance company adjuster, investigator, or any other claims representative, medical providers or consultants, or counselors/therapists, provided that the person is performing a service or function for which the College would otherwise use employees, is under the direct control of the College with respect to the use and maintenance of education records, and is subject to FERPA requirements governing the use and re-disclosure of PII from education records; and
4) a person serving on a committee appointed by the College, such as a disciplinary or grievance committee or other review committee.

D. In compliance with Title IX, the College may disclose the final results of campus disciplinary proceedings in which a student respondent is charged with a violent crime or non-forcible sex offense. Upon the request of the complainant, disclosure may be made regardless of whether the respondent was found responsible. Disclosures to third parties may be made only if the student respondent is found responsible. Disclosure in this situation is limited to the name of the violator, the type of student code violation found to have occurred, and the sanction imposed by the College.

E. The College may release a student's education records to the student's parents when requested by the parents and:
   i) the student is listed as a dependent on the parents' tax returns;
   ii) ii) the student violated a law or the College's policies regarding drugs and alcohol and the student is under the age of 21; or
   iii) iii) the disclosure is needed to protect the health or safety of the eligible student or other individuals in an emergency situation. For disclosure of records under (i), the College may require parents or guardians to certify they claimed the student as a dependent on their most recent federal tax returns, as set forth in Section VII D below.

## VI. CORRECTING RECORDS

A student has the right to challenge an item in his/her records believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. The student may file a grievance pursuant to Policy 5.3.6 – Student Grievance beginning at Step Three. If the final decision is that the information in the record is, in the College's determination, not inaccurate, misleading or otherwise in violation of the privacy rights of the student, the Vice President of Student Services shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the College's decision.

## VII. MISCELLANEOUS

A. Students who believe their rights have been violated may file a complaint with the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington D.C. 20202. Complaint must be filed within 180 days of the date

of the alleged violation or the date the student knew or should have known of the alleged violation.

B. A hold may be applied to the release of an official diploma or other information requested from an official record for a student who has overdue indebtedness to the College. A hold may be applied for failure to comply with a disciplinary directive. Such a student continues to have the right to see and photocopy his official record upon request.

C. The College shall only destroy student records in accordance with federal and state laws and regulations and as allowed by the Records Retention & Disposition Schedule for North Carolina Community Colleges. The College shall not destroy student records if there is an outstanding request, grievance or legal matter related to those records.

D. If the parents of a student, who is a dependent for federal tax purposes, requests access to that student's education records without prior consent of the student, the parents may demonstrate the tax dependency of a student by [choose option (a) or (b)] (a) submitting to the College a copy of the first and signature pages of their most recently filed federal income tax return (with personal financial data redacted). (b) certifying in writing that the student is a tax dependent of the parent. Alternatively, a student may demonstrate tax dependency by submitting a signed statement of their tax dependency to the College.

Adopted: 8.26.25
Legal Reference: 10 U.S.C. § 983; 20 U.S.C. § 1232g; 34 C.F.R. pt. 99; N.C.G.S. § 115D-10.80

As a condition of enrollment at the College, the student grants the College a non-exclusive, perpetual, world-wide, royalty-free right and license to reproduce and publicly or privately display, distribute, or perform the student's work, in whole or in part, for the College's own educational purposes. This includes:

A. The use of student work in order to demonstrate compliance with accrediting bodies.

B. Research conducted by College personnel and presentation or publication resulting from such research.

C. The use of student work in order to demonstrate student and instructor activities for the purposes of promoting the college and its endeavors.

Nothing herein permits the disclosure of a student's educational record, including student grades, nor can student work be presented in a personally identifiable manner without the student's exclusive permission. This license does not extend to commercialization of the work. Intellectual property created by the student for commercial purposes singularly or in cooperation with the College shall be governed by the Policy 4.2.2 – Intellectual Property.

Adopted: 6.25.2024

## I. OVERVIEW

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and other applicable federal and state law, the College may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs or activities. This Policy addresses the use of Service Animals and other animals on campus by qualified individuals with disabilities or individuals authorized to provide training.

## II. DEFINITIONS

A. **Emotional Support Animal** – an animal selected or prescribed to an individual with a disability by a healthcare or mental health professional to play a significant part in a person's treatment process (e.g., in alleviating the symptoms of that individual's disability). An emotional support animal does not assist a person with a disability with activities of daily living and does not accompany a person with a disability at all times. An emotional support animal is not a "Service Animal".

B. **Law Enforcement Animal –** an animal that is trained and may be used to assist a law enforcement officer in the performance of the officer's official duties.

C. **Service Animal** – an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a Service Animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Service Animals may or may not have been licensed by a state or local government or a private agency.

## III. ANIMALS ON CAMPUS

Only Law Enforcement Animals and Service Animals are permitted on College property. Emotional Support Animals or any other animals are not permitted on College property and may not be left in vehicles on College property. There are occasions when a student or employee may need to bring an animal onto campus for meeting an educational objective. Such requests should be made to the appropriate administrator prior to the animal being allowed onto campus. Subject to the rules set forth in section IV and V below,

Service Animals are permitted in any area of campus where employees or students are permitted with a few exceptions for health and safety reasons.

## IV. PROCEDURES AND RESPONSIBILITIES REGARDING SERVICE ANIMALS

### A. Responsibilities of the Service Animal Owner/Handler

1. Registration

   a. Students are encouraged to contact the Disability Services Office and employees the Office of Human Resources to register their Service Animal prior to bringing it onto campus. Disability Services and Human Resources supports students and employees with Service Animals by informing appropriate College faculty and staff of the Service Animal's presence, informing first responders and to assist with the Service Animal's access to areas within the College campus.

   b. Visitors with Service Animals are not required to register the animals on campus.

2. Care and Supervision

   a. The care and supervision of a Service Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times. The Disability Services Office (students) and Human Resources (employees) will review the expectations of this policy with the handler and owner at the time of registration.

   b. The Service Animal must be under the control of the handler at all times and may not be left alone. A Service Animal must be restrained by a leash or other appropriate device that does not exceed six (6) feet in length or otherwise be under the control of the handler if the leash or tether will interfere with the ability of the Service Animal to perform required tasks.

   c. The owner and handler of the Service Animal is responsible for any damage of personal property or any injuries to an individual caused by the Service Animal.

   d. The handler must ensure the animal is "housebroken" and trained and must clean up and remove all animal waste created by the Service Animal.

e. The Service Animal may not disrupt the operation of the College or any class.

**B. Responsibilities of the College Community**

If the need for a Service Animal is obvious, College officials may not question the presence of the animal on campus. If the need for a Service Animal is not obvious, College officials are permitted to ask the handler two questions:

1. Is the animal required because of a disability?

2. What work or task(s) has the animal been individually trained to perform?

At no time may a College official require a Service Animal to demonstrate the tasks for which they have been trained nor may they inquire as to the nature of the individual's disability.

If another person on campus has a covered disability under the Americans with Disabilities Act and it includes an allergic reaction to animals and that person has contact with a Service Animal, a request for accommodation should be made by the individual to the Director of Human Resources (if an employee) or the Disability Services Office (if a student). All facts surrounding the concern will be considered in an effort to resolve the concern and provide reasonable accommodation for both individuals.

**C. Removal of Service Animals**

The College has the authority to remove a Service Animal from its facilities or properties if the Service Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities.

It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training". N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal.

Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action.

Adopted: 6.25.2024

## I. Overview

The College attempts to provide extracurricular activities for students since the College believes that such activities contribute to the overall growth and educational development of an individual. Students are expected to exhibit high standards of responsible citizenship during all College functions whether on or off campus. The Division of Student Services encourages and helps conduct a program of student activities. The student activity program is a part of the educational experience available to all students. Admission for all student activities shall be non-discriminatory.

## II. Student Government Association

A. The Student Government Association ("SGA") is made up of representatives from the student body. The SGA coordinates and regulates student activities and serves as the student body's official voice. The President of the SGA is a non-voting member of the College's Board of Trustees.

B. The SGA's organizational documents shall be updated and shall be on file with the College's Coordinator of Student Activities & Events ("Coordinator"). Any revisions to the SGA's organizational documents shall be reviewed and approved by the College President.

C. State funds cannot be used for athletics or other extracurricular activities; therefore, almost all student activities are established and maintained by SGA funds. SGA funds are derived from a portion of student activity fees. The SGA budget will be approved by the SGA and submitted for approval by the President and Board of Trustees as early in the school year as possible. Once approved, no further approvals for expenditure of funds will be required by the SGA unless changes to the budget are adopted. All expenditures of funds must still be approved by the Coordinator.

## III. Other Student Clubs and Organizations

A. The College maintains that extracurricular activities compliment the academic programs. Students are encouraged to participate in all phases of the student activities program as long as such participation is consistent with sound educational practices.

B. The following criteria must be considered by clubs who seek recognition as an official College student organization:

1. The organization must serve an area of student activity need;

2. The membership provisions must not exclude anyone because of his/her race, color, religion, sex, gender, national origin, age, disability or sexual orientation;

3. The organization must agree to abide by the College's policies and administrative procedures;

4. The organization's purpose must be compatible with the College's philosophy and educational objectives; and

5. Such other reasonable rules and regulations required by the President.

C. Recognized Student Clubs and Organizations. Only officially recognized student clubs and organizations shall be allowed to function on the College's campus. In order to achieve recognition, the applying club or organization must complete an official application, on file with the Coordinator, and receive approval by the SGA, the Vice President for Instruction and Student Services and the President.

## IV. Fundraising

The President, in consultation with the Vice President for Instruction and Student Services and the Coordinator, shall establish rules and regulations regarding student clubs and organizations' fundraising activities. In addition to such rules and regulations, student clubs and organizations are limited as follows:

A. Food – Unless clubs and organizations have prior, written permission from the President or designee, clubs and organizations may only sell pre-packaged food items, professionally prepared food items prepared by a permitted entity, pre-wrapped items and beverages in sealed containers and must comply with all local Health Department regulations. Examples of these items include bottled/canned soft drinks, pre-wrapped sub sandwiches, wrapped/packaged desserts, etc. Muffins or cookies must be pre-packaged. The sale of food prepared or assembled at point of sale, such items as tacos, hot dogs, chili, sandwiches, etc. is prohibited unless prior authorization by the President or designee. The sale of potentially hazardous foods as described in 15A NCAC 18A .2635(9) shall not be allowed.

Pursuant to N.C.G.S. § 130A-250(7), the College, as a tax-exempt entity, is exempted from temporary food establishment permitting requirements for preparing or serving food or drink, for pay, no more frequently than once a month for a period not to exceed two consecutive days.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 14-309.15, 130A-250(7); 15A NCAC 18A .2635(9)

Students participating in the College intercollegiate athletic programs shall satisfy the same admissions criteria and academic retention policies as outlined for all students. Participating students must satisfy the eligibility requirements of the National Junior Collegiate Athletic Association (NJCAA) to participate in the athletic program and must meet the same standards of eligibility for financial aid as other students. Neither athletic scholarships nor tuition waivers shall be offered by the College or the College's Foundation for students participating in intercollegiate athletics. Student athletes are expected to abide by all College policies and procedures and athletics rules and regulations. Violations may result in suspension from the College's athletic program, depending the offense, further disciplinary action pursuant to College policy.

The College shall maintain membership in good standing with the NJCAA. No state funds shall be used to create, support, maintain or operate an intercollegiate athletics program. Financial support for the College's intercollegiate athletic programs shall be provided from student activity fees and College discretionary funds. Except for temporary room and board associated with specific athletic events, the College shall neither provide, nor offer, room and board as part of an intercollegiate athletic scholarship to any student participating in an intercollegiate athletics sport.

Adopted: 6.25.2024
Legal Reference: 1B SBCCC 600.99; 1E SBCCC 700.2; 1H SBCCC 200.9

## I. TUITION AND FEES GENERAL REQUIREMENTS

Tuition and fees shall be charged in accordance with state statutes and according to schedules established by the North Carolina State Board of Community Colleges ("State Board") and/or the College's Board of Trustees ("Board"). The State Board establishes a general and uniform semester tuition rate for curriculum students. The State Board establishes both a North Carolina resident rate and a nonresident rate. Whether a student is a resident for tuition purposes shall be established in accordance with N.C.G.S. § 116-143.1 and -143.3 (for purposes of Armed Forces personnel and their dependents). For more information concerning residency requirements, see Policy 6.1.2 – Tuition Residency Requirements. The rate for auditing a course is the same as taking the course for credit.

## II. TUITION AND REGISTRATION FEE WAIVERS

The North Carolina General Assembly and the State Board have promulgated statutes and administrative regulations dealing with authorized groups of students with respect to tuition and registration fee waivers. For information concerning tuition and registration waivers, see N.C.G.S. §§ 115B-1, 115D-5, 1E SBCCC 800.2 and the North Carolina Community Colleges Tuition and Registration Fee Waiver Reference Guide.

To obtain a tuition and registration fee waiver, individuals must establish proof of eligibility as a member of an authorized group. To be eligible for a tuition or registration fee waiver, trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency prior to enrollment and uphold the terms of the sponsorship until completion of the BLET course. The College must maintain documentation of the sponsorship on file. The College shall not grant tuition and registration fee waivers to students enrolled in self-supporting courses. The College shall charge the student the self-supporting fee or use institutional funds to pay for the self-supporting fee on the student's behalf.

Annually, the President shall report to the State Board the amount of tuition and registration fees waived by the College on behalf of individuals who are members of authorized groups.

## III. LOCAL FEES

### A. Authorization

Pursuant to 1E SBCCC 700.1, the Board adopts the following local fees set forth below. The College shall deposit receipts derived from local fees in an unrestricted institutional account. The College will only use the local fee receipts for the purposes for which the local fee was approved. The President shall annually report all required local fees to the State Board.

**B. Local Fee Waiver**

The following groups are exempt from the Student Activity Fee, the Instructional Technology Fee and the College Access and Parking Fee: 1) all students who are exempt from paying tuition and registration fees; 2) continuing education students, except as other listed herein; and 3) individuals who participate only in meetings and seminars organized by the College (i.e., a group of people gathered for a one-time basis primarily for discussion under the direction of a leader or resource person).

All students will be required to pay applicable Specific Fees and Other Fees.

**C. Authorized Local Fees**

**1. Student Activity Fee**

Pursuant to 1E SBCCC 700.2, the Board establishes a Student Activity Fee as follows: $35.00.

The Student Activity Fee receipts shall be used for the permissible activities and expenses listed in 1E SBCCC 700.2(b)(1-(2).

**2. Instructional Technology Fee**

Pursuant to 1E SBCCC 700.3, the Board establishes an Instructional Technology Fee as follows: $3.00 per credit hour (Fall and Spring) $1.00 per credit hour (Summer). Continuing education students - $5 per course.

The Instructional Technology Fee receipts shall be used to support costs of procuring, maintaining and operating instructional technology used primarily for instructional purposes and specialized instruction equipment necessary for hands-on instruction.

**3. College Access and Parking ("CAP") Fee**

Pursuant to 1E SBCCC 700.4, the Board establishes a CAP Fee at a rate of $20.00 for each academic semester for curriculum students. The CAP Fee receipts shall only be used to support costs of acquiring, constructing and maintaining the College's parking facilities, parking enforcement and security of College property.

**4. Required Specific Fees**

Pursuant to 1E SBCCC 700.5, specific fees will be charged to students for select courses to cover academic costs for consumable goods or services that are specifically required for that course. Such academic costs include, but are not limited to: tools, uniforms, insurance, certification/licensure fees, e-text, labs and other consumable supplies. The specific fee rate must be based on the estimated cost of providing the good or service.

The Board hereby delegates to the President the authority to approve all specific fees under $300 per course. Any specific fees over $300 per course must be approved in advanced by the Board. A list of all approved specific fees will be maintained in the College's business office and the President shall provide an annual report to the Board regarding such specific fees.

**5. Other Fees**

Pursuant to 1E SBCCC 700.6, other fees will be charged to students to support costs of goods or services provided by the College that are not required for enrollment. Examples include, but are not limited to: student health and other insurance fees; graduation fees; transcript fees; optional assessment fees; library/equipment replacement fees and fees to participate in a specific event or activity.

The Board hereby delegates to the President the authority to approve all other fees under $300. Any other fees over $300 must be approved in advanced by the Board. A list of all approved specific fees will be maintained in the College's business office and the President shall provide an annual report to the Board regarding such other fees.

**6. Excess Receipts**

The fees collected under subsection 4 and 5 above, receipts shall be used for the purpose for which they are charged. If the receipts exceed expenditures for the purpose for which they are charged, the College shall use excess receipts to support the costs of either instruction, student support services, student financial aid (e.g. scholarships, grants, and loans), student refunds, student activities, curriculum development, professional development, promotional giveaway items, instructional equipment, and capital improvements and acquisition of real property.

Excess receipts shall not be used for any of the following purposes: supplemental compensation or benefits of any personnel, administrative costs, entertainment expenses, and fundraising expenses.

## IV. TUITION AND FEE DEFERMENT

All students, after registering for courses for the specific term, must pay or establish a payment plan through a provider approved by the College on or before a specific date prescribed by the College that is on or before the first date of the course section. Students applying for financial aid that completed their application before the established deadline, and appear to be eligible for assistance, will be allowed to remain in their courses until their financial aid is processed. Students that did not apply for financial aid prior to the established deadline may establish a payment plan.

A. Students wanting to enroll but lacking funds to pay tuition and fees must meet one of three criteria to defer their payment beyond the payment deadline set by the registrar's office:

1. Must have applied for financial aid by the application deadline set by the financial aid office and, through preliminary review, appear to qualify for assistance;

2. Must provide (or have their sponsor provide) documentation in writing from a valid third party agency that the student may be sponsored by the third- party agency once a final review is complete; or

3. Must enroll in a payment plan to satisfy the outstanding balance through a third-party provider contracted by the College. All balances must be paid before the last day of the semester.

B. Students who have not completed all requirements by the financial aid office, not supplied a final authorization from their third-party agency or who fail to pay the balance owed by the end of the semester will be subject to the following restrictions until payment in full has been received or until assistance is granted to satisfy the account balance:

1. Grades for the term shall be withheld;

2. Transcripts shall not be released;

3. Registration for future terms shall not be permitted; and

4. Permission to participate in graduation shall be denied.

C. Students with outstanding balances shall be notified by a Statement of Account showing the account balance and the nature of the charges and shall be dealt with pursuant to Policy 6.2.9 – Debt Collection.

Adopted: 6.25.2024

Legal Reference: N.C.G.S. §§ 115B-1 *et al.*, 115D-5, -39, 116-143.1 and -143.3; 1E SBCCC 200.2, 700.1 – 700.6, 800.2; *NC Community College Tuition and Registration Fee Waiver Reference Guide*

## I. DEFINITIONS

A. *Domicile*: a person's fixed, and permanent home and place of habitation of indefinite duration (for an indefinite period of time); it is the place where he or she intends and is able to remain permanently and to which, whenever the person is absent, he or she expects to return. Domicile may be established by birth, law and/or choice.

B. *Nonresident*: is a person who does not qualify as being domiciled in North Carolina.

C. *Residence:* a place of abode, whether permanent or temporary. A person may have may residences but only one permanent residence.

1. *Permanent Residence*: the legal residence or domicile.

2. *Temporary Residence*: one's abode for an undetermined or temporary duration.

D. *Resident*: is a person who qualifies as being domiciled in North Carolina.

For more complete definitions of these and other terms, consult the North Carolina Residency Determination Service ("RDS") Guidebook. All the definitions contained in the RDS Guidebook are incorporated herein by reference.

## II. RESIDENCY STATUS

### A. Establishing Residency

Residency status of all applicants must be determined for the purpose of tuition assessment. Nonresidents are admitted under the same admission requirements as residents but are required to pay out-of-state tuition except for courses classified as self-supporting curriculum courses or continuing education courses.

To qualify as a resident, an applicant must have established a permanent residence in North Carolina and maintained that permanent residence for at least 12 uninterrupted months immediately prior to his or her classification as a resident. The applicant must maintain his/her residence for purposes of maintaining a bona fide domicile rather than maintaining a mere residence for purposes of enrollment in an institution of higher education. All applicants for admission shall be required to make a statement as to his/her length of residence in the State. An applicant shall not be classified as a resident until s/he provides evidence related to his/her legal residence and its duration.

To determine whether a student has established a domicile in North Carolina, as opposed to a mere temporary residence, one must first determine if the student has capacity to establish residency and then reach a conclusion about the intent of the student, as measured by objectively verifiable conduct of the student. The conduct of the student, taken in total, must demonstrate an intention to make North Carolina his or her permanent dwelling place. The determination of domicile does not depend on one fact or a required combination of certain circumstances. The determination is made based on all the facts and circumstances taken together and viewed as a whole showing by a preponderance of evidence (more likely than not) that some particular location is the student's domicile. Oftentimes, this evidence will include personal statements provided by the student regarding his/her intention to make a residence his/her domicile. While such statements are appropriate evidence to consider, there is no requirement that they be accepted at face value. Student's personal statements should be considered carefully but also cautiously even if there is no concrete evidence that the student is being untruthful. The student's conduct and actions taken toward establishing a domicile are generally of greater evidentiary value than personal statements, especially when the student's conduct and actions are inconsistent or in conflict with the student's statements of intent. Statements of a student's intent to take actions towards establishing domicile at some time in the future generally are not considered sufficient.

For a student to be classified as a resident, the balancing of all the evidence must show that there is a preponderance of evidence supporting the student's claim of domicile. To satisfy this requirement, more of the evidence than not must consist of a cluster, focus or accumulation of favorable information that the student established a domicile in North Carolina at a point in time at least 12 months prior to the domiciliary classification. Because there is almost always variation among cases and individuals, the domiciliary inquiry is more a function of reasonable review and balancing of the total circumstances of each individual case rather than a formulaic computation.

Each applicant for admission is required to complete the RDS application for initial consideration concerning residency before, during or after submitting an application for admission.

**B. Special Rules for Domicile**

In addition to establishing a person's domicile as noted above, the determination of domicile and residence status for tuition purposes is also affected by special rules set out in North Carolina statutes. For some, but not all, of these special rules, eligible nonresidents remain classified as out-of-state students and are charged in-state tuition rates. For more specific information regarding these special results, consult the Manual.

These special rules impact the following categories of students:

1. Minors;

2. Members of the Armed Forces and their families;

3. Non-military federal personnel, volunteers and missionaries;

4. Non-U.S. citizens;

5. Prisoners/inmates;

6. Married persons; and

7. Special Exemptions for certain community college students:

   i. Business-sponsored students - When an employer (other than the armed services) pays tuition for an employee to attend a community college and the employee works at a North Carolina business location, the employer shall be charged the in-state tuition rate.

   ii. Business and military transferred families - A community college may charge in−state tuition to up to one percent (1%) of its out-of-state students (rounded up to the next whole number) to accommodate the families transferred into North Carolina by business or industry, or civilian families transferred into North Carolina by the military or foreign service. A student seeking this benefit shall provide evidence of the following:

      - Relocation to North Carolina by the student and if applicable, the student's family, within the 12 months preceding enrollment;
      - Written certification by the employer on corporate letterhead that the student or some member of the student's family was transferred to North Carolina for employment purposes;
      - Certification of student's compliance with the requirements of the Selective Service System, if applicable; and
      - If a family member of the transferred individual is applying for this benefit, the family member must also establish the familial relationship with the transferred individual; live in the same residence as the transferred individual; and provide evidence of financial dependence on the transferred individual.

   iii. Students sponsored by a non-profit entity - A lawfully admitted nonresident of the United States who is sponsored by a North Carolina non-profit entity is eligible for the in-state resident community college tuition rate. The student is considered to be "sponsored" by a North Carolina nonprofit entity if the student resides in North Carolina while attending the community college

and the North Carolina nonprofit entity provides a signed affidavit to the community college verifying that the entity accepts financial responsibility for the student's tuition and any other required educational fees. A North Carolina nonprofit may sponsor no more than five nonresident students annually under this provision. This provision does not make a person a resident of North Carolina for any other purpose.

iv. Non-citizen N.C. public school graduates - Any person lawfully admitted to the United States who satisfied the qualifications for assignment to a public school under North Carolina law (G.S. 115C-366) and graduated from the public school to which the student was assigned shall be eligible for the State resident community college tuition rate.

v. Citizen N.C. public school graduates - Any citizen of the United States that qualified for assignment to a public school under North Carolina law (G.S. 115C-366); who graduated and was enrolled in the public school for the entirety of the final year before receiving a high school diploma; and the person was unable, due to lack of evidence, to establish residency for tuition purposes through RDS.

vi. Refugees - A refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes. While the refugee must live in North Carolina to be eligible for in-state tuition, the refugee is not required to be domiciled in North Carolina for the 12-month qualifying period.

vii. Nonresidents of the United States - A nonresident of the United States who has resided in North Carolina for a 12-month (365 days) qualifying period and has filed an immigrant petition (Forms I-130, I-360, or I-140) with the United States Citizen and Immigration Service (USCIS) shall be considered a North Carolina resident for community college tuition purposes.

viii. Federal law enforcement officers, firefighters, EMS personnel and rescue and life-saving personnel - Federal law enforcement officers, firefighters, EMS personnel, and rescue and lifesaving personnel whose permanent duty stations are within North Carolina are eligible for the State resident community college tuition rate for courses that support their organizations' training needs. The State Board of Community Colleges must approve the courses designed to support law enforcement officers, firefighters, EMS personnel, and rescue and lifesaving personnel's training needs prior to the college awarding the State resident community college tuition rate.

## C. Loss of Resident Status

If a person has been properly classified as a resident for tuition purposes and enjoyed that status while enrolled at an institution of higher education in this state, a change in that person's state of residence does not result in an immediate, automatic loss of entitlement to the in-state tuition rate. Students in this situation are allowed a "grace period" during which the in-state rate will still be applicable even though the student is no longer a legal resident of North Carolina. The grace period can apply under certain circumstances both to currently enrolled students as well as to students who are no longer enrolled or who have graduated.

1. Currently Enrolled Students

To qualify for the grace period if the student is currently enrolled, the student must satisfy the following conditions:

i. The student must have been properly classified as a resident for tuition purposes on the basis of a valid finding that the student in fact was domiciled in North Carolina and had been for the required 12-month period prior to classification; and

ii. At the time of change of legal residence to a state other than North Carolina, the individual must have been enrolled in an institution of higher education in North Carolina. "Enrolled" shall include both persons who are actually attending the institution during an academic term as well as those whose consecutive attendance of academic terms has been interrupted only by institutional vacation or summer recess periods. A person whose change in legal residence occurred during a period while not enrolled is not entitled to the benefit of the grace period.

The grace period extends for 12 months from the date of the change in legal residence, plus any portion of a semester or academic term remaining at the time the change in legal residence occurred. No change in applicable tuition rates resulting from the expiration of the basic 12-month grace period will be effective during a semester, quarter, or other academic term in which the student is enrolled; the change in tuition rates are effective at the beginning of the following semester, quarter, or other academic term. Once perfected, the grace period is applicable for the entire period at any institution of higher education in the State.

2. Students who are no Longer Enrolled

To qualify for the grace period if the student is no longer enrolled, the student must satisfy the following conditions:

i. The student must have been properly classified as a resident for tuition purposes at the time the student ceased to be enrolled or graduated from an institution of higher education in this state; and

ii. If the student subsequently abandons his/her domicile in North Carolina and then reestablishes domicile in this state within twelve (12) months of abandonment, the student may reenroll at an institution of higher education in this state as a resident for tuition purposes without having to satisfy the 12-month durational requirement so long as the student continuously maintains his/her reestablished domicile in North Carolina at least through the beginning of the academic term for which in-state tuition status is sought.

It is important to note that a student may benefit from this particular grace period only once during his/her life. There is no such limitation on the grace period available to students who experience a change in residence status while still enrolled at an institution of high education in this state.

## III. RECONSIDERATION AND APPEAL OF RESIDENCY DECISIONS

If the student does not agree the initial consideration concerning his/her residency status, the student may seek a reconsideration or appeal with RDS. For more information concerning the reconsideration and appeal process and deadlines, the student should consult with the RDS Guidebook.

Adopted: 6.25.2024
Revised: 6.24.2025
Legal Reference: N.C.G.S. §§ 115D-39; 116-143.1; 1E SBCCC 300.2; *North Carolina Residency Determination Service Guidelines* (November 2016; Revised March 2024)

## I. AUTHORITY TO CHARGE SELF-SUPPORTING FEES

Pursuant to North Carolina law, the College is authorized to offer curriculum and continuing education course sections on a self-supporting basis and charge self-supporting fees to students who enroll in self-supporting course sections.

## II. SELF-SUPPORTING FEE RATES

### A. Differing Rates

The College may adopt different self-supporting fees for different courses and activities.

### B. Curriculum Self-Supporting Fee Rates

The College must determine self-supporting fees for curriculum courses using one of two methods:

1. Pro-Rata Share Method. The amount charged to each student shall approximate the pro-rata share of the direct and indirect costs associated with providing self-supporting instruction. Unless the College can demonstrate a need for a higher rate, the College may estimate indirect costs by applying its federal indirect cost rate or a rate up to twenty-five percent (25%), whichever is higher, to the direct costs of providing the self-supporting activity. The amount charged to the student shall be calculated based on either: 1) the estimated costs of an individual self-supporting course section divided by the number of students expected to enroll in the course section; or 2) the estimated costs of a set of self-supporting course sections divided by the number of students expected to enroll in the set of course sections. Each student must pay the self-supporting fee even if the sum of the curriculum tuition and self-supporting fees charged to the student for the academic term exceeds the maximum tuition rate set by the State Board and academic term.

2. Transparent Rate Method. The College shall charge each student an amount consistent with the curriculum tuition rate based on residency status. The transparent rate method shall only be used if the receipts generated through this method can adequately support the direct and indirect costs of the self-supporting instruction.

### C. Continuing Education Self-Supporting Fee Rates

The College shall set self-supporting fees for continuing education course sections at a level at or below the local market rate for the type of continuing education instruction provided.

## III. USE OF SELF-SUPPORTING FEES

### A. Deposit of Self-Supporting Fees

The College shall deposit self-supporting fee receipts in an institutional unrestricted general ledger account. Any course section initially designated as self-supporting cannot be changed to a State-funded designation after the College collects any receipts for the course section.

### B. Use of Self-Supporting Fee Receipts

Self-supporting fee receipts shall be used to support the direct and indirect costs of the self-supporting course sections. The College shall not use state funds for direct costs of self-supporting course sections. If a full-time curriculum instructor teaches a self-supporting course section, the College shall either: 1) pro-rate the instructor's salary based on the time allocated between state-funded and self-supporting course sections in the instructor's course load; or 2) reimburse State funds an amount equal to the number of instructional hours associated with self-supporting course section multiplied by the instructor's hourly rate of pay.

### C. Excess Receipts

Specific fee receipts shall be used for the purpose for which they are charged. If self-supporting receipts exceed expenditures for the purpose for which they are charged, the College shall use excess receipts to support the costs of future self-supporting course sections, instruction, student support services, student financial aid (e.g. scholarships, grants, and loans), student refunds, student activities, curriculum development, professional development, promotional giveaway items, instructional equipment, and capital improvements and acquisition of real property.

Excess receipts shall not be used for any of the following purposes: supplemental compensation or benefits of any personnel, administrative costs, entertainment expenses, and fundraising expenses.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 115D-5; -39; 1E SBCCC 600.1 – 600.4

# I. CURRICULUM TUITION/FEE REFUNDS

## A. Definitions

1. *Academic Period* – an academic term or subdivision of an academic term during which the College schedules a set of course sections.

2. *Non-regularly scheduled course section* – is any of the following: a) a class where a definitive beginning and ending time is not determined; b) a class offered in a learning laboratory type setting; c) a self-paced class; d) a class in which a student may enroll during the initial College registration period or at any time during the semester; or e) any class not meeting the criteria for a regularly scheduled class.

3. *Off-cycle course section* – a regularly scheduled course section that is not offered consistent with an academic period.

4. *Officially Withdraw* – the removal of a student from a course section by one of the following methods:

   a. The student notifies the authorized College official, as defined by the College's published procedures for withdrawal, of the student's intent to dis-enroll in a course section as outlined in the College's published procedures for withdrawal; or

   b. The College removes the student from the course section because the College cancels the course section or for any other reason authorized by written College policy.

5. *On-cycle course section* – a regularly scheduled course section that is offered consistent with an academic period.

6. *Regularly scheduled course section* – is a class that meets any of the following criteria: a) assigned definite beginning and ending times; b) specific days the class meets is predetermined; c) specific schedule is included on the College's Master Schedule or other official College documents; d) class hours are assigned consistent with the College's catalog; or e) identified class time and dates are the same for all students registered for the class excluding clinical or cooperative work experience.

7. *Census Date* – The date marking the end of the add/drop period for a course section, as determined by the College in compliance with the State Board of Community Colleges Code.

The College shall issue tuition refunds, using State funds, and fees only in the following circumstances:

**B. Refunds for On-Cycle Course Sections**

1. The College shall provide a one hundred percent (100%) refund to the student for both tuition and fees if the student officially withdraws or is officially withdrawn by the College prior to the first day of the academic period as noted on the College calendar.

2. The College shall provide a one hundred percent (100%) refund to the student for both tuition and fees if the College cancels the course section in which the student is registered.

3. After an on-cycle course section begins, the College shall provide a seventy-five (75%) percent refund to the student for tuition only if the student officially withdraws or is officially withdrawn by the College from the course section prior to or on the ten percent (10%) point of the academic period.

**C. Refunds for Off-Cycle Sections**

1. The College shall provide a one hundred percent (100%) refund to the student for both tuition and fees if the student officially withdraws or is officially withdrawn by the College prior to the first day of the off-cycle course section.

2. The College shall provide a one hundred percent (100%) refund to the student for both tuition and fees if the College cancels the course section in which the student is registered.

3. After an off-cycle course section begins, the College shall provide a seventy-five percent (75%) refund to the student for tuition only if the student officially withdraws or is officially withdrawn by the college from the course section prior to or on the ten percent (10%) point of the course section.

**D. Non-Regularly Scheduled Course Sections**

1. The College shall provide a one hundred percent (100%) refund to the student for both tuition and fees if the student officially withdraws or is officially withdrawn by the College prior to the first day of the non-regularly scheduled course section.

2. The College shall provide a one hundred percent (100%) refund to the student for both tuition and fees if the College cancels the course section in which the student is registered.

3. After a non-regularly scheduled course section begins, the College shall provide a seventy-five percent (75%) refund to the student for tuition only if the student officially withdraws or is officially withdrawn by the College from the non-regularly scheduled course section prior to or on the tenth ($10^{th}$) calendar day after the start of the course section.

## III. CONTINUING EDUCATION TUITION/FEES REFUNDS

A. Definitions

1. *Non-regularly scheduled course section* – is any of the following: a) a course section where a definitive beginning and ending time is not determined; b) a course section offered in a learning laboratory type setting; c) a self-paced course section; d) a course section in which a student may enroll during the initial College registration period or at any time during the semester; or e) any class not meeting the criteria for a regularly scheduled class.

2. *Officially Withdraw* – the removal of a student from a course section by one of the following methods:

   a. The student notifies the authorized College official, as defined by the College's published procedures for withdrawal, of the student's intent to dis-enroll in a course section as outlined in the College's published procedures for withdrawal; or

   b. The College removes the student from the course section because the College cancels the course section or for any other reason authorized by written College policy.

3. *Regularly scheduled course section* – is a course section that meets the following criteria:

   a. Has an assigned definite beginning and ending times;
   b. Has specific predetermined days and times the course section meets;
   c. Students may enroll during the initial registration period or any time prior to the census date;
   d. The course section is consistent with the course standards pursuant to 1D SBCCC 300.5(c) ; or
   e. Times and dates are the same for all students registered for the course section excluding clinical or cooperative work experience.

4. *Independently Scheduled Course Section* – is a course sections that meets the following criteria:

   a. Where the begin and end times of the course are not defined;
   b. Instructional content is delivered asynchronously; and
   c.

5. *Census Date* – The date marking the end of the add/drop period for a course section, as determined by the College in compliance with the State Board of Community Colleges Code.

B. **Refunds.** The College shall issue tuition refunds using State funds only in the following circumstances:

1. The College shall provide a one hundred percent (100%) refund to the student for tuition and fees if the student officially withdraws or is officially withdrawn by the College from the course section prior to the first course section meeting.

2. The College shall provide a one hundred percent (100%) refund to the student for tuition and fees if the College cancels the course section in which the student is registered.

3. After a regularly scheduled or independently scheduled course section begins, the College shall provide a seventy-five percent (75%) refund of tuition only upon the request of the student if the student officially withdraws or is officially withdrawn by the College from the course section prior to or on the census date of the section. This section applies to all course sections except those course sections that begin and end on the same calendar day. The College shall not provide a student with a refund using State funds after the start of a course section that begins and ends on the same calendar day.

4. After a non-regularly scheduled course section begins, the College shall provide a seventy-five percent (75%) refund of tuition only upon the request of the student if the student withdraws or is withdrawn by the College from the course section prior to or on the tenth ($10^{th}$) calendar day after the start of the course section.

## IV. OTHER REFUND CIRCUMSTANCES

### A. Death of a Student

If a student, having paid the required tuition and fees for a course section, dies prior to completing that course section, all tuition and fees for that course section shall

be refunded to the estate of the deceased upon the College becoming aware of the student's death.

**B. Military Refund**

Upon request of the student, the College shall:

1. Grant a full refund of tuition and fees to military reserve and National Guard personnel called to active duty or active-duty personnel who have received temporary or permanent reassignments as a result of military operations that make it impossible for them to complete their course requirements; and

2. Buy back textbooks through the Colleges' bookstore operations to the extent allowable under the College's buy back procedures.

3. The College shall use distance learning technologies and other educational methodologies, to the extent possible as determined by the College, to help active-duty military students, under the guidance of faculty and administrative staff, complete their course requirements.

**C. Self-Supporting Tuition and Fees**

Refunds to students enrolling in self-supporting curriculum courses and self-supporting continuing education courses shall be regulated in the same manner as stated in Sections I and II.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 115D-5; -39; 1E SBCCC 900.1 – 900.5; 1G SBCCC 200.94

## I. Fiscal Year and Financial Statements

In accordance with the North Carolina State Board of Community Colleges, the College's fiscal year will be July 1 through June 30.

The President or designee shall prepare and submit quarterly expenditure reports and annual financial statements to the Board of Trustees ("Board") and, if otherwise required, to the appropriate state and county agencies.

## II. Budgeting Process

### A. Preparation and Submission

The President shall be responsible for the preparation of the College's annual budget. The President shall develop procedures for soliciting budget recommendations from the appropriate College administrators and stakeholders. The President shall submit the proposed budget to the Board who shall approve the proposed budget.

The Board shall submit its proposed budget to the State Board in the format established in N.C.G.S. § 115D-54(b) on such date as determined by the State Board. The Board shall also submit to the Hertford County Commissioners for their approval that portion of the budget within the Commissioners' authority as established in N.C.G.S. § 115D-55(a).

Upon final approval by the State Board and Commissioners, the Board shall adopt its final budget. In the event that the final budget has not been adopted by the new fiscal year beginning on July 1, the Board, pursuant to N.C.G.S. § 115D-57, hereby authorizes the President to pay salaries and the College's other ordinary operating expenses for the interval between the beginning of the new fiscal year and the adoption of the new budget.

### B. Budget Amendments and Budget Transfers

The President, or designee, shall report budget amendments to the Board in the monthly budget report at the next regular Board meeting. The Board hereby delegates to the President the authority to make inter-budget transfers within the same fund as authorized in N.C.G.S. § 115D-58(c). The President, or designee, shall report budget transfers to the Board in the monthly budget report at the next regular Board meeting.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 115D-54 through -58

## I. Fire, Flood, and Casualty Insurance – College Buildings

A. The College shall insure each building to the extent of not less than eighty percent (80%) of the current insurable value as determined by the insured and insurer against fire, lightning, windstorm, hail, explosion, aircraft or vehicles, riot or civil commotion, smoke, vandalism, sprinkler leakage, sinkhole collapse, volcanic action, falling objects, weight of snow, ice or sleet, or water damage.

B. The College shall insure each building and its contents to the extent of not less than eighty percent (80%) of the current insurable value, as determined by the insurer and the insured, of each of its insurable buildings against flood when that property is located, or becomes located in, an area identified on the latest Flood Insurance Rate Map produced by the Federal Emergency Management Agency as area that will be inundated by the flood event having a one percent (1%) chance of being equaled or exceeded in any given year.

C. For all College equipment and other contents of College buildings therein that is State or College property, the College shall secure and maintain fire and casualty insurance as proscribed in N.C.G.S. §§ 115D-58.11(a).

D. The County shall provide to the College the funds necessary to purchase such fire, flood, and casualty insurance.

E. All insurance must be purchased from companies duly licensed and authorized to sell insurance in North Carolina.

## II. Liability Insurance

A. The Trustees may purchase liability insurance to adequately insure the Trustees against any and all liability for any damages by reasons of death or injury to person or property proximately caused by the negligence or torts of the College's agents and employees when acting within the scope of their authority or the course of their employment.

B. All insurance must be purchased from companies duly licensed and authorized to sell insurance in North Carolina or from other qualified companies to sell insurance as determined by the N.C. Department of Insurance.

C. The Trustees are authorized to pay as a necessary expense the lawful premiums of the retained liability insurance.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 115D-58.11 and -58.12

The following categories of employees shall be bonded by a surety company authorized to do business in North Carolina at an amount, to be determined by the President, which sufficiently protects the College's property and funds:

1. All employees authorized to draw or approve checks or vouchers drawn on local funds;

2. All employees authorized or permitted to receive College funds from whatever source; and

3. All employees responsible for or authorized to handle College property.

In lieu of a surety bond for the above employees, the Board of Trustees may obtain and maintain adequate insurance coverage sufficient for the protection of institutional funds and property. The College shall provide the funds necessary for the payment of the premiums of such bonds.

Adopted: 6.25.2024
Amended: July 2021
Legal Reference: N.C.G.S. § 115D-58.10

The Trustees may provide by appropriate resolution the use of facsimile machines, signature machines, signature stamps or similar devices in signing checks and drafts. The Trustees may charge the President or some other bonded employee with the custody of the necessary machines, stamps, plates or other devices, and that person and the sureties on the official bond are liable for any illegal, improper or unauthorized use of them.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-58.8

All money regardless of source or purpose collected or received by a College officer, employee and/or agent shall be provided to the College's Cashier and deposited intact daily. Deposits shall be given to the Cashier in the College's Business Office prior to the end of the business day. The Cashier will provide to the officer, employee and/or agent a receipt for the money. All individuals shall physically deliver the money to be deposited to the Business Office and provide directly to the Cashier or a Business Office staff member. Individuals are prohibited from sending money to the Cashier through interoffice mail or leaving the money on the Cashier's desk.

Tuition and all revenues declared by law to be State moneys or otherwise shall be deposited pursuant to the rules of the State Treasurer.

Adopted: 6.25.2024
Legal Reference: N.G.C.S. §§ 115D-58.9; 147-77

The College's book of accounts shall be audited a minimum of once every two years or, if additional audits are necessary, as required by the State Board. The College may use state funds to contract with the North Carolina State Auditor or with a certified public accountant to perform the audit. The College shall submit the results of the audit to the State Board. The audit provides assurances that departments are complying with internal and external policies, procedures and regulations as well as verifying that financial statements and required reporting is completed in a timely and accurate manner.

Additionally, all state fund reports are submitted monthly to the North Carolina Community College System's finance office. These reports are reviewed and reconciled prior to the release of state funds for the subsequent months.

Nothing herein would prohibit the President, if he/she deemed it necessary, from requesting a special audit of the College's accounting records by an outside agency. The President is also authorized, as needed, to develop procedures regarding internal controls to ensure that there are adequate controls in place to promote efficiency and protect the College's assets.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-58.16

## I. Definitions

A. *Cash Balance* – amount equal to all moneys received into institutional funds minus all expenses and withdrawals from those accounts in an Official Depository of the College as approved by the Board.

B. *Official Depository* – one or more banks, savings and loan associations or trust companies in North Carolina as approved by the Board.

## II. Selection of Depository

### A. Deposits

The Board shall designate one or more Official Depositories for the College's use. The College may deposit at interest all or part of the College's Cash Balance of any fund in an Official Depository. Moneys may be deposited at interest in any Official Depository in the form of such deposit accounts as may be approved for county governments. In addition, moneys may be deposited in the form of such deposit accounts as provided for a local government or public authority. Public moneys may also be deposited in Official Depositories in Negotiable Order of Withdrawal accounts where permitted by applicable federal or state regulations.

### B. Deposit Security

The amount of funds on deposit in an Official Depository or deposited at interest shall be secured by deposit insurance, surety bonds, letters of credit issued by a Federal Home Loan Bank, or investment securities of such nature, in a sufficient amount to protect the College on account of deposit of funds made therein, and in such manner, as may be prescribed by rule or regulation of the Local Government Commission. When deposits are secured, no public officer or employee may be held liable for any losses sustained by the College because of the default or insolvency of the depository. No security is required for the protection of funds remitted to and received by a bank, savings and loan association, or trust company acting as fiscal agent for the payment of principal and interest on bonds or notes, when the funds are remitted no more than sixty (60) days prior to the maturity date.

## III. Investments

The College's investment objective is to realize the highest earnings possible on invested cash. Pursuant to N.C.G.S. § 115D-58.6, the College may deposit all or a part of the Cash Balance of any fund in an Official Depository and shall manage the investments subject to the Board's restrictions. The investment program shall be so managed that investments and deposits can be converted to cash when needed. All investments shall be secured as provided in N.C.G.S. § 159-31(b). The Board shall appoint an Investment Committee ("Committee") which shall consist of a minimum of three (3) people who have sufficient

financial background to review and evaluate the College's investment options. These individuals should have experience in institutional or retail investment management with knowledge of fixed income and public equities. The Committee shall make recommendations to the Board on those investment options as well as monitor the performance of investments once made. With respect to investments, the Board shall discharge their duties with respect to management and investment of College funds as follows:

A. Investment decisions shall be solely in the interest of the College and the students, faculty and staff.

B. Investments shall be for the exclusive purpose of providing an adequate return to the College.

C. Investments shall be made with the care, skill and caution under the circumstances then prevailing which a prudent person acting in a like capacity and familiar with those matters would use in the conduct of an activity of like character and purpose.

D. Investment decisions shall be made impartially, taking into account the College's best interest, with special attention to conflict of interest or potential conflicts of interest.

E. Investments shall incur only costs that are appropriate and reasonable.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 115D-58.6 and -58.7; 159-31(b).

## I. Disbursement of State Money

The deposit of money in the State treasury to credit the College shall be made in monthly installments, and additionally as necessary, at such time and in such manner as may be convenient for the operation of the community college system. Before an installment is credited, the College shall certify to the Community Colleges System Office the expenditures to be made by the College from the State Current Fund during the month.

The Community Colleges System Office shall determine whether the moneys requisitioned are due the College and, upon determining the amount due, shall cause the requisite amount to be credited to the College. Upon receiving notice from the Community Colleges System Office that the amount has been placed to the credit of the College, the College may issue State warrants up to the amount so certified. Money in the State Current Fund and other moneys made available by the State Board of Community Colleges shall be released only on warrants drawn on the State Treasurer, signed by the President and the VP of Administration and Fiscal Services.

## II. Disbursement of Local Money

All local public funds received by or credited to the College shall be disbursed on checks signed by the President and the VP of Administration and Fiscal Services. The officials so designated shall countersign a check only if the funds required by such check are within the amount of funds remaining to the credit of the College and are within the unencumbered balance of the appropriation for the item of expenditure according to the College's approved budget. Each check shall be accompanied by an invoice, statement, voucher or other basic document which indicates, to the satisfaction of the signing officials, that the issuance of such check is proper.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 115D-58.3 and -58.4

## I. Student Debt Collection

Tuition and fees for all College students are due and payable prior to the beginning of each term. A student's registration will be subject to cancellation when prior term, past due charges have not been resolved before the current term. Students not paying or deferring current term charges by the due date may be subject to cancellation. Any unpaid balance on a student's account may prevent registration. In addition, diplomas may be withheld until outstanding balances are paid.

Students who leave the College with unpaid balances are subject to collection actions. These actions will begin with a letter reminding the student of the unpaid debt and encouraging immediate payment, payment arrangements or other action to resolve the debt and avoid additional action. If the student fails to respond satisfactorily, a final letter will be sent. Next steps include referral to collection agencies, litigation where appropriate and actions pursuant to the NC State Offset Debt Collection Act ("SODCA") and the NC State Employee Debt Collection Act ("SEDCA"), when applicable.

Uncollected student debts will be written off and expensed as bad debt once collection efforts have been exhausted. Writing off the account balance does not relieve the student's legal obligation to pay the debt. A record of the debt and the related student account holds are maintained along with SODCA and SEDCA reporting until the debts are paid or collected. If the write-off debt is later collected, then the resulting funds will be recognized as a recovery of the write-off.

The President is hereby authorized to develop procedures consistent with this Policy.

## II. Non-Student Debt Collection

Accounts receivable or uncollected billings that may be submitted for collection include, but are not limited to: salary overpayments, contract work completed by the College for which the College has not received payment, fees owed to the College, deposited checks returned unpaid for insufficient funds, and nonpayment for goods or services purchased from the College.

The President is hereby authorized to develop procedures consistent with this Policy.

Adopted: 6.25.2024
Revised: 6.24.2025
Legal Reference: N.C.G.S. §§ 105A-1; 115D-5; -39

The President is hereby authorized to create procedures regarding the method of payment accepted by the College.

Adopted: 6.25.2024

In accordance with N.C.G.S. § 115D-20(9) and the Board's by-laws/constitution, the Board hereby recognizes the legal authority of the Roanoke Chowan Community College Foundation, Inc. ("Foundation") as a nonprofit 501(c)(3) corporation organized and operated exclusively for the College's educational purposes.

The Board of Directors governing the Foundation shall promote, establish, conduct and maintain activities on its own behalf and solicit and receive funds and other real property; it may invest, reinvest, hold, manage, administer, expand and apply such funds and property so long as such procedures and/or actions do not violate or otherwise infringe upon the College. To the extent allowed by the Internal Revenue Code, the Board shall have the ability to appoint a certain number of the Foundation's Directors and require that all changes to the Foundation's By-Laws and Articles of Incorporation are approved by a majority vote of the Board of Trustees.

The President may assign employees to assist with the Foundation and may make available to the Foundation corporate office space, equipment, supplies and other related resources.

The Board of Directors shall secure and pay for the services of the State Auditor's Office or employ a certified public accountant to conduct an annual audit of the Foundation's accounts. The Board of Directors shall transmit to the Board a copy of the annual financial audit report.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-20(9)

The College is responsible for ensuring that external or grant-funded projects adhere to all program regulations as established by the funding source or agency and to all College policies regarding management of restricted funds.

The President is authorized to adopt procedures consistent with the Policy.

Adopted: 6.25.2024

The Board shall ensure that sound fiscal and management practices are employed in the operation of the College's business office. To that end, the Board requires the following:

A. The College expends all funds prudently and consistently within the adopted budget.

B. The College shall manage the budget to ensure the percentage of State current operating funds remaining unexpended in the budget does not exceed five percent or five times the system-wide percentage, whichever is higher.

C. The College's fund accounts do not have a negative balance at the end of the fiscal year unless such an instance exists for a planned reason, such as an anticipated reimbursement. If any of the College's fund accounts have a negative balance at year-end, the negative fund balance shall be reviewed by the President and Finance Director. In the event the negative balance is not due to a planned reason, the President shall develop a plan to rectify the negative balance and shall report the matter to the Board at its first scheduled meeting in the new fiscal year.

D. The College shall track expenditures consistent with the North Carolina Community College System's Chart of Accounts, as outlined in the North Carolina Community College System Accounting Procedures Manual (see Policy 6.3.5 – Chart of Accounts).

E. The President or designee shall provide financial reports to the Board no less than once per quarter.

F. The College shall participate in the EAGLE Program (Enhancing Accountability in Government through Leadership and Education) and shall maintain a system of internal controls as required by N.C.G.S. 143D – The State Governmental Accountability and Internal Control Act.

G. The College shall not overdraw accounts by ensuring bank accounts are reconciled and any discrepancies resolved within thirty (30) business days from the end of the prior month. In the event the College fails to comply with this requirement more than once during a fiscal year, such information shall be reported to the Board at its first scheduled meeting following the month of non-compliance.

H. The College shall submit complete and accurate financial statements to the North Carolina Office of the State Controller by deadline as prescribed by the State Controller.

I. The College shall conduct audits consistent with N.C.G.S. §115D-20(9) and N.C.G.S. § 115D-58.16 (see Policy 6.2.6).

J. Once established, the President shall address to the Board any findings identified in audits, compliance reviews, SACSCOC reviews, or other monitoring reviews. The President shall address the matter with the Board at the first scheduled meeting following notice of the findings.

K. The College shall actively seek to fill leadership and other supervisory positions in a timely manner with individuals of high competence.

L. The College shall monitor employee turnover by providing an employee vacancy report for information to the Board at least biannually.

Legal Citation: N.C.G.S. 115D-5; 1A SBCCC 200.4
Cross Reference: Policy 1.9
Adopted: 6.25.2024
Amended: Second footnote added June 2021

The Roanoke-Chowan Community College Foundations, Inc. is designated as the primary fundraising organization authorized by the Board of Trustees to solicit and accept charitable gifts and contributions on behalf of Roanoke-Chowan Community College. All major fundraising activities are planned and/or coordinated through the Foundation Office.

All fundraising activities conducted in the name of the College, or any division of the college, including student organizations, must receive prior approval from the President's Cabinet to prevent potential conflicts of interest with fundraising efforts by the Foundation, and to ensure that appropriate use of college personnel, facilities, and supplies in such activities.

All grant applications and proposal development must receive prior approval from the President.

**General Authority:** G.S. 115D-20(9)
**Revised:** 09-29-81; 02-14-01; 03-23-10
**Editorial Changes:** 3-7-24

## I. Bookstore Operations

All financial transactions pertaining to bookstore operations shall be accounted for in a proprietary institutional account and kept separate from all of the College's other activities. At least every four years, the Board shall review the College's mark-up on textbooks and other instructional materials sold through the bookstore to determine if the mark-up is appropriately balanced between affordability for students and other priorities identified by the Board.

## II. Use of Bookstore Operating Revenues

A. Bookstore receipts shall first be used to support bookstore operating expenses including, but not limited to: salaries and benefits of bookstore personnel, purchase of inventory, marketing, supplies, travel, equipment associated with the operation of the bookstore, enhancement of the bookstore and bookstore facility support costs, such as, utilities, housekeeping, maintenance and security.

B. Receipts in excess of the above operating expenses shall be transferred to the appropriate account and expended consistent with the following provisions:

1. Funds may be used to support instruction, student support services, student financial aid (e.g. scholarships, grants, loans, Work Study), student refunds, student activities, giveaways to students, curriculum development, program improvement, professional development, instructional equipment, and capital improvements related to facilities associated with the bookstore and student activities.

2. Funds shall not be used to support any supplemental salary, benefit or other form of compensation for the College's President. Funds shall not be used to support administrative costs, promotional giveaways to individuals other than students, entertainment expenses, fundraising expenses, and capital improvements not allowed under (B)(1) above.

Adopted: 6.25.2024
Legal Reference: 1H SBCCC 300.3

Profits received from the College's operation for vending machines and other concession activities shall be deposited, budgeted, appropriated and expended for the following purposes:

A. To support enterprises;

B. For expenditures of direct benefit to students; and

C. Other similar expenses authorized by the Board (i.e., new facility positions for new programs, counselors, equipment, construction, etc.).

These profits shall not be used to supplement the President's salary.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-58.13; 1H SBCCC 300.4

## I. Disbursement of State Funds

State funds expended by the College shall be disbursed through a disbursing account that the State Treasurer has established for the College. The signature of College officials that are authorized by the College's President to sign vouchers issued on State funds shall be maintained on file with the State Treasurer and the State Board. The State Treasurer will furnish signature cards for this purpose.

## II. Expenditure of State Funds

State funds shall be expended consistent with the purposes for which the State Board allocated the funds. In the event that the College expends State funds for an unauthorized purpose, the College shall reimburse the State for the amount from non-State funds.

### A. Allowed Expenditures

#### 1. Travel Expenses

State funds may be expended for travel in accordance with Policy 6.3.4 – Financial Reimbursements.

#### 2. Accreditation Expenses and Dues

a. Accreditation expenses relative to Southern Association of Colleges and Schools Commission on Colleges may be paid from State funds within the College's current allotment. These expenses shall be limited to payment of travel, subsistence, lodging, and honorarium incurred by members of visiting committees, other bona fide representatives, and members of the staff of accrediting organizations.

b. The College may pay from State funds the required annual dues of the Southern Association of Colleges and Schools Commission on Colleges, and such institutional association membership dues as the Board deems to benefit the College.

c. The College may also pay from State funds the fees for accrediting individual programs offered by the College if the College's President determines that the accreditation provides value to graduates of the program.

#### 3. Campus Security

The College may use up to a specific amount of State funds designated by the State Board for campus security. Under this authority, the College may:

a. Hire security or campus police personnel;

b. Contract for professional security services and other security-related services; and

c. Purchase surveillance cameras, call boxes, alert systems, and other equipment-related expenditures, excluding vehicles.

**4. Employee Recognition**

The College may use State funds for purchases related to the recognition of employees for meritorious service through programs such as the one authorized by the State for State employees. In addition, State funds may be expended, not to exceed Fifty Dollars ($50), for the purchase of a plaque or for the printing and framing of a certificate to recognize employee service or performance. The expenditure of State funds for these purposes is subject to the availability of funds within the College.

**B. Prohibited Expenditures**

**1. Athletics**

The College shall not use State funds to create, support, maintain, or operate an intercollegiate, club, or intramural athletics program. Athletic programs may only be supported by student activity fees or other non-State funding sources that are authorized for that purpose.

**2. Promotional Giveaways**

The College shall not use State funds to purchase promotional giveaway items or other gifts for any reason, including promotional giveaway items purchased for College marketing and advertising. "Promotional giveaway items" are items given to an individual or entity for less than fair market value that do not serve an instructional or institutional purpose. Items that serve "an instructional or institutional purpose" are those used for classroom instruction and daily, routine operations of the College not associated with marketing, advertising, recruiting, or fundraising.

**3. County Funded Items**

Unless otherwise authorized by law, the Colleges may not use State funds for those budget items listed in N.C.G.S. § 115D-32 that are the County's responsibility to fund.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. § 115D-32; -58.3; 1H SBCC 200.3 through 200.11

For all financial reimbursements, the College follows the North Carolina Community College System Accounting Procedures Manual and Reference Guide, Section 1: Fiscal Procedures (the "Manual"). The Board hereby incorporates the Manual.

Consistent with the Manual, the Board of Trustees hereby delegates to the President the authority to establish the IRS business standard mileage rate as the reimbursement rate for official business travel or establish a rate lower than the maximum as a result of limited budget availability for travel.

Adopted: 6.25.2024

For all accounting procedures, the College follows the North Carolina Community College System Accounting Procedures Manual and Reference Guide, Section 2: Chart of Accounts (the "Manual"). The Board hereby incorporates the Manual.

Adopted: 6.25.2024

The Board is the official legal entity for the College. Unless otherwise delegated, the power to contract on the Board's behalf is solely vested with the Board. The College's size and complexity, however, is such that individual review by the Board of every agreement is neither feasible nor in the College's best interest. Therefore, certain delegations of contracting authority are appropriate within the following specified guidelines.

A. Contacting Authority Delegation - the President is hereby expressly authorized and empowered to contract in the Board's name as follows:

1. Personnel - All employment contracts shall be signed by the President.

2. Capital Improvement Change Orders - The President and the Board Chair may jointly approve a capital improvement change order when, in the opinion of the President, the deferral of the change order until the next regular board meeting would cause a significant delay in the progress of the capital improvement project. All change orders thus approved shall be submitted to the Board for ratification at the earliest practical time.

3. Service Agreements - The President shall have authority to execute service agreements on the Board's behalf.

4. Instructional Agreements - The President is expressly authorized to sign all instructional agreements on the Board's behalf.

5. Cooperative Agency Agreements - The President is authorized to sign all cooperative, interinstitutional and interagency agreements on the Board's behalf.

B. Signatory Authority - Unless the authorizing action of the Board specifically provides otherwise, any contract approved by the Board shall be executed on the Board's behalf by either the Board Chair or the President.

C. Custody of Contracts - The President is hereby designated as custodian of all Board contracts. He/she shall maintain on file in either the President's office or the Business Services Office one of every contract to which the Board is a party.

D. Reporting - The President shall periodically report to the Board all contracts made pursuant to delegated authority.

Adopted: 7-1-24
Legal Reference: N.C.G.S. § 115D-14

The Board is committed to conducting procurement in a competitive and ethical manner, and in accordance with all applicable state laws and regulations, including the requirements of the State Division of Purchase and Contract, when applicable. College employees involved in any aspect of purchasing on behalf of the College are expected to comply with this and other applicable College policies and all applicable laws and regulations. Employees may also use, as guidance, the N.C. Community College Purchasing and Equipment Procedures Manual and the applicable provisions of the Division of Purchase and Contract Procurement Manual, and the Department of Information Technology Procurement Policies and Procedures Manual.

Purchases using federal funds must also be made in accordance with applicable requirements of federal law, including the Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards ("Uniform Guidance") issued by the U.S. Office of Budget and Maintenance.

Should any provision of this policy conflict with applicable state or federal law, the provision is void.

## I. Purchasing and Bidding

Except as provided in Section III, the following section applies to the purchase of all apparatus, supplies, materials, and equipment.

A. State Contract Items – Subject to any restrictions on the contract, purchases from contracts established by the State or any agency of the State may be ordered directly from the vendor if the vendor is willing to extend the same or more favorable prices, terms, and conditions established in the State contract.

B. Non-State Contract Items – For the purchase of items not on State contract, the College shall adhere to any applicable rules adopted by the Department of Administration. Items totaling less than and up to the College's general purchasing delegation benchmark, as set by the State Board of Community Colleges and Department of Administration may be placed by the College without the oversight or approval of the State Division of Purchase and Contract.

1. Small Purchases – When the total order is less than the College's small purchasing benchmark, telephone or e-quotes should be obtained to establish competitive prices. A record of those quotes should be attached to the requisition.

2. Informal Bidding - For a purchase of items more than the College's small purchasing benchmark but less than the College's general purchasing delegation benchmark, a minimum of three written quotes must be obtained and attached to the purchase requisition. If three written quotes cannot be obtained, users must attach a note explaining the circumstances.

3. Formal Bidding - Purchases over the College's general purchasing delegation must be bid formally and in accordance with the rules adopted by the Department of Administration, Division of Purchase and Contract.

C. Special Purchasing Delegations – The College will adhere to any special purchasing delegations authorized by the State Purchasing Officer for the procurement of specific items or commodities. The President may require further procedures regarding purchases made under a special delegation.

## II. Purchase of Information Technology

The College may purchase information technology goods and equipment, including software, through contracts established by the State Department of Information Technology, or other State agency.

For purchases of items not on State contract, the College shall seek to use a competitive bid process whenever possible and shall evaluate bids and proposals using the "best value" method, pursuant to N.C.G.S. §143-135.9, so the College may select the most appropriate information technology solution. When the College deems a certain purchase to be highly complex or determines that the optimal solution to the business problem at hand is not known, the use of Solution-Based Solicitation and Government-Vendor Partnership is authorized and encouraged.

For purchases of information technology not on State contract, that are over the College's general purchasing delegation, the College shall follow the applicable solicitation and purchasing rules adopted by the Department of Information Technology.

## III. Purchase of Services

The above provisions do not apply to the procurement of services, however, the procurement of services will be made in a manner that fosters competition among service providers when feasible. The purchase of services with federal funds may require compliance with federal regulations including the Uniform Guidance.

The President, or designee, is authorized to adopt further purchasing procedures in accordance with this Policy and applicable State law and rules.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §115D-58.5, §115D-58.14; Art. 3 of Ch. 143; §143-135.9 1H SBCC 500.1 – 500.2

The Colleges affirms the State of North Carolina's commitment to encourage participation of historically underutilized businesses in the College's purchase of goods and services. The College prohibits discrimination against any person or business on the basis of race, color, ethnic origin, sex, gender, disability or religion.

The College has adopted the following verifiable percentage goals for participation in the College's contracts by women and minority-owned business: ten percent (3%) for participation by minority-owned, female-owned, disabled-owned, disabled business enterprises or non-profit work centers for the blind and severely disabled in the total annual value of all purchases of goods and services.
For construction projects, the College shall adhere to the guidelines established by the Department of Administration's Office of State Construction.

Adopted: 6.25.2024
Amended: 2019
Legal Reference: N.C.G.S. §§ 143-128.2 through -128.4; *Guidelines for Recruitment and Selection of Minority Businesses For Participation in State Construction Contracts:*

Credit card processing at the College shall comply with the Payment Card Industry Data Security Standards (PCIDSS). The following security requirements have been established by the payment card industry and adopted by the College to ensure compliance with the payment card industry. These requirements apply to all employees, systems and networks involved with credit card processing, including transmission, storage or electronic and paper processing of credit card numbers.

## I. Authorized Employees

Credit card processing for official college business is restricted to Business Office personnel only. No other College employees are authorized to process such information for any reason. College employees who process credit card information or who have access to this information will complete annual data security training.

## II. Procedures

A. Each College employee who processes credit card information must strictly adhere to the following:

1. Access to credit card information is restricted to Business Office personnel.

2. System and desktop passwords must be regularly changed.

3. Accounts should be immediately terminated or disabled for employees who leave employment with the College.

4. Credit card information should not be stored in any format.

B. Credit card information, including the card number, cardholder name, CVV code and expiration date should not be retained for any reason.

C. Employees may not send or process credit card data in any insecure manner including transmitting such data via email, courier or instant messaging. Credit card information may not be left exposed to anyone.

D. The College's Technology Department shall maintain additional procedures to ensure compliance with PCIDSS including:

1. Configuration of card processing procedures, including segmentation of local area networks and protection through deployment of firewalls.
2. Logging control procedures.

3. Wireless use procedures.

4. Encryption procedures.

Adopted: 6.25.2024
Legal Reference: N.C. Community College Written Memoranda CC10-029 (issued 7/21/10)

## I. POLICY OVERVIEW

This Policy is intended to meet the requirements of the FTC "Red Flag Rule." Identity theft is a fraud committed or attempted using the identifying information of another person without that person's authority. The College shall undertake reasonable measures to detect, prevent, and mitigate identity theft in connection with the opening of a "covered account" or any existing "covered account," and to establish a system for reporting a security incident.

## II. DEFINITIONS

A. Covered Account – A covered account is a consumer account designed to permit multiple payments or transactions. These are accounts where payments are deferred and made by a borrower periodically over time such as a tuition or fee installment payment plan.

B. Creditor – A creditor is a person or entity that regularly extends, renews, or continues credit and any person or entity that regularly arranges for the extension, renewal, or continuation of credit. Examples of activities that indicate a college or college is a "creditor" are:

1. Participation in the Federal Perkins Loan program;
2. Participation as a school lender in the Federal Family Education Loan Program;
3. Offering loans to students, faculty or staff;
4. Offering a plan for payment of tuition or fees throughout the semester rather than requiring full payment at the beginning of the semester.

C. Identifying Information – Any name or number that may be used, alone or in conjunction with any other information, to identify a specific person including: name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, student identification number, computer's Internet Protocol address, routing code or financial account number such as credit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

D. Red Flag – A red flag is a pattern, practice or specific activity that indicates the possible existence of identity theft.

E. Security Incident – A collection of related activities or events which provide evidence that personal information could have been acquired by an unauthorized person.

## III. IDENTIFICATION OF RED FLAGS

Broad categories of "Red Flags" include the following:

A. Alerts – alerts, notifications, or warnings from a consumer reporting agency including fraud alerts, credit freezes, or official notice of address discrepancies.

B. Suspicious Documents – such as those appearing to be forged or altered, or where the photo ID does not resemble its owner, or an application which appears to have been cut up, re-assembled and photocopied.

C. Suspicious Personal Identifying Information – such as discrepancies in address, Social Security Number or other information on file; an address that is a mail-drop, a prison, or is invalid; a phone number that is likely to be a pager or answering service; personal information of others already on file; and/or failure to provide all required information.

D. Unusual Use or Suspicious Account Activity – such as material changes in payment patterns, notification that the account holder is not receiving mailed statement, or that the account has unauthorized charges.

E. Notice from Others Indicating Possible Identify Theft – such as the College receiving notice from a victim of identity theft, law enforcement or another account holder reports that a fraudulent account was opened.

## IV. DETECTION OF RED FLAGS

College employees shall undertake reasonable diligence to identify Red Flags in connection with the opening of covered accounts as well as existing covered accounts through such methods as:

A. Obtaining and verifying identity;

B. Authenticating customers; and

C. Monitoring transactions.

A data security incident that results in unauthorized access to a customer's account record or a notice that a customer has provided information related to a covered account to someone fraudulently claiming to represent the College or to a fraudulent web site may heighten the risk of identity theft and should be considered Red Flags.

## V. SECURITY INCIDENT REPORTING

College employees who believe that a security incident has occurred shall immediately notify his/her appropriate supervisor and the Vice President of Administrative and Fiscal Services. Upon review of the incident, the Vice President shall determine what steps may

be required to mitigate any issues that arise in the review. In addition, referral to law enforcement may be required.

If there is a security breach, the College shall comply with all notice requirements contained in N.C.G.S. § 75-65.

## VI. TRAINING

All College employees who process any information related to a covered account shall receive annual training and this Policy shall be reviewed annually.

Adopted: 6.25.2024
Amended: Footnote added June 2021
Legal Reference: Fair and Accurate Credit Transactions of 2003; FTC Regulations – Red Flag Rule; N.C.G.S. § 75-65

## I. Definitions

A. A foreign national is a person who was born outside the jurisdiction of the United States, is a citizen of a foreign country, and has not become a naturalized United States citizen under United States law. This includes legal permanent residents.

B. Foreign nationals are classified as either "Nonresident Aliens" or "Resident Aliens". Section 1441 of the Internal Revenue Code provides a separate tax system with a different set of tax rules and regulations for individuals deemed to be Nonresident Aliens. Colleges making payments to Nonresident Aliens are subject to different tax withholding, reporting and liability requirements.

1. A Resident Alien's income is subject to tax in the same manner as a U.S. citizen. This means that their worldwide income is subject to U.S. tax and must be reported on their U.S. tax return. Income of Resident Aliens is subject to the graduated tax rates that apply to U.S. citizens.

2. A Nonresident Alien's income is subject to federal income tax only on income which is derived from sources within the United States and/or income that is effectively connected with a U.S. trade or business. Nonresident Aliens are taxed according to special rules contained in certain parts of the Internal Revenue Code.

## II. Policy

All North Carolina agencies, universities, community colleges and institutions have been tasked with the responsibility of withholding and reporting on payments to foreign national individuals and vendors in accordance with the IRS Code Regulations Section 1441 and policies established by the N.C. Office of the State Controller.

When the College identifies a foreign national or foreign vendor that will be compensated via payroll, accounts payable or student services, the appropriate department shall maintain a copy of evidentiary and supporting documentation such as I-9, W-8BEN, I-20, I-94, I-797, passport, and/or employment authorization card. The evidentiary and supporting documentation shall be provided to the Business Office. The Business Office will submit the supporting documentation to the Systems Office before payment is made.

If the Systems Office determines that payments made by the College to a foreign national or foreign vendor are taxable, the College shall withhold federal and/or state taxes as instructed by the System Office.

Adopted: 6.25.2024

Legal Reference: Office of State Controller's Policy and Procedures Regarding Foreign Nationals; NC Community College Foreign National Compliance Program;

N.C. Community College Written Memoranda CC12-10 (issued 4/17/12); N.C. Community College Accounting Procedures Manual and Reference Guide: Fiscal Procedures

For all purchases and contracts valued at one thousand dollars ($1,000) or more ("Impacted Contracts"), the Board is prohibited from purchasing and contracting with the following:

A. Companies identified on the list of restricted companies, developed by the State Treasurer, that are engaged in a boycott of Israel ("Boycott List").

B. Companies identified on the list of restricted companies, developed by the State Treasurer, that are engaging in investment activities in Iran ("Iran List").

Prior to awarding an Impacted Contract, the College will check the Boycott List and Iran List on the State Treasurer's website to ensure that the company is not a restricted company. Any Impacted Contract made by the College with a restricted company on the Boycott List and/or the Iran list is void.

Adopted: 6.25.2024
Legal Reference: N.C. Session Law 2017-193; N.C.G.S. 147, Articles 6G and 6E

Credit cards issued in the name of Roanoke-Chowan Community College, which include but are not limited to VISA, MasterCard, and gasoline, will be provided to those employees who need to purchase items immediately when time constraints prohibit using normal purchasing procedures. Employees in need of a credit card must submit a properly completed and approved "Approval to Charge Form" to the Dean of Administrative and Fiscal Services (or his/her designee) and must sign the "Employee Statement of Responsibility" (attached). Credit cards represent an extension of credit to the College and, accordingly, may only be issued with the approval of the President or Dean of Administrative and Fiscal Services. Cards issued in the name of the College are a privilege for convenience and must not be used for personal expenses. All purchases, whenever possible, should be procured by preapproval through the use of a College Purchase Order.

If an employee is granted use of the College Credit Card, he or she must produce a receipt of the purchase within 24 hours of the purchase. Failure to produce receipts may cause the employee to be indebted for the purchase. When hotel reservations, registrations and other travel expenses have been pre-paid using the College's Credit Card, it is the responsibility of the employee to produce the appropriate receipts and documentation within 24 hours of returning to work. All credit cards will be held in the Business Office and returned to the Business Office.

General Authority:

Revised: 09-29-81; 02-07-01; 06-23-09; 11-27-18

Editorial Changes:

## I. OVERVIEW

The College's technology systems include technology hardware, electronic mail and other forms of electronic communications, Internet access and use of computing devices. As the owner of property and services, the College has the right to monitor activities and to access information on the College's technology systems stored, sent, created or received by faculty, staff, students or other users. Any individual using the College's technology systems should not expect individual privacy in their use of the technology systems including, but not limited to, the use of the College's electronic mail system.

When using the College's technology systems, all users shall adhere to the College's information technology policies and procedures.

## II. PUBLIC AND CONFIDENTIAL RECORDS

Unless otherwise confidential by law, records generated using the College's technology systems are considered public records and must be maintained as public records pursuant to the College's policies and procedures. Student education records and certain personnel information are protected by law and are confidential. For more information concerning student records, see Policy 5.4.3 – Student Records and for information concerning personnel records, see Policy 3.3.1 – Personnel Files.

## III. EMPLOYEE USE OF TECHNOLOGY SERVICES

Employees using College technology hardware, software, or systems should adhere to the following guidelines.

A. Employees shall adhere to Policy 7.2 – Internet and Network Acceptable Use Policy.

B. All computing devices, including portable computing devices such as laptops or tablets, shall

1. Use encryption or other measures to protect confidential information, including personal information, from unauthorized disclosure;

2. Be labeled with tamper-resistant tag, permanently engraved label or ID number, or both identifying the device as the College's property;

3. Be used in compliance with all applicable security requirements for the College's computers; and

4. Include BIOS password on such devices, if applicable.

C. The College's mobile technology equipment, such as laptops and tablets, may be used at home by College personnel provided:

1. Use of the equipment at home will not interfere with the College's operational needs;

2. Supervisor approval;

3. Personnel return items to campus upon request for system maintenance, upgrades, inventory, and verification.

D. The College's Information Technology Department ("IT") maintains all of the College's technology equipment. ITS does not support the use and setup of the College's technology equipment on Internet, network and computing resources that are not owned and maintained by the College.

Adopted: 6.25.2024

## I. PURPOSE

The College strives to provide information technology access in an environment in which access is shared equitably among users. This access is intended to be used in support of the College's research, educational and administrative purposes. College owned or operated computer resources are for the use of college employees, students and other authorized individuals. This Policy's purpose is to protect the College's technology users and computer resources and to ensure equitable access and proper management of these resources.

## II. ACCEPTABLE USE

### A. Acceptable Activity

The College's information technology resources are intended for the use of its students, employees and other authorized individuals for purposes related to instruction, learning, research and campus operations. Users are expected to exercise responsible, ethical behavior when using all College computer resources. This Policy makes no attempt to articulate all required or prohibited behavior by users of the College's computer resources.

### B. Unacceptable Activity

Unacceptable activity includes, but is not limited to, the following:

1. Deliberately downloading, uploading, creating or transmitting computer viruses, malware, or other software intended to harm a computer or the College's network.

2. Destroying or modifying directory structures or registries or interfering or tampering with another individual's data or files.

3. Developing programs that infiltrate a computer or computing system, harass other users and/or damage software.

4. Attempting to obtain unauthorized computer access or privileges or attempting to trespass in another individual's work.

5. Using hardware or software sniffers to examine network traffic, except by appropriate College personnel, to diagnose the network for bottlenecks or other problems.

6. Using another person's password or sharing of one's own password (users should not share their password with anyone and those who choose to do so are responsible for the outcomes resulting from the use of their password).

7. Committing any form of vandalism on equipment, communication lines, manuals or software, or attempting to defeat or circumvent any security measures or controls.

8. Consuming food and/or beverages in computer labs, computer classrooms, library or in any other areas restricted to protect systems.

9. Wastefully using finite resources such as large amounts of bandwidth including but not limited to, downloading music, television shows, software programs, and/or movies.

10. Connecting personal network devices on the College's wired network. Connecting unsanctioned products (software or hardware) to the College network or installing products for personal use. Special provisions may be made for visiting artists, lecturers, and trainers at the discretion of the Director of Information Technology. Information Technology support staff can offer assistance in gaining network access under these special circumstances, but the College cannot guarantee functionality and assumes no responsibility for configuration of or damage to non-college equipment.

11. Using the College's computer resources and Network to engage in disruptive, threatening, discriminatory or illegal behavior or behavior that violates the Code of Student and/or Employee Conduct.

12. Disclosing confidential student or personnel information to unauthorized third parties;

13. Violating copyright laws and/or fair use provisions through: 1) illegal peer-to-peer file trafficking by downloading or uploading pirated or illegal material including, but not limited to, software and music files; and 2) reproducing or disseminating Internet materials, except as permitted by law or by written agreement with the owner of the copyright;

14. Other activities that interfere with the effective and efficient operation of the College or its Network or activities that violate the College's Policies and Procedures.

## III. RESERVATIONS OF RIGHTS AND LIMITS OF LIABILITY

A. The College reserves all rights in the use and operation of its computer resources, including the right to monitor and inspect computerized files or to terminate service at any time and for any reason without notice.

B. The College makes no guarantees or representations, either explicit or implied, that user files and/or accounts are private and secure. No right of privacy exists in regard to electronic mail or Internet sessions on the College Network or College-owned hardware.

C. The College is not responsible for the accuracy, content or quality of information obtained through or stored on the College Network.

D. The College and its representatives are not liable for any damages and/or losses associated with the use of any of its computer resources or services.

E. The College reserves the right to limit the allocation of computer resources.

F. The College makes efforts to maintain computer resources in good working condition but is not liable for damages incurred by loss of service.

G. College funds may not be used to purchase personal network access or products.

H. The College shall not be liable legally, financially or otherwise for the actions of anyone using the Internet through the College's network or College's computers.

## IV. WIRELESS INTERNET ACCESS

The College provides free wireless Internet access. Users of wireless access must abide by this Policy. Connection to the wireless network at any given time is not guaranteed. The College does not accept liability for any personal equipment that is brought to the College and, therefore, may not assist with configuration, installation, troubleshooting or support of any personal equipment.

## V. ELECTRONIC MAIL

The College provides free electronic mail accounts to certain College employees based on job responsibilities, as determined by the employee's appropriate Vice President, and to all students who are enrolled in a curriculum program. The use of College-provided electronic mail accounts must be related to College business, including academic pursuits. Incidental and occasional personal use of these accounts is acceptable when such use does not generate a direct cost to the College or otherwise violate the provisions within this Policy.

The College will make reasonable efforts to maintain the integrity and effective operation of its electronic mail systems, but users are advised that those systems should in no way be regarded as a secure medium for the communication of sensitive or confidential information. Because of the nature and technology of electronic communication, the College cannot assure the privacy of an individual's use of the College's electronic mail resources or the confidentiality of particular messages that may be created, transmitted, received or stored.

The College does not monitor electronic mail routinely but may do so as the College deems necessary. Students and employees should not have any expectation of privacy regarding their electronic mail addresses provided by the College. Any user of the College's computer resources who makes use of an encryption device shall provide access when requested to do so by the appropriate College authority. The College reserves the right to access and disclose the contents of employees', students' and other users' electronic mail without the consent of the user. The College will do so when it believes it has a legitimate business or need including, but not limited to, the following:

A. In the course of an investigation triggered by indications of misconduct or misuse;
B. As needed to protect health and safety of students, employees or the community at large;
C. As needed to prevent interference with the College's academic mission;
D. As needed to locate substantive information required for College business that is not more readily available;
E. As needed to respond to legal actions; and
F. As needed to fulfill the College's obligations to third parties.

Electronic mail, including that of students, may constitute "educational records" as defined in the Family Educational Rights and Privacy Act ("FERPA"). Electronic mail that meets the definition of educational records is subject to the provisions of FERPA. The College may access, inspect and disclose such records under conditions set forth in FERPA.

North Carolina law provides that communications of College personnel that are sent by electronic mail may constitute "correspondence" and, therefore, may be considered public records subject to public inspection under the North Carolina Public Records Act.

Electronic files, including electronic mail, that are considered public records are to be retained, archived and/or disposed of in accordance with current guidelines established by the North Carolina Department of Cultural Resources or otherwise required by college policy 7.2.

## VI. PRIVATE EMPLOYEE WEBSITES, SOCIAL MEDIA AND OTHER INTERNET USE

When creating or posting material to a webpage or other Internet site apart from the College's website or approved ancillary external site or page, employees should remember that the content may be viewed by anyone including community members, students and parents. When posting or creating an external website, students, faculty and staff are not permitted to use the College's name in an official capacity or use the College's marks, logos or other intellectual property.

Employees are to maintain an appropriate and professional relationship with students at all times. Having a public personal website or social media profile or allowing access to a private website or private social media profile is considered a form of direct communication with students. Any employee found to have created and/or posted content on a website, social media site, or profile that has a negative impact on the employee's

ability to perform his/her job as it relates to working with students and the community or that otherwise disrupts the efficient and effective operation of the College may be subject to disciplinary action up to and including dismissal.[1]

## VII. VIOLATIONS

Each individual is ultimately responsible for his/her own actions. For employees, failure to exercise responsible, ethical behavior will result in disciplinary action up to and including dismissal. Students may be sanctioned according to procedures described in the Code of Student Conduct and other users may be barred permanently from using College computers and network access and suspended or expelled.

Certain activities violate Federal and/or State laws governing use of computer systems and may be classified as misdemeanors or felonies. Those convicted could face fines and/or imprisonment.

Adopted: 6.25.2024

[1] This policy indicates the College ***may*** discipline an employee if the speech disrupts the college or has a negative impact of the employee's ability to work. The discipline of a public employee for off-campus speech is a complicated analysis. We always recommend contacting legal counsel before disciplining an employee based on off-campus speech.

## I. INTRODUCTION

This Policy governs the College's retention of electronic records, including electronic mail ("email") and instant messages. The Policy is intended to provide guidance on the need for retention of electronic records and messages sent and received by College employees. The College will retain and destroy electronic records, including email and instant messages, in accordance with this Policy, *State Guidelines for Managing Trustworthy Digital Public Records*, and the approved Record Retention and Disposition Schedule ("the Schedule") for community colleges adopted by the North Carolina Department of Cultural Resources and the North Carolina State Board of Community Colleges. For the purposes of this Policy, the term "electronic records" is defined to include electronic mail and instant messages.

This Policy will be reevaluated every five (5) years, or upon the implementation of a new information technology system, and will be updated as required.

## II. NORTH CAROLINA PUBLIC RECORDS ACT

Electronic records made or received in connection with the transaction of public business are public records pursuant to the North Carolina Public Records Act, as defined by the North Carolina Public Records Act, N.C.G.S. § 132-1 *et seq*. Examples of electronic records that are public records include but are not limited to: messages that include information about policies or directives, official business correspondence, official reports, or material that has historic or legal value.

Public records, including electronic records, may not be deleted or otherwise disposed of except in accordance with the Schedule. The content of the electronic record determines its retention requirement.

The content of the email, not the method or device in which it was sent, dictates whether the email is a public record. For example, if an employee has work email on his private, personal email account, that email remains a public record. For this purpose, employees are strongly encouraged to use only their work email address for work emails. In the event that an employee, however, does have work emails on their personal email accounts, they are responsible to properly maintain the email and, if necessary for retention purposes, transfer the email to another medium for proper retention.

## III. ELECTRONIC RECORDS CUSTODIAN

Because electronic messages can be sent and forwarded to multiple people, copies of the messages may exist in the accounts of multiple users. In most cases, the author, or originator, of the electronic message is the legal custodian and is responsible for maintaining the "record" copy. However, cases in which the recipient has altered the

message (made changes, added attachments, etc.), or when the message is coming from outside the college; the recipient is the one responsible for retaining the message.

When the custodian of an electronic message leaves the employment of the College, it is the responsibility of the supervisor to ensure all public records remaining on the computer and the messaging account are retained or disposed of appropriately.

The College additionally stores all email and instant messages as a fail-safe archive in the event of system failure or unlawful tampering. All messages which are sent or received using the College's email and instant messaging system are copied and retained by this system for (5) five years. This storage mechanism is intended as a safety measure and does not replace the individual employee's legal responsibility for retaining and archiving electronic messages in accordance with the state of North Carolina's record retention laws.

## IV. TYPES OF ELECTRONIC MESSAGES

For retention purposes, email messages generally fall into the following two categories:

A. Email of limited or transitory value. For example, a message seeking dates for a meeting has little or no value after the meeting. Retaining such messages serves no purpose and takes up space. Messages of limited or transitory value may be deleted when they no longer serve an administrative purpose.

B. Email containing information having lasting value. Email is sometimes used to transmit records having lasting value. For example, email about interpretations of an agency's policies or regulations may be the only record of that subject matter. Such records should be transferred to another medium and appropriately filed, thus permitting email records to be purged.

## V. PROCEDURES FOR COMPLIANCE

While the methods for reviewing, storing or deleting electronic records may vary, compliance with the retention requirements may be accomplished by one of the following:

A. Retention of Hard Copy. Print the record and store the hard copy in the relevant subject matter file as would be done with any other hard-copy communication.

B. Electronic Storage of records and email. Electronically store the record or email in a file, on a disk or a server so that it may be maintained and stored according to its content definition under this Policy and any underlying Procedures.

## VI. LITIGATION HOLD

A litigation hold is a directive not to destroy electronic records, including email, which might be relevant to a pending or imminent legal proceeding. The President may establish a committee to oversee and monitor litigation holds; such committee may contain a member of the Technology Department, the College's legal counsel and a member of the

Administrative Team. In the case of a litigation hold, the committee shall direct employees and the Technology Department, as necessary, to suspend the normal retention procedure for all related records.

## VII. OUTSIDE INSPECTION

The College recognizes the judicial system may request pretrial discovery of the information technology system used to produce records. The College will honor requests for outside inspection of the system and testing of data by the courts and government representatives. Records must continue to exist when litigation, government investigation, or audit is pending or imminent, or if a court order may prohibit specified records from being destroyed or otherwise rendered unavailable.

## VIII. RECORD DISPOSITION

Records may only be disposed of in accordance with the Schedule. Prior to the disposition of any record or record group after the applicable retention period, the records custodian will create and maintain a destruction log.

The President is authorized to adopt procedures to implement this policy.

Adopted: 6.25.2024
Legal Reference: N.C.G.S. §§ 121-5; 132-1 *et seq*; Records Retention & Disposition Schedule (August 23, 2019)

It is the College's intent to provide efficient services for its employees, students and also for the public. The Board of Trustees ("Board") encourages College officials and students to use electronic means, especially electronic mail, when conducting College business when those means result in efficient and improved service.

The Board encourages the acceptance of electronic signatures in e-mails from college campus accounts. An electronic signature is defined as any electronic process signifying an approval to terms, and/or ensuring the integrity of the document, presented in electronic format.

Students may use electronic signatures to register, check financial aid awards, pay student bills, obtain unofficial transcripts, update contact information, log into campus computers, complete forms, submission of class work, tests, etc. Employees may use electronic signatures for submitting grades, viewing personal payroll data, logging into campus computers, accessing protected data through the administrative computing system and custom web applications provided by the College, etc.

The College may use or purchase particular software platforms that facilitate electronic signatures from users when appropriate.

College user accounts are to be used solely by the student or employee assigned to the account. Users may not allow access to their accounts by other persons, including relatives or friends. All users are responsible for protecting the confidentiality of their account and for adhering to Policy 7.2 – Internet and Network Acceptable Use.

Adopted: 6.25.2024

The College recognizes that social media sites are useful technologies in communicating with College constituencies and in enabling transparent communication. All of the College's social media shall follow established procedures and shall be registered with the College's Marketing Department. College employees shall exercise good, professional judgment when using official College social media sites to ensure that communications are appropriate, professional, maintain the security of the College's network and comply with local, state, and federal laws and with the College's technology security procedures. All content generated on a College-operated social media site should support the mission of the College.

College employees whose responsibility it is to operate a social media account on behalf of the College shall be responsible for monitoring discussions and content added by third-parties, including comments. The President or the College's Marketing Department has the right to remove any post or comment on any social media account operated by the College.

Social media accounts controlled by the College are subject to records retention regulations.

Adopted: 6.25.2024

## I. PURPOSE

The Digital Millennium Copyright Act of 1998 ("DMCA") legally protects a copyright holder from the unauthorized use of his or her digital content. Unauthorized use means violating the user agreement or terms of use for the digital content. Illegally sharing and/or reproducing copyrighted materials such as music, videos, documents, software and photos is considered copyright infringement. The Higher Education Opportunity Act ("HEOA") includes a provision directly related to DMCA.

HEOA sets requirements for higher education institutions to address illegal peer-to-peer ("P2P") file sharing occurring on College networks. Illegal P2P file sharing is downloading, also known as copying and/or saving, copyrighted material to a hard drive or any other storage device and/or sharing or making it available to other people without the consent of the copyright holder.

P2P applications are used to legitimately share digital content. However, P2P applications can expose the College, and individual users on the College's network, to legal liabilities when illegal file sharing occurs. P2P applications can also present a security risk because a downloaded file may actually contain a virus or a malicious program that could target and infect other machines on the network, impact the performance of the network and compromise sensitive/confidential information.

The purpose of this Policy is to inform the College community on preventive measures that will help avoid legal liability and security risks resulting from illegal file sharing. This Policy applies to any individual using the College's computer network.

## II. POLICY

Individuals using the College's computer network will be held accountable for adhering to the following terms and conditions:

A. Read the user agreement or terms of use for the following digital content in order to make sure you do not use nor share digital material illegally: documents, videos, and games located on the Internet; social networking sites (i.e. YouTube); purchased digital content (i.e., music, software); and peer-to-peer file sharing applications;

B. Delete unauthorized copyrighted material from your electronic device (i.e. computer, iPhone);

C. Use a legal alternative to unauthorized downloading. The College does not endorse a particular product or service nor is it responsible for any cost or any technology related issues resulting from the use of the legitimate sources;

D. Disable the file sharing feature for P2P software if you do not have permission to share the digital material (i.e., documents, movies, games, etc.) legally; contact the software vendor for technical support;

E. Follow the P2P vendor's best practices for securing the computer used for P2P activity (i.e., anti-virus software, a vendor supported operating system, personal firewall, current version of P2P application, etc.); the Federal Trade Commission has P2P best practices at: http://www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt128.shtm; and

F. For College-owned assets, P2P software can only be used to promote the College's mission, academic and business needs. Where applicable, P2P software is not allowed on machines that process and/or store confidential/sensitive data. The personal use of P2P applications on College-owned assets for recreational and leisure purposes is prohibited.

## III. ENFORCEMENT

Enforcement of this Policy shall include:

A. Disclosure to students on an annual basis, which shall include legal alternatives to illegal file sharing;

B. Monitoring network traffic and limiting network bandwidth; and

C. Implementing other technology-based deterrents as needed.

In addition to employment and student discipline issued by the College in accordance with applicable policies and procedures (up to and including dismissal/suspension), individuals cited for unauthorized use may be subjected to civil and/or criminal damages such as monetary damages and potential prison time. According to the US Copyright Office, monetary damages can range from $200 to $150,000 for each act (http://www.copyright.gov/title17/92chap5.html#504). Criminal prosecutions may result in a fine of up to $250,000 and a prison term of up to 5 years (http://www.fbi.gov/ipr/) for each act.

Reference: 20 U.S.C. §1092, §1094

Adopted: 6.25.2024

The College is committed to taking reasonable measures to support the accessibility of its audio, visual, telecommunications and web-based technologies ("Digital Technology") for use by students, employees and/or the general public. Students who seek an accommodation for Digital Technology should contact Student Services. Other individuals who seek accommodations should contact the College's Information Technology Services office.

Undue burden and non-availability may qualify as an exemption from this Policy when compliance is not technically possible or is unreasonably burdensome in that it would require extraordinary measures due to the nature of the request or would fundamentally alter the purpose of the Digital Technology.

When conducting core academic and business activities using web content, the College shall align the web content with the guidelines of the most current version of Web Content Accessibility Guidelines 2.0 Level AA (WCAG 2.0 AA).

Adopted: 6.25.2024
Legal Reference: Americans with Disabilities Act of 1990, as amended.

## I. OVERVIEW

The College operates and maintains an Information Security Program ("ISP") to ensure the confidentiality, integrity, and availability of college data, based on classification, and those related information systems and services that are necessary to the support of the mission of the college and the students while maintaining compliance with local, State, and federal standards, policies, and laws.

The College uses the Statewide Information Security Manual published by the North Carolina Department of Information Technology as the principal cybersecurity framework for a system-wide information security and risk management program. The College's use shall be consistent with the provisions of the State Board Code.

## II. CYBERSECURITY INCIDENTS

The College shall not submit payment or otherwise communicate with an entity that has engaged in a cybersecurity incident on an information technology system by encrypting data and then subsequently offering to decrypt that data in exchange for a ransom payment.

Consistent with State law, the College consults with the North Carolina Department of Information Technology regarding cybersecurity incidents.

Adopted: 6.25.2024
Legal Reference: 1B SBCCC 700 et. al; N.C.G.S. § 143-800

A. Roanoke-Chowan Community College is committed to the enhancement of public safety, the quality of life, and the maintenance of an environment conducive to quality education, individual privacy, diversity, and freedom of expression.

B. Accordingly, the Board of Trustees has authorized the use of security cameras to monitor public areas to deter crime and assist Campus Security in providing for the security and safety of individuals and property that are part of the College community.

C. No unapproved employees should have access to surveillance video for any reason. All recording or monitoring of activities of individuals or groups will be conducted in a manner consistent with college policies and state and federal laws and will never be based on the subjects' personal characteristics, including gender, ethnicity, sexual orientation, disability, or other protected characteristics. Information obtained from the cameras shall be used exclusively for law and/or policy enforcement, including, where appropriate, College judicial functions.

This policy does not apply to cameras used for academic purposes.

General Authority:
Adopted: 05-24-11 Revised:
Editorial Changes:

## I. DEFINITIONS

The following definitions apply in this policy:

A. Device. – Any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.

B. Material. – Any pictures, drawings, video recordings, films or other visual or physical depictions or representations, including digital or computer-generated visual depictions or representations created, adapted, or modified by technological means, such as algorithms or artificial intelligence, but not material consisting entirely of written words, and as otherwise defined in G.S. 14-190.13.

C. Network. – Any of the following, whether through owning, leasing, maintaining, or otherwise controlling:

1. The interconnection of communication systems with a computer through remote or local terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment.
2. Internet service.
3. Internet access.

D. Pornography. – Any material depicting sexual activity.

E. Sexual activity. – Any form of sexual intercourse, sexual touching, display of genitalia, and those other acts set forth in N.C.G.S. §14-190.13

## II. PROHIBITION ON VIEWING PORNOGRAPHY

No employee or student of the college is permitted to view, download, or save pornography on the College's network or on a device owned, leased, maintained, or otherwise controlled by the College.

## III. EXCEPTIONS

Section II shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:

A. Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.

B. Identifying potential security or cybersecurity threats.

C. Protecting human life.

D. Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.

E. Participating in judicial or quasi-judicial proceedings.

F. Researching issues related to the drafting or analysis of the laws of this State as necessary to fulfill the requirements of the employee's official duties.

## IV. REPORTING REQUIREMENTS

Annually, no later than August 1, the college shall report information to the State Chief Information Officer on:

A. The number of incidences of unauthorized viewing or attempted viewing of pornography on the College's network;

B. Whether or not the unauthorized viewing was by an employee or student of the College; and

C. Whether or not any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the College.

Adopted: 6.24.25
Legal Reference: N.C.G.S. § 143-805