

BOARD POLICY MANUAL
January 20, 2010



WAUBONSEE
COMMUNITY COLLEGE

Where futures take shape

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Organization of the Board of Trustees Duties and Powers of the Board

1.050.01

1.050.01 Officers of the Board

Officers of the board shall consist of the chair, vice chair and secretary. The officers shall assume the duties and responsibilities usually pertaining to such offices. All duties and responsibilities shall be executed in accordance with the Illinois Compiled Statutes.

Chair: The chair shall officiate at all meetings of the board or meetings held for board purposes within District 516; call regular or special meetings as may be deemed necessary or desirable; appoint special board committees; sign all official documents and orders as agent of the board upon authorization by the board; and serve as ex-officio member of all committees.

Vice Chair: The vice chair shall serve in the capacity of chair when the chair is absent.

Secretary: If the secretary is absent from any meeting or refuses to perform the duties, a member of the board shall be appointed secretary pro tempore.

Revised: 07/16/2008

Reclassified to Policy 1.050.01: 07/16/2008

Formerly Policy BRD 10.10 (Adopted: 11/24/1981)

Organization of the Board of Trustees Duties and Powers of the Board

1.050.02

1.050.02 Treasurer of the Board

The board has the power to designate the treasurer to serve at the pleasure of the board. The treasurer may not be a member of the board. The treasurer will receive the taxes of the district and notify collectors in writing accordingly. The board shall fix the compensation of the treasurer.

Revised: 07/16/08

Reclassified to Policy 1.050.02: 07/16/2008

Formerly Policy BRD 10.50 (Adopted: 08/08/1971) and Policy BRD 10.60 (Adopted: 08/08/1971)

Organization of the Board of Trustees Duties and Powers of the Board

1.050.03

1.050.03 Student Representative Serving as Board Member

The student representative serving as a member of the board of trustees shall have rights and responsibilities consistent with the provisions of the Illinois Public Community College Act as amended (110 ILCS 805).

Reclassified to Policy 1.050.03: 07/16/2008
Formerly Policy BRD 40.35 (Adopted: 10/18/1977)

Organization of the Board of Trustees Duties and Powers of the Board

1.050.04

1.050.04 Committee Appointments

The board of trustees shall conduct its business as a committee of the whole except that there shall be a standing committee for policy revision. Ad hoc committees or commissions shall be appointed at need. Non-board members may serve as consultants on such committees and commissions. On occasion they may compose the total membership except for a board member or administrator acting as a liaison person.

Revised: 07/16/2008

Reclassified to Policy 1.050.04: 07/16/2008

Formerly Policy BRD 40.40 (Adopted: 08/08/1971)

Organization of the Board of Trustees Meetings

1.100.01

1.100.01 Regular Board Meetings

The board shall fix a time and place for the regular board meetings. It shall then enter upon the discharge of its duties pursuant to the Illinois Compiled Statutes. The board has the power to designate a clerk of the board to serve at the pleasure of the board.

Revised: 07/16/2008

Reclassified to Policy 1.100.01: 07/16/2008

Formerly Policy BRD 10.30 (Adopted: 11/24/1981)

Organization of the Board of Trustees Meetings

1.100.02

1.100.02 Agenda

The board shall create an agenda in advance of holding a regular meeting that provides for the discharge of the board of trustees duties pursuant to the Illinois Compiled Statutes.

Revised: 07/16/2008

Reclassified to Policy 1.100.02: 07/16/2008

Formerly Policy BRD 40.60 (Adopted: 08/08/1971)

Organization of the Board of Trustees Meetings

1.100.03

1.100.03 Board Minutes

Records of all transactions of the board shall be set forth in full in the official minutes of the board. The minutes shall be kept on file as the permanent official records of the college legislation of the college district. Minutes of meetings shall be maintained pursuant to the Open Meetings Act (5 ILCS 120).

Revised: 07/16/2008

Reclassified to Policy 1.100.03: 07/16/2008

Formerly Policy BRD 40.70 (Adopted: 11/24/1981)

Organization of the Board of Trustees Meetings

1.100.04

1.100.04 Rules of Order

Parliamentary procedures not provided for in these rules or by statute shall be determined by Robert's *Rules of Order*, Revised. A parliamentarian may be appointed by the board.

Reclassified to Policy 1.100.04: 07/16/2008
Formerly Policy BRD 40.95 (Adopted: 08/08/1971)

Organization of the Board of Trustees Meetings

1.100.05

1.100.05 Community Participation at Board Meetings

Residents of the college district are encouraged to visit regular and special meetings of the college board.

Residents of the college district are encouraged to express opinions, present propositions, and ask questions. In order that the board meetings may be orderly and serve the purposes of the entire district, the following rule shall govern residents' participation at board meetings:

Residents wishing to present proposals shall summarize such proposals in writing to the board, at least seven days prior to a regular meeting. Such residents will be assigned a reasonable amount of time on the meeting agenda by the chair.

Any resident, individually or as representative of a delegation of citizens of the college district may present a written petition for board consideration at any legal meeting. The intent to present such a petition should be brought to the attention of the clerk of the board at least seven days in advance of the meeting.

The chair shall limit the business to come before the board only to those items which have been placed on the agenda for the meeting.

Revised: 07/16/2008
Reclassified to Policy 1.100.05: 07/16/2008
Formerly Policy BRD 40.30 (Adopted: 11/24/1981)

Organization of the Board of Trustees Voting

1.150.01

1.150.01 Voting

All votes on motions in connection with contracts, expenditures of funds, or employment of personnel and all resolutions shall be by roll call vote. The “Ayes” and “Nays” shall be recorded.

All votes on motions to hold a meeting closed to the public or to close a portion of a meeting to the public shall be by roll call vote. A citation to the specific exception contained in the Open Meetings Act (5 ILCS 120) and the “Ayes” and “Nays” on the vote shall be recorded in the minutes.

Reclassified to Policy 1.150.01: 07/16/2008
Formerly Policy BRD 40.90 (Adopted: 11/24/1981)

Organization of the Board of Trustees Voting

1.150.02

1.150.02 Quorum - Majority Vote

A majority of a full membership of the board shall constitute a quorum. When a vote is taken upon any measure before the board, a quorum being present, a majority of the votes of the members voting on the measure shall determine the outcome thereof.

Reclassified to Policy 1.150.02: 07/16/2008
Formerly Policy BRD 10.20 (Adopted: 08/08/1971)

Organization of the Board of Trustees Policy Formation and Dissemination

1.200.01

1.200.01 Policy and Procedure

Policy: It is the responsibility of the board to interpret educational needs and desires of people and formulate them into policies.

Policies concern the way the board of Waubonsee Community College intends to operate. They are broad guidelines for discretionary action and are meant to control decisions only to the extent that they indicate a preferred course of action.

Procedure: Procedures are regulations which translate policy into appropriate action at any given time. Procedures that call forth and use the full creative capacities of all employees in the attainment of educational goals is a prime responsibility of college administration.

Reclassified to Policy 1.200.01: 07/16/2008
Formerly Policy BRD 30.20 (Adopted: 08/08/1971)

Organization of the Board of Trustees Policy Formation and Dissemination

1.200.02

1.200.02 Policy Formation

Policy formation is the responsibility of the board of trustees. Suggestions for new or revised policies may be received from faculty, administration, staff or community. Such suggestions shall be sent to the president for review. The president's recommendation shall be forwarded to the board policy committee for its review and recommendation to the board as a whole.

Revised: 07/16/2008

Reclassified to Policy 1.200.02: 07/16/2008

Formerly Policy BRD 30.30 (Adopted: 02/16/1982)

Organization of the Board of Trustees Policy Formation and Dissemination

1.200.03

1.200.03 Policy Classification

For purposes of clarity, each policy will be classified under one of six categories: (Organization of the Board of Trustees, Finance, Operations, Instruction, Student or Human Resources) and filed under one subcategory within that category. Should a policy not fall under one of the existing categories and subcategories, a new category or subcategory will be created upon Board approval.

Categories and Subcategories

Organization of the Board of Trustees (1.000.00)

- 1.050.00 Duties and Powers of the Board
- 1.100.00 Meetings
- 1.150.00 Voting
- 1.200.00 Policy Formation and Dissemination

Finance (2.000.00)

- 2.050.00 Fiscal Management
- 2.100.00 Resource Acquisition
- 2.200.00 Tuition and Fees

Operations (3.000.00)

- 3.050.00 Information Management
- 3.100.00 Tobacco, Alcohol and Drugs
- 3.150.00 Emergency Preparedness and Security
- 3.170.00 Harassment
- 3.200.00 Facility and Property Usage
- 3.250.00 Solicitation

Instruction (4.000.00)

- 4.050.00 Curriculum Development
- 4.080.00 Instructional Delivery
- 4.100.00 Course Credit
- 4.200.00 Communication of Programs and Services

Student (5.000.00)

- 5.050.00 Admission and Placement
- 5.100.00 Student Programming
- 5.200.00 Student Conduct
- 5.300.00 Communication of Student Programs and Services
- 5.400.00 Student Records and Information

Human Resources (6.000.00)

- 6.050.00 Employment Practices
- 6.100.00 Benefits
- 6.200.00 Ethics and Conflicts of Interest
- 6.300.00 Faculty

Reclassified to Policy 1.200.03: 07/16/2008
Formerly Policy BRD 30.40 (Adopted: 08/08/1971)

Organization of the Board of Trustees Policy Formation and Dissemination

1.200.04

1.200.04 Adoption Dates

Dates of adoption of all policies will appear at the bottom of each page of the policy manual. Where policy is revised, an associated revision date will be placed beneath the adoption date.

Reclassified to Policy 1.200.04: 07/16/2008
Formerly Policy BRD 30.50 (Adopted: 08/08/1971)

Organization of the Board of Trustees Policy Formation and Dissemination

1.200.05

1.200.05 Distribution of Policy Manuals

The president will provide the policy manual and any amendments to each board member, the president of the full-time faculty council, the student representative serving as a member of the board of trustees, and other members of the college community as determined by the president.

Revised: 07/16/2008

Reclassified to Policy 1.200.05: 07/16/2008

Formerly Policy BRD 40.50 (Adopted: 02/16/1982)

2.000.00**Finance****2.050.00****Fiscal Management**

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2.100.00**Resource Acquisition**

- 2.100.01 Grants
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- 2.100.03 Unassigned
- 2.100.04 Commemorative Opportunities

2.200.00**Tuition and Fees**

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- 2.200.02 Senior Citizen Tuition-Free Credit Courses
- 2.200.03 Tuition Refunds
- 2.200.04 Chargebacks and Cooperative Agreements

Finance
Fiscal Management

2.050.01

2.050.01 Annual Budget

It is the policy of the board that the annual budget of the college shall be developed in compliance with all applicable laws.

Reclassified to Policy 2.050.01: 07/16/2008
Formerly Policy BUS 40.20 (Adopted: 03/20/1973)

Finance
Fiscal Management

2.050.02

2.050.02 Resource Priorities

It shall be the policy of the board to establish priorities in providing resources to meet the educational objectives of the college.

Reclassified to Policy 2.050.02: 07/16/2008
Formerly Policy BRD 40.05 (Adopted: 08/08/1971)

Finance
Fiscal Management

2.050.03

2.050.03 Board Support of Activities

It shall be the policy of the board to support (philosophically and financially) co-curricular activities which are determined to contribute to the goals of the college with the expectation that these activities may become financially self-sustaining. Co-curricular activities are those which contribute to educational growth and development, such as arranging for cultural activities, sponsoring of clubs and organizations, advising student publications and organizing vocational and other special interest groups.

Reclassified to Policy 2.050.03: 07/16/2008
Formerly Policies BUS/STU/COM 40.40 (Adopted: 03/20/1973)

2.050.04 Investment of College Funds

In accordance with the Illinois Public Funds Investment Act (30 ILCS 235/2.5), the college shall be governed by an investment policy that applies to all funds of the Waubonsee Community College District 516. These funds are accounted for in the college's annual financial report and includes all current funds, and any other funds that may be created from time to time, except for college pension funds to the extent the deposit and investment of such funds is otherwise regulated under the Illinois Pension Code. All transactions involving the college's funds and related activity of any funds shall be administered in accordance with the provisions of this procedure and the canons of the "prudent person rule."

A. Objectives

1. **Safety of Principal** – Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio. To attain this objective, only appropriate investment instruments will be purchased and insurance or collateral may be required to ensure the return of principal.
2. **Liquidity** – The college's investment portfolio shall be structured in such manner as to provide sufficient liquidity to pay obligations as they come due.
3. **Return on Investments** – The investment portfolio shall be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the risk constraints, the cash flow characteristics of the portfolio and legal restrictions for return on investments.
4. **Maintaining the Public's Trust** – The investment officers shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the college, the board of trustees or the treasurer.

B. Investment Instruments

Waubonsee Community College District 516 shall limit its investments to those allowed by law as set in the Illinois Compiled Statutes 30 ILCS 235/2. A summary of the allowable securities follows:

1. Bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued by the United States of America, its agencies and allowable instrumentalities.
2. Interest bearing savings accounts, interest bearing certificates of deposit or interest bearing time deposits, or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.
3. Certificates of deposit with federally insured institutions that are collateralized or insured at levels acceptable to the College in excess of the \$100,000 provided by the Federal Deposit Insurance Corporation coverage limit.

4. Collateralized repurchase agreements which conform to the requirements stated in paragraph 2(g) or 2(h) of the Act.
5. Commercial paper meeting the following requirements:
 - a) The corporation must be organized in the United States.
 - b) The corporation's assets must exceed \$500,000,000.
 - c) The obligations at the time of purchase must be rated within the two highest classifications by at least two of the four standard rating services (Standard and Poor's, Duff and Phelps's, Moody's and Fitch Investors Service).
 - d) The obligations cannot have a maturity longer than 180 days.
 - e) Not more than 33% of the total investment fund can be invested in commercial paper at any time.
 - f) The total investment in any one corporation cannot exceed 10% of the corporation's outstanding obligations.
 - g) The total investment in any one corporation cannot be more than \$20 million.
6. The Illinois Public Treasurer's Investment Pool.
7. The Illinois School District Liquid Asset Fund.
8. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation.
9. Investment products that are considered as derivatives are specifically excluded from approved investments.

C. Diversification

It is the policy of the college to diversify its investment portfolio. Investments shall be diversified to eliminate the risk of loss resulting in over concentration in a specific maturity, issuer, or class of securities. Diversification strategies shall be determined and revised periodically by the college treasurer. The diversification shall be as follows:

1. Up to 100% of B.1.
2. Up to 90% of B.2., B.3.
3. Up to 33% of B.4., B.5., B.6., and B.7.

D. Collateralization

1. It is the policy of the college to require that time deposits in excess of FDIC insurable limits be secured by collateral or private insurance to protect public deposits in a single financial institution if it were to default.
2. Eligible collateral instruments are any investment instruments acceptable under the Act. The collateral must be placed in safekeeping at or before the time the college

buys the investments so that it is evident that the purchase of the investment is predicated on the securing of collateral.

3. Safekeeping of Collateral

- a) Third party safekeeping is required for all collateral. To accomplish this, the securities must be held at one or more of the following locations:
 - i. at a Federal Reserve Bank or its branch office;
 - ii. at another custodial facility in a trust or safekeeping department through book-entry at the Federal Reserve;
 - iii. by an escrow agent of the pledging institution; or
 - iv. by the trust department of the issuing bank.
- b) Safekeeping will be documented by an approved written agreement between the board of trustees and the governing board of the bank that complies with FDIC regulations. This may be in the form of a safekeeping agreement.
- c) Substitution or exchange of securities held in safekeeping for the college can be approved exclusively by the treasurer, and only if the market value of the replacement securities is equal to or greater than the market value of the securities being replaced.

E. Safekeeping of Securities

1. Third party safekeeping is required for all securities and commercial paper. To accomplish this, the securities must be held only at one or more of the following locations:
 - a) at a Federal Reserve Bank or its branch office;
 - b) at another custodial facility, which shall be a trust or safekeeping department through book-entry at the Federal Reserve, unless physical securities are involved; or
 - c) in an insured account at a primary reporting dealer.
2. Safekeeping will be documented by an approved written agreement between the board of trustees and the holder of the securities. This may be in the form of a safekeeping agreement, trust agreement, escrow agreement or custody agreement.
3. Original certificates of deposit will be held by the originating bank. A safekeeping receipt will be acceptable documentation.

F. Qualified Financial Institutions and Intermediaries

1. Depositories – Demand Deposits
 - a) Any financial institutions selected by the college shall provide normal banking services, including, but not limited to: checking accounts, wire transfers and safekeeping services.

- b) The college will not maintain funds in any financial institution that is not a member of the FDIC system. In addition, the college will not maintain funds in any institution that does not first agree to post required collateral for funds or purchase private insurance in excess of FDIC insurable limits and in amounts acceptable to the college.
 - c) To qualify as a depository, a financial institution must furnish the treasurer with copies of the latest two statements of condition which it is required to furnish to the Comptroller of Currency as the case may be. While acting as a depository, a financial institution must continue to furnish such statements to the treasurer within 45 days of the end of each quarter.
 - d) Fees for banking services shall be mutually agreed to by an authorized representative of the depository bank and the treasurer on an annual basis. Fees for services shall be substantiated by a monthly account analysis.
 - e) Each financial institution acting as a depository for the college must enter into a depository agreement with an authorized college official that incorporates this policy by reference.
2. Banks and Savings and Loans – Certificates of Deposit
Any financial institution selected to be eligible for the college’s competitive certificate of deposit purchase program must:
- a) provide wire transfer and certificate of deposit safekeeping services;
 - b) be a member of the FDIC system and be willing and capable of posting required collateral or private insurance for funds in excess of FDIC insurable limits and in amounts required by the college; and
 - c) meet at all times the financial criteria as established in the investment procedures of the college.
3. Intermediaries
Any financial intermediary selected to be eligible for the college’s competitive investment program must:
- a) provide wire transfer and deposit safekeeping services;
 - b) maintain appropriate federal and state registrations for the type of business in which they are engaged;
 - c) provide an annual audit upon request;
 - d) maintain an office within the state of Illinois and be licensed to conduct business in this state; and
 - e) be familiar with the board of trustees’ policy and accept financial responsibility for any investment not appropriate according to the policy.

G. Management of Program

1. The following individuals are authorized to purchase and sell instruments, authorize wire transfers, authorize the release of pledged collateral, and to execute any documents required under this policy:
 - a) Treasurer
 - b) Comptroller

These documents include:

- a) Wire Transfer Agreement
 - b) Depository Agreement
 - c) Safekeeping Agreement
 - d) Custody Agreement
2. Management responsibility for the investment program is hereby delegated to the treasurer and comptroller, who shall establish a system of internal controls and written operational procedures designed to prevent losses of funds that might arise from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees of the entity. Such procedures shall include explicit delegation of authority to persons responsible for the execution under the direction of the treasurer of specific financial transactions, including: investment transactions, check signing, check reconciliation, deposits, bond payments, report preparation and wire transfers. No person may engage in any investment transaction except as provided under the terms of this policy. The treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinates.
3. The wording of agreements necessary to fulfill the investment responsibilities is the responsibility of the treasurer who shall periodically review them for their consistency with college policy and state law and who shall be assisted in this function by the comptroller, college legal counsel and auditors. These agreements include but are not limited to:
 - a) Wire Transfer Agreement
 - b) Depository Agreement
 - c) Safekeeping Agreement
 - d) Custody Agreement
4. The treasurer may use financial intermediaries, brokers, and/or financial institutions to solicit bids for securities and certificates of deposit. These intermediaries shall meet the criteria set forth in Section F(3) above and shall be approved by the board of trustees.
5. All wire transfers made by the treasurer shall require a secondary authorization by the comptroller or treasury clerk/bookkeeper/accountant.

6. The treasurer shall be further authorized to enter into joint investment agreements as authorized under Illinois Compiled Statutes.

H. Performance

The treasurer will seek to earn a rate of return appropriate for the type of investments being managed given the portfolio objectives defined in Section A of this document for all funds. In general, the treasurer will strive to earn an average rate of return equal to or greater than the U.S. Treasury Bill rate for a given period of time for the average weighted maturity of the college's investments.

I. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Further, except as permitted under Section 3.2 of the Public Officer Prohibited Practices Act, no officer involved in the investment process shall have any interest in, or receive any compensation from, any investments in which the college is authorized to invest, or the sellers, sponsors or managers of those investments.

J. Indemnification

Investment officers and employees of the college acting in accordance with this investment policy and such written operational policies as may be established by the college, and who otherwise exercise due diligence and act with reasonable prudence, shall be relieved of personal liability for an individual security's credit risk, or market changes.

K. Reporting

The treasurer shall submit to the board of trustees and the president a monthly investment report which shall include information regarding securities in the portfolio by class or type, book value, income earned, and market values as of the report date. Generally accepted accounting principles shall be used for valuation purposes. The report shall indicate any areas of policy concern and planned revision of investment strategies.

L. Amendment

This policy shall be reviewed from time to time by the treasurer with regards to the policy's effectiveness in meeting the college's needs for safety, liquidity, rate of return, diversification, and general performance. Any substantive changes will be reported to the board of trustees.

Revised: 07/16/2008

Reclassified to Policy 2.050.04: 07/16/2008

Formerly Policies BRD/BUS 40.26 (Adopted: 12/15/1999)

2.050.05 Distribution of Revenue Produced by Equipment Use

It is expected that certain designated college equipment may be made available to outside users for a fee when such use is consistent with the policies and goals of the institution.

It shall be the policy of the board to distribute any revenue which results from such use back to the fund from which the equipment was originally purchased. If a particular piece of equipment is a continuing source of revenue with the result that its original purchase price eventually is completely repaid, then the excess funds should be distributed to one of the operating funds. This policy does not preclude the possibility of simultaneous distribution of revenue to the original purchase fund and one of the operating funds for maintenance or other similar charges.

Reclassified to Policy 2.050.05: 07/16/2008
Formerly Policy BUS 40.33 (Adopted: 06/24/1980)

Finance
Fiscal Management

2.050.06

2.050.06 Purchasing

It is the policy of the board of trustees to award all contracts for supplies, material or work involving an expenditure in excess of \$10,000 to the lowest responsible bidder after due advertisement. All competitive bids for contracts involving an expenditure in excess of \$10,000 must be sealed by the bidder and must be opened by a member of the board or a board designee at a public bid opening at which the contents of the bids must be announced. Board approval of a contract is required before awarding contracts in excess of \$25,000.

Contracts which by their nature are not adapted to competitive formal bidding as detailed in Section 805/3-27.1 of the Illinois Public Community College Act are exempt from the bidding provisions of this policy. Contracts for emergency repairs involving an expenditure of less than \$50,000 are exempt from the bidding provisions of this policy and may be awarded prior to receiving board approval.

Revised: 03/18/2009

Revised: 07/16/2008

Reclassified to Policy 2.050.06: 07/16/2008

Formerly Policy BUS 40.50 (Adopted: 12/15/1999)

Finance
Fiscal Management

2.050.07

2.050.07 Administrative Pre-Payment of Payroll

It shall be the policy of the board to authorize the president of the college to approve payrolls when they are due for full and part-time employees of the college with the stipulation that the payrolls will be submitted to the board for final approval at the regular monthly meeting at which bills and accounts are authorized to be paid.

Reclassified to Policy 2.050.07: 07/16/2008
Formerly Policy BUS 40.10 (Adopted: 03/20/1973)

Finance
Resource Acquisition

2.100.01

2.100.01 Grants

It is the policy of the board to encourage applications for state, federal and private grants that are in harmony with the mission, fiscal capabilities, and the policies of the college.

Revised: 07/16/2008

Reclassified to Policy 2.100.01: 07/16/2008

Formerly Policy ADM 40.40 (Adopted: 02/16/1982)

Finance
Resource Acquisition

2.100.02

2.100.02 Fundraising By Student and Other College Organizations

It shall be the policy of the board to allow self-help through fund raising opportunities to various student and other college organizations recognized and approved by the college administration. The policy of the college permits self-help efforts within certain guidelines and in harmony with the mission and objectives of the college. Each project must have some identifiable benefit to the instructional, student or community service objective of the college. The results of fund raising for an individual's personal gain are not permitted.

Revised: 07/16/2008

Reclassified to Policy 2.100.02: 07/16/2008

Formerly Policies BUS/COM/STU 40.42 (Adopted: 02/17/1981)

Finance
Resource Acquisition

2.100.03

2.1000.03 Unassigned

2.100.04 Commemorative Opportunities

I. Responsibilities

- a. The board of trustees has final approval authority for any commemorative opportunity with the exception of student scholarships funded through the Waubonsee Community College Foundation and will indicate such approval by a roll call vote at a regularly scheduled meeting of the board. The board of trustees has the authority to discontinue the use of a commemoration.
- b. The college will ensure that adequate procedures are created in order to: document requests for commemorative opportunities; maintain confidentiality of such requests; review requests and perform background research on the potential individual and/or organization; and recommend requests for approval or disapproval to the board of trustees.
- c. The college will establish and maintain guidelines for financial levels of gifts that will be considered for various commemorative opportunities. Financial gifts or gifts in-kind should support a substantial portion of the construction or renovation cost of facilities or a substantial portion of the support of intangibles such as chairmanships, professorships or programs.

II. Policy

- a. Only the board of trustees may approve commemorative opportunities to recognize those who have rendered exceptional service; or who, by their personal or professional achievements, have significantly enhanced the reputation of the college; or who have made significant gifts, to Waubonsee Community College. In establishing this policy, the board of trustees recognizes that commemorative opportunities forge a visible link of mutual respect and understanding between the college and those who recognize its benefits to the community.
- b. It is the policy of the board of trustees that entire facilities will be commemorated for individuals who have rendered exceptional service to the college and will not usually be commemorated for individuals or organizations on any other basis. However, the board of trustees may choose to offer a commemorative opportunity for an entire facility based on a donation that covers a significant portion of the cost of the building or renovation of the facility, in accordance with defined guidelines.
- c. **Exceptional Service Guidelines:** A commemorative opportunity recognizing someone who has rendered exceptional service to the college will be based on the following guidelines:
 - i. Commemorative opportunities for exceptional service are not authorized for persons who are currently employed by Waubonsee Community

College or the State of Illinois or who are currently serving as elected officials, including board members. Proposals to recognize such individuals should not be submitted earlier than one year following the departure, death or retirement of the person from the college, or the state, or the end of an elected official's term.

- ii. Provision of commemorative opportunities should not be solely based on length of service or position held. The nature of the service to be recognized should meet all of the following criteria:
 - 1. Covers a significant period of time.
 - 2. Results in significant improvement to the college, its programs, or its processes.
 - 3. Brings honor and recognition to the college.
 - 4. Significantly contributes to learning.
 - iii. No current or past member of the board of trustees may self-nominate or solicit their own nomination for recognition based on exceptional service to the college.
- d. Financial Contribution Guidelines: Commemorative opportunities recognizing an individual who, or organization which has made significant gifts to the college will be based on the following criteria:
- i. There is no inherent right to a commemorative opportunity based on the contribution of a gift.
 - ii. The wish to have a commemorative opportunity associated with a gift must be expressed by the donor prior to the giving of the gift. The college will initiate an agreement which clearly identifies the gift and the commemorative opportunity associated with it with the donor prior to board of trustee approval and acceptance of the gift.
 - iii. Current employees of the college and current members of the board of trustees will not be eligible for commemorative opportunities based on significant gifts.
 - iv. The commemorative opportunity offered will commensurate with the amount of the gift as defined in the guidelines that are established by the college.
 - v. The duration a commemoration is used may be limited. Duration will be determined prior to board of trustee approval and will be included in the agreement between the donor and the college. Upon expiration of the life of the commemoration, the commemorative opportunity will again exist to recognize a new individual or organization. The board of trustees may approve an extension of the commemoration, but cannot make it permanent.
 - vi. Significant gifts or donations that result in a commemorative opportunity will be recognized as such so as to differentiate that type of contribution from a commemorative opportunity based on exceptional service.
- e. Commemorations should lend prestige to the college and to staff, students and community. The credentials, character, and reputation of each individual or

organization for which a commemoration is being considered will be carefully scrutinized and evaluated.

- f. When a building or significant area has been commemorated, the college will continue to use the commemoration so long as the building or area remains in use and serves its original function or until expiration of the commemoration's life. When the use has changed such that it must be demolished, substantially renovated or rebuilt, the college may retain the use of the commemoration, commemorate another comparable room or facility, or discontinue the use of the commemoration.
- g. Commemoration neither implies nor constitutes legal ownership by the individual or group being recognized. Commemoration also does not imply any obligation to the named individual or group beyond the maintenance of the commemorative identification.

Revised: 11/19/2008

Reclassified to Policy 2.100.04: 07/16/2008

Formerly Policy BRD 40.09 (Adopted: 03/15/2006)

Finance
Tuition and Fees

2.200.01

2.200.01 Student Tuition and Fees

The board shall establish a tuition and fee schedule including, but not limited to, in-district tuition, out-of-district tuition, online course tuition, laboratory and materials fees and student fees pursuant to the Illinois Compiled Statutes.

Revised: 03/18/2009

Reclassified to Policy 2.200.01: 03/18/2009

Formerly Policies BUS/STU 40.90 (Adopted: 03/20/1973)

Finance
Tuition and Fees

2.200.02

2.200.02 Senior Citizen Tuition-Free Credit Courses

The board will provide tuition-free credit courses for senior citizens pursuant to the Illinois Compiled Statutes.

Revised: 03/18/2009

Reclassified to Policy 2.200.02: 03/18/2009

Formerly Policies BUS/STU 40.93 (Adopted: 04/23/1997)

Finance
Tuition and Fees

2.200.03

2.200.03 Tuition Refunds

It shall be the policy of the board of trustees to refund the tuition payments of those students who withdraw from all or a portion of the program for which they have registered, providing such withdrawal takes place in accordance with the established procedures and refund schedule.

Revised: 03/18/2009

Reclassified to Policy 2.200.03: 03/18/2009

Formerly Policies BUS/STU 40.95 (Adopted: 3/20/1973)

Finance
Tuition and Fees

2.200.04

2.200.04 Chargebacks and Cooperative Agreements

Residents of Community College District 516 desiring an occupational degree and/or certificate program which is not available at Waubonsee Community College may apply for chargeback tuition if they enroll in such a program at another public community college in Illinois. Evaluation of such applications shall be made by the administrative staff in accordance with state requirements.

The college maintains cooperative agreements with other public community colleges in Illinois. Through a cooperative agreement, a resident of District 516 may attend another community college at the other school's in-district tuition rate. A cooperative agreement supersedes a tuition chargeback for a program with a community college within a 50 mile distance from Waubonsee's Sugar Grove Campus.

Revised: 03/18/2009

Reclassified to Policy 2.200.04: 03/18/2009

Formerly Policies BUS/STU 40.99 (Adopted: 03/20/1973)

3.000.00**Operations****3.050.00 Information Management**

- 3.050.01 Providing Information to Agencies
- 3.050.02 Release of Names, Addresses and Telephone Numbers
- 3.050.03 Unassigned
- 3.050.04 Information Security

3.100.00 Tobacco, Alcohol and Drugs

- 3.100.01 Drugs and Alcohol
- 3.100.02 Smoking

3.150.00 Emergency Preparedness and Security

- 3.150.01 Campus Security
- 3.150.02 Communicable Diseases

3.170.00 Harassment

- 3.170.01 Harassment

3.200.00 Facility and Property Usage

- 3.200.01 Use of College Facilities and Services
- 3.200.02 Inappropriate Use of College Property, Services and Facilities
- 3.200.03 College Equipment Use for College Related Activities
- 3.200.04 Bulletin Boards
- 3.200.05 Library

3.250.00 Solicitation

- 3.250.01 Solicitation

**Operations
Information Management**

3.050.01

3.050.01 Providing Information to Agencies

It is the policy of the board that the administrative staff has the responsibility to provide nonconfidential information requested by governmental and other external agencies, unless restricted by applicable law or, in specific instances, by the board.

Reclassified to Policy 3.050.01: 02/18/2009
Formerly Policy ADM 40.30 (Adopted: 02/16/1982)

**Operations
Information Management**

3.050.02

3.050.02 Release of Personal Information

It is the policy of the board not to release personal information of board members and employees except as required by federal and state statutes or upon the authority of the president or a designated representative of the president.

Revised 01/20/2010

Reclassified to Policy 3.050.02: 02/18/2009

Formerly Policies ADM 40.80, PER 40.80, STU 40.80 (Adopted 03/20/1973)

**Operations
Information Management**

3.050.03

3.050.03 Unassigned

Operations Information Management

3.050.04

3.050.04 Information Security

It shall be the policy of the board to maintain the security of all confidential and sensitive information as required by law and relevant industry standards in the best interests of the students, faculty, staff and other constituents of the college. Procedures shall be developed and implemented by the college to prevent, detect and mitigate any loss of confidential and sensitive information.

Adopted 01/20/2010

Operations
Tobacco, Alcohol and Drugs

3.100.01

3.100.01 Drugs and Alcohol

It is the policy of Waubonsee Community College to remain free from illegal drugs and/or alcohol abuse. This policy is being adopted with education, awareness and prevention uppermost in mind.

The use, sale, distribution, manufacture, and/or possession of illegal drugs and/or alcohol, is prohibited on campus grounds, in campus buildings, in college vehicles or any other college owned or leased facility. Neither students nor employees of the college are permitted to be under the influence of illegal drugs or be intoxicated while on the college premises or while engaging in college duties.

The procedures for implementation of this policy shall be in accordance with federal and state statutes. The administration is authorized to establish such procedures and regulations as are necessary to accomplish the objectives of this policy.

Revised: 02/18/2009

Reclassified to Policy 3.100.01: 02/18/2009

Formerly Policy ADM 40.65 (Adopted: 2/18/1987) and Policy PER 40.90 (Adopted: 10/17/1990)

Operations
Tobacco, Alcohol and Drugs

3.100.02

3.100.02 Smoking

The policy of the board of trustees is to have a smoke free college environment. Smoking on college grounds and inside college facilities and college vehicles is prohibited. Smoking is only permitted inside private vehicles.

Revised: 12/12/2007

Reclassified to Policy 3.100.02: 02/18/2009

Formerly Policies ADM/PER 40.62 (Adopted: 06/17/1992)

Operations
Emergency Preparedness and Security

3.150.01

3.150.01 Campus Security

It shall be the policy of the board to employ security provisions to protect people, and college facilities and equipment. The college will disseminate information concerning established emergency procedures to protect those on campus.

Revised: 02/18/2009

Reclassified to Policy 3.150.01: 02/18/2009

Formerly Policy ADM 40.60 (Adopted: 02/16/1982) and Policy ADM 40.70 (Adopted: 02/16/1982)

Operations
Emergency Preparedness and Security

3.150.02

3.150.02 Communicable Diseases

It is the policy of Waubonsee Community College to not discriminate in enrollment or employment against any individual infected with a communicable disease. Instances of communicable diseases will be reviewed on a case-by-case basis and reasonable accommodations will be made in compliance with applicable state and federal laws, regulations, and rules. The Illinois Department of Public Health and the National Centers for Disease Control and Prevention have specified diseases that are contagious, infectious, communicable, and dangerous to the public health. The college is committed to protecting the health and general welfare of the students, faculty and staff.

Revised: 02/18/2009

Reclassified to Policy 3.150.02: 02/18/2009

Formerly Policies PER/STU 40.41 (Adopted: 04/19/2000)

3.170.01 Harassment

It is the policy of Waubensee Community College that no faculty member, administrator, staff or student should be subject to harassment based on sex, sexual orientation, race, color, religion, national origin, ethnicity, veteran status or disability while on College premises or in connection with his or her education or employment at the College. Harassment has absolutely no place in an educational or employment environment and will not be tolerated. Violations of this policy will result in appropriate discipline, including dismissal or expulsion.

Harassment includes, but is not limited to, conduct that has the purpose or effect of substantially interfering with an individual's educational or job performance or creating an intimidating, hostile or offensive educational or employment environment. Harassment based on sex includes sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational progress, or when submission to or rejection of such conduct by an individual is used as a basis for an educational or employment decision affecting that person. Harassment is prohibited regardless of the fact that the complainant and alleged harasser are of the same classification. Retaliation for complaining of harassment is considered a form of harassment. Claims of retaliation will be treated in the same manner as other claims of harassment.

Depending on the totality of the circumstances, examples of harassment may include, but are not limited to, racial, ethnic or sexual slurs; graphic verbal or physical conduct demeaning a person's sex, sexual orientation, race, color, religion, national origin, ethnicity, veteran status, or disability; etc.

Harassment Complaint Procedure

A. Complaint Process

In all varieties of harassment, the first step that should occur when a person feels harassed is to immediately inform the other person that the conduct is unwelcome and that it should stop immediately. However, although it is encouraged, the person is not required to do so in all circumstances, particularly when the accused holds a position of authority over the person.

If a person for a legitimate reason fails to inform the alleged harasser that the conduct is unwelcome and should be stopped, the complainant may contact one of the individuals described below and ask for a mediated resolution between him or herself and the accused. The goal of the mediation procedure is to provide a forum where the complainant and the accused can, with the aid of a third party, come to a mutually agreed upon resolution. Consequently, mediation will occur only if both the complainant and accused are willing to participate in the process. Any mediation efforts will be documented by the third party.

Any person who wishes to discuss a possible complaint of harassment should feel free to use the informal avenues described above. However, either the complainant or the accused may at any time ask that the matter be handled formally rather than informally.

In the case of alleged harassment by faculty, staff or administration upon a student, the student should inform the Associate Dean of the faculty member, the Dean of Student Development, or the Associate Dean of Counseling and Advising, or the Director of Human Resources.

In the case of alleged harassment by a student upon another student, the student should inform the Dean of Student Development, or the Associate Dean of Counseling and Advising, or the Director of Human Resources.

In the case of alleged harassment by faculty, staff or administration upon a member of the faculty, staff or administration, the person should inform the Associate Dean of the faculty member, or the Director of Human Resources, or the Assistant Vice President for Instruction.

In the case of alleged harassment by any other individual upon a member of the College community on the College premises or in connection with a College activity, the person should inform the Director of Human Resources.

Based upon the information provided by the complainant, individuals receiving complaints of harassment will complete an interview form. The complainant will be asked to review the completed form for accuracy. The complainant will be asked, but is not required, to sign the completed interview form at the conclusion of the interview.

The completed interview form will be the basis for any subsequent investigation. The complainant will also be allowed to provide a narrative statement concerning the conduct that must be returned to the individual receiving the complaint within one week of making the complaint.

B. Investigation Process

Based upon the information provided by the complainant, an initial determination will be made whether the complainant has stated a minimal case of harassment (meaning enough evidence to conduct an investigation). This determination shall be made by the Hearing Committee, comprised of the following individuals: Dean of Student Development, the Associate Dean of Counseling and Advising, and the Director of Human Resources. If it is determined that a minimal case of harassment has been stated, it will be discreetly, promptly and thoroughly investigated and heard. The Hearing Committee will appoint an appropriate individual to investigate. If it is determined that a minimal case of harassment has not been stated, the complainant will be notified of this result.

To the extent feasible, all witnesses to the alleged harassment will be interviewed for the investigation. Additionally, evidence including but not limited to documents, tapes, e-mails or photographs will be collected for the investigation. The accused will be allowed to present all relevant evidence concerning the complaint to the individual appointed to investigate the complaint. Copies of the evidence will be made, and at the conclusion of the investigation, all of the original evidence will be returned to its respective owner.

If a conflict of interest prevents an appropriate investigation or hearing, or if the person assigned to investigate the complaint is unable to investigate the matter, other appropriate procedures will be taken to ensure that the complaint is promptly and thoroughly investigated and heard.

The investigation and substance of the complaint will be kept confidential to the extent possible. However, confidentiality cannot be guaranteed.

C. Results of the Investigation

At the conclusion of the investigation, the individual appointed to investigate the complaint will present all the evidence to the Hearing Committee. Before the Hearing Committee makes its determination, the complainant and the alleged harasser will be given the opportunity to make a verbal statement to the Hearing Committee. The Hearing Committee may also ask these individuals questions about the allegations at that time. The Hearing Committee will make a determination the (1) harassment occurred, (2) that harassment did not occur, (3) that there is inconclusive evidence as to whether harassment occurred, or (4) that the claim of harassment was falsely made knowingly or maliciously. Results of the investigation and hearing will be provided in writing to the complainant and the alleged harasser.

In cases in which the Hearing Committee determines that harassment did occur, appropriate discipline, including dismissal or expulsion, will be imposed by an administrator or supervisor.

Additionally, Human Resources will attempt to contact the complainant approximately three months after the conclusion of the investigation to inquire whether the harassment is continuing.

D. Appeal Process

The complainant or the accused may appeal the Hearing Committee's determination and/or discipline within ten (10) school days to the Executive Vice President. The Executive Vice President's determination of the appeal is final. In the case of alleged harassment by a faculty member in which dismissal is imposed, the procedures outlined in the tenure provision of the Illinois Public Community College Act shall apply.

If the complaint involves the Executive Vice President, then the President will issue a final decision on the appeal. Conversely, the Board of Trustees will decide the appeal for any complaint involving the President.

E. Time Limits

Complaints of harassment must be brought to the attention of the appropriate person within 180 days of the alleged harassment. Complaints registered after 180 days have elapsed from the alleged harassment will only be investigated and heard at the discretion of the Hearing Committee.

F. False Claims

If the Hearing Committee determines that a complainant falsely accused another person of harassment knowingly or maliciously, the complainant may be subject to discipline, including dismissal or expulsion.

G. Right to Withdraw

A complainant may withdraw a complaint of harassment at any time prior to the conclusion of the investigation. A request to withdraw a complaint of harassment must be in writing.

Reclassified to Policy 3.170.01: 02/18/2009

Formerly Policy STU 40.43 (Adopted: 04/19/2000) and Policy PER 40.40 (Adopted: 04/19/2000)

Operations
Facility and Property Usage

3.200.01

3.200.01 Use of College Facilities and Services

College facilities and services may be made available to college and non-college sponsored groups, provided the use does not interfere or conflict with the normal operations or educational programs of the college; the use is consistent with the philosophy, goals and mission of the college; and the use conforms to federal, state, local laws and ordinances. The college will establish procedures governing the use of facilities, including those relating to room rental fees, and recovery of custodial, technical, insurance and other operational costs. Additional procedures will apply to special facilities.

Revised: 02/18/2009

Reclassified to Policy 3.200.01: 02/18/2009

Formerly Policies BUS/COM 40.39 (Adopted: 03/20/1973); Policy BRD 40.10 (Adopted: 08/13/1997);
Policy BRD 40.20 (Adopted: 08/13/1997) and Policies BUS/COM 40.30 (Adopted: 08/13/1997)

Operations
Facility and Property Usage

3.200.02

3.200.02 Inappropriate Use of College Property, Services and Facilities

It is the policy of Waubonsee Community College that college property, services and facilities including, but not limited to, computers, phones, e-mail, Internet access, vehicles and grounds shall not be used improperly or for an inappropriate purpose. A violation of this policy may result in sanctions, and may subject an employee to discipline, including termination.

Revised: 02/18/2009

Reclassified to Policy 3.200.02: 02/18/2009

Formerly Policies BRD/PER 40.28 (Adopted: 12/15/1999)

Operations
Facility and Property Usage

3.200.03

3.200.03 College Equipment Use for College Related Activities

College equipment (fixed and movable) may be made available to non-profit organizations and other groups whose purposes are consistent with the goals of the college. Such use shall not interfere with the instructional program. Such organizations and groups shall be sponsored by a specific department, class or recognized association with a specific administrator responsible for authorizing said request.

Revised: 02/18/2009

Reclassified to Policy 3.200.03: 02/18/2009

Formerly Policy BRD 40.25 (Adopted: 05/02/1978)

Operations
Facility and Property Usage

3.200.04

3.200.04 Bulletin Boards

Bulletin boards are provided for the posting of information of general interest to the college community. Material that is clearly indecent, unlawful, or that contains personal vilification will not be permitted.

Revised: 02/18/2009

Reclassified to Policy 3.200.04: 02/18/2009

Formerly Policies COM/STU 40.70 (Adopted: 03/20/1973)

Operations
Facility and Property Usage

3.200.05

3.200.05 Library

It shall be the policy of the board to make available a college library that provides services to enrich and support the educational and lifelong learning goals of students, employees and residents in the college district.

Revised 01/20/2010
Reclassified to Policy 3.200.05: 02/18/2009
Formerly Policies COM/BUS 40.35 (Adopted: 03/20/1973)

Operations Solicitation

3.250.01

3.250.01 Solicitation

It is the policy of Waubonsee Community College that any type of solicitation, including but not limited to, commercial, charitable, political, (see Policy 6.200.03 Ethics) etc., using college buildings, equipment, services or grounds is prohibited unless there is written approval from the president or a designated representative of the president.

Commercial solicitation shall be defined as that conducted for private gain and resulting in the exchange of goods or services for remuneration.

Charitable solicitation shall cover those charities whose purpose it is to benefit society or any considerable part thereof through benevolent and humanitarian activities without the enhancement of the private wealth of any individual associated therewith. Any approved charitable solicitations shall not interfere with the educational processes of the college, and shall be conducted under whatever other reasonable time, place, and manner restrictions are established by the college.

Revised 01/20/2010

Reclassified to Policy 3.250.01: 02/18/2009

Formerly Policy BRD 10.90 (Adopted: 05/19/2004) and Policy PER 40.70 (Adopted: 05/19/2004)

4.000.00 **Instruction**

4.050.00 **Curriculum Development**
4.050.01 College Programs
4.050.02 Curriculum Council
4.050.03 Advisory Committees
4.050.04 Courses Concerning Religion

4.080.00 **Instructional Delivery**
4.080.01 Textbook and Resource Materials
4.080.02 Experimentation in Instruction

4.100.00 **Course Credit**
4.100.01 Degrees and Certificates Awarded
4.100.02 Course Repeats

4.200.00 **Communication of Programs and Services**
4.200.01 Marketing of Programs and Services
4.200.02 College Catalog

**Instruction
Curriculum Development**

4.050.01

4.050.01 College Programs

It shall be the policy of the board to provide a comprehensive community college program that aligns with the college's Strategic Planning Framework and that is pursuant to the Illinois Compiled Statutes.

Revised: 03/18/2009

Reclassified to Policy 4.050.01: 03/18/2009

Formerly Policy IST 40.10 (Adopted: 03/20/1973) and Policy COM 40.10 (Adopted: 03/20/1973)

**Instruction
Curriculum Development**

4.050.02

4.050.02 Curriculum Council

The Curriculum Council is the college organization charged with the responsibility for reviewing, evaluating, and refining new courses and curricula and recommending programs that merit adoption. Members representative of the college community will be appointed by the president or president's designee to the Curriculum Council.

Revised: 03/18/2009

Reclassified to Policy 4.050.02: 03/18/2009

Formerly Policy IST 40.15 (Adopted: 02/16/1982)

Instruction
Curriculum Development

4.050.03

4.050.03 Advisory Committees

It shall be the policy of the board to utilize advisory groups to help define educational needs within the community and to advise on formulating college programs to meet these needs.

Revised: 03/18/2009

Reclassified to Policy 4.050.03: 03/18/2009

Formerly Policy COM 40.20 (Adopted: 03/20/1973)

Instruction
Curriculum Development

4.050.04

4.050.04 Courses Concerning Religion

Since religion is an important part of our culture, no complete or balanced picture of the human experience can be learned if all reference to it is omitted from the curriculum. However, it is imperative that the subject be presented in an objective fashion which respects the divergent viewpoints to be expected in our pluralistic society.

The courses should be informative rather than persuasive, objective rather than subjective, secular rather than sectarian, and reflect the universal religious experience rather than a narrow parochial point of view.

It shall be the policy of the board to offer courses concerning religious beliefs in the curriculum, but the content of these courses shall be presented in an objective fashion and free of all proselytizing in keeping with the principle of separation of church and state and within the guidelines enumerated above.

Revised: 03/18/2009

Reclassified to Policy 4.050.04: 03/18/2009

Formerly Policy IST 40.13 (Adopted: 01/03/1978)

Instruction
Instructional Delivery

4.080.01

4.080.01 Textbook and Resource Materials

It shall be the policy of the board to allow the adoption of textbooks only after careful review. Textbook and resource materials should be selected on the basis of their appropriateness; however, it is important that consideration be given to the cost of textbooks and other materials as they relate to the student's ability to pay.

Revised: 03/18/2009

Reclassified to Policy 4.080.01: 03/18/2009

Formerly Policy IST, No Number Assigned (Adopted: 01/31/1969)

4.080.02 Experimentation in Instruction

It shall be the policy of the board to encourage and provide for experimentation in the instructional program of the college and provide for the development of new instructional materials.

Development of College-Supported Inventions and Materials

In an effort to encourage faculty, staff, and students to utilize the most modern teaching methods and techniques, many institutions of higher education, especially the community colleges, have moved to deliberately support the development and utilization of instructional technology. It is the continuing policy of Waubensee Community College to encourage creativity and increased productivity among its college personnel, and the use of improved communication techniques in their instructional activities. A number of college-supported services and programs assist the college personnel in the development and improvement of instruction.

The college recognizes the significant merit of improved instructional materials as developed by the college personnel and is mindful of the increased effectiveness, extension of resources and productivity they afford.

A number of reasons exist why the college must place increasing emphasis on the development of instructional materials:

- a) The application of new technology to instruction often requires expensive and complex equipment that could not be operated economically or owned, by individual college personnel.
- b) There is a growing recognition that the development and production of many materials require special equipment and skills, and the body of data about the learning process, teaching models, and educational design is growing very rapidly.
- c) Many faculty seek the assistance of the college-supported services and their specialist staffs.
- d) Materials frequently reflect a joint creative and collaborative effort involving one or more faculty members as well as other individuals and units of the college.

Various levels of college personnel participating with the college in the development of materials seek to improve the quality and versatility of instructional practice. Such participation raises problems concerning the ownership, development, production and use of these materials in which the college may have become a partner through the investment of materials, facilities, and staff. There is a need for college procedures to govern the ownership, internal and external use,

revision, and equity in income produced by use and distribution of these inventions and materials.

It is the purpose of this document to establish a procedure for the implementation of the Waubonsee Board Policy, located in section 4.10.04 of the Board Policy Manual, and (1) to clarify and protect the respective rights and responsibilities of individual college personnel, and Waubonsee Community College in the light of encouraging the development of new educational materials by college personnel, and (2) to develop between Waubonsee Community College and the college personnel an understanding of the procedures which will govern the determination of the ownership, equity and use of all inventions and materials, whether instructional or non-instructional, originating with college personnel.

1.0 COVERAGE

These procedures will govern the ownership equity and use of inventions and material originating with college personnel.

2.0 DEFINITIONS

As used in this procedure, the following terms have the meaning indicated:

- a. Inventions – All devices, discoveries, processes, methods, uses, products or combinations, whether or not patented or patentable at any time under the Federal Patent Act as now existing or hereafter amended or supplemented.
- b. Written Materials – All instructional, literary, dramatic, and musical materials or works and all other materials, published or unpublished whether or not copyrighted or copyrightable.
- c. Recorded Materials – All sound, visual, audiovisual, films or tapes, videotapes, computer programs, kinescopes or other recordings or transcriptions, published or unpublished, whether or not copyrighted or copyrightable.
- d. Materials – Written materials and recorded materials.
- e. College Personnel – Part-time and full-time members of the faculty, staff, all other agents and employees, and students of the college.
- f. Classroom(s) – All physical spaces and environments under the jurisdiction of the college that are assigned, scheduled, or otherwise designated as instructionally related facilities of the college.
- g. Commissioned – College personnel are considered commissioned when they are authorized in writing to perform a specific assignment for which they are relieved of all or part of their normal duties, as the commission dictates.

3.0 INQUIRY TO THE COPYRIGHTS AND PATENTS COMMITTEE

To ascertain whether any inventions or materials college personnel are planning to prepare, preparing, or have prepared, will be considered college-supported, as set forth in Section 4.0, college personnel will initiate an inquiry to the college Committee on Copyright and Patents, hereafter called the “Committee” (which shall have the powers and responsibilities as described in procedures) to which the Committee will respond.

4.0 OWNERSHIP AND EQUITY

4.1 As a basic principle, Waubonsee Community College recognizes that ownership of materials and inventions and the royalties resulting therefrom, normally belong to the college personnel, who without college-support originate such materials and inventions.

4.2 The college further recognizes that in some instances, copyrightable and patentable items may be prepared by college personnel as part of a project for which he/she has been given released time, grant money, or other material or financial assistance as designated in writing, for which there has been no prior arrangement for reimbursement to the college by the college personnel. Therefore, in these instances the conditions referred to in Section 4.0 will be used as guidelines by the Committee regarding the ownership of and equity in inventions and materials as supported by any college administered funds.

- a) Twenty percent (20%) of all royalties or other proceeds from the sale or licensing of college-supported written materials or inventions will go to the college, and eighty percent (80%) will be retained by the originating college personnel. Ownership will reside with the author and/or inventor.
- b) All recorded materials developed by college personnel are property of the college. As owner, the college is free to distribute them internally and to other educational institutions as part of any reciprocal exchange agreement. If the college licenses an external agency to reproduce and sell the materials or sell or otherwise transfer rights to the external agency, the terms of any agreement or sale shall be negotiated between the college personnel involved in the creation of these recorded materials, the college and the external agency, and the income therefrom shall be divided between the college personnel (20%) and college (80%), unless otherwise determined by the Committee in accordance with the provision of the procedure in Section 6.4(c) . If the college markets the materials itself, the income derived from such sales after direct marketing costs, will be divided between the college personnel (20%) and the college (80%), unless otherwise determined by the Committee in accordance with the provisions of the procedure in Section 6.4(c).

4.3 When the college commissions the development work, the college shall have all rights to and equity in inventions and materials.

CONDITION	EQUITY	OWNERSHIP
4.1 <u>NO-COLLEGE SUPPORT</u> Inventions and Materials	INDIVIDUAL(S)	INDIVIDUAL
4.2 a) <u>COLLEGE-SUPPORT</u> Written materials and inventions	COLLEGE – 20%	
4.2 b) <u>COLLEGE-SUPPORT</u> Recorded materials	COLLEGE – 80% INDIVIDUAL – 20%	COLLEGE
4.3 <u>COLLEGE-SUPPORT</u> <u>COMMISSIONED</u> Inventions and Materials	COLLEGE	

5.0 INVENTIONS AND MATERIALS DEVELOPED BY CONSULTING WORK

Inventions and materials made or developed solely in the course of consulting work performed by college personnel for outside organizations for which the approval of the president of the college or his designated representative has been obtained shall not be considered as having been college-supported or college-commissioned, and all rights to such inventions and materials, other than those involving the substantial use of college funds or facilities, shall remain with the individual, unless otherwise provided in the president's approval.

6.0 COPYRIGHT AND OWNERSHIP COMMITTEE

6.1 ORGANIZATION – A committee will be established consisting of eight voting members appointed from the college personnel by the president for terms of three years each; two of these will be appointed upon the recommendation of the Faculty Federation. The terms of all the members will be staggered to provide that three new members per year will be added. The term of the Federation members will be staggered to provide one new member every two years. The chairperson and secretary of the Committee will be selected by the voting members which will elect such other officers as it deems necessary. The Committee will be requested to convene only after inquiries are received from college personnel requesting a determination if the submitted materials or inventions are (1) college-supported, (2) college-commissioned, or (3) not college-supported or commissioned.

6.2 POWERS – The Committee will have the following powers:

- a. Make the determinations required of it by the related procedures findings as to ownership, equity, and use; appoint such sub-committees and consult with such experts as it may deem necessary in connection therewith provided; however, the Committee is not authorized to commit Waubonsee Community College to the expenditure of funds without the college's approval in writing and consultation with the officers of the college concerning the implementation of such determinations.
- b. Adopt administrative regulations governing matters under its jurisdiction consistent with these procedures.
- c. Review from time to time these procedures and recommend changes to the president.

6.3 DETERMINATION OF OWNERSHIP & EQUITY BY THE COMMITTEE

- a. General principle of ownership and equity will be in accordance with the procedure statement in section 4.0.
- b. With written approval of the Board of Trustees of Waubonsee Community College, see procedure 6.4(c), the Committee may choose a variation in the determination of procedure, depending upon the circumstances of each individual case and may waive or release any or all of the rights of the college in appropriate cases.
- c. The Committee will consider in each case:
 - (1) The extent, if any, to which the invention or material was made or developed by the college personnel partially outside the course of employment by the college.
 - (2) The extent, if any, to which the college's funds or facilities contributed to the discovery or development.
 - (3) Such other factors as the Committee considers relevant and material.
- d. Division of Equities Among College Personnel – If the Committee determines that more than one individual is entitled to an equity in any inventions or materials, the Committee will determine the manner in which the equity award to college personnel will be distributed, in the absence of an agreement between such personnel.

6.4 PROCEDURES OF THE COMMITTEE

- a. Initiating Inquiry as to the Status of College- Supported Materials – When it is obvious that there is no college-support, an inquiry is not required. In all other circumstances, college personnel will initiate an inquiry to the Committee as to whether particular inventions or materials he/she is planning to prepare, is preparing, or has prepared, will be considered college-supported, see section 3.0 and 6.2.
- b. Report of Inventions and Materials – All inventions and materials which come under the provisions of the procedure and related policy will be promptly reported in writing by the college personnel concerned through the division chairperson or appropriate supervisor to the Committee. If more than one individual participated in the discovery or development, the report should be signed by all such participants. The report should be a full and complete disclosure of the subject matter of the discovery or development and identity of all persons participating therein. The participants will furnish such additional information and execute such documents from time to time as the Committee may request.
- c. Review of Committee Action – The president of the college may review any determination of the Committee, and will do so at the request of any interested college personnel. The matter may be referred to the Board of Trustees of the college for final determination with his recommendations. If the Committee, see procedure 6.3(b), thinks it will or has determined in any particular case that the college should have less than the predetermined ownership or equity in college-supported or commissioned inventions and materials (see section 4.0) such determination will be referred to the Board of Trustees through the president of the college, and the action of the Board of Trustees will be final. The determination of the Committee, the president of the college, or the Board of Trustees of the college, as the case may be, will be final and conclusive and binding upon the college personnel involved, as well as upon the college.

7.0 COLLEGE USE OF INCOME FROM COPYRIGHT AND INVENTION EQUITY

The college's share of income derived from equity in any materials and inventions will be applied to the educational fund. It shall be the intent of the college to use the major portion of this income to finance educational research and college-supported services and programs that assist college personnel in the development and improvement of instruction provided the economic position of the college permits.

8.0 RELEASES

College personnel shall be responsible for obtaining appropriate written releases from individuals identifiable in, or in some manner requested to participate in the creation of college-supported materials. Written statements shall also be obtained from appropriate

college personnel indicating that to the best of his/her knowledge, any of the materials developed do not infringe on existing copyrights, or other legal rights.

9.0 TRANSFER OF RIGHTS

The college may at its discretion assign, transfer, lease or sell all or part of its legal rights in inventions and materials. The originating personnel may at his/her discretion assign, transfer, lease or sell all or part of his/her legal rights in inventions and materials to the college.

10.0 INTERNAL COLLEGE USE

Internal use of college-supported or commissioned inventions or materials will be without charge to the college. The college personnel involved in production of college-supported materials should have his/her contribution explicitly recognized and noted by the user.

11.0 EXTERNAL USE

External use of college-supported materials will be subject to the following conditions:

- a. The college may distribute college-supported materials on temporary loan basis to other non-profit organizations, educational institutions or consortia as part of any reciprocal exchange agreement.
- b. College-commissioned materials or inventions may be distributed or used externally at the discretion of the college.

12.0 REVISION

During the first three years after production requests to revise college-supported materials in cases which require substantial college resources may be initiated by the college or by the college personnel directly concerned, but revisions not requiring substantial college resources may be made at any time by college personnel involved.

13.0 TRANSFER OF RIGHTS TO COLLEGE PERSONNEL

If the college discontinues regular use of the materials in their existing form for more than 24 months, the college may relinquish to the originating college personnel all rights thereto except in cases where it may be determined that materials have a historical or archival value, provided that the college personnel will be required to pay all costs associated with the transfer.

14.0 PROTECTION AND LIABILITY

14.1 PROTECTION

- a. The president or designee will investigate allegations of unauthorized use or copyright infringement of college-supported materials and will recommend appropriate action. If such action is started by the college, acting alone or in concert with the college personnel, all costs of such action (including attorney's fees) will be borne by the college. All proceeds in excess of such costs will be shared as per section 4.0 by the college and the college personnel.
- b. If the college decides not to act on alleged unauthorized use of inventions and materials, the college personnel may initiate action, and the college will assign to him/her such rights as are necessary for him/her to pursue redress. Costs of such action (including attorney's fees) will be borne by the college personnel and he/she will have the right to all recoveries resulting directly from the action.

14.2 LIABILITY

- a. The college personnel responsible for the creation of college-supported inventions and materials shall be responsible for obtaining appropriate written releases from individuals identifiable in, or in some manner requested to participate in the creation of college-supported materials. The college personnel who anticipate copying another's material should be aware of the limitations and restrictions within which he/she can copy without infringing on the rights of others. If an individual may have his/her privacy or legal rights infringed upon by the commercial use of his/her name or picture, or through the use of audio or visual media, a signed release must be obtained.
- b. Before any use is made of college-supported materials, the college personnel and producer will certify in writing to the president or designee that to the best of his/her knowledge the materials do not infringe on any existing copyright, legal or privacy rights of others.

14.3 COPYRIGHT AND PATENT APPLICATION PROCEDURES

- a. In the instances where the ownership of materials and inventions have been determined to reside with the college, appropriate application forms and assignments will be completed by the originating college personnel, in the development of the materials and forwarded to the president's office for proper legal action.
- b. In the instances where the ownership of materials and inventions has been determined to reside with the college personnel, they will be solely responsible to file appropriate applications and all costs will be borne by such personnel.

15.0 LEGAL LIMITATIONS

Any law as now existing or hereafter enacted, amended or supplemented, will take precedence over this policy.

16.0 AMENDING PROCEDURE

This procedure may be amended or rescinded in whole or in part at any time by the Board of Trustees of Waubonsee Community College or by the president under the authority of the Board of Trustees provided, however, that such change will not affect vested rights.

Revised: 05/19/1977

Reclassified to Policy 4.080.02: 03/18/2009

Formerly Policy IST 40.20 (Adopted: 03/20/1973)

**Instruction
Course Credit**

4.100.01

4.100.01 Degrees and Certificates Awarded

Successful completion of an educational program will be recognized by the board through the conferring of an associate degree, a certificate of achievement, or a certificate of completion.

Reclassified to Policy 4.100.01: 03/18/2009
Formerly Policies IST/STU 40.30 (Adopted: 03/20/1973)

**Instruction
Course Credit**

4.100.02

4.100.02 Course Repeats

A course may be repeated pursuant to established college procedures and the Administrative Rules of the Illinois Community College Board.

Revised: 03/18/2009

Reclassified to Policy 4.100.02: 03/18/2009

Formerly Policy ADM 40.35 (Adopted: 02/18/1987)

Instruction
Communication of Programs and Services

4.200.01

4.200.01 Marketing of Programs and Services

It shall be the policy of the board to conduct a professional and highly ethical marketing program that communicates the college's programs and services.

Revised: 03/18/2009

Reclassified to Policy 4.200.01: 03/18/2009

Formerly Policies BRD/COM/STU 40.08 (Adopted: 12/16/1980)

Instruction
Communication of Programs and Services

4.200.02

4.200.02 College Catalog

The catalog is an official publication of the college. It shall apprise students and the public of the college's philosophy and how it is implemented by statements describing degree and certificate requirements, program and course content and other pertinent information.

Reclassified to Policy 4.200.02: 03/18/2009
Formerly Policy BRD 40.01 (Adopted: 08/13/1974)

5.000.00**Student****5.050.00****Admission and Placement**

5.050.01

Admission Requirements

5.050.02

Assessment and Placement

5.100.00**Student Programming**

5.100.01

Student Services

5.100.02

Student Government

5.100.03

Guest Speakers

5.200.00**Student Conduct**

5.200.01

Attendance

5.200.02

Student Conduct

5.200.03

Student Assemblies

5.300.00**Communication of Student Programs and Services**

5.300.01

Student Handbook

5.400.00**Student Records and Information**

5.400.01

Student Education Records

**Student
Admission and Placement**

5.050.01

5.050.01 Admission Requirements

Students are eligible for admission to Waubonsee Community College pursuant to the provisions of the Illinois Compiled Statutes and the Administrative Rules of the Illinois Community College Board.

Revised: 03/18/2009

Reclassified to Policy 5.050.01: 03/18/2009

Formerly Policy STU 40.10 (Adopted: 03/20/1973)

Student Admission and Placement

5.050.02

5.050.02 Assessment and Placement

Waubonsee Community College requires that all new full-time and/or degree-seeking credit students participate in assessment. Part-time credit students enrolling in selected courses are also required to participate in assessment. Placement in courses is based on test scores in accordance with college procedures.

Students applying for acceptance into certain programs are required to participate in assessment. Assessment test results are a factor in determining acceptance into these programs.

Revised: 03/18/2009

Reclassified to Policy 5.050.02: 03/18/2009

Revised: 02/17/1993

Formerly Policies STU/ADM 40.12 (Adopted: 02/18/1987)

Student Student Programming

5.100.01

5.100.01 Student Services

It shall be the policy of the board to provide comprehensive student services pursuant to the Illinois Compiled Statutes and the Administrative Rules of the Illinois Community College Board.

Revised: 03/18/2009

Reclassified to Policy 5.100.01: 03/18/2009

Formerly Policy STU 40.05 (Adopted: 03/20/1973)

Student Student Programming

5.100.02

5.100.02 Student Government

The board authorizes and encourages the formation of a constitutional student government whose members shall be the elected representatives of the student body and who shall be accountable to the student body and the board.

Revised: 03/18/2009

Reclassified to Policy 5.100.02: 03/18/2009

Formerly Policy STU 40.45 (Adopted: 03/20/1973)

Student Student Programming

5.100.03

5.100.03 Guest Speakers

Student organizations and college employees may invite guest speakers to the campus when facilities are available and when no interruption of the basic instructional program will result. This policy will be executed in accordance with established college procedures.

Revised: 3/18/2009

Reclassified to Policy 5.100.03: 03/18/2009

Formerly Policies COM/IST/STU 40.50 (Adopted: 03/20/1973)

Student Student Conduct

5.200.01

5.200.01 Attendance

All students are expected to attend every class session unless instructors in their own classes initiate other attendance procedures.

Reclassified to Policy 5.200.01: 03/18/2009
Formerly Policy STU 40.15 (Adopted: 03/20/1973)

Student Student Conduct

5.200.02

5.200.02 Student Conduct

The board requires a code of student conduct and the appropriate administrative procedures for implementing the management of said code of student conduct. The code shall be publicized and readily available to all students of the college.

Reclassified to Policy 5.200.02: 03/18/2009
Formerly Policy STU 40.60 (Adopted: 03/20/1973)

Student Student Conduct

5.200.03

5.200.03 Student Assemblies

It is the policy of the board that administrative procedures be developed and that information about them be disseminated in order to provide for the exercise of the students' right of peaceful assembly on the Waubonsee campus.

Reclassified to Policy 5.200.03: 03/18/2009
Formerly Policies ADM/COM/STU 40.55 (Adopted: 03/20/1973)

**Student
Communication of Student Programs and Services**

5.300.01

5.300.01 Student Handbook

The student handbook is an official publication of the college. The student handbook will contain college regulations and policies, student rights and responsibilities, student services information, and other pertinent information.

Adopted: 03/18/2009

**Student
Student Records and Information**

5.400.01

5.400.01 Student Education Records

It shall be the policy of the board to comply with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 1232g.

Revised and reclassified to Policy 5.400.01: 01/20/2010
Reclassified to Policy 3.050.03: 02/18/2009
Formerly Policies ADM/STU 40.82 (Adopted: 11/04/1975)

6.000.00**Human Resources****6.050.00****Employment Practices**

- 6.050.01 College Administration
- 6.050.02 Assignment of Personnel
- 6.050.03 Recruitment and Selection
- 6.050.04 Equal Employment Opportunity and Affirmative Action
- 6.050.05 Criminal Background Investigations
- 6.050.06 Indemnification
- 6.050.07 Employee Discipline
- 6.050.08 Unassigned
- 6.050.09 Unassigned
- 6.050.10 Unassigned
- 6.050.11 Workplace Violence
- 6.050.12 Exposure Control Plan

6.100.00**Benefits**

- 6.100.01 Fringe Benefits
- 6.100.02 Participation in Professional Meetings

6.200.00**Ethics and Conflicts of Interest**

- 6.200.01 Conflict of Interest
- 6.200.02 Outside Employment
- 6.200.03 Ethics

6.300.00**Faculty**

- 6.300.01 Tenured Faculty
- 6.300.02 Non-Tenured Faculty
- 6.300.03 Reduction in Number of Full-Time Faculty Members
- 6.300.04 English Proficiency

Human Resources Employment Practices

6.050.01

6.050.01 College Administration

It shall be the policy of the board to appoint the president of the college who shall serve as its chief executive officer. The president shall be responsible for recommending the establishment of administrative positions necessary to effectively implement the policies of the board. It shall be the policy of the board to establish policies governing personnel employment, dismissal and compensation.

Revised: 12/17/2008

Reclassified to Policy 6.050.01: 12/17/2008

Formerly Policy ADM 40.10 (Adopted: 03/20/1973); Policy BRD 10.70 (Adopted: 02/16/1982) and
Policy BRD 10.80 (Adopted: 02/16/1982)

Human Resources Employment Practices

6.050.02

6.050.02 Assignment of Personnel

It is the policy of the board that descriptions be established for all employee positions. Current employees may apply for these positions along with other applicants. A position shall not be considered open for application when the position has been reclassified and the prior incumbent is being retained in the new position or when a position has been eliminated and the incumbent in that position is being transferred or reassigned to fill another position.

Revised: 12/17/2008

Reclassified to Policy 6.050.02: 12/17/2008

Formerly Policy ADM 40.16 (Adopted: 02/16/1982)

Human Resources Employment Practices

6.050.03

6.050.03 Recruitment and Selection

The college is committed to the recruitment and selection of competent faculty, staff and administrators who possess outstanding knowledge, skills and abilities. It shall be the policy of the board to approve appointments and to establish salaries for all personnel. The college's salary philosophy is to pay above average salaries as compared to the appropriate external labor market. The president, with assistance from designated administrative staff, will identify and recommend individuals to the board for final approval.

Revised: 12/17/2008

Reclassified to Policy 6.050.03: 12/17/2008

Formerly Policy IST 40.60 (Adopted: 03/20/1973)

Human Resources Employment Practices

6.050.04

6.050.04 Equal Employment Opportunity and Affirmative Action

It shall be the policy of the board to prohibit discrimination of any type and provide equal employment opportunities to all employees and applicants for employment regardless of their race, color, religion, sex, sexual orientation, age, national origin, veteran's status, marital status, disability, or any other characteristic protected by law.

Employment opportunities includes recruitment, employment, promotion, transfer, training, wages and salary administration, benefits, working conditions and termination. Employees of the college will be required to meet the standards of employment set forth by the college.

In accordance with federal law, the college shall maintain a written Affirmative Action Program to implement and maintain the policy of equal employment opportunity.

Adopted: 12/17/2008

Human Resources Employment Practices

6.050.05

6.050.05 Criminal Background Investigations

It shall be the policy of the board to conduct criminal background investigations on all prospective employees and volunteers. The college will use a third party agency to conduct the background checks and will ensure that all background checks are conducted in compliance with all federal and state laws.

Revised: 12/17/2008

Reclassified to Policy 6.050.05: 12/17/2008

Formerly Policy PER 40.91 (Adopted: 01/18/1995)

**Human Resources
Employment Practices**

6.050.06

6.050.06 Indemnification

The college will indemnify board members and employees pursuant to the Illinois Compiled Statutes.

Revised: 12/17/2008
Reclassified to Policy 6.050.06: 12/17/2008
Formerly Unclassified (Adopted: 1987)

Human Resources Employment Practices

6.050.07

6.050.07 Employee Discipline

All full and part-time employees may be disciplined for just cause by the president or a designated representative of the president. Cause shall include, but not be limited to, the following:

1. Unprofessional conduct
2. Violation of written board or administrative policies
3. Breach of contract
4. Moral turpitude which adversely affects the college or the employee's performance of his/her duties and responsibilities
5. Unauthorized or unexcused absences

Disciplinary action may include, but not be limited to, oral reprimands, written reprimands, suspensions with or without pay, and dismissal.

Revised: 12/17/2008

Reclassified to Policy 6.050.07: 12/17/2008

Formerly Policy BRD 60.60 (Adopted: pre-1982)

**Human Resources
Employment Practices**

6.050.08

6.050.08 Unassigned

**Human Resources
Employment Practices**

6.050.09

6.050.09 Unassigned

**Human Resources
Employment Practices**

6.050.10

6.050.10 Unassigned

**Human Resources
Employment Practices**

6.050.11

6.050.11 Workplace Violence

It shall be the policy of the board to provide a safe environment for all employees. A safe environment supports the mission of the college. To reduce the risk of violence, threats and/or intimidation, the college has zero tolerance for workplace violence. Appropriate procedures shall be developed to implement this policy.

Adopted: 02/18/2009

Human Resources Employment Practices

6.050.12

6.050.12 Exposure Control Plan

It is the policy of the board that the college be committed to providing a safe and healthy work environment for its employees. In pursuit of this goal, the college will develop and administer an Exposure Control Plan to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal and state statutes.

Revised: 02/18/2009

Reclassified to Policy 6.050.12: 12/17/2008

Formerly Policy PER 40.43 (Adopted: 07/21/1993)

Human Resources Benefits

6.100.01

6.100.01 Fringe Benefits

It shall be the policy of the board to maintain a program of fringe benefits for designated college employee groups in order to attract and retain qualified personnel.

Revised: 12/17/2008

Reclassified to Policy 6.100.01: 12/17/2008

Formerly Policy PER 40.20 (Adopted: 03/20/1973); Policy PER 40.21 (Adopted: 03/20/1973, Revised: 02/21/1996);
Policy PER 40.25 (Adopted: 03/20/1973); Policy PER 40.22 (Adopted: 02/21/1996)

**Human Resources
Benefits**

6.100.02

6.100.02 Participation in Professional Meetings

It shall be the policy of the board to encourage, within the limitations of the budget, employees to participate in professional meetings and conferences which will improve their performance of assigned college duties.

Revised: 12/17/2008

Reclassified to Policy 6.100.02: 12/17/2008

Formerly Policy PER 40.30 (Adopted: 3/20/1973)

Human Resources
Ethics and Conflicts of Interest

6.200.01

6.200.01 Conflict of Interest

It is the policy of the board that employees shall not enter into relationships which present a conflict of interest to the college. In general, a situation posing a conflict of interest is one that adversely affects the pursuit of the goals and mission of the college. Situations which may present a conflict of interest include, but are not limited to, relationships with students, outside employment, selling goods or services on campus for personal gain, accepting gifts, running for political office, etc.

An employee shall inform his/her administrative supervisor of any situations presenting a potential conflict of interest. The administrative supervisor will make a determination whether a conflict of interest exists.

A student who has any concerns with his/her interaction with faculty, staff or administration should inform the supervisor of the faculty member, the chief student officer, or the chief human resources officer.

Any employee involved in a situation that poses a conflict of interest without informing the college, or continues involvement after the college determines that a conflict of interest exists, will be subject to disciplinary action, including termination. This policy is subject to applicable college personnel policies and program requirements.

Revised: 12/17/2008
Reclassified to Policy 6.200.01: 12/17/2008
Revised: 05/19/2004
Formerly Policy PER 40.50 (Adopted: 08/16/2000)

Human Resources
Ethics and Conflicts of Interest

6.200.02

6.200.02 Outside Employment

It is the policy of the board that full-time employees shall not perform consulting, teaching, research or other professional services for a person or entity other than the college, if performance of such services conflicts with an employee's assignments, commitments and responsibilities to the college, or constitutes a conflict of interest.

All full-time employees shall notify their administrative supervisor of any outside employment prior to starting the position. The administrative supervisor will make a determination whether the proposed employment relationship is inappropriate.

Any full-time employee who performs outside services in contravention of this policy will be subject to disciplinary action, including termination. This policy is subject to applicable college personnel policies and program requirements.

Reclassified to Policy 6.200.02: 12/17/2008
Formerly Policy BRD 10.85 (Adopted: 08/16/2000)

Human Resources
Ethics and Conflicts of Interest

6.200.03

6.200.03 Ethics

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003, codified at 5 ILCS 430/1-1 and following), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units “in a manner no less restrictive” than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and community college districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government, school districts, and community college districts to penalize policy violations; and

WHEREAS, this Policy has been adopted in order to and shall be construed in a manner so as to comply with the requirements of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WAUBONSEE COMMUNITY COLLEGE DISTRICT NO. 516, KANE, KENDALL, DEKALB, LASALLE, AND WILL, COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: The Policy Manual of the Board of Trustees is hereby amended by the addition of the following provisions:

ARTICLE 1: DEFINITIONS AND GENERAL PROVISIONS

Section 1-1. For purposes of this Policy, the following terms shall be given these definitions or, if different from time to time, then as defined by the State Officials and Employees Ethics Act (codified at 5 ILCS 430/1-1 and following):

“Board of Education” means the Board of Trustees of Waubonsee Community College No. 516, Kane, Kendall, DeKalb, LaSalle, and Will Counties, Illinois.

“Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Candidate” means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

“Collective bargaining” has the same meaning as contemplated by the Illinois Educational Labor Relations Act (115 ILCS 5/1 and following).

“Compensated time” means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Policy, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, “compensated time” includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

“Compensatory time off” means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

“Employee” means a person employed by Waubonsee Community College, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include a volunteer or an independent contractor.

“Employer” means Waubonsee Community College.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

“Leave of absence” means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or law, regardless of whether the officer is compensated for service in his or her official capacity. The term “officer” includes all members of the Board of Trustees.

“Political activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Political organization” means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), as the case may be, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited political activity” means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

“Prohibited source” means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

Section 1-2. Construction. This Policy shall be construed in a manner consistent with the provisions of the State Officials and Employees Ethics Act (codified at 5 ILCS 430/1-1 and following). This Policy is intended to impose the same but not greater restrictions than the Act.

ARTICLE 5: PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities.

- a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of Waubonsee Community College in connection with any prohibited political activity.

- b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Policy.
- e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10: GIFT BAN

Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.

- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
- (8) Food or refreshments provided as a "contribution" under the definition of the term offered above, not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
- (11) Bequests, inheritances, and other transfers at death.
- (12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of each other.

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 15: ETHICS ADVISOR

Section 15-1. The President of the College, with the advice and consent of the Board of Trustees, shall designate an Ethics Advisor for Waubonsee Community College. The duties of the Ethics Advisor may be delegated to an officer or employee of Waubonsee Community College.

Section 15-2. The Ethics Advisor shall provide guidance to the officers and employees of Waubonsee Community College concerning the interpretation of and compliance with the provisions of this Policy and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Board of Trustees.

ARTICLE 20: ETHICS COMMISSION

Section 20-1. There is hereby created a commission to be known as the Ethics Commission Waubonsee Community College. The Commission shall be comprised of three members appointed by the President of the College with the advice and consent of the Board of Trustees. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of Waubonsee Community College. The Ethics Commission may be appointed to serve on an ongoing or on an ad hoc basis.

Section 20-2. Where appointed to serve on an ongoing basis, at the first meeting of the Ethics Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve 2-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to 2-year terms. Commissioners may be reappointed to serve subsequent terms. At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any two commissioners. A quorum shall consist of two commissioners, and official action by the Commission shall require the affirmative vote of two members.

Section 20-3. The President of the College, with the advice and consent of the Board of Trustees, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than ten days' notice. Vacancies shall be filled in the same manner as original appointments.

Section 20-4. The Commission shall have the following powers and duties:

1. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
2. Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions or reprimand. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Policy and not upon its own prerogative.
3. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Policy.
4. To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of Waubensee Community College to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.
5. The powers and duties of the Commission are limited to matters clearly within the purview of this Policy.

Section 20-5.

- a) Complaints alleging a violation of this Policy shall be filed with the Ethics Commission.
- b) The Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall also send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.
- c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Policy, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent required by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on cause to proceed within ten business days after such meeting.

If the complaint is deemed sufficient to allege a violation of Article 10 of the Policy and there is a determination of cause, then the Commission's notice to the parties shall include a hearing date scheduled within four weeks thereafter. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Article 5 of this Policy Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

- d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.
- e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline or reprimand to the alleged violator and to the President of the College. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.
- f) A complaint alleging the violation of this Policy must be filed within one year after the alleged violation.

ARTICLE 25: BOARD ACTION ON RECOMMENDATION OF COMMISSION

Section 25-1. Officers. Upon receipt of a recommendation from the Ethics Commission, the Board of Trustees may issue a reprimand to a board member or officer who intentionally violates any provision of Article 5 or Article 10 of this Policy.

Section 25-2. Employees. Upon receipt of a recommendation from the Ethics Commission, the Board of Trustees may initiate a disciplinary or discharge action against an employee who intentionally violates any provision of Article 5 or Article 10 of this Policy in accordance with the applicable procedures.

SECTION 2: This Policy shall be in effect upon its approval by the Board of Trustees.

Reclassified to Policy 6.200.03: 12/17/2008
Formerly Policy BRD 10.95 (Adopted: 05/19/2004)

Human Resources Faculty

6.300.01

6.300.01 Tenured Faculty

It shall be the policy of the board to grant tenure to members of the faculty in conformance with the Illinois Compiled Statutes. The board has the power to establish tenure policies for the employment of faculty and the cause for their removal which are consistent with state statutes.

Revised: 12/17/2008

Reclassified to Policy 6.300.01: 12/17/2008

Formerly Policy BRD 40.00 (Adopted: 08/08/1971); Policy BRD 60.30 (Adopted: pre-1982);

Policy BRD 10.40 (Adopted: 02/16/1982); Policy BRD 60.10 (Adopted: 10/19/1982);

Policy PER 40.10 (Adopted: 02/16/1982)

Human Resources Faculty

6.300.02

6.300.02 Non-Tenured Faculty

The college will make personnel decisions with respect to non-tenured faculty members in accordance with the Illinois Compiled Statutes. A non-tenured faculty member may be terminated during the term of his/her contract if there is a breach of contract sufficient enough to justify termination.

Revised: 12/17/2008

Reclassified to Policy 6.300.02: 12/17/2008

Formerly Policy BRD 60.20 (Adopted: pre-1982); Policy BRD 60.50 (Adopted pre-1982)

Human Resources Faculty

6.300.03

6.300.03 Reduction in Number of Full-Time Faculty Members

The board of trustees maintains the right to decrease the number of faculty members employed or to discontinue a particular type of teaching service or program in accordance with the Illinois Compiled Statutes.

Revised: 12/17/2008

Reclassified to Policy 6.300.03: 12/17/2008

Formerly Policy BRD 60.40 (Adopted pre-1982)

**Human Resources
Faculty**

6.300.04

6.300.04 English Proficiency

The college will assess oral English proficiency of all potential instructors in accordance with the Illinois Compiled Statutes.

Revised: 12/17/2008

Reclassified to Policy 6.300.04: 12/17/2008

Formerly Policy BRD 10.75 (Adopted: 02/18/1987)