



## **POLICIES AND PROCEDURES**

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**ALAMANCE BOARD OF TRUSTEES AND  
COMMUNITY COLLEGE GOVERNANCE POLICY  
POWERS AND DUTIES OF TRUSTEES 1.1**

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

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

Adopted: June 13, 2022

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

**ALAMANCE  
COMMUNITY COLLEGE**                      **BOARD OF TRUSTEES AND  
GOVERNANCE  
BY-LAWS**                      **PROCEDURE  
1.1.1**

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

Adopted: June 13, 2022

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

## RATIFICATION

The Alamance Community College Board of Trustees hereby adopts and incorporates the following publications, as amended, as part of the Board of Trustees policy:

- Alamance Community College Employee Policies and Procedures Manual
- Alamance Community College Student Handbook
- Alamance Community College General Catalog

Amendment of these policies by the Board of Trustees shall be deemed an Amendment of this Policy Manual by the Board of Trustees.

The Board of Trustees further acknowledges that it is bound by the following Laws and Regulations, as amended, and that any Amendments to these shall be deemed ratified and made a part hereof:

- North Carolina General Statutes (NCGS), Chapter 115D
- State Board of Community Colleges Code
- NCCCS Public Records Retention and Disposition Schedule

Rules, regulations, procedures, requirements, and other entries contained within these publications are considered by the Board of Trustees as college policy and will be enforced as such.

Revised by the Board of Trustees – November 12, 2012

**VISION, MISSION STATEMENT, AND VALUES  
OF  
ALAMANCE COMMUNITY COLLEGE**

**VISION**

From access to success: Transforming lives and the communities we serve.

**MISSION STATEMENT**

The College provides comprehensive educational programs and services to advance our diverse population and empower lifelong learners to succeed as global citizens.

**VALUES**

- Access
- Inclusion
- Collaboration
- Innovation
- Excellence
- Integrity
- Success

Source: Adopted by the Board of Trustees January 13, 2014.  
Amended: Board of Trustees minutes, March 16, 2018

# CONSTITUTION OF THE BOARD OF TRUSTEES

## ALAMANCE COMMUNITY COLLEGE

### ARTICLE I

#### NAME

The official title of this organization shall be The Trustees of Alamance Community College and shall be the official corporate name of the institution. For the purpose of the Constitution, By-Laws, and routine usage the name Board of Trustees may be used.

### ARTICLE II

#### PURPOSE AND OBJECTIVES

**SECTION 1:** The purpose of the Board of Trustees shall be to govern Alamance Community College within the framework of the Community Colleges Act, Chapter 115D of the General Statutes of North Carolina. Further, the purpose of the Board of Trustees shall be to assure that adequate and competent administration is provided for the efficient operation of Alamance Community College and that the objectives of the Board of Trustees are fulfilled.

**SECTION 2:** The objectives of the Board of Trustees, acting through Alamance Community College shall be:

1. To provide to the people of North Carolina, and more specifically, to the people of Alamance County an educational institution which is sensitive to and responsive to the educational needs of the community.
2. To be continually alert to recognize the changes in our dynamic society and be prepared to adjust to changing needs.
3. To be mindful that education and welfare of the student are the fundamental objective(s) of the College.
4. To provide an educational environment, which will encourage and promote social and cultural awareness in student body as well as providing for strictly academic and vocational needs.
5. To encourage all eligible students regardless of race, sex, religion, age, national origin, or handicap to make maximum use of Alamance Community College.

6. To insure that Alamance Community College is to be dedicated to strengthening the moral fibers of the State and Community.
7. To provide to the personnel of Alamance Community College leadership and academic freedom, which will nurture, inspire, and stimulate the development of skills, competencies and understandings necessary to the full realization of an effective institution devoted to the dissemination of knowledge.
8. To require responsible judgment on the part of the personnel in the exercise of their duties and in the use of their academic freedom.

### **ARTICLE III**

#### **MEMBERSHIP AND RESPONSIBILITIES**

**SECTION 1:** The membership of the Board of Trustees shall be in accord with Article 2, Section 115D-12 and Section 115D-13 of Chapter 115D of the General Statutes of North Carolina.

**SECTION 2:** The responsibilities of the Board of Trustees shall be in accord with Article 2, Section 115D-14 and 115D-20 of Chapter 115D of the General Statutes of North Carolina.

**SECTION 3:** A member of the Board of Trustees may be removed from the Board in accord with Article 2, Section 115D-19 (a) and (b) of Chapter 115D of the General Statutes of North Carolina.

### **ARTICLE IV**

#### **OFFICERS**

**SECTION 1:** The officers of the Board of Trustees shall be in accord with Article 2, Section 115D-18 of Chapter 115D of the General Statutes of North Carolina.

**SECTION 2:** The Board of Trustees, on its own discretion, may elect a Treasurer from its membership. The office of Secretary and Treasurer may be combined if the holder of the combined office is a qualified member of the Board.

**SECTION 3:** The President or Chief Administrative Officer of Alamance Community College shall be the Executive Officer of the Board of Trustees.

### **ARTICLE V**

#### **MEETINGS**

**SECTION 1:** The regular meetings of the Board of Trustees shall be in accord with Article 2, Section 115D-18 of Chapter 115D of the General Statutes of North Carolina. The regular meetings of the Board of Trustees shall normally be held at Alamance Community College on the second (2<sup>nd</sup>) Monday of each month except July and December of each year at a time convenient to the Board.

**SECTION 2:** The Chairman of the Board of Trustees or the Chief Administrative Officer may call such special meetings as are required to conduct the business of Alamance Community College.

**SECTION 3:** The Chairman of the Board of Trustees may delegate the authority for calling special meetings of the Board of Trustees. A record of such delegation shall be made in the minutes of a regular meeting of the Board.

**SECTION 4:** The definition of “regular” and “special” meetings of the Board shall be delineated in the By-Laws of the Board of Trustees of Alamance Community College.

## **ARTICLE VI**

### **FISCAL MANAGEMENT**

**SECTION 1:** The Board of Trustees shall be responsible for and shall approve all budgets for the financial operation of Alamance Community College.

**SECTION 2:** The Board may audit or cause to be audited the financial records and operations of Alamance Community College at a time of its own choosing without prior notification to administrative personnel of Alamance Community College.

## **ARTICLE VII**

### **POWERS AND DUTIES OF THE BOARD OF TRUSTEES**

**SECTION 1:** The powers and duties of the Board of Trustees shall be in accord with Article 2, Section 115D-20 of Chapter 115D of the General Statutes of North Carolina.

**SECTION 2:** Other powers, duties and responsibilities of the Board of Trustees shall be as prescribed in the By-Laws of the Board of Trustees.

## **ARTICLE VIII**

### **AMENDMENTS**

**SECTION 1:** Any member of the Board of Trustees may propose amendments to the constitution by presentation of the amendment(s) at a regular meeting of the Board.

**SECTION 2:** The secretary of the Board shall transmit, in writing, the proposed amendment(s) to each member of the Board at least sixty (60) days prior to a regular Board meeting. The secretary also shall cause the proposed amendment(s) to be on the Agenda of the next regular Board meeting.

**SECTION 3:** Proposed amendments are adopted when approved by an affirmative vote of at least nine (9) members of the Board of Trustees.



## ARTICLE IX

### IMPLEMENTATION

**SECTION 1:** The Constitution shall be in force and effect after its adoption by affirmative vote of at least nine (9) members of the Board of Trustees provided that each member of the Board shall have been given notice of the meeting for adoption of the constitution and a copy of the proposed constitution at least fifteen (15) days prior to the date of such meeting.

Source: Board Action: Board Minutes, September 7, 1967, Page 110-111  
Amended: Board Minutes, August 6, 1970, Page 192  
Amended: Board Minutes, May 12, 1980, Page 523  
Amended: Board Minutes, September 8, 1980, Page 531  
Amended: Board Minutes, January 12, 1981, Page 542  
Amended: Board Minutes, March 12, 1990, Page 827

## BY-LAWS OF THE BOARD OF TRUSTEES

### ALAMANCE COMMUNITY COLLEGE

#### ARTICLE I

##### DUTIES OF THE OFFICERS

**SECTION 1: The Chairman shall:**

- a. Preside at all meetings of the Board and the Executive Committee.
- b. Appoint all committees.
- c. Serve as an ex officio voting member of all committees except the Executive Committee.
- d. Exercise the deciding vote in case of tie votes.
- e. Execute all contracts and other documents by the authority of and in the name of the Board of Trustees.
- f. Perform other such duties as may be deemed necessary or otherwise provided by the Constitution and By-Laws.

**SECTION 2: The Vice Chairman shall:**

- a. Preside at all meetings of the Board of Trustees and the Executive Committee in absence of the Chairman.
- b. Serve as a member of the Executive Committee.
- c. Assume the powers and authority of the Chairman in the absence or disability of the Chairman.
- d. Perform such other duties as may be assigned or delegated to him/her by the Chairman or the Board of Trustees.

**SECTION 3: The Secretary shall:**

- a. Keep an accurate record of the proceedings of the Board.
- b. Have custody of the Corporate Seal of the Board, affix it to official documents, attest same by his signature.
- c. Have custody of all official records and documents of the Board.
- d. Prepare and maintain an indexed compilation of all By-Laws and amendments thereto, a copy of all policies, procedures, and regulations of the Board and all amendments thereto, the whole of which shall be known as the Board of Trustees Policy Manual of Alamance Community College.
- e. Issue notice of all meetings of the Board to members of the Board and to the President of the College.

**SECTION 4: The Chief Administrative Officer shall:**

- a. Be an ex officio member of the Executive Committee.
- b. Perform these duties as delegated or assigned by the Board of Trustees and/or by the Chairman

**ARTICLE II**

**MEMBERSHIP**

**SECTION 1:** Membership on the Board of Trustees shall obligate the individual member to a sincere and active interest in the governing and furtherance of Alamance Community College. Also, members of the Board of Trustees are expected to work toward carrying out the spirit as well as the letter of the Purpose and Objectives as called out in the Constitution.

**SECTION 2:** A Board of Trustees may declare vacant the office of a member who does not attend three consecutive, scheduled meetings without justifiable excuse. A Board of Trustees may also declare vacant the office of a member who, without justifiable excuse, does not participate within six months of appointment in a trustee orientation and education session sponsored by the North Carolina Association of Community College Trustees (NCACCT). The Board of Trustees shall notify the appropriate appointing authority of any vacancy. (Reference Article 2, Section 115D-19 (a) and (b) of Chapter 115D of the General Statutes of North Carolina.)

**SECTION 3:** Vacancies which occur in the membership of the Board of Trustees, for whatever the cause, shall be reported to the agency having the authority for appointment of replacement within 60 days after the date on which the vacancy occurs. The Secretary of the Board shall make this report with a request for the appointment of a replacement.

## ARTICLE III

### COMMITTEES

**SECTION 1:** The chairman shall appoint the members of all Committees except the Executive Committee. The Committee appointments shall be made a matter of record in the minutes of the Board of Trustees meeting at which the appointments are made or announced.

**SECTION 2:** The Board of Trustees may, through the Chairman, establish such standing committees or ad hoc committees as are deemed necessary to secure and protect the welfare of Alamance Community College.

**SECTION 3:** The Chairman of the Board of Trustees, the Vice Chairman of the Board, and one other Board member approved by the Chairman shall constitute the Executive Committee. The President of the College shall be an ex officio member of the Executive Committee without voting privileges. The Executive Committee, during the intervals between meetings of the Board, shall have and exercise all powers, privileges, and prerogatives of the Board to act on emergency business or other matters delegated to it by the Board, and authority to expend funds not to exceed the sum of \$50,000 in the exercise of its authority herein granted in emergency matters until otherwise amended by the Board. The Executive Committee may and should act in an advisory capacity to the Board in such matters. Minutes of all Executive Committee meetings shall be recorded and shall be reported to the Board of Trustees. The Executive Committee shall not have authority to dissolve, merge or consolidate the institution, sell, lease, exchange all or a substantially large part of the property of the institution, designate any committees, fill vacancies on the Board or on any committees, amend or repeal the By-Laws, amend or repeal any resolution of the Board which by its terms shall not be amendable or repealable, or to otherwise act in any matters committing the corporate entity of the Board.

**SECTION 4:** Committees authorized by the Board of Trustees to act on matters referred to them shall report to the Board, in writing, within a reasonable time, the action taken. The action of the committee shall be final. The report of the committee shall become a part of the recorded proceedings of the Board. If, for reason of inaction, changed circumstances, or other abiding reasons, the Board deems it advisable to rescind and withdraw the delegation of authority, it may do so by majority vote of the Board at a regular or special meeting of the Board of Trustees.

**SECTION 5:** Annually the Chairman of the Board shall appoint a nominating committee to submit to the Board of Trustees a slate of officers. The committee shall be appointed at the May meeting of the Board. The slate of candidates shall be presented to the members of the Board at the regular meeting of the Board in June. Additional nominations may be made from the floor.

## ARTICLE IV

### ELECTIONS

**SECTION 1:** Officers of the Board of Trustees shall be elected annually at the regular meeting of the Board in June and shall assume office on July 1.

**SECTION 2:** A Board member shall be elected to office when a majority of members present cast their ballot for him/her.

**SECTION 3:** When a vacancy occurs in the office of Chairman, the Vice Chairman shall succeed to that office and become Chairman for the remainder of the term.

**SECTION 4:** When a vacancy occurs in the office of Vice Chairman, the office shall be filled at the next regular or special meeting of the Board by nominations from the floor and by a majority of votes of the members present. The Vice Chairman so elected shall serve until the next regular election.

## ARTICLE V

### MEETINGS

**SECTION 1:** The regular meetings of the Board of Trustees shall normally be held at Alamance Community College on the second (2<sup>nd</sup>) Monday of each month, except July and December of each year, at a time convenient to the Board. The Chairman or the President of the College may, however, for good and sufficient reason, change the date and/or place of the regular meeting. Notification of the meetings of the Board shall designate whether the meeting is a “regular” or “special” meeting of the Board of Trustees.

**SECTION 2:** The Board of Trustees shall meet at a time convenient to the Board on the second Monday of each month except July and December. Other meetings may be called by the Chairman of the Board or the Chief Administrative Officer of the College.

Members and officers of the Board of Trustees and the Chief Administrative Officer of the College shall be notified in writing by the Secretary of the Board of the date, time, and place of all meetings at least seventy-two (72) hours in advance of the time of the meeting. The meeting notice shall designate the character of the meeting (regular or special) and shall specify the purpose of the meeting if it is designated a special meeting. An agenda will normally be included in the meeting notice.

**SECTION 3:** Quorum - A majority of the number of Trustees elected at the time of the meeting shall constitute a "quorum" for the transaction of business at any meeting of the Board of Trustees (regular or special).

**SECTION 4:** Manner of Acting - The act of the majority of the Board of Trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees upon an affirmative vote of the majority, by vote of Trustees present at the meeting plus by a qualified vote of a Trustee attending remotely pursuant to these Bylaws.

**SECTION 5:** Attendance at Meeting by Telephone or Other Electronic or Digital Media

- a. Any one or more members of the Board of Trustees may remotely participate in a meeting of the Board of Trustees by means of telephonic communications or other similar communications device which allows all persons participating in the meeting to hear the remote participant and the remote participant to be identified as a named Trustee and to be able to hear the Chairperson and the general discussion as to the items on the meeting's agenda.
- b. Upon identification, such Trustee's remote attendance shall be deemed being "present" for purposes of determining a quorum at a meeting and for such remote attending Trustee to be counted "present" at the meeting.
- c. A remote Trustee may participate in meeting discussions and deliberations and he/she may express the Trustee's opinion; provided the public and other Trustees attending the

meeting can hear the Trustee participating remotely and the Trustee(s) can hear the proceedings and discussions on the referenced agenda for the meeting. Each remote Trustee is entitled to vote on the action item(s) announced by the Chairperson and each such Trustee attending remotely shall announce his/her vote by conference telephone call or other media means to be heard by the other Trustees and the public attending the meeting in compliance with N.C.G.S. §143.318.13(a) and (c), as amended.

Revised by the Board of Trustees: Sections 3, 4 and 5 added – September 12, 2016

## ARTICLE VI

### ORDER OF BUSINESS

**SECTION 1:** Seven (7) members of the Board of Trustees in actual attendance at meetings shall constitute a quorum for transaction of the business of the Board. To transact the business of the Board, simple majority of those present and voting shall be required, except as noted under Section 3.

**SECTION 2:** No business shall be transacted without a quorum present.

**SECTION 3:** A majority vote of all members of the Board of Trustees [seven (7) affirmative votes] shall be required for:

- a. Determination of policy for the College
- b. Making rules and regulations affecting the College or the Board of Trustees
- c. The election of a President of the College
- d. Involvement of the corporate body of the Board of Trustees.

**SECTION 4:** The Chairman shall vote in the case of a tie vote and in such instances where his/her presence is counted for a quorum and/or a Board majority vote is required.

**SECTION 5:** Roberts' Rules of Order shall govern in the conduct of all meetings of the Board of Trustees and all meetings of the Executive Committee.

**SECTION 6:** The business to be transacted at any "special" meeting of the Board shall be confined to such matters as have been specified in the notification to members of that special meeting.

**SECTION 7:** The regular business at meetings of the Board shall follow the approximate order of:

- I. Call to Order
- II. Call for Conflicts of Interest
- III. Minutes
- IV. Introduction of New Personnel
- V. Special Presentations
- VI. Committee Reports
  - A. Report of Personnel
    - 1. Employment reports
    - 2. Other business
  - B. Report of Building and Grounds
    - 1. Capital project approvals
    - 2. Other business
  - C. Report of Finance
    - 1. Reports
    - 2. Other business
  - D. Report of Curriculum
- VII. Other Subjects
  - A. SGA Reports
  - B. Chairman's Report
  - C. Faculty Affairs Report
  - D. President's Report
  - E. Handouts
  - F. Other Business
- VIII. Adjournment

Revised by the Board of Trustees – November 12, 2012



**SECTION 8: Agenda**

The Chairman of the Board of Trustees, with the assistance of the President and Executive Committee, will develop the agenda for each meeting of the Board of Trustees. All Board members will be advised of the tentative agenda prior to each Board meeting and invited to make any further recommendations for the agenda.

Recommendations for the agenda from the public at large should be received no later than seven days prior to the scheduled meeting.

Admission of agenda items contrary to this policy such as requests of the faculty/staff or general public from the floor, will be subject to the discretion of the Chairman dependent upon considerations such as time limitations, number of speakers, or subject matter.

**ARTICLE VII**

**POWERS, DUTIES AND RESPONSIBILITIES  
OF  
THE BOARD OF TRUSTEES**

**SECTION 1:** The Board of Trustees shall have and shall exercise those powers and duties as prescribed by Article VII, Section 2 of the Constitution.

**SECTION 2:** The Board of Trustees shall:

- a. Establish and disestablish programs and courses of instruction offered and conducted by Alamance Community College. Authority for such actions may be delegated to the Chief Administrative Officer of the College subject to the approval of the Board of Trustees.
- b. Approve and adopt current expense and capital outlay budgets; recommend approved budgets to the proper agency; make such changes in the budgets as are permissible under the rules and regulations of the agency involved.
- c. Periodically review the fiscal operations of Alamance Community College in each and all budget areas and shall review all other financial activity.

- d. Have the responsibility for approval of the planning, operation and fiscal policy of such activities as the Student Bookstore, Snack Bar, Student Funds, etc.
- e. Adopt and record such rules, regulations and directives as may be deemed necessary to insure consistent and equitable administration of the College.
- f. Exercise, at all times, its control of the College through the President.

**SECTION 3: Appeals**

An appropriate committee of the Board of Trustees shall hear appeals from personnel in the College, including students and applicants for admission to the College, provided that the appeals are made in accord with the appellate provisions in the ACC Employee Policies and Procedures Manual or ACC Student Handbook.

Revised by the Board of Trustees – November 12, 2012

**ARTICLE VIII**

**ADMINISTRATION OF ALAMANCE COMMUNITY COLLEGE**

**SECTION 1:** The President of Alamance Community College shall:

- a. Be qualified, by training, experience, habits and philosophy to develop and maintain a comprehensive technical community college of high quality in accordance with state law, State Board of Community Colleges regulations and policies, and sound educational theory and practice.
- b. Attend and participate, without vote, in all meetings of the Board of Trustees, except where his/her absence is expressly desired.
- c. Be responsible for all administrative and managerial aspects of the development and operation of the College.
- d. Submit recommended policies to the Board when requested to do so or when he/she deems it necessary.
- e. Recommend all educational programs and curricular programs which he/she deems to be in the best interest of the citizens of Alamance County and the State of North Carolina, which are educationally and financially feasible and which are not in conflict with the requirements of the Statutes or regulations and policies of the State Board of Community Colleges.
- f. Appoint lay advisory committees for particular programs of the College where needed.

- g. Advise the Board of Trustees of planning, construction, and modification needs for physical facilities.
- h. Advise the Board on the financial and budgetary needs of the College and recommend the items to be included in the current expense budget and the capital outlay budget.
- i. Establish and submit to the Board of Trustees for approval all tuition and fees to be charged to the students which are not set and/or approved by the General Assembly.
- j. Have full authority and responsibility for the operation of the College under the policies and rules and regulations of the Board and the State Board of Community Colleges within the budgets approved by the Board.
- k. In accord with Article 2, Section 20, Chapter 115D of the General Statutes of North Carolina, the President shall be granted authority to employ full-time professional, administrative, and instructional personnel and all other institutional personnel.
- l. Have the initiative in shaping and maintaining the educational policies of and the character of the College and he/she shall recommend changes to be made in the programs and services to be provided.
- m. Make an annual report to the Board of Trustees on the development and operation of the College, with both immediate and long-range recommendations.
- n. Discharge all other functions, which the Board may delegate to him/her.

**SECTION 2:** Power to deal with individual or organized groups shall be vested in the President of the College who shall render his/her decision to such individuals or such organized groups in the name of the Board of Trustees. Any individual or organized group who desires to appeal the President's decision shall follow the appellate provisions in the ACC Employee Policies and Procedures Manual or ACC Student Handbook. Revised by the Board of Trustees – November 12, 2012

**SECTION 3:** The President shall establish and administer the administrative and functional organizational structure of the College.

**SECTION 4:** The Executive Vice President of the College, in the event of the President's serious disability, death, resignation, dismissal, or prolonged absence from this post for any other reason, shall serve as Acting President until the Board has elected a temporary or permanent President.

Source: Board Action: Board Minutes, October 10, 2005, Pages 1584-1585

## ARTICLE IX

### FISCAL YEAR

**SECTION 1:** The fiscal year of Alamance Community College shall be from July 1 to June 30.

## **ARTICLE X**

### **AMENDMENTS AND ADOPTIONS**

**SECTION 1:** Amendments to the By-Laws may be proposed by any member of the Board of Trustees at any regular meeting of the Board for decision at a subsequent regular meeting of the Board. Adoption of amendments shall be by affirmative vote of at least eight (8) members of the Board of Trustees at a regular monthly meeting.

**SECTION 2:** Adoption of the By-Laws shall be by affirmative vote of at least nine (9) members of the Board of Trustees at a regular meeting, provided that each member has received notice at least fifteen (15) days prior to the meeting and that each member has received a copy of the Constitution and By-Laws at least fifteen (15) days prior to the regular monthly meeting.

Source: Board Action: Board Minutes, September 7, 1967, Pages 110-111  
Amended: Board Minutes, August 6, 1970, Page 192  
Amended: Board Minutes, May 12, 1980, Page 523  
Amended: Board Minutes, September 8, 1980, Page 531  
Amended: Board Minutes, January 12, 1981, Page 542  
Amended: Board Minutes, March 12, 1990, Page 827  
Amended: Board Minutes, October 10, 2005, Pages 1584-1585

## BUDGET AND FINANCE COMMITTEE

The duties of the Budget and Finance Committee shall include the following:

1. Consistent with Article VI. Sections 1 & 2 of the Board of Trustees' Constitution and North Carolina General Statutes 115D- 31 thru 58.16 (Article 3), the Budget and Finance Committee shall recommend to the Board of Trustees such fiscal policies for federal, state, county and institutional funds as necessary for the financial operations of the College.
2. Upon receipt of the President's recommended annual budget for the expenditure of federal, state, county and institutional funds, and consistent with General Statute 115D-54, the Committee shall conduct an examination of and make such recommendations and modifications to the budget requests to the Board it deems appropriate for current operations and capital outlay purposes for the ensuing fiscal period. The Committee shall also recommend to the Board the establishment of tuition and fees, not inconsistent with actions of the General Assembly and State Board Code.
3. Following adoption of the annual current expense and capital budgets by the Board, the Committee shall receive from the President requests and recommendations for modifications thereto that exceed delegated authority (see also Budget Transfers - State Funds; Institutional Funds Policy). The Committee will subsequently make such recommendations to the Board for consideration that it deems appropriate. Further, upon recommendation of the President, the Committee shall recommend to the Board the transfer of County funds within flexibilities or restrictions established by the tax-levying authority. Reports on the expenditure of funds approved in the budget, by fund source, shall be prepared on a monthly basis and reported to the Board at Board meetings.
4. Upon recommendation by the President, the Committee shall consider and recommend to the Board such modifications of reports, policies and procedures in such areas as budgeting, accounting, fiscal reporting and procurement as are necessary for the operation of the College.
5. The Committee shall serve a fiduciary responsibility on behalf of the Board. This responsibility includes recommending policies, procedures, and actions related to the receipt and disposition of any monetary bequests, gifts, grants, securities or properties; the investment of any surplus or restricted monies; and the management of trust and non-trust funds. Such actions shall be consistent with General Statutes 115D- 20(5) (Funds Management) and 58.6 (Investment of Idle Cash). The Committee shall also serve as the Investment Committee of the Board, and report as appropriate results of their work.
6. Along with the President, the Committee shall represent the Board before the North Carolina General Assembly, the State Board of Community Colleges, the Alamance County Commissioners and other funding authorities in advocating for funding for the current expense and capital outlay needs of the College. The Committee shall report its advocacy efforts and results to the Board as appropriate.

7. Upon recommendation of the President, to designate the official depository of the College for County and Institutional Funds.
8. Consistent with General Statute 115D-58.10 (Surety Bonds), and on behalf of the Board of Trustees, the Committee shall insure that employees of the College who draw or approve checks and/or handle state, county or institutional funds be bonded for the protection of such funds or property.
9. Consistent with General Statutes 115D-58.16 (Audits) and policies and procedures established by the Office of State Auditor, the Committee shall cause an audit of state, county and institutional funds to be conducted and reported. The Committee shall examine such audits and report the findings thereof to the Board, along with any necessary actions to remedy deficiencies identified in any audit.
10. The Committee shall recommend to the Board the use of lease purchase or installment purchase contracts to acquire equipment, consistent with General Statute 115D-58.15
11. To perform such other functions and carry out such other duties and responsibilities as the Board may assign.

Revised: Board Minutes, November 12, 2012

Revised: Board Minutes, April 13, 2015

## BUILDING AND GROUNDS COMMITTEE

The duties of the Building and Grounds Committee shall include the following:

1. At least once every five (5) years, conduct an assessment of all property locations owned by Alamance Community College (College). The assessment shall include the condition of all facilities and grounds, any recommended improvements thereto, and a determination of need for additional facilities or new campus locations. The assessment shall be reported to the Board of Trustees (Board) in the form of a "Campus Facilities & Master Plan."
2. After consultation with the President, and consistent with North Carolina General Statutes and the State Board of Community College (SBCC) Code, recommend to the Board establishment of necessary capital improvement projects and activities.
3. Provide oversight of approved capital improvement projects and activities by receiving and evaluating periodic progress and financial reports from the President or designee(s), representing the best interests of the College.
4. In accordance with policies and procedures established by the State Construction Office, the SBCC, and good procurement practice, recommend to the Board professional service providers with specialized expertise (architects, engineers, consultants, builders) in construction and/or renovation, for the purpose of awarding contracts.
5. Upon consultation with the President or designee(s), periodically evaluate and recommend to the Board contracted programs, services or activities that provide for the operations and/or maintenance of facilities and properties owned by the College.
6. Recommend to the Board the purchase of adequate amounts of insurance coverage for buildings, contents, vehicles, liabilities and risks, and other requirements. The insurance coverage will be reported to the Board annually. At least every three years a formal evaluation shall be made by the President and the Committee using good procurement practice.
7. Recommend to the Board the purchase of any land, easement, or right-of-way which shall be necessary for the proper operation of the institution. Upon Board approval, these actions shall be reported by the President to the SBCC.
8. To perform such other functions and activities as the Board may assign from time-to-time. This may include but is not limited to facility risk assessments, analysis of service provider contracts, exploration of new properties, and other work. The Committee may consult with the President or designee(s) in the scope of this work.

Revised: Board Minutes, April 13, 2015

## CURRICULUM COMMITTEE

The duties of the Curriculum Committee shall include the following:

1. To approve all curricula and make recommendations concerning such curricula to the Board.
  - a. Preview for recommendation to the full Board of Trustees for approval:
    1. Recommendations of new curriculums.
    2. Recommendations to eliminate curriculums.
    3. Recommend major curriculum alterations which alter graduate requirements (e.g., eliminates second year of programs, adds an option to existing curriculum, etc.).
    4. Review curriculum studies, evaluations, projections, and status reports.
2. Perform such other functions, regular and special, as the Board may authorize.

Revised: Board Minutes, January 12, 2015



## PERSONNEL COMMITTEE

The duties of the Personnel Committee shall include the following:

1. To periodically receive and review all personnel placements submitted as approved by the President for informational reports to the Board of Trustees. The Committee's Chairperson will cause to be made introductions of designated individuals recently hired to the Board of Trustees at regular Board of Trustees' meetings upon request of the President.
2. To review, upon request of the President or Board of Trustees, the compensation and benefits made available to employees of the College and make any periodic recommendations to the Board of Trustees for changes.
3. Upon request of the President to give counsel on any issue or complaint that may arise from the implementation of College personnel policies and compensation.
4. Upon request of the President or Chairperson of the Board of Trustees to sit in joint session with the Budget and Finance Committee on any matters involving the termination of personnel, or reduction in either contract hours or compensation rate, or reduction in offered benefit programs paid by the College for reasons of financial exigency.
5. To periodically review with the advice of the President and be responsible for recommending new or revised personnel policies to the Board of Trustees.
6. Upon request of the Chairperson of the Board of Trustees to review and make a recommendation for action, if any, to the Board of Trustees relating to any personnel grievance appealed to the Board of Trustees after a determination rendered by the President.
7. To perform such other functions, regular and special, as the Board of Trustees may authorize.

Revised: Board Minutes, October 10, 2005

Revised: Board Minutes, April 13, 2015

**ALAMANCE BOARD OF TRUSTEES AND  
COMMUNITY COLLEGE GOVERNANCE POLICY  
TRUSTEE MEMBER LEGAL STATUS 1.2**

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

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-14

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

Adopted: June 13, 2022

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

ALAMANCE COMMUNITY COLLEGE	<b>BOARD OF TRUSTEES AND GOVERNANCE CONFLICT OF INTEREST</b>	<b>POLICY 1.4</b>
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In accordance with N.C.G.S. §§ 14-234, 133-32 and Chapter 138A and in order to avoid conflicts of interest, the appearance of conflicts of interest, or the appearance of impropriety, the Board of Trustees and College employees shall adhere to the following rules.

A. Definitions

1. Conflict of interest – a situation that benefits a trustee or employee and affects the organization, which raises a question as to whether the trustee’s or employee’s actions, judgment, or decision-making can be unbiased. A conflict of interest occurs when an individual’s personal interests – family, friendships, financial, or social factors – could compromise his or her judgment, decisions, and actions in the workplace.
2. Action to avoid conflict – removal from the situation or conflict in which the trustee or employee abandons one of the conflicting roles, or recuses him or herself from the relevant decision-making process.
3. Appearance of conflict of interest – occurs when a trustee or employee is involved in a particular matter involving specific outside parties and the circumstances are such that a reasonable person with knowledge of the relevant facts would question the trustee’s or employee’s impartiality in the matter.

B. Contracts with the College

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

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

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

C. Receipt of Gifts

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

D. Reporting Requirements

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

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

E. Action for Violation of Conflict of Interest Policy

Anyone violating this policy shall be guilty of a Class 1 misdemeanor.

A contract entered into in violation of this policy is void. A contract that is void under this section may continue in effect until an alternative can be arranged when: (1) immediate termination would result in harm to the public health or welfare, and (2) the continuation is approved by the chair of the Local Government Commission.

Board members who violate this policy will be subject to the Governance Duties and Expectations of Board Members Policy (1.8). Employees who violate this policy will be subject to the College's Disciplinary Action, Suspension, and Dismissal Policy (3.3.4).

F. N.C. State Ethics Act

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

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

Adopted: March 25, 2022

Legal Reference: N.C.G.S. §§ 14-234, 115D-26, 133-32 and Chapter 138A

Cross Reference: Policy 1.8 Governance Duties and Expectations of Board Members

Policy 3.3.3 Employee Code of Conduct

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>BOARD OF TRUSTEES AND GOVERNANCE ADOPTING POLICIES AND PROCEDURES</b>	<b>POLICY 1.5</b>
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The Board of Trustees' policies shall constitute the basic governance for the College. All of the Board's policies shall be contained in the College's Policy Manual.

## **I. ADOPTING AND AMENDING POLICIES**

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

- A. Either when directed by the Board or when necessitated by changes to federal and/or state laws and regulations or when otherwise determined necessary due to operational and/or management issues, the President or President's designee shall draft and propose new policies and/or provide amendments to current policies.
- B. The President shall present the proposed policy to the Board at a regularly scheduled Board meeting for first reading. If approved at first reading, the proposed policy will stand open until the next regularly scheduled Board meeting where the Board will take formal action on the proposed policy. In the event of an emergency or special conditions (e.g., legal changes mandated by a specific date), the Board may waive second reading and approve the proposed policy at first reading.
- C. During the policy development process, the President shall consider, and when necessary solicit, the views and considerations of faculty, staff, and students.
- D. Board members may propose amendments to proposed policies at any time during the process. An amendment will not require that the proposed policy go through an additional reading unless the Board determines that the amendment needs further consideration and an additional reading is warranted and necessary.
- E. In order for the proposed policy to be official, the proposed policy must be formally adopted by a majority of the Board members present at an official Board meeting with the Board's action being recorded in the Board's minutes.

## **II. ADOPTING ADMINISTRATIVE PROCEDURES**

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

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-20

New policies and policy changes are vetted and approved using the following procedures:

1. If a new policy or policy changes are initiated by an employee, the employee will bring a proposal to his or her supervisor. The employee's supervisor will review the proposal and discuss it with his or her Vice President. The employee, supervisor, or Vice President as appropriate will circulate the policy in question to appropriate stakeholders, including the Faculty Affairs Committee (FAC) if relevant, for additional input. The Vice President will present the proposal to the President's Cabinet for review, discussion, and recommendation for approval. The Vice President will describe the changes made to an existing policy, provide in writing the rationale for a new policy, and provide a summary of the stakeholders who offered input. The Cabinet may review, discuss, and recommend for approval the proposed policies via email communication when necessary.

A proposal for a new policy or policy changes may also be initiated by the President; may result from a federal, state, or NCCCS law or regulation; or arise from other purposes. In these cases, the proposal may be presented directly to the President's Cabinet for consideration.

2. If the Cabinet recommends the proposed policy for approval, the President's Office may send the policy for a legal review if deemed necessary.
3. The President may forward the recommended policy to the appropriate Board of Trustees Committee and/or to the full Board of Trustees for their voting and approval.

Adopted: October 11, 2022

To ensure that employees are aware of and have access to updated policies in a timely manner, changes approved by the Alamance Community College (ACC) Board of Trustees will be published and communicated using the following procedures:

1. Immediately after Board approval, the Executive Vice President or designee will add the adoption or revision date to the policy and make the appropriate adjustments to the following documents:
  - a. The PDF version of the Table of Contents.
  - b. The PDF version of the Policies and Procedures Manual.
2. The Executive Vice President or designee will send the updated documents to the ACC Web Designer no later than the day after Board approval.
3. Within two days of policy approval, the Web Designer will upload the revised Table of Contents and the Policy and Procedures Manual to the ACC website at <https://www.alamancecc.edu/policies/>
4. Within one week of policy approval, the Executive Assistant to the President will send an email to College employees notifying them of the change and providing a link to the policy website. This communication will be a numbered memo using a system based on the calendar year (e.g., 2022-1). The numbered memo will include the following components:
  - Policy number and title
  - Whether new or revised
  - Rationale for new policy or revisions to existing policy
5. Following the notice to College employees and pursuant to State Board of Community Colleges Code, the Executive Assistant to the President will also notify the North Carolina Community College System Office of all new or revised personnel-related policies by emailing the new or revised policies (or a link to the new or revised policies) to [ncccpolicies@ncccommunitycolleges.edu](mailto:ncccpolicies@ncccommunitycolleges.edu).

Adopted: October 11, 2022; revised November 8, 2022; revised June 13, 2023



<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>BOARD OF TRUSTEES AND GOVERNANCE BOARD MEETINGS AND MEETING PROCEDURES</b>	<b>POLICY 1.6</b>
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All official business conducted by the Board of Trustees shall be conducted at a duly noticed, official meeting of the Board. Pursuant to North Carolina law, a “meeting” of the Board occurs whenever a majority of the members of the Board meet, in person or by some electronic means, in order to conduct a hearing, deliberate, take action, or otherwise transact public business. All Board meetings must be called pursuant to the proper notice and all meetings are open to the public except for closed session.

## **I. BOARD MEETINGS**

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

### **A. Types of Meetings**

1. Regular Meeting. The regular meetings of the Board shall be held on the College campus on the second Monday of each month, except July and December of each year. The Board shall maintain a copy of the schedule for its regular meetings on its website and a hard copy shall be filed with the Board’s Secretary and shall be posted in a centralized location on campus. If the schedule is revised, the Board’s Secretary shall cause to have the website updated and revise the posted copy of the schedule as soon as possible.

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

2. Special Called Meeting. A special called meeting may be called by either the Board Chair or the College President. The Board’s Secretary shall prepare the notice for the special called meeting. The notice must be sent to Board members at least 48 hours in advance and the notice must state the time, place, and purpose(s) for the special called meeting. The notice will be sent via electronic mail to the Board members’ email address of record. If there is a bulletin board with Board meeting schedules, the special called meeting notice must be posted there at least 48 hours prior to the special called meeting. If no bulletin board is used, the Board’s Secretary shall post the notice on the door of the Board’s meeting room at least 48 hours prior to the special called meeting. If, 48 hours prior to the meeting, the public does not have access to either the bulletin board or interior door of the Board’s meeting room because the building is closed (e.g., if the special called meeting occurs on Monday but the building is closed over the weekend), the Board’s Secretary shall post the notice on the front of the exterior door to the building where the Board’s meeting room is located.

The notice shall also be posted on the College's website prior to the scheduled time of the meeting.

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

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

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

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

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

4. Recessed Meeting. If proper notice was given at the original meeting and if the time and place of the recessed session were set during open session, no further notice is required.

B. Closed Session Meetings

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

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

C. Electronic Meetings

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

## II. COMMITTEE MEETINGS

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

## III. MEETING PROCEDURES

- A. Parliamentary Procedures. When conducting its meeting, the Board shall use the parliamentary procedures consistent with the most updated version of *Roberts Rules of Order*. As part of his or her official duties, the Board Chair shall serve as the parliamentarian officer and shall rule on issues and questions concerning parliamentary procedure. As needed, the Board Chair shall consult with the Board's attorney regarding matters of parliamentary procedure.
- B. Meeting Agenda. The Board Chair, with the assistance of the President, will prepare a proposed agenda for each Board meeting. Preferably, each Board member will receive a copy of the proposed agenda four (4) business days prior to the meeting, and the agenda will be available for public inspection and/or distribution immediately after being made available to Board members. At a regular meeting, the Board may, by a majority vote, add an item that is not on the agenda.
- C. Quorum. Seven (7) voting members of the Board in actual attendance at meetings shall constitute a quorum for the transaction of business. Unless otherwise stated, no business shall be transacted without a majority vote of the quorum. A Board member may participate by remote or electronic access as allowed by law and be counted for the purposes of establishing a quorum and may also vote. A majority vote of the full Board is required for the adoption or amendment of College policy, adopting or amending rules and regulations affecting the College or the Board of Trustees, and election, non-renewal, or termination of the College President.
- D. Ethics Statement. At the beginning of each Board meeting (including Board committee meetings), the Chair shall remind all members of their duty to avoid any conflict of interest and shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the Board (or Board committee) at that time.

Adopted: June 13, 2022

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

As needed, the Board will retain attorneys to provide legal services for it and the College, including both legal advice and representation in litigation. Such employment shall be at the pleasure of the Board. Any attorney retained by the Board represents the legal entity of the College and not any individual Board member or administrator. The President may consult with the Board attorney as needed to carry out administrative operations and to protect the Board and the College from liability. Other staff may consult with the Board attorney as determined appropriate by the President.

Adopted: June 13, 2022

**BOARD OF TRUSTEES AND  
GOVERNANCE**

**ALAMANCE COMMUNITY COLLEGE      DUTIES AND EXPECTATIONS OF BOARD MEMBERS      POLICY 1.8**

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

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

- A. Adequately prepare for and attend Board of Trustee meetings and its respective committee meetings.
- B. Render all decisions based on the available facts and appropriately seek out information from the College President, when necessary, in order to carry out the duties of the Board when making decisions and monitoring the affairs of the College.
- C. Maintain the confidentiality of information that is made private under the law and do not disclose matters discussed in closed session.
- D. Avoid conflicts of interest, as defined in law and College Policy 1.4, and avoid the appearance of conflicts of interest. When a conflict or potential conflict arises, the member should bring the matter to the attention of the Chair.
- E. Serving on and contributing to the work of Board and College committees when assigned.
- F. Understand that the Board of Trustees' authority arises out of official actions taken by the Board in a called meeting. Members may not obligate the College to any contract, promise, or other liability and should refrain from acting individually on behalf of the College or Board of Trustees unless authorized to do so.
- G. Adhere to North Carolina open meeting and public records laws.
- H. Participate in a College trustee orientation, a North Carolina Association of Community Colleges Trustee orientation and reappointed trustee training, as well as the mandated State ethics training.

Removal of a Board of Trustee Member

- A. In accordance with N.C.G.S. §115C-19, the Board of Trustees may declare vacant the office of a member of the Board who:
  - 1. Does not attend three consecutive scheduled meetings of the Board without justifiable excuse; or
  - 2. Does not, within six months of initial appointment, participate in a trustee orientation and education session sponsored by the North Carolina Association of Community College Trustees or other organization approved by the Board.

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

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

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

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

Adopted: June 13, 2022

**BOARD OF TRUSTEES AND  
GOVERNANCE**

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>ACCF BOARD AND ACC BOARD AGREEMENT</b>	<b>POLICY 1.9</b>
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The purpose of the Alamance Community College Foundation (“ACC Foundation”), as stated in the Articles of Incorporation, is “to promote, develop, and encourage public support of” Alamance Community College (ACC) and “to solicit, acquire, receive and administer, and hold property, both real and personal, for the benefit of” ACC.

It is understood that the management of the ACC Foundation is carried out by the Board of Directors of the Foundation, which derives its authority from the Alamance Community College Board of Trustees.

All ACC Foundation fund-raising activities will be in support of the mission of ACC.

Article II, Section 6, Part C of the ACC Foundation Bylaws authorize the purchase of insurance on behalf of directors, officers, employees, or agents of the ACC Foundation. ACC carries this insurance on behalf of the Foundation, which provides a limitation on the liability arising out of the relationship. Otherwise, ACC is not liable for any debt or other obligation of the ACC Foundation.

Signed copies of this agreement reside in both the Office of the President and the ACC Foundation Office.

Adopted: November 12, 2012

**BOARD OF TRUSTEES AND  
GOVERNANCE**

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>ACC FOUNDATION AUTHORIZATION TO SOLICIT</b>	<b>POLICY 1.10</b>
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The Alamance Community College Board of Trustees grants authorization for solicitation on behalf of Alamance Community College by the Alamance Community College Foundation.

Adopted: November 8, 2010



**ALAMANCE BOARD OF TRUSTEES AND  
COMMUNITY COLLEGE GOVERNANCE POLICY  
MONTHLY FINANCIAL REPORTS 1.11**

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Monthly financial reports shall be included in the packets that are provided to Board members prior to the regular Board meeting.

Adopted: December 5, 1963; revised March 12, 1990; revised February 11, 1991; updated June 22, 2022

To recognize outstanding commitment and service to Alamance Community College, the Board of Trustees may, at its discretion, grant emeritus status to qualifying former trustees.

To qualify for emeritus status, a former trustee must meet the following qualifications:

- a. Served 12 or more years as a trustee of Alamance Community College;
- b. Demonstrated exceptional leadership on the Board of Trustees;
- c. Exhibited active involvement in the events and activities of Alamance Community College;  
and,
- d. Provided support for the mission, programs, and constituents of Alamance Community College.

Candidates for this honor must be nominated via a letter to the current Chair of the Board of Trustees. The nomination is to be considered by the Executive Committee of the Board of Trustees. If the Executive Committee ascertains that the nominee meets the qualifications set forth by policy and agrees with the nomination, the Executive Committee will present to the Board of Trustees the letter of nomination along with a recommendation. A simple majority vote of trustees present at a meeting at which a quorum is present is sufficient to approve bestowing the title of Trustee Emeritus.

Adopted: May 14, 2018

**ALAMANCE  
COMMUNITY COLLEGE**      **BOARD OF TRUSTEES AND  
GOVERNANCE  
BOARD SELF-EVALUATION**      **POLICY  
1.13**

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The Alamance Community College Board of Trustees shall assess its responsibilities and expectations through an annual self-evaluation process.

Adopted: June 12, 2023

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

**I. VISITORS**

- A. Visitors should have a legitimate reason to be on campus, including the following: an orientation by an escort to learn about the campus and college programs, attending an official college program or event, visiting the bookstore, using the library, using daycare, using the dental clinic, using automotive repair services, using cosmetology services, using horticulture services, visiting the Scott Family Collection, participating in a culinary event, buying food from the snack bar in the commons area or the Culinary Department, making deliveries of goods and/or services ordered by ACC, or attending announced public meetings, functions, or seminars. Those without a legitimate reason are prohibited from being on campus or using College facilities, including parking lots and common areas.
- B. All visitors to instructional areas must have the instructor's prior approval. Visitors unfamiliar with the campus should report to the College's information center. The appropriate administrative officer or Department Head must approve visitors to a classroom.
- C. All visitors to laboratories, shops, or other potentially hazardous areas must be escorted by a College employee. The appropriate administrative officer or Department Head must approve visitors to a classroom.
- D. The College reserves the right to reasonably regulate visitors' access to certain areas of the campus.

**II. MINOR CHILDREN**

- A. Minor children are defined as children under the age of 18. This policy does not apply to Career & College Promise, Early College High School, or Career Accelerator Program students who are under the age of 18.
- B. Students and College employees are encouraged to make child care arrangements to reduce interruption of the educational process and avoid possible injury to a minor. Supervisors are responsible and accountable for ensuring that minor children on campus adhere to College policies and procedures. Should employees require time to resolve their childcare situation, they are required to leave work and use the appropriate leave.
- C. Minor children are allowed in offices on the campus for short, occasional visitations, when accompanied by a responsible adult. In addition, instructors have the discretion to make infrequent exceptions regarding the care of minor children

due to temporary, unforeseen emergencies. In these cases, minor children must remain in the classroom under their parent/guardian's direct supervision and are not allowed to sit in the hallway or be unsupervised in other locations on campus.

- D. Minor children are not allowed on campus when the child has a contagious condition or is too ill to be sent to the regular childcare location or school.
- E. Minor children may not enter shops, labs, or other hazardous areas unless accompanied by an instructor or other adult

### **III. MISCONDUCT AND REMOVAL FROM CAMPUS**

- A. If a visitor is suspected to have violated this or any other College policy, appropriate Public Safety officials or staff are authorized to conduct an investigation sufficient to determine whether the visitor violated any policy, provided the investigation complies with any applicable law. College Public Safety staff and/or other appropriate College officials may obtain the assistance of local law enforcement when needed.
- B. Visitors are subject to search by College staff members based on the standard of reasonable suspicion. An investigation that results in the search of a visitor or his or her possessions may be undertaken when College staff has reasonable grounds for suspecting that the search will turn up evidence that the visitor has violated or is violating law or is in possession of contraband. The scope or extent of the search and the methods used for the search must reasonably relate to the objectives of the search and may not be excessively intrusive upon the privacy of the visitor in light of the nature of the alleged infraction or reasonably suspected illegal activity. Where College Public Safety staff have a reasonable suspicion that the visitor's possessions contain materials that pose a threat to the welfare and safety of the students, staff, and faculty, or of the school's property, the visitor's possessions may be searched without prior warning by use of a metal detector or other approved security device.
- C. A visitor's suspected criminal activity shall be reported to the appropriate law enforcement official and any possible evidence uncovered may be turned over to law enforcement.
- D. To ensure a safe and secure campus environment, the President, his or her designees and senior administrators (Vice Presidents), and campus Public Safety staff have the authority to dismiss a person from campus. Legal action for trespassing may be taken if the person does not comply.

Adopted: June 13, 2022

(This policy replaces "Campus and Facilities: Visitors Policy at Alamance Community College" adopted June 9, 2008; revised November 11, 2013.)

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

Adopted: June 13, 2022

**ADMINISTRATIVE  
ALAMANCE CAMPUS EMERGENCY RESPONSE PROCEDURE  
COMMUNITY COLLEGE PROCEDURES 2.1.2.1**

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In the event of an emergency or other critical incident, individuals should follow the procedures outlined in the Alamance Community College Emergency Response Plan, which is available in the Department of Public Safety, Main Building on the Scott-Carrington Campus.

Adopted: June 13, 2022

**ADMINISTRATIVE**  
**ALAMANCE HAZARD COMMUNICATION POLICY**  
**COMMUNITY COLLEGE PROGRAM 2.1.3**

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

A written copy of the Hazard Communication Program and the Chemical Hygiene Plan, as well as an inventory of all chemicals on campus, and the safety data sheets for those chemicals, are located in the Office of the Chemical Hygiene Officer (H-323).

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

1. Develop a list of chemicals maintained on campus;
2. Label all containers that contain hazardous materials;
3. Keep Safety Data Sheets ("SDS") on file and available on request; and
4. Implement a training program to ensure that all employees are familiar with the hazardous materials on campus.

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

1. Identity of the hazardous material/chemical;
2. Appropriate hazard warning; and
3. Name and address of the manufacturer, importer or other responsible party.

Adopted: June 13, 2022

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



**I. EMERGENCY MEDICAL ASSISTANCE**

- A. The College has no facilities for medical treatment of employees or students. However, campus Public Safety Officers are trained in CPR, first aid, and the use of automated external defibrillators (AED). The College will have medical kits located in each campus building.
- B. College personnel and/or individuals present will contact emergency services by dialing 911 and/or 336-506-4286 and request first responder services in the event of a medical emergency.
- C. All accidents involving College employees are to be reported to Public Safety by calling 336-506-4286 within one (1) business day. The injured employee and the employee's supervisor should complete the appropriate Employee Injury Form located on the College website. All injury report forms must be completed within 48 hours of the incident.
- D. Students who are covered under student accident insurance should notify Public Safety by calling 336-506-4286 within 48 hours of the incident if they are injured on campus. If the accident occurs in a classroom or lab, the appropriate employee should complete the College's Student Injury Report Form located on the College website. Public Safety will assist the student in making a claim to the insurance company. Students are also encouraged to report any acute medical conditions to the Registrar's Office and to their instructors.
- E. If emergency medical services are required for College employees or students participating in a College event at an off-campus location, the injured party should immediately alert officials at the event and/or call 911 in conjunction with the aforementioned procedures.

**II. ACCIDENTS IN COLLEGE-OWNED VEHICLES**

- F. The following procedures should be followed if an accident occurs involving a College-owned vehicle:
  - 1. Dial 911 if emergency services or an ambulance is needed.
  - 2. Contact the appropriate law enforcement agency to obtain a report.
  - 3. Obtain as much information as possible from any other parties involved in the accident.
  - 4. Contact your supervisor and the Director of Public Safety immediately, but no later than the end of the day of the accident.
  - 5. Complete an accident report with Public Safety on returning to campus.

Adopted: June 13, 2022

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

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

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

- A. The firearm is a handgun; AND
- B. The individual has a valid concealed handgun permit (or is exempt from the law requiring a permit); AND
- C. The handgun remains in either: a closed compartment or container within the locked vehicle of the permit holder; or a locked container securely affixed to the locked vehicle of the permit holder; AND
- D. The vehicle is unlocked only when the permit holder is entering or exiting the vehicle; AND
- E. The handgun remains in the closed compartment or container at all times except for a reasonable amount of time for the person to transfer the handgun from the closed compartment or container to his or her person or from his or her person to the closed compartment or container.

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

Adopted: June 13, 2022

Legal Reference: N.C. Session Law 2013-369; N.C.G.S. 14-269.

(This policy replaces "Weapons Policy" adopted February 10, 2014.)

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

**I. VISITORS AND GUESTS**

All visitors and guests are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances, or drug paraphernalia. Using or being under the influence of substances that cause impairment is also prohibited. Violation of this prohibition could lead to the visitor or guest being asked to leave campus and/or campus authorities contacting the Department of Public Safety or local law enforcement.

For more specific definitions of “controlled substance,” “alcohol,” and “impairing substance,” consult Policy 3.4.2 – Employees – Alcohol and Drugs on Campus.

**II. EMPLOYEES AND STUDENTS**

All College employees and students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling, or distributing alcohol, illegal or unauthorized controlled substances, or drug paraphernalia. Using, or being under the influence of substances that cause impairment, is prohibited for all employees and students. Violation of this prohibition could lead to disciplinary action.

For more information regarding employees, including student employees, consult Policy 3.4.2. For more information regarding students, consult Policy 5.3.7 – Students – Alcohol and Drugs on Campus.

Adopted: June 13, 2022

**I. POLICY OVERVIEW**

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

**II. DEFINITIONS**

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

1. A member of the educational institution's police department or campus security department;
2. Any individual(s) who has responsibility for campus security but who does not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into the College's property);
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. For purposes of this College, this individual is the Director of Public Safety; and
4. An official or someone who has significant responsibility for student and campus activities, including, but not limited to: student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on the College's behalf.

The College has designated the following offices as locations where campus community members may report crimes:

Public Safety	1247 Jimmie Kerr Rd., Graham, NC 27253, Main 207 336-578-4286, Emergency 336-578-2002, Non-emergency 336-260-9203, 24-hour Public Safety Officer
Student Life	1247 Jimmie Kerr Rd., Graham, NC 27253, Main 228 336-506-4829
Human Resources	1247 Jimmie Kerr Rd., Graham, NC 27253, Gee first floor 336-506-4133

Student Support 1247 Jimmie Kerr Rd., Graham, NC 27253, Main 233  
336-506-4362

PACE Coaches 1247 Jimmie Kerr Rd., Graham, NC 27253, Main 359  
336-506-4343  
336-506-4395  
336-532-5036

VP, Student Services 1247 Jimmie Kerr Rd., Graham, NC 27253, S 108  
336-506-4138

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

1. Murder/non-negligent manslaughter; negligent manslaughter; sex offenses (forcible and non-forcible); domestic and dating violence; stalking; robbery; aggravated assault; burglary; motor vehicle theft; and arson;
2. Hate Crimes: any of the above-mentioned offenses, and any incidents of larceny-theft; simple assault; intimidation; or destruction/damage/vandalism of property that was motivated by bias towards race, religion, ethnicity, national origin, gender, sexual orientation, gender identity, or disability; and
3. Arrests and referrals for disciplinary action for weapons (carrying, possessing, etc.); drug abuse violations and liquor law violations.

C. College Property is all of the following property:

1. Campus Grounds, Buildings and Structures – Any building or property owned by or controlled by the College within the same reasonably contiguous geographic area and used by the College in direct support of, or in a manner related to, the College's educational purposes; and any building or property that is within or reasonably contiguous to such buildings, or property that is owned by the College but controlled by another person and is frequently used by students and supports College purposes.
2. Off-Campus and Affiliated Property – Any building or property owned or controlled by a student organization that is officially recognized by the College; or any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College.
3. Public Property – All thoroughfares, streets, sidewalks, and parking

facilities that are within the campus, or immediately adjacent to and accessible from the campus.

### **III. SAFETY AND REPORTING PROCEDURES**

The College encourages all members of the College community to report suspicious or criminal activity to law enforcement as soon as possible. In the event of a crime in progress or a risk of harm to persons or property, call 911.

Crimes may be reported anonymously. To report a crime anonymously, submit a tip through the ACC Safe App. To submit anonymously through Crimestoppers, or submit a tip through P3 Tips, a mobile app for Crimestoppers, contact the Alamance County Crimestoppers line at 336-229-7100, or report online at [www.p3tips.com](http://www.p3tips.com).

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

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

- A. Submit crime statistics to the United States Department of Education.
- B. Maintain a daily crime log (open to public inspection).
- C. Issue campus alerts to warn the College community in a timely manner when there is information that a Clery Act Crime has occurred that represents a serious or ongoing threat to campus safety.
- D. Issue emergency notifications upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The College tests the emergency notification procedure bi-annually.
- E. Publish and maintain an Annual Security Report containing safety and security related policy statements and statistics of Clery Act Crimes occurring on College Property. To prepare the Annual Security Report, the College collects, classifies, and counts crime reports and crime statistics. The Annual Security Report is available on the College's website, and hard copies are available through the Department of Public Safety for inspection.

**Purpose of the Annual Crime Statistics Disclosure:** In compliance with the Jeanne Clery Disclosure of Campus Police and Crime Statistics Act (Clery Act), the ACC Public Safety Department prepares an annual crime statistics report. The Clery Act requires colleges to record specific campus crime statistics and safety policies in order to improve campus safety and inform the public of crime in or around campus.

**Preparing the Annual Crime Statistics Disclosure:** The ACC Public Safety Department prepares the annual Disclosure of Crime Statistics using information maintained by ACC Public Safety, information provided by other College offices such as Student Services, other Campus Security Authorities, and information provided by local law enforcement agencies. Officers, both sworn and security, enter all reports of crime incidents made directly to the Public Safety Department through a computer-based incident/records management system. After an officer enters a report in the system, it is reviewed to ensure it is appropriately classified, and a member of Public Safety periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the Safe Campus Act Handbook.

Adopted: June 13, 2022, revised October 14, 2024

Legal Reference: 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46; *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, available at:

<http://www2.ed.gov/admins/lead/safety/handbook.pdf>)

**ADMINISTRATIVE**  
**REPORTING CRIMES AND**  
**EMERGENCIES ON CAMPUS**

**ALAMANCE**  
**COMMUNITY COLLEGE**

**POLICY**  
**2.1.8**

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In the event of a crime or emergency in progress or a risk of harm to persons or property, employees, students, and visitors should immediately call 911 and/or notify campus Public Safety by calling 336-506-4286. Known and suspected violations of federal and state criminal laws should be reported to the Director of Public Safety who will involve the appropriate law enforcement agency and file the required College documentation.

Criminal incidents occurring off campus involving students participating in a College function should be reported immediately to law enforcement and to the Director of Public Safety as soon as possible.

Adopted: June 13, 2022



## I. DEFINITIONS

Communicable disease is defined as “an illness due to an infectious agent or its toxic products which is transmitted directly or indirectly to a person from an infected person or animal through the agency of an intermediate animal, host, or vector, or through the inanimate environment” (NC G.S. 130A-2 Page 1 § 130A-2). Communicable diseases include but are not limited to: influenza; chicken pox; measles; tuberculosis; conjunctivitis; infectious mononucleosis; acquired immunodeficiency syndrome (AIDS); Hepatitis A, B, C, and D; meningitis; methicillin-resistant Staphylococcus aureus (MRSA); and Hemorrhagic Fevers (including Ebola). Communicable diseases can be categorized according to how they are transmitted:

1. Class A Communicable Diseases – can be transmitted through casual contact. Examples: influenza, tuberculosis, conjunctivitis, infectious mononucleosis, meningitis, methicillin-resistant Staphylococcus aureus, COVID-19.
2. Class B Communicable Diseases – are transmitted through exposure to blood or bodily fluids. Examples: acquired immunodeficiency syndrome (AIDS), Hepatitis B or C, Hemorrhagic Fevers (including Ebola).

## II. PURPOSE

Alamance Community College (ACC) recognizes that certain communicable diseases can have serious implications on the health and safety of all students and employees. The college does not discriminate, in policy or practice, against persons infected with a communicable disease. However, ACC does expect that individuals who have been exposed to or have symptoms of a communicable disease conduct themselves in an ethical and legal manner in accordance with the Centers for Disease Control and Alamance County Health Department policies and, in the event of a determined pandemic level, in accordance with applicable governmental directives and orders, emergency or otherwise.

## III. POLICY

Individuals exposed to or infected with a communicable disease are expected to seek prompt expert medical advice and implement recommended treatment in accordance with the policies of the Centers for Disease Control and the Alamance County Health Department. Individuals exposed to or determined to be infected with Class A Communicable Diseases are encouraged to advise ACC of their medical status circumstances by notifying their course instructors or campus employers as appropriate, and providing documentation if requested. Instructors and campus employers will consult the Director of Public Safety for advice or instructions as needed. Individuals exposed to or infected with Class B Communicable Diseases are expected to advise ACC of their medical status and treatment so that the College can respond appropriately to their needs on a case-by-case basis. Written documentation may be required. Upon diagnosis, students should immediately contact the Vice President for Student Success or the Coordinator of Disability Services. Employees shall immediately contact the Director of Human

Resources.

Information relating to the communicable disease of a student/employee/contracted employee of ACC will be disclosed only to responsible college officials on a strictly need-to-know basis and will be kept confidential in accordance with applicable governmental privacy and health regulations and subject to applicability, if any, of the Family Education Rights and Privacy Act of 1974 and Americans with Disabilities Act. Unauthorized disclosure of an individual's identity and medical information by an employee of ACC is prohibited. Violation of this prohibition may result in disciplinary action, including suspension from, or termination of, an individual's employment with ACC.

Persons determined to be infected with a Communicable Disease, who qualify as an individual with a disability pursuant to the Americans with Disabilities Act, will not be excluded from participation in or denied benefits of ACC's services, programs, or educational activities or from employment unless individually based medical judgments indicate that exclusion from classes or other restricted activities, or work, is necessary for the health and safety of the individual or members of the college community.

ACC will follow the Centers for Disease Control and Alamance County Health Department standards for monitoring and tracking individuals with exposure to communicable diseases. ACC will refer symptomatic students or employees to an appropriate medical facility and require documentation from this medical facility stating that the student or employee is medically safe to return to the campus or engage in ACC programs. Decisions in individual cases that restrict access to employment or to educational programs/activities will be made by the Executive Vice President in consultation with the appropriate Vice President/Dean/Director, and in consultation with the Director of Public Safety, local public health officials, and, if available, the individual's physician/health care provider. As required by applicable law, ACC will endeavor to provide the individual with reasonable accommodation(s) given consideration as to the circumstances.

In public health and/or pandemic level communicable disease situations, the President will implement the College's Emergency Response Plan and "Communicable Disease and Pandemic Threat Response Procedures." Actions that may be taken by the President to prevent the spread of communicable disease include but are not limited to:

1. Modify campus-based instruction and/or College services to other delivery systems such as online.
2. Limit or prohibit employee travel and/or student field trips/site visits.
3. Close or limit access to certain College buildings or programs temporarily.
4. Prohibit those infected with a communicable disease from coming onto the College's campuses or attending ACC-sponsored functions or programs.
5. Control entry to campus facilities and screen visitors and community members for relevant symptoms and/or exposure.
6. Close the College temporarily.

ACC may require immunizations, prior to admission or employment, for specified communicable diseases, including, but not limited to, Class A Communicable Diseases. In

lieu of proof of vaccination, an individual may provide a licensed medical professional's statement of immunity or of contraindication to a vaccine; a lab blood test/titer documenting immunity; or a statement of religious exemption. ACC may apply more restrictive requirements for employment or participation in a specific ACC program or class, such as child care, clinical programs, and certain health services programs on a case-by-case basis.

ACC will promote a healthy and safe environment for both students and employees through minimizing risk of transmission of diseases that are blood or body fluid borne. ACC will comply with federal regulations and state statutes regarding blood borne pathogens as set forth in the Federal Register, 29 CFR §1910.1030 and the North Carolina Administrative Code, 10A NCAC 41A, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit blood borne pathogens that can lead to disease or death.

An employee who could “reasonably anticipate,” as a result of performing required job duties, to face contact with blood, bodily fluids, or other potentially infectious materials is covered by the OSHA Blood borne Pathogens Standard, the North Carolina Administrative Code, and this policy. “Occupational Exposure” includes any reasonably anticipated skin, eye, mucous membrane or parenteral (brought into the body through some way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. “Good Samaritan” acts, such as assisting a co-worker or student with a nosebleed would not be considered “reasonably anticipated occupational exposure.”

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

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

Adopted: June 12, 1989; revised August 13, 2007; revised April 13, 2020

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>ADMINISTRATIVE ADVERSE WEATHER AND EMERGENCY CLOSINGS</b>	<b>POLICY 2.1.10</b>
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During situations such as natural disasters, emergencies and/or inclement weather, the President has the discretion to alter the College's operating schedule as needed. The President shall take the necessary steps to manage the situation and notify College employees.

A. Use of Leave

If the President closes the College as a result of adverse weather or emergency, online instruction will continue as usual, and faculty and staff will continue College operations remotely by teleworking. To ensure continuity of services, employees who are teleworking should remain accessible between the College's normal operating hours of 8:00 a.m. and 5:00 p.m. Supervisors will provide guidance to hourly employees to determine if there is a significant amount of work to complete remotely. Hourly employees must submit hours only for the time they work. Hourly employees are not compensated when they do not work during an altered work schedule or closing. Any full-time employee who decides not to work remotely when the College is closed for adverse weather or other emergency must take leave. Full-time leave-earning employees who depart before an official early closing or report to work after a delayed opening, or do not report at all when the College has decided to open, shall be required to use annual leave, bonus leave, or compensatory time.

If an employee has exhausted all leave options, he or she must take leave without pay for the day(s) or hour(s) taken. In these instances, employees should consult with Human Resources and their supervisor.

B. Loss of Instructional Time

Curriculum Classes: When necessary, the Administration may identify instructional make-up days to be observed within the current semester. This may include the addition of instructional days to the end of the current semester or the utilization of days previously scheduled as breaks. If instructional days are not added, coursework for missed academic classes due to inclement weather or an emergency closing will be made-up in the best interest of student learning using one of the following ways:

- Conducting additional class sessions outside of normal class hours, at a time convenient for faculty and students;
- Conducting class online; or
- Using an alternate assignment.

Faculty will record their make-up plans on the Alternate Instruction Form and submit the form to their Department Head.

Continuing Education Classes: The Coordinator or Director will add hours and/or days to the class as appropriate.

Adopted: June 13, 2022

Every effort will be made to make announcements regarding adverse weather/emergency closings as early as possible. Staff members including the President, Executive Vice President, Vice President of Instruction, Vice President of Workforce Development, Vice President of Business and Finance, Associate Vice President of Administrative Services and Facilities, Director of Public Safety, Director of Information Services, Facilities Manager, and Director of Public Information will convene to advise the President on closings or delays and prepare related communications.

The College will adhere as much as possible to the following timelines for making closing or delay decisions:

- Decisions affecting day classes will be made by 6:00 a.m. or earlier if possible.
- Decisions about evening classes will be made no later than 3:00 p.m. if possible.

If weather deteriorates during evening classes, Public Safety will make rounds to dismiss classes. In areas holding weekend and midnight classes, the Vice President or Dean will make the closing decision and communicate it to the affected employees and to Public Safety.

Early College High School and Career and College Promise students should follow the county or city school schedule during inclement weather. However, if the College is open, high school students taking classes on the College campus should make every effort to attend class if they can safely do so.

Announcements regarding closures or delays will be posted on the College's website and social media accounts, as well as announced on local television/radio stations and on the College's main information line at 336-578-2002. Closing or delay decisions are also sent to students via their ACCess email accounts. Students are encouraged to set up an individual ACC Alert account to receive weather and emergency messages by phone and text message. Information on how to sign up is found at <https://www.alamancecc.edu/safety-and-security-site/acc-alerts/>

In the event that conditions cause the College to open on a delayed schedule, classes will resume at the opening time and continue on a normal schedule. Classes that would have been held before the delay are cancelled with instructions for make-up coming at a later time.

In the event that curriculum classes miss contact hours due to College closings prior to the original census date, the Registrar will recalculate the census date. The census date for online classes will not be impacted by closings or delays.

Adopted: June 13, 2022

In accordance with the Campus Sex Crimes Prevention Act of 2000 (“Act”), the College is providing to the campus community a link to the [National Sex Offender Public Website](#) and [North Carolina Sex Offender and Public Protection Registry](#) (“Registry”), where they can obtain information for their local sheriff’s office and/or sign up to receive email alerts when registered sex offenders report an address in the local area.

The Act requires the College to issue a statement advising the campus community where law enforcement information provided by North Carolina concerning registered sex offenders may be obtained. The Act also requires sex offenders already required to register in North Carolina to provide notice to each institution of higher education in North Carolina at which the person is employed, carries a vocation, or is a student. North Carolina law requires sex offenders who have been convicted of certain offenses to register with their county’s sheriff. Information about sex offenders is then entered into the Registry database by the sheriff’s office and transmitted to the N.C. State Bureau of Investigation. The N.C. State Bureau of Investigation collects information submitted by sheriffs in all counties in the state and makes it available to the public via the Registry.

Adopted: June 13, 2022

Legal Reference: P.L. 106-386

**ADMINISTRATIVE  
CATASTROPHIC EVENTS  
ALAMANCE PLANNING AND CONTINUITY OF POLICY  
COMMUNITY COLLEGE OPERATIONS 2.1.12**

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Alamance Community College has policies, procedures, and plans in place to address institutional operations in the event of emergencies or catastrophic events.

## **I. CONTINUITY OF OPERATIONS**

The College's Business Continuity Plan (BCP) dictates how the organization reacts and recovers from events that threaten the organization's ability to operate. The BCP, which is reviewed annually, addresses the following actions:

- Identify the activities, resources, and procedures needed for operations during disruptions.
- Assign responsibilities to designated personnel and provide guidance for recovering and continuing operations during prolonged periods of interruption.
- Ensure coordination between relevant staff.
- Coordinate with external points of contact and vendors.

The College's Emergency Response Plan provides detailed emergency instructions for students and employees to ensure safety and protection of property during fire, natural disasters, facility failures, medical emergencies, bomb threats, and other crises. The Emergency Coordination Group receives incident command training and participates in emergency response exercises including tabletop exercises and live drills.

The College operates highly available educational technologies such as Moodle Learning Management System and the collaboration platform Blackboard Collaborate. The College also maintains faculty and business Zoom accounts for instructor-student and employee collaboration. These technologies are cloud-based to minimize the likelihood of noticeable service disruption.

The College has department-level contingency plans to ensure continuity of operations for their specific areas.

## **II. INSTRUCTIONAL DISCONTINUENCES**

In the event that ACC cannot deliver the instruction for which students have enrolled, the following procedures apply:

- Provide students with a teach-out plan for finishing their degree or program path as long as they maintain continuous enrollment.
- Provide a reasonable alternative for delivering instruction and/or services for which students have paid.
- Provide reasonable financial refund for the education students did not receive.
- Provide assistance transferring earned credits to another North Carolina Community College.

The goal of these actions is to protect the interests of students, provide minimal disruption to students, and satisfy the requirements of external bodies, including the North Carolina

Community College System, the Southern Association of Schools and Colleges Commission on Colleges (SACSCOC), and the U.S. Department of Education.

Students will be notified by the College in the event of instructional discontinuances and will be counseled about their options by advisors.

If a catastrophic event forced permanent closure, the North Carolina State Board of Community Colleges Code outlines specific requirements, including notifying students and applicants of pending closure, helping students identify equivalent programs and transfer to other community colleges, and transferring all permanent student records to the North Carolina Department of Cultural Resources.

Adopted: September 12, 2022

Sources: 1B SBCCC 200.99



The College is a 100% tobacco-free environment. The use of tobacco products is prohibited in any College buildings, facilities, vehicles, or property owned, leased, or operated by the College including all outside areas. The sale or free distribution of tobacco products, including merchandise, is also prohibited. This policy applies to all College employees, students, vendors, contractors, and visitors to campus.

## I. DEFINITIONS

A. Tobacco is defined as all products delivered from, or containing tobacco, including and not limited to those listed below.

- Cigarettes
- Cigars, cigarillos
- Pipes or hookah
- Smokeless tobacco
- Electronic cigarettes or vaporized nicotine

B. Tobacco use is defined as smoking, chewing, dipping, or any other use of tobacco products.

## II. PROHIBITION

All individuals shall comply with the policy. It is the responsibility of all students, faculty, staff, and visitors to observe, adhere to, and respect the College's tobacco-free policy. Citations and fines are imposed for using tobacco. Failure to adhere to the policy could result in disciplinary action for students and employees. Littering the remains of tobacco products or any other waste product on college property is further prohibited.

## III. PUBLIC EDUCATION

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

Adopted: May 13, 2019; revised June 13, 2022  
Legal Reference: N.C.G.S. § 115D-20.1

**ADMINISTRATIVE  
PROTECTION AND CARE OF  
COLLEGE PROPERTY**

**ALAMANCE  
COMMUNITY COLLEGE** **POLICY  
2.2.2**

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

1. Any person who willfully damages or destroys any College property will be liable for the replacement or repair of such property and may be subject to disciplinary and legal action.
2. Employees shall promptly report in writing to their supervisors the loss of any College property or loss and/or destruction of any official College records or documents. Students and visitors should report property loss or destruction of College property, records, or documents to the Department of Public Safety.
3. Records and documents in the College's custody are for official purposes only. It is unlawful to remove, tamper, or destroy records and documents from files without approval from the proper authority or as otherwise authorized under the records retention schedule. Individuals who remove, tamper, or destroy College records will be subject to disciplinary and legal action.

Adopted: June 13, 2022

The College's facilities exist to meet the educational needs of citizens within the College's service area. The College offers a wide-range of credit curricula and non-credit extension courses and the College's facilities are to be utilized to facilitate these programs. The College may use its facilities in any legal matter. In addition, the College may make its facilities available in accordance with its guidelines and procedures upon reasonable conditions for the periodic use of student organizations, government agencies, non-profit entities, community members, and for-profit entities (for non-revenue generating events) provided the activities involved are in furtherance of the College's educational purposes or are in promotion of the community's cultural and educational welfare.

The use of the College's facilities cannot compete with or disrupt any of the College's classes or events that are or could be offered.

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

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

Adopted: June 13, 2022

Alamance Community College (ACC) seeks to recognize the efforts and contributions of individuals, families, organizations, foundations, or corporations by the naming of buildings, portions of buildings, rooms, and other spaces and features on campus. This policy establishes a uniform and consistent procedure to gain approval and to record these namings.

The primary intent of the naming process is to allow ACC to recognize significant contributions of all kinds by naming physical property, if the donor desires such recognition.

## **I. PURPOSE**

This policy serves as a guideline for the ACC Board of Trustees, the Alamance Community College Foundation (“ACC Foundation”) Board of Directors, other volunteers, and college employees who are involved in the solicitation of donations. It is established to assure consistency, fairness, fitting recognition, and positive value in exchange for the honor of name association with a physical aspect of ACC.

## **II. RESPONSIBILITY FOR RAISING FUNDS**

The ACC Board of Trustees and the ACC President have the responsibility to ensure that the mission of the college is met. The mission of Alamance Community College is to provide the educational programs and services of a comprehensive community college that respond to our diverse community needs and empower life-long learners to participate in a global society. To successfully carry out the mission, the ACC President or designee may oversee the solicitation of public and private funds. Such efforts will be coordinated through the Office of Institutional Advancement.

## **III. NAMING TRIBUTES**

Two circumstances may give rise to a naming tribute:

1. Naming in Recognition of Distinguished Service may honor a gift of time or talent that has had a significant positive impact on the college over an extended period of years. Such honor will typically be recommended no less than one year following the end of the individual’s service to the College. The ACC President, or a committee appointed by the ACC President, is charged with determining whether the person proposed is worthy of the honor, as well as the degree of internal and external support for the proposed naming, prior to submitting to the ACC Board of Trustees, via the Budget and Finance Committee, for approval.
2. Provision of a monetary gift appropriate to the facility or physical aspect being named. (See Giving Levels section.)

## **IV. DONOR RIGHTS AND RESPONSIBILITIES**

Donors to be honored with naming opportunities may reflect individuals, families, organizations, foundations, or corporations.

1. Naming recognition should enhance the reputation and prestige of the College and the donor. The ACC Board of Trustees reserves the right to withdraw the privilege of name association should future acts and circumstances warrant.
2. The donor has up to five years to fulfill the naming rights pledge.
3. It is the responsibility of individuals negotiating on behalf of the college to advise potential benefactors that a gift may be recognized by naming, subject to approvals and decisions consistent with this policy.
4. In all cases, a signed agreement with the donor should be sought that details the gift's purpose, payment schedule (where appropriate), acknowledgement and naming opportunities, fund management, and other relevant details.

## **V. GIVING LEVEL GUIDELINES**

A. Giving levels for the naming of physical property should be established through consultation among the Budget and Finance Committee of the ACC Board of Trustees, the ACC Foundation Executive Committee, and the ACC President and/or designee. All potential gifts that will result in a naming will be brought to the Budget and Finance Committee of the ACC Board of Trustees by the ACC President or designee and voted on. Naming decisions involving gifts in excess of \$750,000 and those recognizing distinguished service require a vote of the ACC Board of Trustees. Naming decisions involving gifts of \$750,000 or less will be reviewed with the ACC Board of Trustees, but do not require a vote.

### **B. Buildings**

The guidelines below represent naming minimums. In preparation for a specific fundraising initiative or in response to an unsolicited donation offer, the ACC President, or a committee appointed by the ACC President, will make a recommendation as to appropriate naming levels based on past precedents at ACC, comparables from other community colleges and educational institutions, institutional needs, and market conditions. Minimums indicated below may be overridden by a vote of the Building and Grounds Committee of the ACC Trustees and if the donation is over \$750,000, by the full board.

1. New buildings constructed with private funds: A minimum of 50% or more of the cost of construction is required to name a new building. Cost of construction includes, but is not limited to design, land acquisition, construction, and contingency expenses.
2. New buildings constructed with public funds: A minimum of 10% or more of the cost of construction is required to name a new building. Cost of construction includes, but is not limited to design, land acquisition, construction, and contingency expenses.
3. Existing buildings: Existing unnamed buildings may be named for donors in cases where substantial gifts are made by donors to programs conducted within those buildings or other appropriate purpose. The minimum amount is \$1 million.

4. Major renovations: In cases of major renovations which extend throughout an existing building, the building can be named for the donor provided that the donor's gift covers at least one-half (1/2) of the total cost of the major renovation (including design, construction, and contingency costs). It is not possible to outline specifically what constitute a major renovation, but this is a matter which shall be resolved in each individual case.

C. Spaces Within and Outside Buildings

It is not possible to create a policy that covers the myriad opportunities for naming on a college campus, including, but not limited to, halls, auditoriums, centers, student spaces, lobbies, suites, libraries, breakrooms, labs, classrooms, conference rooms, exterior features such as gardens or fountains, courtyards, plazas, specialized teaching facilities such as a greenhouse or equipment room, or parking facility.

In preparation for a specific fundraising initiative or in response to a donation offer with an unsolicited naming request, the ACC President, or a committee appointed by the ACC President, will make a recommendation as to appropriate naming levels based on past precedents at ACC, comparables from other community colleges and educational institutions, institutional needs, and market conditions. The recommended naming levels for a specific facility will be brought to the Budget and Finance Committee of the ACC Board of Trustees and the ACC Foundation Executive Committee for approval.

- D. When a College Building or other space has been named, it is the intent to continue to use the name so long as the facility remains in use and serves its original function, or as otherwise may be provided for in the written agreement between the parties and as subject to North Carolina statutes that exist now or may exist in the future. For example, the College has the right to propose a duration of a certain number of years for a particular naming opportunity, but that will be specified in the proposal to the donor by way of a memorandum of understanding that will be prepared by the Foundation Office and signed by the donor.
- E. The guidelines will be reviewed periodically by the Budget and Finance Committee of the ACC Board of Trustees, the ACC Foundation Executive Committee and the ACC President and/or designee. The donor and the ACC President or designee will jointly decide how funds donated are directed, invested, and spent, with the donor having ultimate authority if the gift is within the mission of ACC and the ACC Foundation as established by the ACC Board of Trustees and the ACC Foundation Board of Directors.

**VI. OTHER PROVISIONS**

- A. Where a building or physical aspect has been named, the college will continue to use the name so long as the building, part, or facility remains in use and serves its original function, unless otherwise stipulated at the time of gift acceptance. If a named facility is destroyed due to forces of nature or when the use of a building, room, or facility is changed such that it must be demolished, substantially renovated, or rebuilt, the Budget and Finance

Committee, following the guidelines provided in the Giving Levels section, may name another comparable room or facility for the original donor or honoree.

- B. The ACC President, in consultation with the donor, the ACC Board of Trustees or the Budget and Finance Committee of the ACC Board of Trustees, the ACC Foundation Executive Committee and/or other appropriate parties shall make decisions related to naming, including but not limited to the following: public announcements, physical markers and care and maintenance of the physical markers.
- C. Commitments made prior to adoption of this policy shall be honored.

Adopted: April 14, 2014; rev. March 27, 2020; June 8, 2020; June 10, 2024

(This policy replaces “Philanthropy at Alamance Community College and Naming Policy” adopted November 13, 2006.)

**ADMINISTRATIVE  
CAPITAL IMPROVEMENT  
PROJECTS**

**ALAMANCE  
COMMUNITY COLLEGE**

**POLICY  
2.2.5**

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The Government Accounting Standards Board (GASB) defines capital assets to include land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all other tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period.

North Carolina Community College System practice typically limits Capital Improvement Projects to efforts to obtain, construct, or improve the land, easements, buildings, grounds, and facilities of a college, excluding routine maintenance. The President shall provide a process to identify and execute necessary capital improvements for Alamance Community College, and will designate a Capital Projects Coordinator as required by the North Carolina Community College System Administration.

The Capital Projects Coordinator will review with the Building and Grounds Committee all proposed Capital Improvement Projects having estimated costs exceeding \$50,000. The Building and Grounds Committee and the Capital Projects Coordinator will determine whether full Board approval is necessary to proceed. Projects utilizing State funds and projects exceeding \$500,000 require approval from the State Board of Community Colleges. The President has the authority to approve budgeted capital improvement projects having estimated costs equal to or less than \$50,000. The College will follow all state and local policies, regulations, and procedures applicable to capital improvement projects approved by the President. A report will be provided to the appropriate Board of Trustees committee and to the full Board of projects approved by the President at the next regularly scheduled meeting.

For projects requiring full Board of Trustees approval and/or State Board of Community Colleges approval, associated plans, motions, minutes, and forms shall be reviewed jointly by the Building and Grounds Committee and the Capital Projects Coordinator. This review should be evidenced in writing. Only after this joint review will project approval be sought.

The President shall ensure that the College has a proposal request and contract award process in place for Capital Improvement Projects that complies with appropriate laws and regulations. The Capital Projects Coordinator will consult with the Building and Grounds Committee and the President on the awarding of any related contracts exceeding \$50,000. All contracts and change orders for projects exceeding \$50,000 shall be reviewed and signed by the President, provided:

1. The capital improvement project was authorized, established, and funded by the Board of Trustees; and the Board (and/or a Committee thereof) participated in the selection of the service provider;
2. There is ongoing consultation between the Board of Trustees Chair, appropriate Committee Chair, and President; and,
3. There is a written report back to the Board of Trustees regarding all actions taken at the next regularly scheduled Board of Trustees meeting.

The Vice President of Business and Finance/CFO shall direct the preparation of a quarterly detailed accounting of all Capital Improvement Projects including current month and cumulative revenues and expenditures, and a monthly reconciliation of the total project budget from inception



to date, including all approved change orders. This quarterly accounting of Capital Improvement Projects shall be delivered to the President, Chair of the Building and Grounds Committee, and Chair of the Board of Trustees.

Adopted: April 8, 2013; revised April 13, 2015; revised January 9, 2023

(This policy replaces “Construction Funds Policy,” adopted February 9, 1998.)

ALAMANCE COMMUNITY COLLEGE	ADMINISTRATIVE PREQUALIFICATION FOR CONSTRUCTION MANAGER AT RISK	POLICY 2.2.6
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A. Governing Law (Session Law 2014-42)

This policy is in effect for all pre-qualifications on State of NC work, including single prime project delivery and construction manager at risk first-tier subcontractors. G.S. 143-135.8(b)(2) requires the governmental entity to “adopt an objective prequalification policy applicable to all construction or repair work prior to the advertisement of the contract for which the governmental entity intends to prequalify bidders.” This policy satisfies this requirement for State agencies and universities and the community colleges.

B. Requirements for Prequalification Criteria Form and Assessment

1. Uniform, consistent, and transparent in its application to all bidders.
2. All bidders who meet the prequalification criteria to be prequalified are allowed to bid on the construction or repair work project.
3. Criteria must be rationally related to construction or repair work.
4. The bidder is not required to have been previously awarded a construction or repair project by the governmental entity.
5. Bidders are permitted to submit history or experience with projects of similar size, scope, or complexity
6. Assessment process of prequalification is stated in this policy.
7. A process for a denied bidder to protest is stated below in this policy.
8. A process for notifying a denied prequalified bidder is stated below in this policy.

C. Review of Application

1. Prequalification Committee – The owner and/or construction manager shall agree upon the members of the prequalification committee. The Prequalification Official (For State Agencies, the Director of State Construction; for Universities, the Chief Financial Officer (CFO) of the University Campus for projects under \$500,000, between \$500,000 and \$2,000,000 the Associate Vice President for Finance and Capital Planning with University of North Carolina – General Administration, for projects over \$2,000,000 the Director of State Construction; and for Community Colleges, under \$500,000 the Director of Administrative and Facility Services with Community Colleges System Office and over \$500,000 the Director of State Construction) shall not be on the prequalification committee. The prequalification committee will review prequalification applications submitted by the firms and will determine each firm’s prequalification eligibility for the project.
2. Review of Application – The prequalification committee shall use the objective assessment process form developed by the State Construction Office. The prequalification committee shall approve or deny the applications in accordance with the prequalification criteria and scoring system based upon the applicants’ initial response to the Owning Agency’s solicitation for qualified bidders. With the possible protests and appeals on prequalification and the times associated with responses, the

owner should have the advertisement for prequalification out to potential applicants at least two (2) months prior to actual bid date.

3. Notice of Decision – All firms that submitted applications for prequalification shall be promptly notified of the prequalification committee’s decision, including the reason for denial, via e-mail. Notice shall be provided prior to the opening of bids for the project and with sufficient time for the firm to appeal the denial of prequalification.
4. Informal Meeting - Upon denial, the applicant may request an informal meeting with the owner’s representative and/or construction manager to receive feedback and suggestions for improvement. The Owner’s representative and/or construction manager shall hold a feedback session for the applicants who do not appeal the decision within two (2) weeks of the request.
5. Firms wishing to appeal the decision shall follow the appeals process described below.

#### D. Appeals Procedure

1. The firm may appeal the denial of Prequalification as noted below.
  - a. Initial Protest – A firm denied prequalification may protest the prequalification committee’s decision by filing a written appeal via hand-delivery or e-mail to the applicable prequalification committee within three (3) business days of emailed notice that the firm has been denied prequalification. The written appeal shall clearly articulate the reasons why the firm is contesting the denial (i.e., explains how the firm satisfied all required criteria for prequalification in the government’s solicitation in their initial response) and attach all documents supporting the firm’s position. The prequalification committee may contact the firm regarding the information provided prior to ruling on the protest. The Prequalification Committee should review the written protest within five (5) business days. If the prequalification committee is satisfied that the firm should be prequalified, the firm shall be notified that it is prequalified to bid on the project and allowed to participate in the bid process. If the prequalification committee upholds its denial, the firm shall be notified in writing via e-mail.
  - b. Appeal – Within three (3) business days of the owner’s emailed notice of the Prequalification Committee’s written protest decision, the denied prequalified firm may appeal the prequalification committee’s decision, in writing, via hand-delivery or e-mail, to the Prequalification Official (see C.1 above). The Prequalification Official should review the appeal within five (5) business days. In the event the Prequalification Official is unable to review in a timely manner, he/she may designate a representative that is not a member of the prequalification committee to handle the appeal.
  - c. Decision on Appeal – The decision of the Prequalification Official or Representative on the appeal shall be final, and the firm shall be promptly notified of the decision.

- d. General Rules for Protests and Appeals – Firms submitting prequalification applications shall be provided an e-mail address for the communication with the owner and/or construction manager during the protest and appeal process. The firm shall provide at least two e-mail addresses for use by the owner and/or construction manager in communicating with the firm. In the event the Prequalification Official or Representative is unable to render a decision on either the initial protest or the appeal prior to the bid date, the firm shall be allowed to submit a bid on the project subject to a final decision on the protest or appeal. If the firm's bid is opened prior to a final decision on the protest or appeal and the bid is not the lowest monetary bid for the project, the appeal shall be terminated and rendered moot. Bids received from firms who have been ruled disqualified to bid shall not be opened. A firm's failure to comply with any requirements of the protest and appeals procedures of this section shall result in the firm's protest or appeal being terminated and rendered moot.

Adopted: March 13, 2015

## **I. OVERVIEW**

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

North Carolina law (N.C.G.S. 168-4.2) imposes a similar requirement, and further provides that a Service Animal-in-Training may be brought onto the premises of entities that serve the public “for the purpose of training when the animal is accompanied by a person who is training the animal. The service animal wears a collar and leash, harness, or cape that identifies the animal as a service animal in training.” In addition, North Carolina law prohibits any fee for the use of the service animal and any attempt to obtain access for an animal under the false pretense as a Service Animal.

## **II. DEFINITIONS**

- A. Service Animal – an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a Service Animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Service Animals may or may not have been licensed by a state or local government or a private agency. Service Animals are limited to service dogs and, in some cases, miniature horses.
- B. Emotional Support Animal – an animal selected or prescribed to an individual with a disability by a healthcare or mental health professional to play a significant part in a person's treatment process (e.g., alleviating the symptoms). An emotional support animal does not assist a person with a disability with activities of daily living and does not accompany a person with a disability at all times. An emotional support animal is not a "Service Animal.”
- C. Service Animal-in-Training – animals that are being trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

### **III. ANIMALS ON CAMPUS**

Pets are not permitted on campus and may not be left in vehicles on College property. There are occasions when a student or employee may need to bring an animal onto campus for the purpose of meeting an educational objective. Such requests should be made to the appropriate Dean prior to the animal being allowed onto campus.

Subject to the rules set forth in section IV and V below, Emotional Support and Service Animals are permitted in any area of campus where employees or students are permitted, with a few exceptions for health and safety reasons (i.e., areas that must adhere to certain required sanitation rules, such as campus culinary and health sciences programs and third-party clinical partners).

### **IV. PROCEDURES REGARDING SERVICE/EMOTIONAL SUPPORT ANIMALS**

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

##### **1. Registration**

- a. Service Animals – Students and employees are not required to register Service Animals. However, they are strongly encouraged to notify the Disability Services Office (students) or the Office of Human Resources (employees) if they intend to use a Service Animal on campus so that appropriate College officials are aware of the animal’s presence and to assist with the Service Animal’s access to areas within the College’s campus. Logistical or physical accommodations within campus buildings or classrooms may be necessary to ensure that a Service Animal has the space necessary to assist its handler. In addition, there are other disability-related academic accommodations a student handler may be eligible to request to ensure full access to the learning experience. Visitors with Services Animals are not required to register their animals.
- b. Emotional Support Animals – Students requesting the use of an Emotional Support Animal as an accommodation for disability must provide appropriate documentation from a licensed healthcare professional to the Disability Services Office. Employees requesting use must provide documentation to the Human Resources Office. Notice in advance is required to allow review and verification of student along with verification of all vaccinations and the health of the animal including all the necessary licensing. Any potential impact on others or the activity will be evaluated including possible effect on persons with allergies to animal hair or dander.

##### **2. Care and Supervision**

- a. The care and supervision of a Service/Emotional Support Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times.
- b. The Service/Emotional Support Animal must be under the control of the handler at all times and may not be left alone. A Service/Emotional Animal must be restrained by a leash that does not exceed six (6) feet in length or other appropriate device dependent on the animal (i.e., carriers or cages). In situations where a leash or other appropriate device interferes with a Service Animal's ability to perform its task or service, the Service Animal must remain under the control of the handler at all times.
- c. The owner/handler of the Service/Emotional Support Animal is responsible for any damage of personal or college property or any injuries to an individual caused by the Service/Emotional Support Animal.
- d. The handler must ensure the animal is "housebroken" and trained. The handler must clean up and remove all animal waste created by the animal both inside campus buildings and outdoors on campus property.
- e. The Service/Emotional Support Animal may not disrupt the operation of the College or any class. Disruptions include but are not limited to barking, growling, pacing/constant motion, foul odor, pawing, and/or sniffing of others. It is the assumption of the college that all Service/Emotional Support Animals on campus are "working" animals and therefore should not be treated as a pet. There should be no petting by others and no handling by others.

B. Responsibilities of the College Community

1. Service Animals

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

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

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

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

## 2. Emotional Support Animals

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

The following documentation is required in all requests for accommodations that include an Emotional Support Animal:

- a. A diagnostic statement describing the disability.
- b. A clear description of the current impact and functional limitations resulting from the disability.
- c. A statement indicating that the Emotional Support Animal has been prescribed for treatment purposes.
- d. A statement indicating that the Emotional Support Animal is necessary to help alleviate symptoms associated with the identified disability or condition so to enable access and/or participation in a campus-based activity.
- e. A description of the service(s) that the animal will provide.
- f. Any additional rationale or statement to support the accommodation.
- g. The healthcare professional's signature and contact information, including licensing identification.

## C. Removal of Service/Emotional Support Animals

The College has the authority to remove a Service/Emotional Support Animal from its facilities or properties if the Service/Emotional Support Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior



or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities. Removal shall be decided on a case-by-case basis, based on that specific situation.

In appropriate situations, the College will use a progressive model beginning with a warning for a first offense and removal (either temporarily or permanently) for additional offenses. However, dependent on the severity of the situation, the first offense could result in a temporary or permanent removal.

It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training" (N.C.G.S. § 168-4.5). In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal. Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action.

Adopted: June 13, 2022

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

Alamance Community College encourages the use of its facilities by citizens in accordance with the stated purposes and policies of the College. The primary use of College facilities is for enrolled students, patrons, staff, and guests.

The Board of Trustees of Alamance Community College authorizes the President or his or her designated representative to designate any or all areas of the campus as open only to enrolled students, patrons, staff, or guests. Loitering is not permitted. The President may establish guidelines for the enforcement of this policy toward individuals whose presence may be undesirable, disruptive, or otherwise inappropriate on the campus, at a particular place on campus or at a College-related event. Such individuals may be subject to removal from campus and/or trespassing charges.

Revised: November 18, 2010

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

Adopted: June 13, 2022

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

The College shall maintain an ongoing planning process for the purpose of continuous improvement. The planning process includes annual outcomes assessment for administrative services and student support units, annual Curriculum student outcomes assessment, Curriculum and Continuing Education program reviews, facilities master planning, and multi-year strategic plans.

At a minimum, the College's plans shall address program and facility needs; shall include the College's mission, goals, and objectives, consistent with the mission of the North Carolina Community College System and with the State Board's priorities; and shall provide for evaluation of student outcomes.

Adopted: June 13, 2022

Legal Citation: 1B SBCCC 400.2

Charitable donations are anything of value given to the College including, but not limited to restricted and unrestricted gifts of cash, property, equipment, or other forms of gifts-in-kind. The President is authorized to develop procedures to address charitable donations made directly to the College.

- A. Except in instances of donor preference or for some other compelling reason, gifts to the College should be channeled through the Foundation. The Foundation is authorized to solicit charitable donations and gifts on behalf of the College, subject to the policies and procedures of the College.
- B. All gifts to the College valued at \$250 or higher must be approved by the President or a Vice President before they can be accepted. Individuals offering gifts to the College through a College employee should be directed to the President or Vice President who will decide to either:
  - 1. Accept a gift depending upon the conditions of the donation, any restrictions, the gift's future benefit to the College, potential use, maintenance and operation costs, insurance and/or cost of disposal; or
  - 2. Refuse an offer of a gift if conditions of the offer so warrant (i.e., restrictions on use, the gift's future benefit to the College, potential use, maintenance and operation costs, insurance, and/or cost of disposal).
- C. For any donation given to the College valued at \$250 or higher, the College shall send a letter to the donor, which contains an acknowledgment of the donation and the date the donation was given. The College shall keep all donation acknowledgement letters on file for a minimum of three (3) years and will only destroy or discard them pursuant to Policy 2.3.11 – College Records.
- D. If the value of a noncash donation exceeds \$5,000, in addition to the letter, the College shall also complete the “Donee Acknowledgement” portion of Federal IRS Form 8283.
  - 1. The College shall keep all donation acknowledgement letters on file for a minimum of three (3) years and will only destroy or discard them pursuant to Policy 2.3.11.
  - 2. If the College sells, exchanges or otherwise disposes of the donation within three (3) years of receipt, it will file Federal IRS Form 8282 with the IRS and provide the donor a copy of the form.
- E. The College will not accept donations of hazardous materials or chemicals.

Adopted: June 13, 2022

(This policy replaces “Alamance Community College and Alamance Community College Foundation Non-Cash Gifts Policy” adopted February 14, 2005.)

The purpose of this procedure is to assure that all non-cash gifts received by the College and the College Foundation support the mission of the College and are consistent with its policies; are not a hazard to faculty, students, or staff; are properly accounted for in the College's financial and inventory systems; and are appropriately acknowledged. An additional aim is to provide informational transparency, so that any costs or activities related to the gift that might require the allocation of College resources will be known before the gift is accepted.

**I. DEFINITION**

A non-cash gift is an item such as equipment, supplies, or a product that is voluntarily transferred from one entity to the College or the Foundation without charge or consideration. Gifts of professional services given at no charge may also be considered non-cash gifts. Gifts of such services may be recognized by the Foundation.

**II. USE OF NON-CASH GIFTS**

All non-cash gifts accepted must demonstrate at least one of the following:

- Have clear educational purpose.
- Provide savings on administrative costs.
- Be intended for sale by the Foundation to benefit the educational programs of the College.

Only the Foundation may sell non-cash gift items outside the State Surplus system, and any value realized will be applied to the Foundation.

**III. AUTHORITY TO ACCEPT NON-CASH GIFTS**

Only the President and Vice Presidents of the College have the authority to accept non-cash gifts valued at \$250 or higher. Other faculty and staff may accept non-cash gifts valued at less than \$250. Such gifts must be useable within the year and must not pose an environmental or other hazard. Faculty and staff are encouraged to report these gifts to the Foundation using the Non-Cash Gift Acceptance Form so that donors can be acknowledged and provided with a tax receipt.

In all cases, consideration should be given to ensure that acceptance will not involve financial commitments in excess of the value of the donation. Consideration should be given to the cost of maintenance, delivery, insurance, disposal, and any space requirements for exhibiting or storage.

**IV. PHYSICAL ACCEPTANCE AND DELIVERY OF A GIFT VALUED IN EXCESS OF \$250**

Foundation staff must be given a copy of the Non-cash gift form (properly signed) at least 24 hours prior to a non-cash gift item being delivered. In general, the donor is

responsible for paying charges related to transportation or shipping. Generally, gifts are accepted by the College Foundation. The Foundation acknowledges the donation and provides the donor a receipt for tax purposes. Donors will be acknowledged in the Foundation's annual report. Gifts intended for use by the College will be transferred to State property and can only be disposed of through state surplus.

#### **V. VALUATION OF NON-CASH GIFTS**

Putting a value on contributed equipment, goods or services is always the responsibility of the donor, not the College or the Foundation. If the donor values the gift at \$500 or above, they must file IRS Form 8283 with their taxes. For most non-cash donations for which the deduction claimed is greater than \$5,000, the donor must obtain an independent appraisal. The donor pays for this appraisal, which is required by the IRS.

#### **VI. TITLE TRANSFER**

If the item requires a transfer of title, the title is delivered to the Foundation along with the item, at which point the donor assigns title to the Foundation or the College as is appropriate. A staff notary notarizes the transfer and the title is maintained by the business office. The item is then insured, if appropriate.

For transfers of real property, the College may utilize the services of an attorney to transfer title.

#### **VII. ANONYMOUS**

While the College and the Foundation understand the desire of some donors to remain anonymous, their identity must be disclosed on the Non-Cash Gift Acceptance Form for internal records. Unless anonymity is specifically requested, the College and Foundation regard all gifts as a matter of public record.

#### **VIII. STUDENT CLUB FUNDRAISERS**

Student clubs are permitted to have auction or raffle type fundraisers in order to benefit their activities. Such fundraisers must be cleared by the Student Government Association and the Vice President of Student Success. Student clubs should let the Coordinator of Student Activities know what businesses and/or individuals they will be approaching for non-cash donations. The Coordinator of Student Activities should alert the College Foundation to such activities. Once the fundraiser has been conducted, student clubs are responsible for depositing the funds raised in their business office account within 24 hours and completing the Foundation Non-Cash Gift Acceptance Form for Student Clubs.

Adopted: June 13, 2022

(This procedure replaces part of "Alamance Community College and Alamance Community College Foundation Non-Cash Gifts" adopted February 14, 2005.)

## I. GENERAL PROVISIONS

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

- A. Chapter 20 of the North Carolina General Statutes regarding the operation of motor vehicles on North Carolina highways shall apply to the College's streets, roads, alleys, and driveways along with all other rules and regulations contained herein. These regulations shall apply on a 24-hour basis.
- B. While on the College campus, all drivers shall comply with the Department of Public Safety's legal instructions and shall obey all traffic and parking laws and regulations. The College shall be responsible for ensuring that the necessary signs are erected and maintained on the campus.
- C. The College shall ensure that information about operating a motor vehicle on the College's campus is distributed at every student orientation and registration. A copy of this policy shall be included in the College Student Handbook. Failure to obtain a copy of this policy or not knowing the traffic laws is not an excuse or justification for violation of the laws and regulations.
- D. All vehicles operated on campus must be properly registered and display a College parking decal. Students, faculty and staff must register their vehicles within the first five (5) business days of being hired (for employees) or within two (2) business days of class (for students).
- E. Any vehicle that is driven by or is transporting a person who is handicapped and that displays a state-issued license plate, a removable windshield placard, or a temporary removable windshield placard may park in designated handicapped spaces on campus. No one will be allowed to park in designated handicapped spaces without the proper license plate or placard.
- F. Temporary Parking Permits: Visitors and clients doing business with the College may obtain a temporary parking permit. This permit is not valid for College employees or students. Visitors and clients may park in any legal parking space on campus. Visitors and clients must have a state-issued distinguishing license plate, a removable windshield placard, or a temporary removable windshield placard to park in designated handicapped spaces.

## II. SPECIFIC PROVISIONS

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



2. Driving faster than the posted speed limit.
  3. Failure to obey traffic signs.
  4. Failure to yield right-of-way at pedestrian crossings.
  5. Following too closely.
  6. Driving while impaired or driving under the influence of alcohol or drugs.
  7. Failure to yield to emergency vehicles.
  8. Operating a vehicle that creates a safety hazard.
  9. Parking in a designated handicapped space without the proper license plate or placard.
- B. Campus Officers and other College personnel authorized by the President shall have the authority to issue parking citations for violations including, but not limited to:
1. Parking in a restricted parking lot or zone.
  2. Parking on grass (unless a sign indicates permission).
  3. Blocking any legally parked vehicle.
  4. Affixing a parking decal to a vehicle other than that for which it was issued.
  5. Parking against traffic flow.
  6. Blocking or obstructing traffic, street, crosswalk, sidewalk, fire hydrant, building entrance or exit.
  7. Parking where protruding into a lane of traffic.
  8. Double parking.
  9. Parking on shoulder of road (unless a sign indicates permission).
  10. Failure of two-wheeled vehicles to park in designated areas.
  11. Parking a vehicle in any manner that creates a safety hazard.
  12. Leaving a vehicle on campus overnight without having prior permission and notifying Campus Officers.

### **III. CITATIONS**

The following system of citations shall be used.

- A. Moving and Handicapped Violations (Section II(A))
1. Campus Officers have the legal authority to issue citations for all moving violations and handicapped parking violations. A fine shall be imposed as required by law.
  2. The Campus Officer issuing the citation will advise the violator of the scheduled court date and procedure for payment of the fine.
  3. In addition, employees and students are subject to disciplinary action pursuant to Board policy.
- B. Parking Violations (Section II(B))
1. The first parking violation shall result in a citation placed on the vehicle and a five-dollar (\$5.00) fine per offense. The fine must be paid within 30

calendar days or the violator will lose his or her parking privileges until the fine is paid.

2. A second parking violation shall result in a citation placed on the vehicle and a five-dollar (\$5.00) fine per offense. The fine must be paid within 30 calendar days or the violator will lose his or her parking privileges until the fine is paid. Also, the violator will receive a follow-up letter that should he or she receive another parking citation, he or she will lose parking privileges on campus for the remainder of the academic year.
3. A third parking violation will result in the vehicle's towing and loss of parking privileges on campus for the remainder of the academic year.
4. During the first two (2) class days of each semester, warning citations shall be issued for improper parking. Beginning with the third-class day, the rules outlined herein shall be enforced.
5. Student registration for new/additional courses or release of transcripts will be blocked until all parking tickets have been paid.
6. In addition, employees and students are subject to disciplinary action pursuant to Board policy.
7. All abandoned vehicles and vehicles blocking a drive, obstructing the flow of traffic, creating a safety hazard, parked in a fire lane, loading zone, or designated tow-away zone or for third parking offense violation are subject to tow-away or immobilization by a restraining device at the full expense of the owner.
8. All proceeds of civil penalties collected shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with N.C.G.S. § 115C-457.2.

#### **IV. APPEAL**

Individuals receiving a citation pursuant to Section II(B) may appeal in writing to the Department of Public Safety within 10 calendar days of receipt of the citation. The Director of Public Safety will review the matter and his or her decision shall be final.

Adopted: June 13, 2022

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

**ADMINISTRATIVE  
CAMPUS FREE SPEECH,  
DISTRIBUTION OF MATERIAL,  
AND ASSEMBLY**

**ALAMANCE  
COMMUNITY COLLEGE**

**POLICY  
2.3.5**

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Free speech, which includes the right to distribute material and peacefully assemble, is central to the College's academic mission. The College encourages and supports open, vigorous, and civil debate across the full spectrum of society's issues as they present themselves to the College community. At the same time, limitations on activities on College property are necessary so that the College may fulfill its primary mission of educating students.

The President is authorized to develop procedures for public use of the College's outdoor spaces for distribution of material and assembly. The use of outdoor space on the College's campus does not represent an endorsement or support by the College of the content or viewpoints expressed by the individual or group using the space. The College is a limited public forum and does not discriminate based on content or viewpoint.

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

Adopted: June 13, 2022

(This policy replaces "Campus and Facilities: Visitors Policy at Alamance Community College" adopted June 9, 2008; revised November 11, 2013.)

**ADMINISTRATIVE  
CAMPUS FREE SPEECH,  
DISTRIBUTION OF MATERIAL,  
AND ASSEMBLY**

**ALAMANCE  
COMMUNITY COLLEGE**

**PROCEDURE  
2.3.5.1**

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The College is a limited public forum that does not regulate speech or activities based on content or viewpoint. All individuals using College Space must comply with the following Procedures. These Procedures only apply to the use of College Space and not to the use of facilities on campus. For more information regarding facility use, see Policy 2.2.3 – Facility Use.

**I. DEFINITIONS**

- A. College Members – students who are currently enrolled at the College and/or individuals currently employed by the College.
- B. College Space – all outdoor areas on the College campus.
- C. College Use – use of a College Space by the College for official College business and/or functions.
- D. Designated Area(s) – patio area east of the B Building on the Carrington-Scott campus. The President, or designee, is authorized to designate other areas on campus as Temporary Designated Areas when needed, dependent on the location and size of a specific event or activity. Temporary Designated Areas are not permanent and will end after the specific event or activity.
- E. Non-College Members – any individuals who are not currently enrolled at the College and/or are not currently employed by the College.

**II. SPEECH, DISTRIBUTION OF MATERIAL, AND ASSEMBLY FOR COLLEGE MEMBERS**

- A. The College is committed to making the majority of its College Space available to College Members who wish to exercise their rights of speech, distribution of material, and assembly. The College maintains the right to reserve any College Space at any time, with or without prior notice, for College Use, and such use will take priority over any other use.
- B. All outdoor assemblies may not be conducted within 30 feet of any building or otherwise interfere with free flow of vehicular, bicycle, or pedestrian traffic.
- C. Registration by College Members to use College Space is recommended for planning purposes. Registration ensures that the desired space will be available on the desired date and time. For more information about registration, see Section III (B) herein.

**III. SPEECH, DISTRIBUTION OF MATERIAL, AND ASSEMBLY FOR NON-COLLEGE MEMBERS**

- A. Except as stated herein, Non-College Members shall be allowed to use the Designated Area between the hours of 8:00 a.m. and 9:00 p.m. on Mondays through Fridays when the College's general curriculum classes are in sessions. The Designated Area is not available on weekends or when the College is closed. The College maintains the right to use the Designated Area at any time, with or without prior notice, for College Use, and such use will take priority over any other use.

If on the weekends the College is having an official College event or if a speaker or group is hosting an event that is open to the general public and/or is a matter of public concern, the Designated Area, or Temporary Designated Area, if so established, will be open to Non-College Members at times established by the President or designee; provided, however, that the Designated Area must be open at least one and one-half hours prior to and after the event.

- B. Any Non-College Members will be allowed to use the Designated Area within the time restriction. All Non-College Members must complete a Registration Form (the "Form") and submit it to the Director of Public Information and Marketing no earlier or later than three (3) business days prior to their activity on campus. The College does not restrict speech and/or activities based on content or viewpoint. The purpose of the Form is to make sure there is adequate space in the Designated Area for the requested date and time and for safety concerns. Upon request by College officials, Non-College Members will be required to provide proof of registration for use of the Designated Area. Forms will only cover one (1) day at a time. Requests for standing dates (i.e., every Tuesday) will not be honored.
- C. The College will assign use of a Designated Area on a first come, first serve basis; however, the College may regulate hours to fairly accommodate multiple groups.

**IV. GENERAL RULES AND REGULATIONS FOR BOTH COLLEGE AND NON-COLLEGE MEMBERS**

- A. While expressing speech, distributing material, or assembling, both College and Non-College Members are prohibited from doing the following:
1. Engaging in non-protected speech such as obscenity, speech inciting criminal conduct, speech that constitutes a clear and present danger, or speech that constitutes defamation.
  2. Touching, striking, approaching, or impeding the progress of pedestrians in any way, except for incidental or accidental contact.
  3. Obstructing the free flow of pedestrian or vehicular traffic.

4. Using sound amplification or creating noise levels that are reasonably likely to or do cause a material and substantial disruption to the College educational environment and/or operations. Noise, whether in support of or in opposition to the speaker, which substantially interferes with the speaker's ability to speak or with the audience's ability to hear the speaker is prohibited.
5. Damaging, destroying, or stealing College or private property.
6. Possessing or using firearms, explosives, dangerous weapons, or substances not allowed on campus by law or by College policy (e.g., drugs, alcohol, tobacco, non-service animals, etc.).
7. Using physical force or violence against another person, or threatening to use physical force or violence against another person resulting in reasonable apprehension that force or violence will occur.

Any acts that are substantially disruptive to the College's normal operations will not be tolerated and may result in an immediate termination of the activity. Non-College Members are required to remain in the Designated Area while on campus.

- B. Individuals may distribute pamphlets, booklets, brochures, and other forms of printed materials on the condition that such material is designed for informational (not commercial) purposes. Individuals distributing materials must provide a receptacle for the disposal of such materials. The College does not assume any obligation or liability for the content of such distributed material. Any signs used may not be larger than three (3) feet by four (4) feet in size. Signs must either be held by participants or be freestanding signs that do not stick into the ground. No signs may be mounted on buildings, trees, or other College property.
- C. Individuals are responsible for the cleanliness and order of the area they use. Individuals shall leave the area in the same condition it was in before the activity. Individuals who damage or destroy College property shall be held responsible for such damage or destruction. This includes the campus buildings, sidewalks, lawns, shrubs, and trees.
- D. Individuals are subject to sanctions for failing to comply with these procedures or other College policies. Such sanctions may include, but are not limited to repairing, cleaning, painting, paying replacement costs, making restitution (by order of a court), and being banned from future use. College Members may also be subject to College disciplinary action as outlined in College policies and procedures. Individuals who violate these procedures may be issued a trespass warning and denied future access to College premises. Violations that require police intervention will be reported to the College's Public Safety Department. Behavior that constitutes a violation of law may result in arrest and criminal prosecution.

**V. POLLING PLACES ON CAMPUS**

If campus buildings are used as public polling places, all activity must be in accordance with statutory and state/local Board of Elections requirements.

**VI. CITY SIDEWALKS**

City sidewalks that run along the borders of or within the College's campus are public forums and available to all members of the public. Use of city sidewalks must comply with federal and state laws as well as city ordinances.

Adopted: June 13, 2022

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

Adopted: June 13, 2022



- A. The President, or the President’s designee, and the Director of Public Information and Marketing shall review, before distribution, all official College publications. Such publications include, but are not limited to advertisements, catalogs, brochures, flyers, manuals or handbooks, leaflets, news releases, special reports, newsletters, schedules, posters, displays, multimedia presentations, memos, or mass mailed letters.
- B. All publications must have prior approval of the respective project/program supervisor, be coherent in design and presentation, and convey a positive image that supports the College’s mission.
- C. All College publications and advertisements printed with state or local funds should carry the statement that the College is an equal opportunity employer.
- D. College employees involved in the creation or production of any official or divisional publications should familiarize themselves with intellectual property and copyright laws before using another person’s material in a publication.

Adopted: June 13, 2022

- A. Campus bulletin boards are provided for employees and recognized student organizations. For purposes of this policy, a "recognized student organization" is defined as an organized student group that is recognized by the Student Government Association.
- B. The use of campus bulletin boards by recognized student organizations or College employees is subject to the following general regulations:
  - 1. All materials posted on campus bulletin boards must be current and directly related to College programs, events, clubs, or services.
  - 2. All posted materials must a) be clear and legible; b) include the sponsoring club or College program/division/department name; c) include the date; and d) provide current contact information.
  - 3. Posted materials shall not include language that a) incites criminal conduct; b) constitutes a clear and present danger; or c) causes a substantial disruption in the College's business operations.
  - 4. Flyers or other related materials may remain on a bulletin board for three (3) weeks or two (2) business days after the event or service advertised has ended, whichever is sooner. It is the responsibility of the recognized student organization or College employee to remove advertisements in a timely manner.
  - 5. "Owners" of bulletin boards shall review and update their content before the start of each new semester.
- C. Any violation of these provisions shall result in the immediate forfeiture of the privilege of using campus bulletin boards and possible disciplinary action.
- D. The College reserves the right to remove flyers and signage without notice if they are outdated or do not adhere to this policy.

Adopted: June 13, 2022

- A. The College's logo is the College's primary identifying element and is intellectual property owned by the College. It represents the College's brand and promotes immediate identification. The College's logo is to be used on all approved and reviewed College publications, both print and electronic, as well as on approved social media sites. The location of the logo on the document is usually determined by the design of the publication or advertisement.
  
- B. Unique logos for individual divisions, departments, or programs are not permitted. However, the President or Director of Public Information and Marketing may approve an addition to the College's logo to allow a department or program to distinguish its identity. Unauthorized use of the College logo is prohibited.
  
- C. The College's official seal is reserved for official documents and publications representing the Board or the President. The seal may be used on publications and advertisements only by the President's expressed permission.

Adopted: June 13, 2022

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

1. Provide notices concerning the ADA in written and electronic format.
2. Designate a responsible employee(s) to coordinate ADA compliance.
3. Ensure that existing facilities are readily accessible to or usable by individuals with disabilities through structural changes in facilities or through other methods that are equally effective to make services, programs, and activities accessible.
4. Eliminate eligibility criteria that screens out or tends to screen out individuals with disabilities or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity being offered.
5. Administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
6. Take appropriate steps to ensure that communications with persons who are disabled are as effective as communications with others, including the furnishing of appropriate auxiliary aids and services.

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

Adopted: June 13, 2022

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

A checklist is required to assist in determining the safe and accessible usage of an off-campus facility for an ACC-sponsored class, activity, or event. The event planner or scheduler should contact the Public Safety Department to complete this checklist. Once completed by Public Safety, the checklist will be returned to the ACC event planner or scheduler.

ACC Contact Person: \_\_\_\_\_

Name of Location: \_\_\_\_\_

**Facility Exterior Appearance**

**Yes**   **No**   **Comments**

1. Does the area surrounding the facility have adequate exterior lighting?
2. Are grounds around the facility clean and litter free?
3. Are other businesses open and functioning in this area?

**Approach & Entrance**

**Yes**   **No**   **Comments**

1. Is there at least one route from site arrival points that does not require the use of stairs?
2. If parking is provided for the public, are an adequate number of accessible spaces provided?
3. Of the accessible spaces, is at least one a van accessible space?
4. Are the access aisles marked so as to discourage parking in them?
5. Do the access aisles adjoin an accessible route?
6. Are accessible spaces identified with a sign that includes the International Symbol of Accessibility?

**Exterior Accessible Route & Curb Ramps**

**Yes**   **No**   **Comments**

1. Is the route stable, firm and slip-resistant?  
(Gravel is not an approved surface.)
2. If the accessible route crosses a curb, is there a curb ramp/cut?
3. Is the surface of the curb ramp/cut stable, firm and slip resistant?

**Entrance**

**Yes**   **No**   **Comments**

1. Is the main entrance accessible?
2. If the main entrance is not accessible, is there an alternative accessible entrance?
3. Can the alternative accessible entrance be used independently and during the same hours as the main entrance?
4. Does the accessible entrance provide direct access to the main floor, lobby and elevator?

**Interior Accessible Route**

**Yes**   **No**   **Comments**

1. Are all public spaces on at least one accessible route?
2. Is the route stable, firm and slip-resistant?
3. Do all objects on circulation path through public areas (ex: fire extinguishers, drinking fountains, etc.) protrude no more than

four inches into the path?

- 4. Are there elevators or platform lifts in the facility?
- 5. If yes, does the elevators works?
- 6. If a lift is provided, can it be used without assistance from others?

**Restrooms**

**Yes**   **No**   **Comments**

- 1. If restrooms are available to the public, is at least one accessible? (Either one for each sex or one unisex)
- 2. Are there signs at inaccessible restrooms that give directions to accessible restrooms?
- 3. Is there an accessible route to the restroom?
- 4. Is the door equipped with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist?
- 5. Can the door be opened easily (5 pounds' maximum force)?
- 6. Are pipes below the lavatory insulated or otherwise configured to protect against contact?
- 7. Can the faucet be operated without tight grasping, pinching, or twisting of the wrist?

**Classrooms**

**Yes**   **No**   **Comments**

- 1. Are floor surfaces stable, firm and slip resistant?
- 2. Is the classroom door equipped with hardware that is operable with one hand and does not require tight grasping, pinching or twisting of the wrist?
- 3. Can the door be opened easily (5 pounds' maximum force)?

**Exits**

**Yes**   **No**   **Comments**

- 1. Are the exits of the building identified?
- 2. Is there an accessible route to this exit(s)?

Public Safety Officer: \_\_\_\_\_

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

\_\_\_\_ Recommend Usage of the Facility      \_\_\_\_ Do Not Recommend Usage

Adopted: June 13, 2022

This procedure is intended to help with event planning to ensure that the needs of individuals with disabilities are met and is provided as a tool to assist College employees in this planning process. Disability Services is available to provide technical support to event planner(s).

## **I. STATEMENT FOR PUBLICATION**

Include a standard accessibility contact statement on all of your publicity (ex: print ads, websites, etc.) and include an event contact for accessibility. Below is the statement:

*If you need a disability-related accommodation or wheelchair access information, please contact (Event Planner's Name) at (Phone Number) or by emailing (Email Address). Accommodation requests should be made by (Date).*

If planners need a disability-related accommodation or wheelchair access information, they should contact the Disability Services Office. Requests should be made at least two (2) weeks in advance.

## **II. FINANCIAL RESPONSIBILITY AND ACCESSIBLE FACILITIES**

What funding source will be used for accommodations? All questions about the event funding should be directed to the Department Head, Dean or Vice Present of the division responsible for the event.

What limitations exist in the facility? Contact Administrative Services or maintenance to make modifications or alternate arrangements should accommodations not be possible. Identify the accessible features of the chosen facility and be able articulate the location(s). For example, accessible parking, ramps, elevators, bathrooms, etc.

## **III. FOR PEOPLE WHO HAVE PHYSICAL DISABILITIES**

Event planners should consider the following questions:

1. Is the facility (building, etc.) accessible to a person who uses a wheelchair or other mobility device?
2. If the event is on an upper floor, is there an elevator?
3. Are restrooms accessible and close to the meeting area?
4. Is accessible parking available nearby?

## **IV. FOR PEOPLE WHO ARE DEAF OR HARD OF HEARING**

Event planners should consider the following questions:

1. Have you arranged for an interpreter or CART provider to be present at your event?

2. Have you set aside front area seating for a sign language interpreter or CART provider?
3. If an interpreter or CART provider is requested, the following information is needed:
  - a. Day and date of event.
  - b. Beginning and end time of the event.
  - c. Location of the event.
  - d. Contact name, phone number and email address.
  - e. A copy of the program or other materials that will prepare the interpreter or CART provider to sign/transcribe names or specialized vocabulary.

#### **V. FOR PEOPLE WHO ARE BLIND OR HAVE A VISION IMPAIRMENT**

Event planners should consider the following questions:

1. Have you made a small supply of enlarged print copies of event programs, handouts, etc.?
2. Have you arranged for handouts, surveys, programs, etc. to be put into an electronic format?
3. If materials or forms are to be filled out at the event, are there scribes available?
4. Are you aware that some individuals with disabilities use service dogs and that they must be allowed into the event?

#### **VI. RESOURCES**

Planning an Accessible Event Checklist

University of Central Arkansas

<https://uca.edu/disability/campus/accessible-programs/>

Planning for an Accessible Event

University of North Carolina at Charlotte

Adopted: June 13, 2022



This procedure is intended to assist with virtual event planning to ensure that the needs of individuals with disabilities are met and is provided as a tool to assist event planners in this planning process. Disability Services is available to provide technical support to event planner(s).

## **I. STATEMENT FOR PUBLICATION**

Include a standard accessibility contact statement on all of your publicity (ex: print ads, websites, etc.) and include an event contact for accessibility. Below is the statement:

*If you need a disability related accommodation, please contact (Event's Planner Name) at (Phone Number) or by emailing (Email Address). Accommodation requests should be made by (Date).*

Requests should be made at least two (2) weeks in advance of the event.

## **II. FINANCIAL RESPONSIBILITY**

Event planners should consider the following questions:

1. What funding source will be used for accommodations? These may include budgeting for live captioning, sign language interpretation, or other accommodations. All questions about the event funding should be directed to the Department Head, Dean, or Vice President of the division responsible for the event.
2. Services such as interpreting or CART are contracted at ACC and requires a minimum of four (4) business days' advanced notification to secure.

## **III. ONLINE PLATFORM REVIEW**

Event planners should consider the following questions:

1. What online platform will be used for hosting the virtual event? For example, Zoom, Microsoft Teams, GoToMeeting, Google Hangout.
2. Evaluate the accessibility features that the platform offers and note what it lacks (see platform accessibility resources).
3. Will the event be recorded for participants to review later?

## **IV. TEXT ACCESSIBILITY**

Event planners should consider the following questions:

1. Will participants have to RSVP to attend the virtual event?
2. Do you have a handout or presentation slides?
3. Review the suggestions for font, font size, color contrast and alternative text tags.

## **V. FOR PEOPLE WHO ARE DEAF OR HARD OF HEARING**

Event planners should consider the following questions:

1. Will participants be asked to turn on their camera?
2. If an interpreter or CART provider is requested, below information needed:
  - a. Day and date of event.
  - b. Beginning and end time of the event.
  - c. Type of online platform being used and the Zoom invitation/link to the event (meeting ID and password).
  - d. Contact name, phone number and email address.
  - e. An electronic copy of the program or other materials that will prepare the interpreter or CART provider to sign/transcribe names or specialized vocabulary.

## **VI. FOR PEOPLE WHO ARE BLIND OR HAVE A VISION IMPAIRMENT**

Event planners should consider the following questions:

1. Have you arranged for handouts, presentations, etc. to be put into an accessible digital format with Optical Character Recognition (OCR)?
2. Have you arranged for handouts, presentations, etc. to be put into an enlarged print or braille?
3. What is the plan to describe slides and any visual elements shared during the event?
4. Will the chat box feature be used and monitored during the event?
  - a. Read aloud questions, comments and answers in the chat.
  - b. Read aloud links in the chat.

## **VII. RESOURCES**

Accessibility Checklist for Virtual Programs. North Carolina Arts Council.

[https://files.nc.gov/ncarts/docs/virtual\\_accessibility\\_checklist.pdf](https://files.nc.gov/ncarts/docs/virtual_accessibility_checklist.pdf)

Inclusive, Accessible Remote Meetings. Harvard University Information Technology.

<https://accessibility.huit.harvard.edu/hosting-accessible-remote-meetings-and-events>

Virtual Event Accessibility Checklist. Stony Brook University.

[https://www.stonybrook.edu/commcms/studentaffairs/sac/training\\_resources/\\_SBU%20Virtual%20Event%20Accessibility%20Checklist%20-%2005.20.20.pdf](https://www.stonybrook.edu/commcms/studentaffairs/sac/training_resources/_SBU%20Virtual%20Event%20Accessibility%20Checklist%20-%2005.20.20.pdf)

Adopted: June 13, 2022

## I. GENERAL POLICY

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

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

- A. Policy 3.3.1 – Personnel Files.
- B. Policy 5.4.2 – Student Records – FERPA.
- C. Policy 7.1 – Acceptable Use of Information Systems

## II. NORTH CAROLINA PUBLIC RECORDS ACT

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

## II. PUBLIC RECORDS REQUESTS

Freedom of Information requests made under the North Carolina Public Records Act should be directed to the Director of Public Information and Marketing.

## III. RECORDS CUSTODIANS

Records custodians are responsible for the maintenance, care, and keeping of public records, including the retention and disposition schedule of those records, regardless of whether the records are in that person’s actual physical custody and control. The following act as records custodians for the public records in the areas noted below:

- A. Executive Vice President – Administration, Office, and Management Records; Legal Records
- B. Vice President of Instruction/CAO – Curriculum Records
- C. Vice President of Student Success – Student Services Records; Student Health and Counseling Records
- D. Vice President of Workforce Development – Continuing Education Records
- E. Vice President of Business and Finance/CFO – Budget, Fiscal, and Payroll Records
- F. Director of Human Resources – Personnel Records
- G. Director of Information Services – Information Technology Records
- H. Director of Public Safety – Public Safety Records

- I. Director of Learning Resources – Learning Commons/Library Records
- J. Director of Public Information and Marketing – Public Relations Records

**VI. LITIGATION HOLD**

A litigation hold is a directive not to destroy records that may be relevant to a pending or imminent legal proceeding. In the case of a litigation hold, the President or his/her designee shall direct employees and the Information Services Department, as necessary, to suspend the normal retention procedure for all related records.

**VII. MINIMUM RETENTION PERIODS—COLLEGE POLICY**

The Schedule requires colleges to establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions to “destroy in office when reference value ends.” In Procedure 2.3.8.1, the College has established minimum retention periods for all records with these instructions.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 121-5; 132-1 *et seq*;

**ADMINISTRATIVE  
MINIMUM RETENTION PERIODS  
FOR RECORDS WITH  
INSTRUCTIONS TO “DESTROY  
WHEN REFERENCE VALUE ENDS”**

**ALAMANCE  
COMMUNITY COLLEGE**      **PROCEDURE  
2.3.8.1**

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The [Records Retention and Disposition Schedule](#) (“the Schedule”) for community colleges adopted by the North Carolina Department of Cultural Resources and the North Carolina Department of Community Colleges requires colleges to establish and enforce internal policies by setting minimum retention periods for records with disposition instructions to “destroy in office when reference value ends.” In Procedure 2.3.8.1, the College has established minimum retention periods for all such records. Retention and disposition instructions for all other records are provided in the Schedule.

Administration, Office, and Management Records

ITEM#	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS
1-1	<b>Accreditation File</b> Records concerning department, college, or program accreditation. File includes correspondence, reports, questionnaires, guides, and other related reports. Also includes evaluations of the college by outside entities.	a) Retain in office final reports permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
1-2	<b>Activities and Events File</b> Records concerning activities and events that are initiated or sponsored by the college. File includes planning records, bulletins, memoranda, circulars, invitations, announcements, and other related records.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
1-4	<b>Alumni Information</b> Includes correspondence, publications, reports, and other related records. Also includes lists of names, addresses, phone numbers, and other contact information for college alumni.	a) Retain in office records with historical value permanently. b) Destroy in office contact information when superseded or obsolete. c) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
1-8	<b>Board of Trustees Records</b> Records concerning the governing body of the college and all subsidiary boards and committees. File includes minutes and agendas, supporting documentation, recordings, transcriptions, and other related records. File also includes authorizations and waivers, biographical information, oaths and other statements, and notices of appointment and resignation. Also includes budget resolutions.	a) Retain in office official minutes of the governing board and its subsidiary boards permanently. b) Destroy in office member authorizations, waivers, and other statements when superseded or obsolete. c) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.

1-12	<p><b>Conferences, Training Programs, and Workshops File</b> Records concerning conferences, training programs, and workshops conducted by or attended by college personnel. File includes correspondence, agendas, handouts, training materials, surveys, reports, registrations, and other related records.</p>	<p>a) Retain in office final reports and records with historical value permanently. b) Transfer employee-specific records to Personnel File (active) if such training and testing is required for the position held or could affect career advancement. c) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</p>
1-24	<p><b>History of the College File</b> Records concerning the history of the college and its employees. File includes publications, biographical data, correspondence, photographs, scrapbooks, and other related records.</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</p>
1-28	<p><b>Other Colleges File</b> Records concerning community colleges, including those in other states.</p>	<p>Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.</p>
1-30	<p><b>Planning and Development File</b> Records concerning the planning, development, and implementation of special projects or programs at the college. File includes project plans, proposals, records documenting implementation, and other related records.</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</p>
1-31	<p><b>Policies and Procedures File</b> Records concerning the formulation, planning, and adoption of policies, procedures, and functions for the college or offices within the college. File includes standards of professionalism and ethics and other related records.</p>	<p>a) Retain in office 1 copy of official policies and procedures permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</p>
1-35	<p><b>Publications Received File</b> Records concerning external publications received by the college. File includes subscription records, publications, correspondence, and other related records.</p>	<p>Destroy in office when reference value ends. College Policy: Destroy in office after 3 years.</p>
1-38	<p><b>Reference (Reading) File</b> Subject files containing informational copies of records for reference purposes.</p>	<p>Destroy in office when reference value ends. College Policy: Destroy in office after 3 years.</p>
1-39	<p><b>Reports File</b> Records concerning the performance of a department, program, or project, as well as reports created for planning purposes. Includes all annual, sub-annual, or irregularly prepared reports and self-studies generated by</p>	<p>a) Retain in office 1 copy of all annual and biennial reports permanently. b) Retain in office reports and studies prepared by request of a college's governing body permanently.</p>

	a college or prepared by consultants hired by the college.	<ul style="list-style-type: none"> <li>c) Destroy in office reports prepared monthly, bimonthly, or semi-annually after 3 years.</li> <li>d) Destroy in office reports prepared on a daily or other periodic basis after 1 year.</li> <li>e) Destroy in office remaining records when reference value ends. College policy: Destroy in office after 5 years.</li> </ul>
1-41	<b>Research and Studies File</b> Records concerning studies and research projects at the college. File includes outlines, published results, reports, correspondence, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
1-43	<b>Staff Committees File</b> Minutes and reports from official college committees, councils, and task forces.	<ul style="list-style-type: none"> <li>a) Retain in office minutes and reports of significant groups permanently.</li> <li>b) Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.</li> </ul>
1-44	<b>Staff Organizations File</b> Records concerning staff organizations or groups. File includes minutes, reports, newsletters, correspondence, agendas, working papers, and other related records.	<ul style="list-style-type: none"> <li>a) Retain in office minutes and reports of significant groups permanently.</li> <li>b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</li> </ul>
1-45	<b>Survey File</b> Completed surveys. File includes survey forms, summary reports, conclusions, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
1-48	<b>Vendor Information File</b> Records concerning specific vendors. File includes marketing information, price lists, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 3 years.

**Budget, Fiscal, and Payroll Records**

<b>ITEM#</b>	<b>RECORDS SERIES TITLE</b>	<b>DISPOSITION INSTRUCTIONS</b>
2-6	<b>Bids and Proposals File</b> Records concerning requests and responses for price quotes that are used in purchasing equipment, supplies, or services. File includes price quotes, applications, bids, notices, evaluations, Invitations for Bids (IFB), Requests for Quote (RFQ), award, letters, and other related records concerning accepted and rejected bids.	<ul style="list-style-type: none"> <li>a) Destroy in office rejected bids and proposals as well as unopened bids 1 year after receipt.</li> <li>b) Destroy in office accepted bids/proposals/quotes 5 years after expiration of contract.</li> <li>c) Destroy in office notices, evaluations, and other related records when reference value ends. College Policy: Destroy in office after 3 years.</li> </ul>
2-8	<b>Capital Improvements File</b> Records concerning capital improvement projects and construction at the college. File	<ul style="list-style-type: none"> <li>a) Retain in office plans, specifications, and significant correspondence permanently.</li> </ul>

	includes accepted proposal, change orders, bid tabulations sheet, progress reports, architects' and engineers' pay applications, contracts, plans, specifications, and correspondence. File also includes budget and financial records related to capital improvements.	<ul style="list-style-type: none"> <li>b) Destroy in office records related to the expenditure and allocation of the proceeds of bonds 6 years after the final maturity/prepayment date of the bonds or the final maturity/prepayment date of any obligations that refund such bonds or any portion thereof, whichever occurs later.</li> <li>c) Destroy in office other budget and financial records after 3 years.</li> <li>d) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 3 years.</li> </ul>
2-12	<b>General Ledger Detail Reports File</b> Reports listing all detail transactions for the fiscal year-to-date against all account numbers. File includes June 30 <sup>th</sup> detail reports.	<ul style="list-style-type: none"> <li>a) Destroy in office June 30<sup>th</sup> detail reports after 3 years.</li> <li>b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 3 years.</li> </ul>
2-13	<b>General Ledger Summary File</b> Records concerning college fund transactions. File also includes June 30 <sup>th</sup> summaries.	<ul style="list-style-type: none"> <li>a) Retain in office June 30<sup>th</sup> summaries permanently.</li> <li>b) Destroy in office remaining ledgers when reference value ends. College Policy: Destroy in office after 3 years.</li> </ul>
2-21	<b>Outstanding Encumbrance Reports File</b> Reports listing encumbrances and obligations represented by open purchases. Information listed by account number.	Destroy in office when reference value ends. College Policy: Destroy in office after 3 years.

**Curriculum and Student Services Records**

<b>ITEM#</b>	<b>RECORDS SERIES TITLE</b>	<b>DISPOSITION INSTRUCTIONS</b>
4-7	<b>Commencement File</b> Records concerning college commencement. File includes programs, attendance forms, planning records, correspondence, and other related records.	<ul style="list-style-type: none"> <li>a) Retain in office records with historical value permanently.</li> <li>b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 3 years.</li> </ul>
4-10	<b>Course Evaluations File</b> Course evaluations completed by students.	Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
4-30	<b>Student Associations and Organizations File</b> Records concerning student associations and organizations officially recognized by the college. File includes constitutions, by-laws, newsletters, minutes, brochures, announcements, photographs, reports, scrapbooks, and other related materials.	<ul style="list-style-type: none"> <li>a) Retain in office records with historical value permanently.</li> <li>b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</li> </ul>



4-32	<b>Student Career Planning File</b> Records concerning student career planning and college career resources. File includes resumes, job interview forms, student profile data sheets, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
4-34	<b>Student Government Association File</b> Records concerning the student government of the college. File includes constitution, by-laws, committee files, correspondence, fiscal records, meeting minutes, annual reports, and other related records.	a) Retain in office records with historical value permanently. b) Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
4-38	<b>Vehicle Registration File</b> Records concerning the registration of vehicles on campus. File includes registration forms, license plate numbers, names of owners, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 3 years.

Information Technology Records

ITEM#	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS
5-16	<b>System Maintenance Records: Records Backups File</b> Records concerning regular or essential system backups. File includes backup tape inventories, relevant correspondence (including e-mail), and other related records.	Destroy in office in accordance with your office's established, regular backup plan and procedures. College Policy: Destroy in office after 1 year.
5-19	<b>Website File</b> Records concerning the creation and maintenance of the college's presence on the World Wide Web. File includes correspondence, procedures, instructions, website designs, HTML/XHTML, or other web-based file formats, and other related records.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 3 years.

Learning Commons/Library Resources

ITEM#	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS
6-9	<b>Integrated Library System File</b> Records concerning the library catalog. File includes bibliographic information, patron information, circulation data, and other related records.	a) Purge cataloging records when superseded or obsolete. b) Destroy in office patron and circulation data when reference value ends. College Policy: Destroy in office after 5 years.
6-14	<b>North Carolina Higher Education Data (NCHEd) and Integrated Postsecondary Education Data System (IPEDS) File</b> Reports sent to the federal government detailing library budgets, staff, and collections.	Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.

Legal Records

ITEM#	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS
7-6	<p><b>Licenses and Permissions</b>                      Records containing legal permission. Includes licenses to use or produce goods or services, permits to host events in college facilities, as well as copyright permission requests received and granted by the college.</p>	<p>a) Destroy in office licenses, permits, and registrations 3 years after expiration.                      b) Destroy in office after 3 years one-time copyright permissions granted by or two the college.                      c) Retain in office permanently perpetual copyright permissions granted by or to the college.                      d) Destroy in office patron and circulation data when reference value ends.                      College Policy: Destroy in office after 3 years.</p>

Personnel Records

ITEM#	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS
8-1	<p><b>Abolished Positions File</b>                      Records concerning positions that have been abolished. File includes job titles, position descriptions, and other related records.</p>	<p>Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.</p>
8-6	<p><b>Aggregate Service History File</b>                      Records concerning employee's service with the college. File includes yearly leave recapitulations, listings of total time worked, and other related records.</p>	<p>a) Transfer records necessary for retirement or similar benefits verification to Personnel File (Active).                      b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.</p>
8-22	<p><b>Employee Suggestions and Service File</b>                      Suggestions made or surveys completed by college employees. File includes correspondence, summary reports, conclusions, and other related records.</p>	<p>Destroy in office when reference value ends. College Policy: Destroy in office after 3 years.</p>
8-31	<p><b>Leave File</b>                      Records concerning employee leave. File includes requests for and approval of sick, vacation, overtime, buy-back, parental, shared, etc. File also includes monthly leave reports and semiannual leave recapitulations.</p>	<p>a) Destroy in office records concerning approved leave requests 3 years after employee returns from leave or separates from employment.                      b) Destroy in office records concerning denied leave requests after 6 months.                      c) Destroy in office remaining records when reference value ends. College policy: Destroy in office after 3 years.</p>
8-45	<p><b>Retirement File</b>                      Records concerning retirement beneficiaries for death benefits or personal data of employees who plan to retire or have retired. File includes correspondence, completed retirement forms, and other related records.</p>	<p>c) Transfer original records concerning beneficiaries to the Department of the State Treasurer, Retirement Systems Division.</p>

		d) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
8-46	<b>Secondary Employment File</b> Records concerning employee requests to engage in additional outside employment.	a) Destroy in office approved requested and related records 1 year after the employee terminates outside employment. b) Destroy in office denied requests and related records after 6 months. c) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 3 years.

Public Relations Records

ITEM#	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS
9-1	<b>Audio and Video Recordings File</b> Recordings of special events, interviews, and other related activities produced by the college.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
9-2	<b>Biographical Data File</b> Records concerning college officials. File includes biographical sketches, news releases, news clippings, photographs, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
9-3	<b>College Publications File</b> Records concerning publications created by or for the college. File includes catalogs, annual reports, Career Focus, and other significant publications.	a) Transfer 10 or more print copies (as required) of each publication to the State Government Publications Clearinghouse, State Library of North Carolina. b) Transfer 1 copy of electronic publications to the State Government Publications Clearinghouse, State Library of North Carolina. c) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
9-5	<b>News Clippings and Scrapbooks File</b> Newspaper clippings and scrapbooks concerning the college and related events.	a) Destroy in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College policy: Destroy in office after 3 years.
9-7	<b>Photographs and Slides File</b> Images of the college and related people, places, and events.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 3 years.

9-8	<b>Publicity File</b> Records concerning the overall public relations of the college. File includes advertisements, announcements, exhibits, correspondence, and other related records.	Destroy in office when reference value ends. College Policy: Destroy in office after 5 years.
9-11	<b>Speeches File</b> Speeches made by college administrators. File includes transcripts, audio or video recordings, and other related records.	c) Retain in office records with historical value permanently. d) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.

Public Safety Records

<b>ITEM#</b>	<b>RECORDS SERIES TITLE</b>	<b>DISPOSITION INSTRUCTIONS</b>
10-4	<b>Building and Grounds Security</b> Records documenting routine security checks of campus facilities. Includes logs, reports, correspondence, and other related records.	a) If a case is opened, transfer reports needed to support investigation to appropriate Case Investigation Records file. b) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.
10-7	<b>Emergency Communication and Dispatch</b> Records documenting emergency communications and dispatching. Includes radio and telephone dispatching, recordings of incoming and outgoing 911 emergency calls and texts, database records, correspondence, and other related records.	a) If a case is opened, transfer felony/misdemeanor communications and dispatches to appropriate Case Investigation Records file. b) Destroy in office 911 records after 30 days unless a count of competent jurisdiction orders a portion sealed. c) Destroy in office remaining records when reference value ends. College Policy: Destroy in office after 5 years.

Adopted: June 13, 2022

**ADMINISTRATIVE**  
**PERSONAL USE OF COLLEGE**  
**PROPERTY**

**ALAMANCE**  
**COMMUNITY COLLEGE**

**POLICY**  
**2.3.9**

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Unless otherwise allowed by policy, personal use of College property, which includes but is not limited to real property, vehicles, equipment, tools, and supplies, is not permitted for personal use and gain. The use of College property off campus is only permitted in the performance of official College duties.

Adopted: June 13, 2022

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

Adopted: June 13, 2022

The President establishes procedures for public information requests, media contacts, and news events and designates a person or persons to be responsible for the preparation and dissemination of such materials. This procedure serves to eliminate confusion and duplication while providing consistent communications and allowing the College to speak with one voice.

Alamance Community College's Public Information Office is responsible for working with the Office of the President to coordinate media contacts and requests, including public information requests. To ensure that the best interests of the College are maintained, the College's protocol is as follows:

1. All media coverage and public information requests are coordinated through the Public Information Office at 336-506-4178.
2. Full-time and part-time employees should not initiate contact with the media without prior approval by the Public Information Office.
3. Any media representative initiating contact with College employees should be instructed to contact the Director of Public Information and Marketing at 336-506-4178. The Director will connect the media with the most informed spokespersons.
4. ACC students should not contact the media on behalf of the College.
5. All public information requests and some media requests may require review by legal counsel. The Director of Public Information and Marketing will facilitate legal reviews through the Office of the President.

Adopted: June 13, 2022

**ADMINISTRATIVE  
USE OF HUMAN SUBJECTS IN  
RESEARCH**

**ALAMANCE  
COMMUNITY COLLEGE**

**POLICY  
2.3.11**

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It is the policy of Alamance Community College (ACC) to comply with all applicable Federal Regulations, as amended from time to time, and to assure protection of human subjects involved in research projects conducted at ACC.

Additionally, it is the policy of ACC to protect the welfare and interests of its stakeholders, including faculty, staff, and students and to endeavor to provide at all times a favorable environment for the conduct of academic-oriented inquiry and education while respecting the rights, well-being, and personal privacy of individuals who are research participants involved with ACC or in its research programs.

It is the policy of ACC that people should not be involved in research without their informed consent, and that human subjects should not incur increased risk of harm from their research involvement, beyond the normal risks inherent in everyday life.

This policy requires ACC's Vice President of Instruction or another senior academic faculty member, as designated by ACC's President, to review and approve the research plan for use of human subjects and the administration thereof or to determine a qualified exemption to such project involving human subjects prior to its implementation at ACC.

Adopted: January 13, 2017



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

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

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

Adopted: June 13, 2022

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

(This policy replaces the “Affirmative Action Policy” revised October 23, 2008.)

**I. FULL-TIME EMPLOYEES**

- A. The Board authorizes the President to hire all full-time College employees. The President shall inform the Board at the next regularly scheduled Board meeting of any new hires made since the last Board meeting.
- B. All newly hired permanent full-time faculty and staff shall receive a letter of appointment stating that the employee shall serve a probationary period of at-will employment lasting one (1) academic year. After the probationary period, full-time employees may be eligible for annual employment contracts for at least nine (9) and no more than 12 months dependent on the employee's duties. If an employee is hired after the academic semester has already begun and the employee's one-year probationary period ends during the subsequent academic year, the term of the employee's initial employment contract, if offered, shall only be for the remainder of that subsequent academic year. Nothing in this policy or in the employee's letter of appointment shall entitle the employee to an employment contract or contract renewal.

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

**II. PART-TIME FACULTY AND STAFF AND TEMPORARY FULL-TIME FACULTY**

- A. The Board authorizes the President or the President's designee to hire all part-time faculty and staff and temporary full-time faculty.
- B. All part-time faculty and staff and temporary full-time faculty shall serve as at-will employees. Nothing in this policy or in the employee's letter of appointment shall entitle the employee to an employment contract.
- C. The President is authorized to dismiss any part-time faculty and staff or temporary full-time faculty for any reason deemed sufficient except for Impermissible Grounds. The President's decision is final and not subject to Board appeal unless the employee believes his or her dismissal was solely based on Impermissible Grounds. If the employee believes the President's decision was solely based on

Impermissible Grounds, the employee may appeal to the Board pursuant to Policy 3.3.6 – Right of Appeal.

### **III. MISCELLANEOUS PROVISIONS**

- A. Employment with the College is granted by an appointment based on an executed, written contract.
- B. The quality of the College’s programs and services is dependent on the skills, commitment, and enthusiasm of all of its employees. The Board seeks to employ the best-qualified personnel available. In return, the Board expects its employees to accept and support the College’s mission and vision. Specifically, all employees are expected to know the College’s policies and procedures, to devote their professional services and individual skills to the realization of the College’s objectives, and to discharge their duties in such a manner as to reflect positively upon the College.
- C. No applicant will be considered for any employment position who does not complete and submit a College employment application form.
- E. Employment preference will be given to eligible veterans, their spouses, or surviving spouses and surviving dependents as defined by N.C.G.S. § 128-15. This preference applies to initial employment, subsequent hiring, promotions, reassignments, and horizontal transfers when two or more candidates are equally qualified for the position. To claim veterans’ employment preference, all eligible veterans shall submit a Department of Defense Form 214 (Certificate of Release or Discharge from Active Duty) along with a College application for employment. To claim veterans employment preference, eligible veterans must meet the minimum training and experience requirements for the position and must be capable of performing the duties assigned to the position.
- F. All employed faculty shall meet Southern Association of Colleges and Schools Commission on Colleges criteria for credentialing.

Adopted: June 13, 2022.

Legal Reference: G.S. 115D-20; G.S.128-15; 1D SBCCC 400.4; 1C SBCCC 300.97

(This policy replaces the “Preference in Hiring Policy” adopted June 9, 2008.)

The College shall use the “Personnel Employment Procedures,” available from the Human Resources Office, when hiring new employees and creating new employment positions.

Adopted: June 13, 2022

This procedure presents guidelines for advancing and promoting employees from within the College. Alamance Community College wants to invest in employees and reward those who perform well.

*Promotion* is defined as a move to a position of a higher rank, responsibility, and salary. Employees may be promoted within the same or another department or division of the College.

### **Criteria for Promotion**

Employees are eligible for promotion only after their new employee probation period ends and if they are not under a performance improvement plan. Employees are promoted based on performance and workplace conduct. Acceptable criteria for promotion are:

- Experience in the job or tenure at ACC.
- High performance level in two recent evaluation cycles.
- Skillset and education that match the minimum requirements of the new role.
- Personal motivation and willingness for a change in responsibilities.

These criteria reflect the bigger picture of an employee's work. Supervisors should avoid making decisions for promotion based on recent or insignificant events. In addition, promotions are not based on:

- Supervisors' subjective opinions unsupported by performance evaluations or metrics.
- Discrimination: See Policy 3.3.7 - Discrimination and Harassment.
- Fraternization, which occurs when two people employed by the same agency interact socially outside of work and at employer functions. See also the "Employee Relationships" section of Policy 3.3.3 - Employee Code of Conduct.
- Favoritism, which is the practice of giving unfair preferential treatment to one person or group at the expense of another.
- Nepotism, which is the act of using your power or influence to get good jobs or unfair advantages for members of your own family. See also Policy 3.1.6 - Employment of Relatives.

To avoid such incidents, supervisors must keep good records of their promotion evaluation process.

A promotion may occur when the College directly appoints a current employee to an open position, either before starting the hiring process or after a failed search. Promotions could also occur by creating new jobs or enhancing job titles.

A supervisor may initiate a proposal to promote an employee who has received outstanding performance evaluations, has done exceptional work on major projects, and/or has acquired an advanced credential (degree, licensure, etc.). The following steps explain how to make a proposal.

1. Discuss the promotion with the Director of Human Resources, the Dean (if relevant), and the supervising Vice President. If the proposal involves creating a new job or enhancing an existing job, the group should discuss the job title, salary range, changes in responsibilities, timeline, impacts on other positions, etc.
2. After everyone agrees on the promotion details, the supervising Vice President will present the proposal to the Executive Committee of the President's Cabinet. The Executive Committee documents, with input from Human Resources, any exceptions to the standard hiring process.
3. If the Executive Committee approves the proposal, the supervisor and Vice President should arrange a meeting with the employee to present the promotion and seek his or her acceptance.

Being qualified for a position does not guarantee that an employee will receive a promotion.

### **Internal Job Postings**

Occasionally, the College will post jobs internally. Hiring managers and interview committees should consider all applications equally, based on the position's predetermined requirements.

### **Career Development Outside of Promotion**

Supervisors may choose to expand employees' duties, authority, and autonomy without promoting them directly. These changes may not always come with a formal title change or salary adjustment. The supervising Vice President must first approve any such changes. The employee's job description should be revised/updated and Human Resources should approve the changes.

Adopted: February 14, 2023

**I. EMPLOYMENT CLASSIFICATIONS**

- A. Permanent Full-Time Employee – any individual who occupies a College designated full-time position, subject to the Fair Labor Standards Act.
- i. Permanent full-time employees are employed in budgeted positions, which can reasonably be expected to be funded on a continuing basis and which are selected and appointed based on the requirements of the College’s “Personnel Employment Procedures.”
  - ii. All permanent full-time positions are classified as either full-time faculty or full-time staff and exempt or non-exempt.
  - iii. Permanent full-time faculty (who are not Department Heads or otherwise required to work 12 months) receive contracts for nine-month periods within a fiscal year and may be contracted on a month-to-month basis in the summer per instructional needs.
- B. Part-Time Employee – any individual who is employed for less than 30 hours per week.
- i. All part-time employee positions are classified as either part-time faculty or part-time staff.
  - ii. At ACC, all part-time employees are considered to be “temporary” rather than “permanent” employees. Part-time faculty and staff are not eligible to earn leave, participate in the College’s retirement system, or to receive or purchase health benefits.
- C. Temporary Full-Time Faculty and Staff – an appointment for a limited, short-term period not to exceed nine (9) full pay periods.
- i. These appointments terminate upon expiration of the contractual period without expectation of extension.
  - ii. For purposes of the Affordable Care Act only, any temporary full-time faculty and staff who are anticipated at the date of hire to work in excess of three (3) months during the academic year are considered a full-time employee for purposes of an offer of health insurance. Otherwise, temporary faculty and staff are not eligible to earn leave, participate in the College’s retirement system, or to receive health benefits.
- D. Contractual Appointment – an appointment to a position that is typically funded on an annual basis by federal, state, or local grants and that can reasonably be expected to be funded for a minimum of one (1) year.

**II. WORKLOADS**

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

Adopted: June 13, 2022



**I. WORKING HOURS**

Full-time faculty shall teach an average of 18-20 credit hours or 20-24 contact hours per week per term with a minimum of five (5) office hours per week. Full-time faculty must be on campus a minimum of 20 hours a week. Full-time faculty are required to be on campus five (5) days a week, Monday through Friday, though some exceptions may apply for Career and Technical faculty working weekend hours and/or 12-hour shifts. Full-time faculty will submit a standardized block schedule prior to each semester outlining on-campus hours.

On scheduled Faculty Workdays/Professional Development Days, full-time faculty shall be on campus for a minimum of six (6) hours.

Full-time faculty will be available to attend pre-scheduled college meetings between 8 a.m. and 5 p.m. \*Availability time will be adjusted accordingly for full-time faculty who work an alternative schedule and approved through the Academic Dean and VP of Instruction.

Full-time summer curriculum positions shall teach a minimum of 10-12 credit/contact hours per week.

Department heads are required to teach between six (6) to 21 credit/contact hours weekly each term. This teaching load is contingent upon additional responsibilities they may have, such as overseeing live projects and the number of faculty members they supervise. The specific teaching load for each Department Head will be determined and approved by the Academic Dean in conjunction with the Vice President of Instruction.

**II. WORKLOAD**

Full-time curriculum teaching loads during the academic year shall include such combinations of distance learning, day, evening, and weekend classes as the College's needs require. A Work-Based Learning course with required work based learning hours or Clinical Practicum course that does not require full-time in-person supervision will be calculated at .33 contact hours per student and a Credit by Exam/Independent Study course is not calculated separately into the faculty teaching load. Distance education courses shall have the contact hour value as set forth in the NCCCS Common Course Library.

Teaching loads shall be calculated per academic semester. Compensation shall not be made for a teaching load in excess of normal except when the compensation has been requested, approved by the Department Head, Dean, and Vice President of Instruction. Excessive teaching assignments, committee assignments, outside employment, and other activities which would encroach upon the teaching effectiveness of any faculty member should be minimized. Full-time curriculum positions are encouraged, but not required, to participate in community service activities.

Any underload shall be addressed by adding additional responsibilities to an employee's workload, including non-credit courses, as approved by his or her Department Head and the Vice President of Instruction. Teaching loads may also be adjusted by the College to take into consideration such factors as the use of instructional assistance, team teaching, or the use of non-traditional instructional delivery systems. Additions to faculty workloads including committee assignments, special assignments, curriculum development of a new program or a new course in a program, and/or the complete revision of an existing course or program shall be analyzed by the Department Head, Dean, and Vice President of Instruction. When the additional duties are deemed to be above and beyond what is normally expected of a faculty member, then a reduced teaching load or extra remuneration should be offered to the employee to compensate for the additional work.

Adopted: June 20, 2022; revised February 20, 2024  
Legal Reference: 1D SBCC 400.93(a)(2)

(This procedure replaces "Faculty Workload Policy," revised June 30, 2009.)

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>HUMAN RESOURCES PART-TIME FACULTY WORKING HOURS AND WORKLOAD</b>	<b>PROCEDURE 3.1.3.2</b>
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Part-time faculty (adjunct faculty) shall be limited to teaching a maximum of 130 hours per month during a semester. Determination of the maximum number of hours for a part-time instructor is calculated by applying the following multipliers:

1. Curriculum Lecture (safe harbor): 2.25 hours per contact hour (credit-bearing)
2. Basic Skills: 1.16 hours per contact hour (non-credit-bearing)
3. Curriculum Labs: 1.67 hours per contact hour (credit-bearing)
4. Curriculum Clinics: 1.16 hours per contact hour (credit-bearing)
5. Continuing Education: 1.25 hours per contact hour (non-credit-bearing)
6. Business and Industry: 1.25 hours per contact hour (non-credit-bearing)
7. Skills Lab: 1 hour per contact hour (non-credit-bearing)

In extreme circumstances, a part-time faculty member may be allowed to exceed the maximum teaching load for one semester per academic year with the permission of the appropriate Vice President in consultation with the Director of Human Resources.

Adopted: June 29, 2022

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>HUMAN RESOURCES FULL AND PART-TIME STAFF WORKING HOURS</b>	<b>PROCEDURE 3.1.3.3</b>
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**I. FULL-TIME STAFF**

**A. Exempt Staff**

1. The College's administrative offices are open for business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday. Other hours of operation may exist to meet customer needs.
  
2. Full-time staff who are exempt from the Fair Labor Standards Act ("Act") may also be required to perform work over and above their assigned 40-hour work week when such duty is determined to be in the College's best interest.

**B. Non-Exempt Staff**

1. Non-exempt College staff will be assigned, in writing, a standard 40-hour work week by their immediate supervisor. The immediate supervisor will keep a copy of the assignment and one copy will be filed in the employee's personnel file. Staff will be required to keep and complete weekly timesheets.
  
2. The College will not pay overtime compensation to non-exempt employees who work in excess of 40 hours per week. In approved instances, the College shall, however, provide compensatory time in lieu of overtime pay. Non-productive time off such as vacation, holiday, inclement weather, bonus, and sick days will not be counted as actual time worked for the purpose of calculating compensatory time. Furthermore, when a non-exempt staff member works more than one (1) non-exempt job for the College, any compensatory time will be calculated based on the combined hours worked.

See Policy 3.1.4 – Compensatory Time.

**II. PART-TIME STAFF**

Part-time staff shall not work in excess of 29 hours per week unless there are special circumstances requiring the extended hours for a short duration of time. Work in excess of 29 hours per week requires written authorization from the supervisor and the appropriate Vice President.

Adopted: June 13, 2022

Legal Reference: Fair Labor Standards Act (29 U.S.C. 201, *et seq.*)

Cross Reference: Policy 3.1.4 – Compensatory Time

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

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

- A. The employee's immediate supervisor must approve, in writing, any time over 40 hours per week prior to the employee working overtime. Hours worked by an employee without an immediate supervisor's permission may or may not be considered as hours worked. Overtime work is discouraged and should only be implemented due to an emergency or extraordinary situation. Approved leave taken during a workweek (i.e., annual, sick, holiday, etc.) will not be counted as time worked for purposes of overtime.
- B. If it is necessary for an employee to work over 40 hours per week, 1.5 hours of compensatory time shall be granted for each hour of overtime worked. The employee is responsible for accurately and honestly recording hours worked on time records and in accordance with College policy and practice. The employee's supervisor shall review and approve time records at the conclusion of each period to determine that all recorded overtime hours are accurate.
- C. Except in extreme circumstances and with the appropriate Vice President's approval, supervisors shall make sure that employees do not accrue more than 40 hours of compensatory time at any time and that accrued compensatory time is used within 90 days of its accrual. If an employee fails to exhaust his or her compensatory time within the designated 90 days of accrual, the appropriate Vice President shall consult with the President to determine whether the unused accrued compensatory time shall be paid to the employee or if the College shall require the employee to use the leave at a time determined by the Vice President.
- D. Employees are required to use compensatory time prior to using any other accrued leave (annual, bonus, sick, etc.)
- E. An employee who has accrued compensatory time and requests the use of such time must be permitted to take the time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt College operations.
- F. In the event an employee leaves his or her College employment, the employee must, to the extent possible, exhaust all compensatory time before the last day of employment. Unused compensatory time must be paid at a rate of not less than the average of the employee's regular pay rate for the last three years of employment or the final regular rate received by the employee, whichever is greater.

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

- G. Compensatory time shall be accumulated in quarter hours. The College shall round up to the nearest quarter hour when calculating compensatory time.
- H. Any work from home is not allowed to be counted as part of the 40 hour workweek and/or compensatory leave unless pre-approved by the employee's immediate supervisor and appropriate Vice President.
- I. Failure to follow the requirements set forth in this policy is grounds for disciplinary action, up to and including non-renewal or termination.

Adopted: June 13, 2022

Legal Reference: Fair Labor Standards Act (29 U.S.C. 201, *et seq.*)

(This policy updates “Compensatory Time Off” adopted June 12, 2017.)



- A. The College shall not employ two (2) or more persons concurrently who are "closely related" in positions that would result in one person of such relationship supervising another closely related person or having a substantial influence over employment, salary, or wages or other management or personnel actions pertaining to the close relative.
- B. Closely related is defined as mother, father, brother, sister, son, daughter, father/ mother-in-law, son/daughter-in-law, brother/sister-in-law, grandfather, grandmother, grandson, granddaughter, uncle, aunt, nephew, niece, husband, wife, first cousin, step-parent, step-child, step-brother/sister, or guardian/ward.
- C. With respect to the concurrent service of closely related persons within the same academic department or other comparable institutional subdivision of employment, neither relative shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other relative.
- D. Board members shall not take part in any official action regarding the employment of a closely related family member that results in financial gain to the Board member. For any official action regarding the employment status of a family member that would result in the financial gain to the Board member, the Board member shall disclose the conflict to the full Board and will not take part in the official action unless otherwise allowed by law.
- E. Employees with the authority to recommend the hiring of another employee shall not recommend the hiring of another person with whom they are closely related, as defined in this policy.

Adopted: June 13, 2022

Legal Reference: 1C SBCCC 200.98

(This policy replaces the "Nepotism Policy" revised November 18, 2020.)



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

The President is hereby authorized to develop salary plans for faculty and staff consistent with this policy and the regulations of the North Carolina Community College System.

Adopted: June 13, 2022

**I. SALARY PLAN – FULL-TIME STAFF**

A. Overview

1. The salary plan is applicable to all staff. The plan provides for salaries that will attract and retain qualified individuals. The goal is to provide salaries based on experience, expertise, and education.
2. The plan establishes the following: a) an appropriate classification system for College positions; and b) a salary range for each position, which will result in equitable treatment of employees within the College and assist in attracting and retaining qualified personnel.
3. The plan is based on the following: a) a job description for each position defining the major responsibilities and the minimum requirements; b) establishment of a salary range for each grade; c) analysis of the positions and assignment to pay grades and respective salary ranges in accordance with internal equity and how the market values the jobs; and defined administrative responsibilities for implementing the pay guidelines.

B. Salary Plan Administration

1. The President has ultimate authority and responsibility for the salary plan including distribution of salary adjustments and salary administration changes. Any exceptions to, or major revisions in, the plan must be approved by the President or the President's designee.
2. To provide the opportunity for proper objectivity, coordination, and control of classification and salary matters, the Director of Human Resources will have ongoing responsibility for the direction and administration of the salary plan and will: a) be responsible for maintaining and updating the plan; b) evaluate all positions for appropriate placement in the salary structure; and c) ensure the College has job descriptions for all staff positions.
3. All management personnel have responsibility for being fully educated on the salary plan so as to interpret policy fairly for their employees. Managers should: a) communicate with employees regarding the salary plan and work with the Director of Human Resources on program guidelines and individual pay issues; b) evaluate their employees with regard to their performance; and c) work with the Office of Human Resources to update position duties when changes have occurred and address any potential impact on compensation.

C. Application of Fair Labor Standards Act

The Director of Human Resources has the responsibility to carry out the provisions of the Fair Labor Standards Act (“the Act”) in determining the exempt and non-exempt status of employees.

1. Exempt employees are personnel who, by virtue of their duties, can satisfy certain qualifications fixed by legal regulations and may, therefore, be determined exempt from coverage under the Act. Exempt employees are defined as executive, administrative, professional, and other.
2. The Director of Human Resources may consult with the College’s legal counsel or other appropriate consultants for guidance on the appropriate classification of employees under the Fair Labor Standards Act.

## **II. SALARY PLAN – FULL-TIME FACULTY**

### **A. Overview**

The salary plan is applicable to all full-time faculty. The plan provides for salaries that will attract and retain qualified individuals. The goal is to provide salaries based on external market and internal equity factors.

The plan establishes a salary range for each faculty member based on their “market demand,” which will result in equitable treatment within the College and assist in attracting and retaining qualified personnel.

The plan is based on the following: 1) assignment to a salary range in accordance with the faculty member’s professional credentials and relevant experience; and 2) the number of persons qualified in the labor market.

### **B. Salary Plan Administration**

To provide the opportunity for proper objectivity, coordination, and control of salary matters, the Director of Human Resources will have responsibility for direction and administration of the plan and will: 1) ensure that all faculty are appropriately and equitably recognized for their professional credentials and relevant experience; and 2) monitor market conditions to ensure the salary schedule remains competitive with the higher education market.

## **III. ADVANCED DEGREE ATTAINMENT**

- A. The College encourages its employees to advance their education by pursuing and achieving advanced degrees. Full-time employees (both faculty and staff) in regularly allotted positions who earn an academic degree higher than the one held at the time of employment may be considered to receive a pay increase.
- B. Faculty and staff must receive approval before beginning the degree in order to be eligible for the salary increase using the Educational Advancement Request Form.

- C. If a faculty member, in good standing, obtains an advanced degree and meets the following guidelines during his or her employment with the College, he or she may be considered for an increase or the minimum pay established by NCCCS for the respective degree.

If a staff member, in good standing, obtains an advanced degree during his/her employment with the College, s/he may be considered for an increase or the minimum pay established by NCCCS for the respective degree if the advanced degree is in a field related to the employee's job responsibilities.

- D. Salary increases will be 1% to 3% per degree attained, as determined by the supervising Vice President in consultation with the Director of HR.
- F. The employee must provide evidence of coursework completion and the degree awarded. The degree must be conferred by an institution of higher education accredited by one of the six regional accrediting agencies recognized by the U.S. Department of Education and must be related to the employee's work at the College.
- G. No increase shall be given for the attainment of the next higher degree to employees hired with the written understanding that they complete such a degree as a condition for continued employment.
- H. Upon attaining an additional or higher degree, the salary increase will be implemented at the beginning of the next fiscal year contract period. Employees who are candidates to receive an advanced degree must notify the Director of Human Resources by May 1<sup>st</sup> to be eligible to receive the salary increase at the next effective date.
- I. The College will adhere to any State legislative action regarding salary increases.

#### **IV. FINANCIAL EXIGENCY**

During times of financial exigency, the President temporarily may suspend all or portions of this procedure if necessary to maintain the financial integrity of the College. Once the suspension has ended, the College will not make any retroactive payments to employees earned under this policy; however, the employee will receive prospective payments earned under this policy.

Adopted: June 17, 2022

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

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

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

Adopted: June 13, 2022

**I. PRESIDENTIAL SELECTION PROCESS**

- A. When a presidential vacancy occurs or is anticipated, the Board shall notify the System President and invite the System President or the System President's designee to meet with the Board of Trustees to discuss legal requirements and other procedural matters while also providing technical assistance to the Board as needed.
- B. In selecting the College's President, the Board shall, at minimum, consider general input from College and community stakeholders on the desired attributes of the College's president and evaluate more than one candidate for the position. The State Board of Community Colleges (SBCC) may waive this requirement at the request of the Board if the State Board determines it is in the College's interest to do so.
- C. The Board shall submit at least one candidate to the System President for review at least 10 business days prior to the next regularly scheduled SBCC Personnel Committee meeting or at least ten business days prior to a special called SBCC Personnel Committee meeting.
- D. While completing the review process, the System President or the System President's designee shall confirm that the Board completed a background check to include the following:
  - 1. Social security number verification.
  - 2. Criminal history check.
  - 3. Civil litigation history check.
  - 4. Education verification.
  - 5. Employment verification.
  - 6. Personal credit history check.
- E. Upon completion of the review process, the System President shall present the name(s) of candidate(s) to the Personnel Committee of the SBCC for consideration and assessment.
- F. Following consideration and assessment of the candidate(s), the Personnel Committee of the SBCC or the SBCC shall authorize the System President to communicate the Personnel Committee's or the SBCC's assessment to the Board.
- G. The Board shall proceed with the final election process and submit the Board's final election to the SBCC for approval. The Board shall submit its recommendation in writing to the System President at least five business days prior to the next meeting of the SBCC.

- H. The SBCC shall act upon the Board's election at the SBCC's regularly scheduled meeting following receipt of the Board's election unless delayed for cause as determined by the SBCC.
- I. The System Office shall convey in writing to the Chair of the Board the SBCC's action on the Board's election. The action of the SBCC is final.
- J. The Board shall not execute a contract prior to SBCC action to approve the Board's presidential election unless it has a provision specifying that the effective date of the contract is subject to the SBCC's approval of the presidential election.

## **II. CONTRACT**

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

## **III. DUTIES**

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

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-20; 1C SBCCC 300.1

Alamance Community College will provide to employees who are nursing mothers a private location, other than a bathroom, where they can express milk.

Employees who are nursing are provided with reasonable unpaid break time to express milk after the birth of a child as long as providing such break time does not unduly disrupt the operation of the department and/or College.

The College will make reasonable efforts to provide a private location. Employees will not be retaliated against for exercising their right under this policy.

Adopted: October 11, 2010

Legal Source: FLSA, 29 U.S.C. Section 207(r)(1)



Alamance Community College faculty receive contracts for 9-month, 10-month, or 12-month terms. This policy outlines the installment payments and working days for each of the contracted terms.

All full-time permanent faculty are exempt from the Fair Labor Standards Act and as such may be required to perform work over and above their assigned 40-hour work week when such duty is determined to be in the College's best interest. For more information, see Policy 3.1.3 – Employment Classifications and Workloads.

### **Twelve-Month Faculty Contracts**

Faculty on 12-month contracts, including Department Heads, receive their contracted pay in equal amounts across 12 months. Any additional “overload” work hours are compensated on a separate contract.

Twelve-month faculty follow the ACC academic calendar throughout the year as indicated for 12-month faculty class days, faculty workdays, and vacation days/holidays.

### **Ten-Month Faculty Contracts**

Faculty receiving 10-month contracts work full-time for the college in a high school setting. \*Their pay is spread over the 11 months of the contracted period, working part of the first and last months of the academic year, and therefore receiving partial payments during those months. To determine installment payments over the course of the contract term, the contracted salary is divided into 10 monthly payments.

- August – 50% of monthly payment
- September through May – 100% of monthly payment each month
- June – 50% of monthly payment

Ten-month faculty work half of the month in August and half of the month in June, and they will either follow the calendar of the school system in which they work for class days, workdays, and vacation days/holidays or follow ACC's calendar, or some combination thereof. Instructors embedded in the high school will work with the school system, the ACC Career & College Promise Office, and their college supervisors to determine their calendar. Any additional “overload” work hours are compensated on a separate contract.

### **Nine-Month Faculty Contracts**

\*Faculty on 9-month contracts receive their pay spread over the 10 months of the contracted period, working part of the first and last months of the academic year, and therefore receiving partial payments during those months. To determine installment payments over the course of the contract term, the contracted salary is divided into 9 monthly payments.

- August – 50% of monthly payment

- September through April – 100% of monthly payment each month
- May – 50% of monthly payment

Nine-month faculty work August 15 through August 31 and May 1 through May 15. They will follow the academic calendar throughout the contract term as indicated for 9-month faculty class days, faculty workdays, and vacation days/holidays. Any additional “overload” work hours are compensated on a separate contract.

\*Faculty with 9- or 10-month contracts who elect to have their pay spread equally over 12 months receive equal monthly payments of their contracted salary throughout the year. They will follow the academic calendar for their contract term as explained in the preceding paragraphs.

Adopted: December 19, 2023

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

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

If an employee is hired on a full-time contract with benefits on the first through the 15th of the month, coverage will begin the first of the month after employment. Example: An employee is hired January 1. Their coverage begins February 1. If an employee is hired the 16<sup>th</sup> or later of the month, coverage begins the first day of the full month after employment. Example: An employee is hired January 16. Their coverage begins on March 1.

Newly hired employees are in charge of their verification credits. Newly hired employees must complete the Past State Employment Verification Form with a retroactive deadline of six (6) months for longevity and accruals to be paid.

Adopted: June 13, 2022

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>HUMAN RESOURCES AFFORDABLE CARE ACT MEASUREMENT PERIODS</b>	<b>PROCEDURE 3.2.1.1</b>
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To comply with the Patient Protection and Affordable Care Act, the College outlines the following procedures to determine which employees are treated as full-time employees for purposes of shared responsibility provisions of § 4980H of the Internal Revenue Code regarding health insurance coverage.

**A. Ongoing Employees**

1. An “ongoing employee” is defined as an employee who has been employed for at least one complete standard measurement period.
2. The Standard Measurement Period is a defined time period of not less than three (3) but not more than 12 consecutive calendar months (as designated by the College). The Standard Measurement Period is 11 consecutive calendar months beginning December 1<sup>st</sup> through October 31<sup>st</sup> of the following year.
3. The Administrative Period is the time between the Standard Measurement Period and the Stability Period used to determine which ongoing employees are eligible for health coverage and open enrollment. The Administrative Period begins each November 1<sup>st</sup> through December 31<sup>st</sup>.
4. The Stability Period is the period of time that allows employees who were determined to be “full-time” during the Standard Measurement Period to be treated as full-time employees for the purpose of an offer of health insurance coverage. The Stability Period will be January 1<sup>st</sup> through December 31<sup>st</sup>.

**B. New Employees**

1. A “new employee” is generally an employee who starts work in the middle of a Standard Measurement Period and would not have accumulated enough work history needed to complete a Standard Measurement Period. This “new employee” would be subject to an Initial Measurement Period.
2. The Initial Measurement Period is the period of time not less than three (3), but not more than 12, consecutive months. The Initial Measurement Period for each new employee will start on the new employee’s first day of employment and last through the end of 12 consecutive months.
3. The Administrative Period is the period of time from the end of the Initial Measurement Period through the end of the first calendar month beginning on or after the end of the Initial Measurement Period. The total length of this Administration Period will be one full month plus a partial month, depending on the end of employee’s Initial Measurement Period.
4. The Stability Period for such employees must be the same length as the Stability Period for ongoing employees. Therefore, the Stability Period for new employees

will equal 12 consecutive months beginning the first month after the Administrative Period. Once an employee, who has been employed for an Initial Measurement Period, has been employed for an entire Standard Measurement period, the employee must be reviewed for full-time status, beginning with that Standard Measurement Period, at the same time and under the same conditions as other ongoing employees. At this point, the “new employee” is now considered an “ongoing employee” and will have the same Standard Measurement Period as other “ongoing employees.”

5. The Initial Measurement Period and the following Standard Measurement Period will most likely overlap. Creating two separate measurement periods will ensure that an employee has the opportunity to become eligible for health coverage depending on their working hours in either period.

C. Eligibility

An employee who is employed on average of at least 30 hours of service per week or 130 hours of service per calendar month over the course of any measurement period described above is eligible for an offer of health insurance benefits.

D. Compliance and Reliance

In compliance with § 4980H of the Internal Revenue Code, the College utilizes a reasonable method consistent with Notices 2011-36, 2011-73, 2012-17 and 2012-58. As additional guidance is issued, the procedures will be amended to ensure continued compliance with the Affordable Care Act.

Adopted: June 13, 2022

Legal Reference: § 4980H of the Internal Revenue Code; Internal Revenue Service Notices 2011-36, 2011-73, 2012-17, 2012-58

Effective July 1, 1993, Alamance County Commissioners approved a longevity payment for all full-time employees based on years of service at the College.

Local longevity is provided after two years of employment at ACC. Local longevity offers an annual financial supplement to faculty and staff as part of their benefits package.

- I. To receive local longevity pay for service at the College, an employee must work at least half of the days in his or her anniversary month of employment. Local longevity pay is not prorated. All payments will be made in the employee's anniversary month when paychecks are distributed.
  
- II. This payment will be awarded according to the following schedule:
  - 2 years of service to the College: one percent of annual base salary
  - 5 years of service to the College: 2.5 percent of annual base salary
  - 10 years of service to the College: 2.5 percent of annual base salary
  - 15 years of service to the College: 2.75 percent of annual base salary
  - 20 years of service to the College: 2.75 percent of annual base salary
  - 25 years of service to the College: 1.5 percent of annual base salary

Adopted: June 13, 2022

(This policy replaces the “Longevity Policy” revised November 18, 2010 and May 14, 2012.)

- A. Upon completion of at least 10 years of total qualifying service with the College in a full-time, permanent role, an employee is eligible for North Carolina Community College System (NCCCS) Longevity Pay.
- B. Qualifying service is based on a month-for-month computation of employment with:
1. An institution in the NCCCS or a school administrative unit regardless of the source of salary and including state, local, or other paid employment.
    - a. Employment for a full school year is equivalent to one full calendar year (credit for a partial year is given on a month-for-month basis).
    - b. In no event will an employee earn more than a year of aggregate service credit in a 12-month period.
    - c. If an employee is in pay status (i.e., working, or exhausting leave, workers' compensation, or military leave) for one-half or more of the regularly scheduled workdays in a month, credit shall be given for the entire month.
  2. Departments, agencies, and institutions of the State of North Carolina (e.g., State Department of Administration, North Carolina Department of Revenue, University of North Carolina, North Carolina Community College System, State Department of Public Instruction).
  3. Other governmental units that are now agencies of the State of North Carolina (e.g., county highway maintenance forces, War Manpower Commission, the Judicial System).
  4. County agricultural extension service.
  5. Local mental health, public health, social services, or civil preparedness agencies in North Carolina, if such employment is subject to the State Personnel Act.
  6. Authorized military leave.
    - a. Credit for military leave is granted only for persons who were employees of the State of North Carolina or other agencies listed in Section 2(a)-(e) herein who were granted leave without pay:
      - for a period of involuntary service plus 90 days or for a period of voluntary enlistment for up to four (4) years, plus 90 days, so long as they returned to employment in a covered agency within the 90 days; or

- for a period of active duty for service, alerts, or required annual training while in the National Guard or in a military reserve program.
  - b. Employees who enlist for more than four (4) years or who re-enlist shall not be eligible for longevity consideration for military leave.
  - c. Employees hospitalized for a service-connected disability or injury shall be granted additional leave without pay for the period of hospitalization plus 90 days or for 12 months, whichever is shorter. The hospitalization must commence before reinstatement into qualifying service for the provisions of this part to apply.
- C. Aggregate service to the State of North Carolina for the longevity pay plan does not include:
- 1. Temporary service, that is, service by an employee who works in a temporary position, or who is working temporarily in the absence of a full-time regular employee on leave of absence.
  - 2. Periods of out-of-state employment with other states, schools, colleges or universities.
  - 3. Periods of employment with agencies of the federal government.
  - 4. Periods of military service other than those categories described above.
  - 5. Periods of employment for employers other than the State of North Carolina even though credit in the North Carolina Retirement System has been purchased for such employment.
- D. Annual longevity pay amounts are based on the length of aggregate service to the State of North Carolina, community colleges, and public schools as designated herein and a percentage of the employee's annual rate of pay on the date of eligibility.
- 1. Longevity pay amounts are computed by multiplying the employee's annual base salary rate as of the eligibility date by the appropriate percentage, rounded to the nearest dollar, in accordance with the following table:

YEARS OF AGGREGATE STATE SERVICE	LONGEVITY PAY RATE
10 but less than 15 years	1.50 %
15 but less than 20 years	2.25 %
20 but less than 25 years	3.25 %
25 or more years	4.50%



2. Longevity pay is not considered a part of annual base or contract pay, nor is it to be represented in personnel and payroll records as part of annual base salary. (Salary increases effective on the same date as longevity eligibility date shall be incorporated in the base pay before computing longevity).
- E. The payment of longevity pay to eligible employees is automatic. Payment shall be made in a lump sum subject to all statutory deductions, during the monthly pay period in which the employee has satisfied all eligibility requirements.
1. Eligible employees on worker's compensation leave shall receive longevity payment in the same manner as if they were working.
  2. If an employee retires, resigns, dies, or is otherwise separated on or after the date of becoming eligible for a longevity payment, the full payment shall be made to the employee or to the estate of the employee in the event of death.
  3. If on the effective date of these procedures, an employee has completed the qualifying length of service but is between eligibility dates, longevity payment will be made on the next longevity anniversary date.
  4. If the employee has worked part but not all of one year since qualifying for longevity payment, the employee shall receive a prorated payment in the event of:
    - a. Separation from the College, or
    - b. Change in employment status to a position not covered in the policy.
  5. If an employee separates from the College and receives a partial longevity payment and is employed by another community college, school administrative unit, or state agency, the balance of the longevity payment shall be made upon completion of additional service totaling 12 months for an employee having a 12-month period of employment or upon completion of a lesser term for a teacher other than a 12-month contract. The balance due is computed on the annual salary being paid at the completion of the requirement.
  6. If an eligible employee at the time of separation has a fraction of a year toward the next higher percentage rate, payment shall be based on the higher rate; however, the basic eligibility for longevity requirement must have been satisfied before this provision can apply.
  7. Leave without pay in excess of half the workdays in a month (with the exception of authorized military leave and worker's compensation leave) will delay the longevity anniversary date on a month-for-month basis.
- G. Longevity pay shall be made from the same source of funds in the same prorated amounts from which the employee's regular annual salary is paid (e.g., state, federal, local fund).

1. The Trustees may provide longevity payments to employees from other than state allotted funds.
2. Only personnel employed in positions allotted by the formula in Rule 1H SBCCC 200.87(d) shall receive longevity from the longevity reserve. An additional allocation will be made for this purpose.
3. Employees in state-allotted positions paid with state-allotted funds other than regular formula allotments shall receive longevity pay from the same source of funds as their salary payment.
4. Employees paid with the following specified funds shall receive longevity pay from these respective sources:
  - a. Adult Basic Education funds
  - b. Human Resource Development funds
  - c. New industry funds
  - d. JTPA funds
  - e. Special Allotment funds
  - f. Federal Vocational Education funds
  - g. Local funds

H. The President shall:

1. Determine the quality of qualifying service and the longevity anniversary date for each eligible employee.
2. Furnish to the State Board, on forms prescribed by NCCCS, data necessary for a determination of the cost of the longevity pay plan from state funds.

Adopted: June 13, 2022

Legal Reference: 1C SBCC 400.8

(This policy replaces the “Longevity Policy” revised November 18, 2010 and May 14, 2012.)

- A. The College President shall be responsible for the administration of the leave program. The College's Office of Human Resources shall maintain leave records for all employees. The College will retain leave records for all separated employees for a period of at least five (5) years from the date of separation or longer as determined by applicable law.
- B. The following types of leave are authorized for the College's employees in accordance with state and federal law and these policies and procedures:
- |                     |                          |
|---------------------|--------------------------|
| Sick Leave          | Voluntary Shared Leave   |
| Annual Leave        | Family and Medical Leave |
| Educational Leave   | Community Service Leave  |
| Civil Leave         | Military Leave           |
| Bonus Leave         | Leave without Pay        |
| Personal Leave      | Holidays                 |
| Workers' Comp Leave |                          |
- C. Absences from work during scheduled working hours shall be charged to the employee's appropriate leave account.
- D. If an employee is unable to report for work, the employee shall notify the supervisor of the anticipated absence or tardiness as soon as possible, stating the reason and the anticipated length of absence.

Adopted: June 13, 2022

**I. AMOUNT EARNED**

- A. A full-time employee working or on paid leave for one-half or more of the regularly scheduled workdays in any month shall earn eight (8) sick leave hours per month (96 sick leave hours per year for 12 month employees).
- B. Unused sick leave may be used for credit towards retirement under the policies and regulations of the North Carolina Teachers' and State Employees' Retirement System.
- C. Sick leave may be accumulated indefinitely.

**II. ADVANCEMENT**

The College may advance sick leave monthly. For an extended illness or period of disability, the College may advance sick leave not to exceed the amount an employee can earn during the current fiscal year.

**III. VERIFICATION**

The College may require a statement from a medical provider or other acceptable proof that the employee was unable to work for one of the accepted uses listed in Section IV.

**IV. ACCEPTED USES**

Sick leave may only be used for the following reasons:

- A. Illness or injury of the employee or the employee's immediate family. For purposes of this Policy, "immediate family" means the employee's spouse, parent, child, sibling, grandparent, or grandchild. This also includes all step, half, and in-law relationships;
- B. Death of a member of the employee's immediate family, as defined in section A above;
- C. Medical appointments for an employee or the employee's immediate family;
- D. Quarantine due to a contagious disease in the employee's immediate family;
- E. The actual period of temporary disability due to pregnancy, miscarriage, abortion, childbirth, or postnatal recovery, or for the care of person or newborn during the person's temporary disability;
- F. During the 60-day waiting period for short-term disability or in lieu of short-term disability benefits; and

- G. In lieu of workers' compensation, to maintain as close to 100% of salary as allowable by law.

**V. OTHER PROCEDURES**

A. Leave Charges

1. All sick leave shall be taken in one-hour increments. Only scheduled work hours shall be charged in calculating the amount of sick leave taken. Saturdays and Sundays are charged only if they are scheduled workdays.
2. Earned compensatory time must be used before using sick leave.
3. Pro-Rated Faculty Sick Leave: Sick leave is pro-rated for instructors, who are required to be on campus for a minimum of 20 hours a week. Instructors' sick leave policy is based on an eight-hour day with one hour being the minimum amount of sick leave that can be taken. Instructors who are absent a portion of the day will have such absence pro-rated by the number of hours they were scheduled to work on the date the absence occurs. An example of a pro-rated absence is provided below.

An instructor scheduled for six hours on campus becomes ill after completing three hours and does not complete the three hours remaining. The instructor in this case would be charged three-sixths or one-half of eight (8) hours—four (4) hours—of sick leave for the day. (Portions of an hour that are 0.5 or more—30 minutes or more—are rounded off to the nearest hour.)

4. Pro-rating of sick leave on a percentage basis is applicable to instructors only. Administrative, executive, and clerical employees will be charged with the actual number of hours that they are absent.
5. Part-time staff must deduct the number of hours they are scheduled to work on the day(s) taken as sick leave.

B. Transfer of Leave

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

C. Separation

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

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

D. Reinstatement of Sick Leave

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

E. Recordkeeping

The College shall maintain annual records for sick leave earned and taken for each employee. The College shall notify employees of their total sick leave balance at the end of each month. The College shall retain all sick leave records of all separated employees for a period of at least five (5) years from the date of separation.

Adopted: June 13, 2005; revised June 6, 2006; revised March 17, 2008; revised June 13, 2022

The purpose of this policy is to define employees' eligibility for annual leave (also known as vacation leave), accrual of leave, and leave use rules. This policy applies to all full-time permanent staff employees of Alamance Community College.

Instructors do not earn annual leave and are not covered by this policy. Instructors are expected to be present for all scheduled classes, office hours, and workdays as prescribed by the College calendar and catalog, including such other hours and days as may be necessary for the performance of their respective duties or an activity scheduled by the President, Executive Vice President, or Vice President of Instruction.

Instructors take vacation when students are not on campus, excluding scheduled faculty workdays and/or professional development days. Instructional employees are granted days off for not less than that which is specified in the schedule for non-instructional employees with less than five years of aggregate state service, providing the College calendar permits.

**I. AMOUNT EARNED**

Annual leave is calculated on the fiscal year, which runs July 1 through June 30. Each full-time permanent staff employee who is working or on paid leave for one-half or more of the workdays in any month earns annual leave. Employees shall earn annual leave at the following rate:

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

**II. MAXIMUM ACCUMULATION**

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

**III. ADVANCEMENT**

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<sup>1</sup> "Total State Service" means an employee working in a permanent position (working at least 30 hours per week) for a North Carolina K-12 school, North Carolina Community College, a UNC System university, a state agency or service with the United States Armed Forces or North Carolina National Guard, employment with governmental units that are now state agencies, or employment with a local mental health, public health, social services, or civil defense agency in North Carolina.

- A. Annual leave may be advanced in an amount not to exceed 80 hours during the current fiscal year.
- B. For the first six (6) months of service, new employees can only earn annual leave as stipulated in Section I. Thereafter, an employee may be advanced the amount of leave he or she would earn during the remainder of the fiscal year.
- C. An employee desiring an advancement of annual leave must submit, in addition to the requested form, a statement of need outlining the circumstances which require use of as-yet-earned annual leave. Each case will be assessed on its merits and considerations given as to the urgency of the request and the College's operational needs.

#### **IV. ACCEPTED USES**

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

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

#### **V. OTHER PROCEDURES**

##### **A. Scheduling Annual Leave**

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

Only scheduled work hours shall be charged in calculating the amount of annual leave taken. Weekends and/or holidays are charged only if they are scheduled workdays. When the College operates on a "summer schedule," employees must deduct nine (9) hours for each full-time day taken as annual leave and four (4) hours for each Friday taken.

##### **B. Separation from Employment**

- 1. Lump sum payment for annual leave is made only at the time of separation from employment. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when



separated from employment from the College due to resignation, dismissal, reduction-in-force, death, or service retirement. Employees retiring on disability retirement may exhaust leave rather than be paid in a lump sum.

2. If an employee separates from employment and is overdrawn on annual leave, deductions will be made from the final salary check. It will be deducted in full hour units, i.e., a full hour for any part of an hour overdrawn. As consideration for providing annual leave, employees voluntarily agree to such deductions from their final pay check.
3. Payment for annual leave may be made on the regular payroll or on a supplemental payroll, reflecting the number of days of leave and the amount of payment. Annual leave may be paid through the last full hour of unused leave.
4. Retirement deductions shall be made from all annual leave payouts.
5. The last day of work is the date of separation, except when an employee exhausts sick and annual leave before disability retirement.

C. Transfer of Annual Leave

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

D. Annual Leave Records

The College shall maintain records for annual leave earned and taken for each employee. The College shall notify employees of their total annual leave balance at the end of each month. The College shall retain all annual leave records of all separated employees for a period of at least five (5) years from the date of separation.

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

Adopted: June 13, 2022

(This policy replaces "Annual Leave Policy" revised June 12, 2017.)

The staff is encouraged to enroll in courses for professional development and for job relevant higher degree(s). To that end, full-time staff may enroll in one course per term at Alamance Community College and receive a waiver of tuition with the exception of Self-Supporting courses.

The term “educational leave” refers to the period of time an employee is released from duties to attend a class during the time he or she is normally required to work.

An employee may be granted educational leave provided that all of the following conditions are met:

1. The employee is full-time.
2. The employee has been employed at the College for a minimum of one (1) fiscal year.
3. The program or course engaged in must directly improve the competency of the employee in the performance of duties assigned.
4. The employee must maintain satisfactory progress in the course.
5. The employee is on call during class time should an emergency arise.
6. Additional funds are not required to pay a substitute so that the employee may attend class.
7. The employee’s supervisor and the appropriate Vice President must approve the educational leave time.
8. Leave time may not exceed five (5) hours per week, with no more than two (2) hours in any one day. The employee will be required to make up the leave time if the supervisor deems it necessary.
9. Leave time is granted to an employee for a maximum of two (2) terms per year.
10. Leave time is not to be reported as “hours worked.” It must be reported as Educational Leave.
11. The President may waive these regulations when the best interests of the College are served.

Note: This policy does not apply when a supervisor, as part of the disciplinary process, requires an employee to take a specific class during work hours to improve his or her job performance.

Educational Leave State funds may be used to pay instructional employees’ salaries while they are on educational leave if the following criteria are met:

1. The employee is employed full-time on a nine (9), 10-12- month basis.
2. The employee is under contract to the College for the next fiscal year.
3. Educational leave will not exceed a period of 60 workdays per calendar year.
4. An employee who fails to honor the contract stipulated in Subparagraph (b) (2) of the General Statute Rules will be required to repay the amount expended for the educational leave. If the employee fulfills a portion of the contract before failing to honor the contract, repayment shall be based on a pro-rated portion (e.g., if an employee worked four (4) months of a 12-month contract, a repayment of 66.7% of the educational leave would be required).

Revised November 18, 2010

Legal Reference: G.S.115D-5; 115D-20; 115D-31; S.L.1995, c. 625.

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

**I. JURY DUTY**

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

**II. COURT ATTENDANCE**

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

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

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

Revised November 18, 2010; revised June 13, 2022  
Legal Reference: 16 NCAC 6C.0404

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

- A. Scheduling Bonus Leave – Bonus leave may be used under the same circumstances as annual leave pursuant to Policy 3.2.6 and shall be taken only upon authorization of the appropriate Vice President. Based on the College's staffing needs, an individual may be required to take bonus leave at a different time than the employee requested.
- B. There is no maximum accumulation of bonus leave.
- C. Transfer of Bonus Leave – Bonus leave may be transferred into the College from other state agencies or community colleges at the time of hire. Upon separation due to resignation, dismissal, or a reduction-in-force, bonus leave is transferable to an employee's account with another state agency or community college.
- D. Separation – Payment of Bonus Leave:
  - 1. Lump sum payment for bonus leave is made only at the time of separation from the College service due to resignation, dismissal, reduction-in-force, death, or service retirement.
  - 2. Employees retiring on disability may exhaust bonus leave rather than be paid in a lump sum.
  - 3. Payment for bonus leave may be made on the regular payroll or on a supplemental payroll, reflecting the number of days of bonus leave and the amount of payment. Bonus leave may be paid through the last full hour of unused bonus leave. Overdrawn annual or sick leave amounts may be deducted from bonus leave prior to payment.

Adopted: June 13, 2022

Cross Reference: Policy 3.2.6

A. Eligibility and Rate of Earning

1. All full-time permanent employees earn personal leave at a rate of 1.33 hours per month.
2. Unused personal leave may not be carried forward from one fiscal year to another. Any unused personal leave at the end of a fiscal year will be lost.

B. Use of Personal Leave

1. Personal leave is a brief, permissive absence from work for personal reasons.
2. Personal leave may be used only upon the authorization of the employee's immediate supervisor, and Director, Dean, Vice President, or President.

C. Faculty Pro-Rated Absences

All full-time employees have a workday that is based on eight (8) hours of work. (For staff, summer hours alter that schedule to nine (9) hours a day Monday through Thursday and four (4) hours on Friday.) Faculty, who are not required to remain on campus the entire eight hours each day, must pro-rate their absences:

1. Faculty absent for an entire workday whose work schedule that day may consist of one hour or more must take eight (8) hours of personal leave regardless of the number of on-campus hours scheduled for that day.
2. Faculty who take personal leave for a partial absence (i.e., work some of their on-campus hours but not all) need to pro-rate that absence. Example: an instructor scheduled for six (6) contact hours of instruction takes personal leave after completing only three (3) contact hours of instruction. That instructor must take  $\frac{3}{6}$  or  $\frac{1}{2}$  of eight (8) hours, or four (4) hours of personal leave for that day.

D. Limitations on Personal Leave

1. The minimum amount of personal leave that may be taken is one-hour increments.
2. Personal leave should be used with due and proper consideration given to students, instructors, and staff.
3. When an employee resigns or separates from service, personal leave cannot be paid out in a lump sum.
4. Personal leave is not transferable to other institutions.

Revised November 18, 2010

**I. USE OF LEAVE DUE TO WORKERS' COMPENSATION INJURY**

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

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

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

**II. RESPONSIBILITY OF EMPLOYER AND EMPLOYEE**

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

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

**III. CONTINUATION OF BENEFITS**

- A. Performance Increase. Upon reinstatement, an employee's salary will be computed based on the last salary plus any legislative increases to which the employee is entitled.
- B. Annual and Sick Leave. While on workers' compensation leave, an employee will continue to accumulate annual and sick leave to be credited to his or her account for use upon return.

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

1. The maximum to be carried forward to the next fiscal year may be exceeded by the amount of vacation accumulated while the employee is out of work due to the workers' compensation injury. The excess may be used after returning to work or be added to the employee's remaining balance of leave carried until the end of the fiscal year following a full year after the employee's return to work, at which time the excess will be paid in a lump sum to the employee.
2. If the employee separates during the period that excess annual leave is allowed, the excess annual leave to be paid in a lump sum may not exceed the amount accumulated during the first 12 months of when the employee is out of work and receiving workers' compensation benefit.

C. Health Insurance

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

Adopted: June 13, 2022

Legal Reference: N.C.G.S. Chapter 27 – Workers' Compensation Act



## I. PURPOSE

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

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

- A. Donating annual, bonus, or sick leave to an immediate family member in any State agency, public school, or community;
- B. Donating annual or bonus leave to a coworker's immediate family member who is an employee in a State agency or public school provided the employee and coworker both work at the College; and/or
- C. Donating annual, bonus or sick leave to a non-immediate family member employee at a North Carolina community college.

## II. DEFINITIONS

- A. Donor - the employee who donated leave.
- B. College Employee - a permanent or probationary full-time or part-time employee who accrues sick and annual leave.
- C. Immediate Family Member - a spouse, parent, child, brother, sister, grandparent, or grandchild. The term also includes the step, half, foster, and in-law relationship and dependent living in the employee's household.
- D. Recipient - the employee or the employee's immediate family who receives leave.
- E. Serious or Prolonged Medical Condition - a medical condition of an employee or his or her immediate family that will require his or her absence from duty for a period of at least 20 consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences or if the employee has had a previous, but different serious or prolonged medical condition within the last 12 months, the College may make an exception to the 20-day period.

## III. LEAVE REASONS

A. Qualifying Reasons

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

1. Have a serious and prolonged medical condition (or a member of the employee's immediate family has a medical condition that requires the employee's absence for a prolonged period);
2. Apply for or be nominated to become a recipient;
3. Produce medical evidence to support the need for leave beyond the available accumulated leave; and
4. Be approved by the President to participate in the Program.

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

B. Non-Qualifying Reasons

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

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

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

**IV. APPLICATION FOR LEAVE**

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

**V. LEAVE CONTRIBUTION AND DONATION**

- A. An employee may begin using voluntary shared leave after all available bonus, annual, and sick leave has been exhausted. While using voluntary shared leave, employees continue to earn leave.
- B. The amount of voluntary shared leave a recipient may receive is 1,040 hours per year (prorated for part-time employees), either continuously or, if for the same condition, on a recurring basis. However, the President may grant continuation, on a month-to-month basis, to a maximum of 2,080 hours, if the President would have otherwise granted leave without pay.
- C. A College employee donating sick leave to an immediate family member may donate up to 1,040 hours but may not reduce the donor's sick leave account below 40 hours. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave. The minimum amount of sick leave to be donated is four (4) hours.
- D. A College employee may donate up to five (5) days of sick leave to a non-immediate family member employee of a North Carolina community college. The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed 20 days per year. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave. The minimum amount of sick leave to be donated is four (4) hours.
- E. The minimum amount of annual and/or bonus leave that may be donated per recipient is four (4) hours per year. The maximum amount of annual leave that may be donated:
  - 1. May not be more than the amount of the donor's annual accrual rate; and
  - 2. May not reduce the donor's annual leave balance below one-half of the yearly annual leave accrual rate.

3. Bonus leave may be donated without regard to the above limitations on annual leave.
- F. All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis or may be retroactive for up to 60 calendar days to substitute for advanced vacation or sick leave already granted to the recipient or to substitute for leave without pay. Donated leave shall be applied to advanced leave before applying it to leave without pay.
- G. To donate voluntary shared leave, a donor must, at the time of donation:
1. Be an active employee (not separated);
  2. Be in a position that earns leave; and
  3. Have sufficient leave balances.

## **VI. UNUSED SHARED LEAVE**

### **A. End of Medical Condition**

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

1. The recipient's sick leave account balance shall not exceed a total of 40 hours (prorated for part-time employees).
2. Any additional unused donated leave shall be returned to donor(s) on a pro-rata basis and credited to the leave account from which it was donated.

### **B. Separation from Service**

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

### **C. Transfer**

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

**VII. CONFIDENTIALITY**

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

**VIII. INTIMIDATION OR COERCION PROHIBITED**

An employee may not intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which the employee may have with respect to donating, receiving, or using leave under this Program. Such action shall be grounds for disciplinary action, up to and including, dismissal.

Revised June 13, 2005; revised June 13, 2022

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

## I. OVERVIEW

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

- A. For the birth of a child and to care for the child after birth, provided the leave is taken within a 12-month period following birth;
- B. For the employee to care for a child placed with the employee for adoption or foster care, provided the leave is taken within a 12-month period following adoption;
- C. For the employee to care for the employee's child, spouse or parent, where that child, spouse or parent has a serious health condition;
- D. Because the employee has a serious health condition that makes the employee unable to perform the functions of the employee's position;
- E. Because of any qualifying exigency where the employee's spouse, child of any age or parent is a military service member under a call or order to federal active duty in support of a contingency operation; or
- F. Because of the need to care for a family member or next of kin who has been injured while serving in the armed forces. For this provision, the amount of FMLA is up to 26 weeks within a 12-month period.

## II. DEFINITIONS

The following definitions shall apply to this policy:

- A. Eligible employee means an employee who has been employed: (a) for at least 12 months by the College; and (b) for at least 1,250 hours of service with the College during the previous 12 month period.
- B. Health care provider means:
  - 1. Doctor of medicine or osteopathy who is authorized to practice medicine or surgery in the State in which the doctor practices; or
  - 2. Any of the following individuals as long as they are authorized to practice medicine in the State and are performing within the scope of their practice as defined under state law:
    - a. Podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner, nurse-midwife and clinical social worker;

- b. A health care provider from whom the College's group health plan's benefit manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
  - c. A health care provider listed above who is authorized to practice in accordance with the laws of that country and who is performing within the scope of his/her practice as defined under those laws.
3. Serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:
- a. Inpatient care in a hospital, hospice or residential medical care facility;
  - b. A period of incapacity of more than three (3) consecutive days that also involves continuing treatment by a health care provider; continuing treatment means one in-person visit to a health care provider within the first seven (7) days of incapacity and either a second visit within the first 30 days or a regimen of continuing treatment under the supervision of a health care provider;
  - c. Any period of incapacity due to pregnancy or for pre-natal care;
  - d. Chronic conditions requiring treatment;
  - e. Permanent/long-term conditions requiring supervision; or
  - f. Multiple treatments for non-chronic conditions.
4. Family Definitions
- a. Son or daughter includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is: (1) under 18 years of age; or (2) 18 years of age or older and incapable of self-care because of a mental or physical disability.
  - b. Spouse means a partner joined in marriage recognized by the State of North Carolina or any other state, including common law marriages.
  - c. Parent means the biological, step, adoptive or foster parent or an individual who stood *in loco parentis* to an employee when the employee was a child. This term does not include parents "in-law."
5. Military Service Member Definitions

- a. Next of kin of a covered service member means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions; brothers and sisters, grandparents, aunts, uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of FMLA military caregiver leave. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin.
- b. Military service member means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.
- c. Qualifying exigency means short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities.
- d. Active duty or call to active duty means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, and 12406 of Title 10 of the United States Code, Chapter 15 of Title 10 of the United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

### **III. PROCEDURE**

#### **A. Paid/Unpaid Leave**

When applicable, all eligible employees are required to use appropriate accrued paid leave (i.e., annual, bonus, compensatory, and sick leave) for any portion of FMLA leave. All benefits accrue during any period of paid leave; however, no benefits or seniority will be accrued during a period of unpaid FMLA leave. Any



use of paid leave runs concurrent with FMLA leave and counts toward the FMLA leave entitlement.

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

B. Intermittent Leave or Reduced Work Schedule

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

C. Notices

1. Notice to Employer

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

foreseeable, the College may delay the taking of FMLA leave until 30 days after the date the employee provides notice to the College of the need for FMLA leave. An employee may not be entitled to FMLA leave if he or she fails to provide adequate notice of the leave and certification of the medical condition as provided within this policy and the law.

2. Notice to Employee

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

D. Medical Certification

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

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

The College may not ask for recertification any more frequently than every 30 days. If the initial certification is for more than 30 days, the College must wait for the

initial leave period set forth in the certification to run before asking for recertification. Recertification may only be required when employees are taking leave for their own serious health conditions. Under the qualified exigency leave, the College may not request recertification of the covered service member's active duty or call to active duty orders. Also, recertification is not permitted for the military caregiver leave.

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

E. Confidentiality

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

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

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

G. Restoration to Work

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

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

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

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

**Exemption:**

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

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

**H. Group Health Coverage**

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

**I. Miscellaneous**

An employee's entitlement to benefits other than group health benefits during a period of FMLA leave shall be determined by the College's policy regarding benefits for other types of leave (paid or unpaid, as appropriate). Maintenance of health insurance policies that are not a part of the College's group health plan (where no contributions are made by the College) is the sole responsibility of the employee.

The College shall not interfere with an eligible employee's rights under the FMLA, shall not discharge or otherwise discriminate against employees who exercise such

rights, and shall not retaliate against employees who file, initiate or otherwise assist in charges or investigations against the College.

J. Posting and Requirements

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

Revised November 18, 2020; revised June 13, 2022

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

As the College finds it advantageous for employees to be involved and engaged in community efforts, Alamance Community College (ACC) would like to support faculty and staff who wish to volunteer in schools, communities, institutions of higher education, State agencies, and non-profit organizations. ACC recognizes the commitment of employees to participate in volunteer service.

Effective April 1, 2021, Community Service Leave may be granted to:

1. Parents for involvement with their child(ren) in their schools,
2. Any employee for volunteer activity in the schools, or,
3. Any employee for volunteer activity in a not-for-profit community service organization, or,
4. Any employee volunteering in a public university, community college system, or State agency provided the service is outside of the employee's normal scope of duties and responsibilities and the employee is not receiving any form of compensation for the services rendered.

Although religious or political organizations may be classified as 501(c)(3), community service leave does not apply to activities designed to promote the mission, values, beliefs, goals, and objectives of religious or political organizations.

Only full-time employees will be eligible for community service leave.

With approval from the immediate supervisor or designee, an employee is eligible for eight (8) hours of Community Service Leave per year. The supervisor may require the leave be taken at a time other than what is requested based on the needs of the department. Leave shall only be requested and approved for community service that occurs during the employee's regularly scheduled hours of work. The College may require acceptable proof that leave is being utilized according with the purpose and intent of this policy.

Should the employee exceed eight (8) hours, he or she will be required to use vacation leave. The eight (8) hours of paid leave shall be credited to each employee on January 1 of each year.

Leave not taken by the end of the period is forfeited and shall not be carried or transferred into another leave category or period. Employees shall not be paid for such unused leave at separation or termination of employment.

Community Service Leave for volunteer service is meant to be used for actual service time. Time spent training to be a volunteer is not covered by Community Service Leave. Also, time spent in administrative duties such as attending organization meetings, electing officials, or attending social events sponsored by an organization shall not be covered by Community Service Leave.

Adopted: April 12, 2021

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

- A. Military Leave with pay shall be granted to members of the uniformed services of the U.S. Armed Forces for certain periods of active duty training and for State military duty. Such leave shall be granted to full-time, part-time, regular, provisional, trainee, and probationary employees for up to 120 working hours annually for any type of active duty not considered to be “Extended Active Duty.”
- B. Leave with Pay for Reserve Active Duty. Members of the uniformed services reserve components who are called to “Involuntary Active Duty” shall receive up to 30 calendar days of leave with pay. After the 30 day period, members shall receive differential pay for any period of involuntary service. This pay shall be the difference between military basic pay and the employee’s annual College salary, if military pay is the lesser.
- C. Retention and Continuation of Benefits During Leave with and without Pay. Retention and/or continuation of benefits are dependent upon the type and duration of leave granted and is determined on an individual basis.
- D. Additional Leave Requirements. Members of the uniformed services are granted leave with pay for infrequent special activities in the interest of the State when so ordered by the Governor or his or her authorized representative. Members shall be granted leave with pay for active State duty for periods not exceeding 30 consecutive calendar days; for periods in excess of 30 calendar days, employees shall be entitled to military leave with differential pay.
- E. Military Leave without pay shall be granted for the following periods:
  - 1. Regularly scheduled unit assemblies usually occurring on weekends and referred to as “drills”;
  - 2. Duties resulting from disciplinary actions imposed by military authorities;
  - 3. Unscheduled or incidental military activities such as volunteer work at military facilities, unofficial military activities, etc.;
  - 4. Inactive duty training, “drills” performed for the convenience of the member, such as equivalent training, split unit assemblies, make-up drills, etc.;
  - 5. Extended active duty for a period not to exceed five (5) years;
  - 6. Full time National Guard duty (usually a three (3) year contract);
  - 7. Initial active duty for training (initial enlistment); and/or
  - 8. Certain periods of incapacity in a medical facility resulting from injuries sustained while on active or inactive duty.
- F. Reinstatement/Reemployment from Military Duty. Members of the uniformed services shall have reinstatement/reemployment rights as defined by prevailing law and/or guidelines established by Federal and State law.

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

Adopted: June 13, 2022

Legal Reference: Uniformed Services and Reemployment Act of 1994; N.C.G.S. 127A-116; and 25 NCAC 01E.8002



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

**I. MAXIMUM AMOUNT**

Leave without pay may be used only after all other appropriate leave is exhausted. Leave without pay normally shall not exceed 12 months. Any exception to this should be agreed upon by the appropriate Vice President and the President. For military leave without pay, see Policy 3.2.15 – Military Leave.

**II. EMPLOYEE RESPONSIBILITY**

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

**III. COLLEGE RESPONSIBILITY**

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

**IV. RETENTION OF BENEFITS**

While on leave without pay, the employee shall retain time earned towards salary increments; however, the employee ceases to earn any additional sick or annual leave on the date leave without pay begins except in cases where an employee is receiving worker's compensation benefits. The employee also ceases to earn time toward salary increments except while on military leave, educational leave, or while receiving worker's compensation benefits.

**V. PAYMENT FOR NON-WORKDAYS – SHORT PERIODS OF LEAVE WITHOUT PAY**

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

Revised November 18, 2010; revised June 13, 2022

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

- A. The President shall cause to be published the schedule of holidays to be observed before July 1st each year for the next academic year. A holiday that occurs on a Saturday or Sunday generally will be observed by the College on either the preceding Friday or following Monday. The holiday schedule shall not exceed 12 paid holidays per academic year.
- B. An eligible employee is a full-time employee who:
  - 1. Is in pay status through the day on which the holiday is scheduled; or
  - 2. On a leave of absence without pay but was in pay status for half or more of the workdays in the month.
- C. The College recognizes that some eligible employees may wish to observe, as periods of worship or commemoration, certain days that are not included in the College's regular holiday schedule. In such cases, eligible employees may take other earned leave for those reasons if it does not unduly disrupt the College's business and is approved by the employee's immediate supervisor.
- D. The College retains the right to schedule work on a holiday for some or all eligible employees should it become necessary and critical to the College's operation. In such cases, the employee will be given the time off at another time on an hour-for-hour basis unless the Fair Labor and Standards Act stipulates otherwise. For purposes of this policy, a holiday is a total of eight (8) hours.
- E. In the event the College must establish an alternative operational schedule, an alternative holiday schedule may be developed in keeping with the College's operational needs provided that all employees are given the same number of holidays and the holidays do not exceed 12 days. The alternative holiday schedule must be approved by the President prior to any observed holidays.
- F. When a holiday falls during a week in which an employee is taking FMLA leave for the entire week, the entire week is counted toward the employee's FMLA entitlement. However, if the employee is also using accrued paid leave during FMLA leave, the employee will not be charged accrued leave on the holiday. If the College closes for an extended holiday lasting a week or more while an employee is taking FMLA leave, the extended holiday does not count against the employee's FMLA leave entitlement.

**I. PURPOSE**

Personal Observance Leave may be used by eligible employees on any day of significance to the employee, including days of cultural, religious, or personal importance.

**II. ELIGIBILITY**

All full-time faculty and staff will receive Personal Observance Leave ("Leave"). Temporary and interim full-time employees will not receive this Leave. Part-time employees are not eligible for this Leave.

Newly hired employees are eligible for Leave upon their hire date.

**III. AMOUNT OF LEAVE**

- A. Full-time employees will receive eight (8) hours of Leave each calendar year. The Leave will be credited to employees on January 1st of each year.
- B. All Leave must be used on the same day.
- C. The Leave has no cash value and does not carry over each year. Leave unused within a calendar year is forfeited.
- D. This Leave may not be transferred to other employees.
- E. If an employee separates from the College and moves to another State agency within the calendar year, unused Leave may be transferred if the new agency accepts the Leave.

**IV. USE OF LEAVE**

- A. This Leave may be used on any single day of significance to the employee, including but not limited to days of cultural and/or religious importance. The day in which Leave is taken does not have to be a day from the employee's own religious or cultural background.
- B. Employees may use this Leave prior to exhausting any accumulated compensatory Leave or other Leave available to the employee.
- C. This Leave may not be used as sick Leave or used on days already scheduled as vacation or a holiday in the College calendar.
- D. This Leave will not be applied to existing negative Leave balances. This Leave cannot be donated under the Voluntary Shared Leave policy.

**V. APPROVAL OF LEAVE**

- A. Employees must receive prior approval from their immediate supervisor prior to using this Leave. Requests for the use of Leave shall be made at least two (2) weeks prior to the expected day of Leave.

- B. Supervisors will honor all Leave requests unless the use of the Leave will create a disruption in the College's operation, in which case the supervisor may require the Leave be taken at a time other than the time requested.
- C. Faculty taking Leave should make sure that student learning is not impacted. In order to ensure that the College does not incur additional costs, faculty should work with colleagues to schedule appropriate class coverage at no cost.
- D. Supervisors may not require a justification of the employee's request to use the Leave.
- E. It is the responsibility of an employee and their supervisor to ensure that all Leave is reported accurately.

Adopted: November 14, 2022

Legal Citation: Executive Order No. 262, §5 (June 6, 2022)

The purpose of this temporary policy is to define employees' eligibility for paid parental leave, accrual of leave, and leave use rules. This policy applies to all permanent full-time employees of Alamance Community College (ACC). Upon the establishment of permanent rules by the State Human Resources Commission, ACC will update this policy.

This policy states the terms and conditions only for paid parental leave that is provided under G.S. 126-8.6. The paid parental leave provided under this policy is in addition to any other leave authorized by State or federal law.

## I. DEFINITIONS

For the purpose of this policy, the following definitions shall apply.

- Child means a newborn biological Child or a newly-placed adopted, foster or otherwise legally placed Child under the age of 18, whose Parent is an eligible employee.
- Parent means: the mother or father of a Child through birth or legal adoption; or an individual who cares for a Child through foster or other legal placement under the direction of a government authority.
- Public safety concern means a significant impairment to the agency's ability to conduct its operations in a manner that protects the health and safety of North Carolinians.
- Qualifying event means when an employee becomes a Parent to a Child.

## II. ELIGIBILITY FOR PAID PARENTAL LEAVE

Employees who become Parents via childbirth, adoption, foster care, or another legal placement are eligible for Paid Parental Leave if:

- A. Employee is in a permanent, time-limited, or probationary appointment.  
Temporary employees are not eligible for Paid Parental Leave under this policy.
- B. At the time of the qualifying event, the employee meets each of the following conditions:
  1. For the immediate 12 preceding months, the employee has been employed without a break in service, as defined by 25 NCAC 01D .0114, by the State of North Carolina in a permanent, time-limited, or probationary appointment.
    - a. Periods of worker's compensation or short-term disability months preceding the qualifying events do not make the employee ineligible for Paid Parental Leave.

b. Periods of leave without pay, as defined in 25 NCAC 01E .1100, shall not constitute a break in service.

2. The employee has been in pay status with the State of North Carolina for at least 1,040 hours during the previous 12-month period becoming eligible for Family and Medical Leave.

a. a. Exhaustion of Family and Medical Leave does not affect eligibility for Paid Parental Leave.

### **III. LEAVE AVAILABLE TO FULL-TIME EMPLOYEES**

Full-time employees eligible for Paid Parental Leave under this policy may take, in their discretion, up to the following amounts of leave:

- Eight weeks of paid leave after a parent gives birth to a child.
- Four weeks of paid leave after any other qualifying event.

Each week of paid parental leave under this policy shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.

### **IV. USE OF OTHER LEAVE**

The Paid Parental Leave provided under this policy shall not be counted against or deducted from the employee's sick, vacation, or other accrued leave. The Paid Parental Leave provided under this policy is in addition to any other leave authorized by law, State Board Code Section, or policy. Whether an employee has exhausted Family and Medical Leave does not affect eligibility for Paid Parental Leave under this policy.

### **V. REQUESTING USE OF PAID PARENTAL LEAVE**

1. Eligible employees may take Paid Parental Leave in one continuous period or may take intermittent use of Paid Parental Leave. Requests for intermittent use of Paid Parental Leave are subject to ACC's approval as stated in this policy.
2. Whenever possible, eligible employees shall notify ACC's Human Resources Department at least 10 weeks in advance of their intention to use Paid Parental Leave. Employees may withdraw their request for Paid Parental Leave at any time.
3. Absent unusual circumstances, the employee shall be required to comply with ACC's leave request procedures and policies.

4. ACC will endeavor to not deny, delay, or require intermittent use of Paid Parental Leave to employees who gave birth and seek to use Paid Parental Leave in one continuous period.
5. For all other eligible employees, ACC may delay providing Paid Parental Leave or may provide Paid Parental Leave intermittently if it determines that providing the leave will cause a public safety concern. For example, the extension of Paid Parental Leave to an eligible employee who did not give birth may constitute a Public Safety Concern if:
  - a. Providing the Paid Parental Leave would result in ACC staffing levels below what is required by federal or state law to maintain operational safety; or
  - b. Providing the Paid Parental Leave may impact the health or safety of staff, students, faculty, or other individuals ACC is required by law to protect and provide a safe environment; and
  - c. ACC has been unable to secure supplemental staffing or qualified replacement faculty member after requesting or diligently exploring alternative staffing options, as the case may be.
6. If ACC determines that it must delay Paid Parental Leave, or make Paid Parental Leave intermittent, because of a public safety concern, ACC shall provide Paid Parental Leave as soon as practical following the Qualifying Event.
7. If both Parents are eligible employees, each may receive Paid Parental Leave. Both Parents may take their leave simultaneously or at different times, pending no Public Safety Concern.

## **VI. LEAVE USAGE**

1. Paid Parental Leave may be used only once for a Qualifying Event within a 12 month period. The fact that a multiple birth, adoption, or other legal placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of Paid Parental Leave granted for that event.
2. Unused Paid Parental Leave is forfeited 12 months from the date of the Qualifying Event.
3. Paid Parental Leave shall not accrue or be donated to another employee.



4. Employees shall not be paid for the leave provided by this policy upon separation from the employer. The leave provided by this policy shall not be used for calculating an employee's retirement benefits and shall not accrue or be donated as voluntary shared leave.
5. Leave usage must be recorded in the same required increments as all other time.
6. If the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available leave balances shall be utilized in accordance with the agency's leave policies. Paid Parental Leave shall not be used prior to the Qualifying Event.

**VII. EXPIRATION**

This temporary policy expires on the effective date of the permanent rule adopted to replace this temporary policy by the State Human Resources Commission.

Adopted: August 14, 2023

Legal Reference: Authority G.S. 115D-D and G.S. 126-8.6; Temporary Amendment Eff. July 1, 2023

The Director of Human Resources, or designee, shall maintain all employees' personnel files. The College shall maintain in individual personnel files only those records that are required or necessary and relevant to accomplish legitimate personnel administrative needs.

## **I. PUBLIC INFORMATION**

The following information on each college employee is public information and shall be open for inspection:

- A. Name;
- B. Age;
- C. Date of original employment or appointment;
- D. The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the board has the written contract or a record of the oral contract in its possession;
- E. Current position;
- F. Title;
- G. Current salary (includes pay, benefits, incentives, bonuses, deferred compensation, and all other forms of compensation);
- H. Date and amount of each increase or decrease in salary with the College;
- I. Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position or classification with the College;
- J. Date and general description of the reasons for each promotion with the College;
- K. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the College. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board of trustees setting forth the specific acts or omissions that are the basis of the dismissal; and
- L. The office or station to which the employee is currently assigned.

Any person, including College personnel, may have access to the information listed above for the purpose of inspection, examination and copying during regular business hours Monday through Friday. Access to personnel files may be arranged by contacting the Director of Human Resources for an appointment. If an individual wishes to have a reproduced copy of the information, the College may require a reasonable duplication fee. All College personnel shall be entitled to one (1) free copy of their personnel file.

## **II. CONFIDENTIAL INFORMATION**

All information other than the information listed in Section I is confidential and shall not be open for inspection and examination except to the following persons:

- A. The employee, applicant for employment, former employee, or his or her properly authorized agent, who may examine his or her own personnel file at all reasonable times in its entirety except for letters of reference solicited prior to employment;
- B. The President, other supervisory personnel and legal counsel for the President;
- C. The Board of Trustees and the Board's attorney;

- D. A party by authority of a subpoena or proper court order may inspect and examine a particular confidential portion of an employee's personnel file;
- E. An official of any agency of the state or federal government, or any political subdivision of the state, may inspect any portion of a personnel file when such information is deemed by the College to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purposes of assisting in a criminal prosecution nor for purposes of assisting in a tax investigation, except upon service of a valid subpoena.
- F. The President may, at his or her discretion, or shall at the direction of the Board of Trustees, inform any person or corporation of any promotion, demotion, suspension, reinstatement, transfer, separation, dismissal, employment or non-employment of any applicant, employee or former employee and the reasons for such action and may allow the personnel file of the person or any portion to be released or inspected to any person or corporation provided that the Board of Trustees has determined that the release of the information is essential to maintaining the integrity of the Board of Trustees or to maintaining the level or quality of services provided by the College. Prior to releasing the information or making the file or any portion available to a person or corporation pursuant to this subsection, the President shall prepare a memorandum setting forth the circumstances which he or she and the Board deem to require the disclosure and the information to be disclosed. The memorandum shall be retained in the files of the President and shall be a public record.

Each individual requesting access to confidential personnel information will be required to submit satisfactory proof of identity.

### **III. OBJECTING TO RECORDS IN PERSONNEL FILE**

An employee, former employee, or applicant for employment who objects to materials in his or her personnel file may place in the file a statement relating to the materials the employee considers to be inaccurate or misleading. An individual may seek the removal of material(s) from his or her file through Policy 3.3.8 – Grievance.

### **IV. MEDICAL AND IMMIGRATION INFORMATION**

Pursuant to the Americans with Disabilities Act, all medical information, including workers' compensation history and requests for reasonable accommodation for a disability, medical insurance information, and medical documentation for FMLA and other types of leaves related to an employee's medical condition shall be kept separate from an employee's personnel file and shall be disclosed only as follows:

- A. To supervisors who may be told only about work restrictions for an applicant or employee;
- B. To first aid and safety officials where emergency treatment might be required; and
- C. To government officials charged with enforcement of disability law.

All I-9 and other immigration status records shall be kept in a separate file not included within an employee's personnel file.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. 115D-27 through -28

(This policy replaces “Personnel Records” revised November 18, 2010.)

## I. EMPLOYEE DEVELOPMENT PLANS AND EVALUATIONS

An employee development and evaluation process has been established to ensure relevant feedback between faculty and staff and the respective supervisors. This evaluation procedure is designed and intended to offer suggestions for improvement and develop strategies for the attainment of specific goals or the revision of related processes.

All full-time employees will be evaluated annually. The Human Resources Office will be responsible for coordinating and monitoring the evaluation process and may implement a timeline for the process.

Development plans and evaluations will be retained in the personnel file.

Supervisors may only use evaluation instruments that have been approved by Human Resources. The President may use a different evaluation instrument and procedures when evaluating employees reporting directly to the President; however, these employees shall be evaluated annually.

In addition to the above, all instructors may be evaluated by students through course evaluations.

## II. PRESIDENT'S EVALUATION

The Board shall evaluate the performance of the President annually. The evaluation instrument and methodology shall be selected by the Board, but at a minimum, the evaluation shall include the following categories:

- A. General Administration
- B. Relationship
  - i. Internal relationships with faculty, staff, students, and trustees.
  - ii. External relationships with business and industry, the media, governmental bodies, and the general public.
- C. Personal Attributes
- D. Personnel Administration
- E. Fiscal and Facilities Administration
- F. Academic Administration

Prior to June 30<sup>th</sup> each year, the Board shall submit, in writing, to the State Board a report of the President's evaluation with the following information:

- A. The time period for which the President was evaluated and the date the evaluation was completed;
- B. Description of the methodology used for the evaluation;
- C. Certification that the evaluation included a written assessment of the President's performance in each of the categories identified in Section II(A)-(F) herein;

- D. Certification that the full Board received a copy and discussed the evaluation results and the results were discussed with the President; and
- E. Certification that the full Board received a copy of and reviewed the President's contract if the President has a contract;
- F. A listing of Board members in attendance at the meeting when the President's evaluation was conducted; and
- G. Certification that appropriate action has been taken if the President's performance is less than satisfactory in any of the categories identified in the evaluation.

If the President has a contract, the Board shall note in the meeting minutes that they have reviewed the President's contract.

Adopted: June 13, 2022

Legal Reference: 1C SBCC 300.98

All College employees shall adhere to the following Code of Conduct. Failure to adhere to the Code of Conduct may subject the employee to disciplinary action, suspension, or dismissal as outlined in Policy 3.3.4 – Employee Disciplinary Action, Suspension, and Dismissal or, for cases of unlawful discrimination or harassment, Policy 3.3.7 – Discrimination and Harassment.

Employees may be disciplined for conduct that occurs outside of work if such conduct brings disrepute to the employee or College or negatively affects the employee’s ability to perform his or her job. For more information, consult Procedure 3.3.3.1 – Arrests and Convictions.

All employees shall:

- A. Comply with all statutes, regulations, and Board of Trustee policies.
- B. Direct all complaints regarding the work environment to the appropriate supervisors and/or file grievances instead of acting to undermine or diminish the authority of co-workers and supervisors.
- C. Avoid disruptive confrontations with co-workers or students, including but not limited to, engaging in actions or conversations that the employee knows or should know will result in an actual disruption.
- D. Maintain a courteous, respectful, and professional attitude when working with colleagues, students, visitors, and stakeholders.
- E. Comply with all administrative directives in a timely and professional manner, including written directives regarding specific issues or behaviors.
- F. Perform all assigned and/or accepted extracurricular and non-instructional duties in a timely and professional manner.
- G. Participate in and complete any required professional development activities required by the College.
- H. Attend and participate in all required meetings.
- I. Complete and transmit all required reports and other documentation in a timely and professional manner.
- J. Dress appropriately for job duties.
- K. Arrive to work on time.
- L. Exercise proper care and maintenance of College property.
- M. Avoid conflicts of interest.

The following are examples of professional and personal conduct that may serve as grounds for disciplinary action, including suspension, demotion, or termination. This list is illustrative and not all-inclusive.

**I. PERFORMANCE OF DUTIES**

- A. Inadequate performance and/or failure to perform duties.
- B. Physical or mental incapability to perform duties.
- C. Improper use of College property or equipment.
- D. Failure to maintain satisfactory and harmonious working relationships with the public and/or employees.

- E. Improper use of leave.
- F. Failure to report for duty at the assigned time and place.
- G. Failure to obtain or maintain a current license, certificate, or credential required by law as a condition for employment.
- H. Refusal to accept a reasonable and proper assignment from an authorized supervisor.

## **II. PERSONAL CONDUCT**

- A. Gross misconduct that has a negative impact on the College and/or on a colleague's ability to perform his or her job.
- B. Conviction, arrest, indictment, or charge that:
  - i. poses a threat to the physical safety of students or personnel;
  - ii. demonstrates that the employee does not have the integrity or honesty to fulfill his or her employment duties with the College; and/or
  - iii. creates a substantial disruption to the ordinary operation of the College.
- C. Improper use, misappropriation, and/or theft of College property (including College funds).
- D. Falsified job information or omitting material information in order to secure employment with the College.
- E. Participation in any action that would in any way seriously disrupt or disturb the College's normal operations.
- F. Willful damage or destruction of College property.
- G. Willful acts that would endanger the lives and property of others.
- H. Possession of unauthorized firearms or lethal weapons on the College's property.
- I. Reporting to work under the influence of alcohol or an illegal or unauthorized controlled substance or partaking of such items while on the campus.
- J. Acceptance of gifts in exchange for favors or influences related to the College.
- K. Disclosing confidential information from official records to an unauthorized person or entity.
- L. Engaging in employment or activities that constitute a conflict of interest to the College.
- M. Taking part in political management or political campaigns prohibited by law.
- N. Any form of unlawful discrimination or harassment.
- O. Deliberately or willfully making false, misleading, or ambiguous statements in connection with any official College business, official records, or about College employees or students.
- P. Violent acts, threats of violence (direct or implied), stalking, or physical intimidation towards College employees or students.
- Q. Violating the College's technology acceptable use policies and procedures.
- R. Violations of College policies and procedures.

## **III. EMPLOYEE AND STUDENT RELATIONSHIPS**

Romantic or sexual relationships between College employees and students are prohibited if (a) the employee and the student have an academic relationship; (b) if the student is still enrolled in high school; or (c) the student is under the age of eighteen. Academic relationships include any activities in which the employee is a direct or indirect supervisor or instructor for the student, as in a classroom or lab, or is a sponsor for any College activity involving the student, including work study or organizational, club, or sport activities. This prohibition shall continue until the student



or the employee is no longer affiliated with the College. Employees engaging in inappropriate relationships will be subject to disciplinary action up to and including termination of employment.

Romantic or sexual relationships between College employees and students that do not violate the above provision but that otherwise impair the College employee's effectiveness, disrupt the workplace and/or learning environment, and/or impair the public confidence in the College will be subject to disciplinary action up to and including termination of employment or expulsion from the College.

#### **IV. EMPLOYEE RELATIONSHIPS**

Romantic or sexual relationships between a supervisor and an employee under his or her supervision are prohibited. Employees engaging in inappropriate relationships with their direct reports will be subject to disciplinary action up to and including termination of employment.

Adopted: June 13, 2022

(This policy replaces "Sexual Relationships Policy" adopted January 10, 2005.)

Employees shall notify their immediate supervisor if they are convicted, arrested, indicted or charged (including citations) for any offense other than a minor traffic offense (e.g. parking, speeding). Notice must be in writing and provide all relevant facts regarding the arrest, conviction, indictment or charge. Notice must be provided within one (1) business day of the conviction, arrest, indictment, or charge. Employees shall also inform their supervisor of the disposition of any arrest, indictment, or citation.

For purposes of these procedures, a "conviction" means the entry in a court of law or military tribunal of (1) a plea of guilty, nolo contendere, no contest, or the equivalent; (2) a verdict of guilty; or (3) a prayer for judgment continued or a deferred prosecution.

Employees may be disciplined, up to and including termination, if the conviction, arrest, indictment or charge: (i) poses a threat to the physical safety of students or personnel; (ii) demonstrates that the employee does not have the integrity or honesty to fulfill his or her employment duties with the College; and/or (iii) creates a substantial disruption to the ordinary operation of the College.

Adopted: June 13, 2022

The College acknowledges that At-Will employment relationships may be terminated at any time, upon written notice to the other party, with or without good cause or for any or no cause, except for an illegal reason, at the option of either the College or the employee.

All disciplinary action is intended to be progressive in nature. However, the type of disciplinary action will be based on the factual situation as well as the nature, severity, and type of offense. If warranted by the facts and situation, even for first time offenses, administrators or supervisors may recommend dismissal.

This policy applies to full-time faculty and staff.

Except as stated elsewhere in the policy, employees shall receive two (2) warnings for minor performance or conduct issues: first, an oral warning with a follow-up letter from the supervisor to the employee documenting the deficiencies in performance or conduct discussed and the improvement(s) required; second, a written warning or reprimand which will serve notice upon the employee that a continuation of the deficiencies in performance or conduct may result in disciplinary action, which may include dismissal.

## **I. WARNINGS**

### **A. Oral Warnings with Follow-Up Letter**

1. The employee's supervisor shall meet with the employee and review with the employee exactly what is expected of him or her and explain to the employee how he or she has not met the College's expectations.
2. The supervisor shall provide the employee an opportunity to explain his or her actions.
3. The supervisor shall make recommendations for corrections and establish a reasonable period of time for the employee to correct the issues.
4. The supervisor shall provide the employee a letter regarding the oral warning and the College's expectations. A copy of the letter, and all subsequent letters, shall be included in the employee's personnel file.

### **B. Written Warnings**

After giving an oral warning and allowing for a reasonable period of time to correct the issues outlined in the supervisor's follow-up letter to the employee, if the employee has not corrected the issues, the supervisor shall meet with the employee for the purpose of delivering a written warning. The written warning shall further document the continued issues and shall state that if the employee does not immediately correct the issues, the employee may be subject to additional disciplinary action, which could include dismissal. Before issuing to the employee

the written warning, Human Resources and any intermediate superior or supervisor shall review the contents of the letter. A copy of the written warning, and all subsequent letters, shall also be included in the employee's personnel file.

Employees may also receive a developmental plan or a probationary contract if informal coaching and initial warnings have not resulted in significant improvement in employees' performance or conduct. Across-the-board raises, bonuses, merits, or exceptional merit increases are suspended and are not retro-active during any probationary contract utilized under this policy.

## **II. SUSPENSION**

Suspensions may be used in two ways: as an independent discipline action or in conjunction with an investigation and dismissal proceedings.

### **A. Independent Discipline Action**

1. If a supervisor determines that an employee's actions warrant suspension, the supervisor shall prepare and provide a written report, with a summary supporting that determination, to the appropriate Vice President and Human Resources. The Vice President shall review the report and provide his or her written recommendation to the President.
2. The President shall determine whether to suspend an employee with or without pay. The President may make such determination without a recommendation from a supervisor and/or Vice President. The President may choose other disciplinary action, too.
3. The President or his or her designee shall meet with the employee and give the employee an opportunity to be heard. After hearing from the employee, the President or designee shall make a determination regarding the suspension, whether it shall be paid or unpaid and the length of the suspension. The President or the employee's supervisor shall inform the employee of the President's determination. The President or designee shall prepare a follow-up written statement providing the circumstances and facts that led to the suspension. A copy of the letter shall be included in the employee's personnel file. In cases where the employee's continued presence on campus is not in the College's best interest or a health or safety issue, the President may immediately suspend the employee with pay. Prior to changing any paid suspension to unpaid suspension, the President or designee shall meet with the employee and provide the employee with an opportunity to be heard.
4. When an employee is suspended, he or she shall leave the College property at once and is not allowed to return until the end of the suspension unless authorized by the President.

5. Failure of the employee to report back to work when requested, or at the suspension expiration date, will be considered a voluntary resignation of his or her employment and any subsequent reinstatement or re-employment shall be on the basis of new employment.
6. An employee may appeal the President's decision to impose suspension without pay to the Board of Trustees pursuant to Policy 3.3.6; however, the suspension without pay will not be tolled pending the appeal.

**B. Suspension to Allow for an Investigation**

The President may suspend an employee, with pay, for up to 90 days while conducting an investigation as to whether the employee engaged in conduct that would warrant dismissal or other disciplinary action. At the end of the 90-day period, the President shall dismiss the employee, reinstate the employee, or implement another disciplinary action. For good cause, the President may extend the 90-day suspension period.

**III. DISMISSAL**

**A. At-Will Employees**

1. If a supervisor determines that an employee's actions warrant dismissal, the supervisor shall prepare and provide a written report, with a summary supporting that determination, to the appropriate Vice President who shall, after meeting and consulting with the supervisor and Human Resources, provide the written report to the President. The President may decide to terminate an employee without a recommendation from the immediate supervisor or appropriate Vice President.
2. If necessary, the President may suspend the employee pursuant to Section II (B). After reviewing the written report, the President shall dismiss the matter, or the President or his or her designee shall meet with the employee and provide the employee with an opportunity to be heard. If, after the meeting, the President decides to dismiss the employee, the President or designee shall provide the employee with written notice of dismissal. The notice shall be included in the employee's personnel file.
3. An employee may appeal the President's decision to impose suspension without pay and/or dismissal to the Board of Trustees pursuant to Policy 3.3.6; however, the suspension or dismissal shall not be tolled pending the appeal. The employee's only basis for appeal is if the President's actions were impermissible based on a violation of state or federal law or if the actions were based on the employee's race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status in accordance with all applicable federal, state, and local laws.

B. Contract Employees

1. If a supervisor determines that an employee's actions warrant dismissal, the supervisor shall prepare and provide a written report, with a summary supporting that determination, to the appropriate Vice President who shall, after meeting and consulting with the supervisor and Human Resources, provide the written report to the President. If necessary, the President shall suspend the employee pursuant to Section II (B). The President or designee may further investigate the alleged conduct.
2. At the conclusion of his or her investigation and after review of the written report, the President shall either dismiss the matter, or the President or his or her designee shall meet with the employee and present a written notice of charges and provide the employee with an opportunity to respond. If, after the written notice of charges meeting, the President decides to dismiss the employee, the President or designee shall provide the employee with written notice that the employee is being dismissed and the reasons for the dismissal. The notice shall be included in the employee's personnel file.
3. An employee may appeal the President's decision to impose suspension without pay and/or dismissal to the Board of Trustees pursuant to Policy 3.3.6; however, the suspension or dismissal shall not be tolled pending the appeal.
4. For serious misconduct, the President may skip any of the procedures in Subsection 1 and immediately meet with the employee and provide a written notice of charges.

Adopted: June 13, 2022

Cross Reference: Policy 3.3.6 – Right of Appeal for Employee Suspension or Dismissal

(This policy replaces “Disciplinary and/or Dismissal Policy” revised June 12, 2006.)

**I. DEFINITIONS**

1. Non-renewal means the decision not to offer a new contract at the end of the current contract period.
2. Impermissible Grounds means the use of the employee's race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or status as a covered veteran in accordance with all applicable federal, state, and local laws; or if the decision is otherwise a violation of state or federal law.

**II. NON-RENEWAL PROCESS**

At least 10 business days prior to the end of the contract period, the President or designee will notify, via hand-delivery, certified mail and/or campus email, any employee who will not be offered a new employment contract. The College may non-renew the employee's contract for any reason that is not based on Impermissible Grounds. The failure of the College to provide notice of non-renewal prior to the expiration of any contract does not entitle the employee to a new contract.

The employee has the right to appeal the President's decision to the Board of Trustees as outlined in Policy 3.3.6 – Right of Appeal provided; however, the Board of Trustees will only hear and consider an employee's appeal if the employee is alleging that the non-renewal is based on Impermissible Grounds.

If an employee continues working beyond the term of any contract and the College and employee have not entered into a new or extended contract, the employee shall become an at-will employee and the College or employee may terminate the employment relationship at any time subject to any state or federal laws.

**III. RESIGNATIONS**

Any employee who does not wish to be nominated for re-employment should notify the appropriate Vice President in writing at least 30 calendar days prior to the expiration of the current contract.

In cases where, in lieu of disciplinary action and dismissal, the employee tries to unilaterally resign, the President may not accept the resignation and continue with the disciplinary and dismissal process.

Adopted: June 13, 2022  
(This policy replaces "Non-Reappointment Policy"; no date.)

**HUMAN RESOURCES  
RIGHT OF APPEAL FOR  
EMPLOYEE SUSPENSION OR  
DISMISSAL**

**ALAMANCE  
COMMUNITY COLLEGE** **POLICY  
3.3.6**

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**I. RIGHT OF APPEAL**

- A. In case of suspension without pay or dismissal pursuant to Policy 3.3.4, contract non-renewal pursuant to Policy 3.3.5, or reduction in force pursuant to Policy 3.3.9, an employee has a right to appeal the President's decision and must do so within 10 business days of the action taken. Appeals must be submitted in writing to the President who shall forward the appeal to the chair of the Board of Trustees. The employee must articulate the grounds for the appeal in the notice. Further, the employee shall state in the notice whether the employee has or is seeking legal counsel for the appeal.
- B. No later than 10 business days from the President's receipt of the employee's written appeal, unless mutually agreed by the parties, the Personnel Committee ("Committee") of the Board of Trustees shall conduct a hearing pursuant to Section II. The employee's failure to inform the President that he or she has retained legal counsel for the appeal at least three (3) business days prior to the hearing shall be automatic grounds for a continuance of the hearing if so desired by the College.
- C. No later than 10 business days from the hearing, the Committee shall provide the employee with its written determination to uphold, reject, or modify the President's decision. The determination shall be included in the employee's personnel file. If the employee is reinstated, he or she shall receive all lost wages from the date of the suspension without pay and/or dismissal unless otherwise decided by the Committee.
- D. At the next regularly scheduled Board of Trustees' meeting, the Committee shall report its determination to the full Board of Trustees.

**II. HEARING PROCEDURE**

- A. The hearing shall be conducted with only the members of the Committee, the employee, the President, the attorney for the College or to the Board of Trustees, and other appropriate College administrators and relevant witnesses. The employee, the Committee, and the President may also be represented by legal counsel. If an employee chooses to have counsel present, the employee is responsible for retaining and paying for those services. The Board's legal counsel shall act as a procedural officer during the hearing and give advice to the Committee regarding necessary rulings and matters of due process. A Committee member who has a significant conflict of interest or bias should disqualify him- or herself or be excused by the Committee's adoption of a motion to disqualify him or her. For purposes of the appeal, a majority of the Committee members must be present. The Committee will make an audio recording of the hearing and a copy of the audio tape will be made available to the employee upon request. If the employee wants



a transcription of the proceeding, the employee is responsible for the cost of and to arrange for the transcription.

- B. Strict rules of evidence or procedure do not apply to appeal hearings before the Committee. The Committee may consider any and all evidence that it determines to be fair and reliable. All witnesses may be questioned and cross-examined by the Committee members, the employee, and the President. The Committee will be the sole judge of the weight given to specific evidence and the credibility of all witnesses. The conduct of the hearing shall be under the Committee chair's control.
- C. The burden is on the employee to demonstrate that he or she did not violate the Employee Code of Conduct or engage in the reason(s) underlying the disciplinary action or employment termination or, in appropriate cases, that the President's determination was based on illegal discrimination.
- D. At least five (5) business days prior to the hearing, the parties shall exchange all documentary evidence that the parties plan on using at the hearing. The President shall be responsible to assemble all the documents and make each Committee member and the parties a packet for the hearing. The packet must contain the following in this order: a) a copy of these Procedures; b) a copy of the President's written determination that is being appealed; c) a copy of the employee's request for appeal to the Committee; d) the President's documents for the hearing, if any; and e) the employee's documents for the hearing, if any. The President shall provide the employee a copy of the packet prior to the hearing.
- E. The hearing shall begin with the President's presentation of evidence. The President's presentation of evidence is limited to one (1) hour unless extended by the Committee Chair. The President, or his or her legal counsel, shall present and examine his or her witnesses and present evidence. The Committee will have an opportunity to question the witnesses and review the submitted evidence. The employee may cross-examine the President's witnesses, and the time used by the employee to cross-examine witnesses shall not count against the President's one (1) hour of time. All witnesses' testimony shall be under oath or affirmation of truth.

At the conclusion of the President's presentation of evidence, the employee will present his or her evidence. The employee's presentation of evidence is limited to one (1) hour unless extended by the Committee Chair. The employee, or his or her legal counsel, shall present and examine his or her witnesses and present evidence. The Committee will have an opportunity to question the witnesses and review the submitted evidence. The President may cross-examine the employee's witnesses, and the time used by the President to cross-examine witnesses shall not count against the employee's one (1) hour of time. All witnesses' testimony shall be under oath or affirmation of truth.

- F. At the conclusion of the employee's presentation of evidence, the President will be given five (5) minutes to present a closing statement. Following the President's

closing statement, the employee shall be given five (5) minutes to present a closing statement.

- G. At the conclusion of the hearing, the Committee will deliberate in closed session and will inform the parties, in writing, of its determination to uphold, reverse or modify the President's decision no later than 10 business days from the hearing.
- H. The Chair of the Personnel Committee shall notify the full Board of Trustees of the Committee's decision. The Personnel Committee's decision is final.

Adopted: June 13, 2022

**HUMAN RESOURCES  
EMPLOYEES –  
DISCRIMINATION AND  
HARASSMENT**

**ALAMANCE  
COMMUNITY COLLEGE**

**POLICY  
3.3.7**

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The College does not condone discrimination in employment practices and is fully committed to providing a working environment that is free from discrimination. No person shall be denied access to employment or fair treatment or in any way be discriminated against based on race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status.

For issues related to sexual harassment, assault, and violence, consult Policy 5.3.5 – Sexual Misconduct and Title IX, which applies to both students and employees.

For issues related to all other types of unlawful discrimination and harassment, see Policy 3.3.8 – Grievance Policy and Procedure (Non-Student).

Adopted: June 13, 2022

Legal Reference: Title VII of the Civil Rights Act of 1964; The Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; The Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Title II of the Genetic Information Nondiscrimination Act of 2008; Title IX of the Higher Education Amendments of 1972; Lily Ledbetter Act; NC Equal Employment Practices Act; NC Retaliatory Employment Discrimination Act; Jeanne Clery Disclosure Act of Campus Security Policy and Campus Statistic Act of 1990; Campus Sexual Assault Victim's Bill of Rights of 1992; Violence Against Women Act of 1994; Campus Sexual Violence Elimination Act of 2013.

(This policy replaces "Disability Discrimination/Harassment Policy"; no date.)

**HUMAN RESOURCES**  
**ALAMANCE GRIEVANCE POLICY AND**  
**COMMUNITY COLLEGE PROCEDURE (NON-STUDENT) POLICY**  
**3.3.8**

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This policy allows for the prompt, fair, and orderly resolution of disputes arising out of employment and will achieve the following objectives:

- Provide a consistent procedure for resolving internal grievances at the College.
- Ensure that grievable issues are resolved timely, fairly, cost-effectively, and without fear of retaliation or reprisal.

A. Definitions

1. Applicant: A person who submits an application for an initial hire, promotion or reemployment for a regular, benefits-eligible position at the College.
2. Final College Decision: The final decision authorized by the College President and communicated in writing to both the Grievant and Respondent that concludes the internal grievance process.
3. Formal Grievance Hearing: An audible record of the hearing shall be made, maintained by the college, and Grievant shall have access thereto to prepare a transcript by a certified court reporter. All testimony will be taken under oath. Grievant shall be permitted to present witnesses and evidence. Grievant shall be entitled to be accompanied and advised during the Hearing by chosen legal counsel. Grievant shall have the burden of establishing a prima facie showing the grievance is with merit and subject to relief.
4. Grievable Issue: A college-defined workplace event or action that allows the alleged workplace event or action to be grieved through the established grievance procedures for resolution.
5. Grievant: An applicant, College employee, or former College employee who initiates a written grievance.
6. Grievance Committee: A college-appointed committee of no less than three members who conducts a formal grievance hearing. The designated committee chair has the responsibility to oversee the proceedings of the hearing and submit a recommendation to the President.
7. Informal Discussion: An informal process for addressing grievable issues that may facilitate a resolution prior to filing a written grievance to the College president. The informal process shall be completed within 14 calendar days and is not included in any formal grievance timeframe.
8. Reporting and Recordkeeping: The Human Resources Department will maintain copies of all related documents and prepare an annual report for the President. Records will be maintained in accordance with the State of North Carolina's Records Retention policy.

9. **Respondent:** A designated College representative who will have the authority to negotiate an agreement on behalf of the College to resolve a grievance. In the event there is no agreed solution, such representative shall be authorized to present the facts and arguments to support the informal findings before any formal grievance hearing committee to which the Grievant appeals.

**B. Grievable Issues and Who May Grieve**

<b>Who May File</b>	<b>Grievable Issues</b>
Current College Employee (any type of appointment)	<ul style="list-style-type: none"> <li>• Discrimination and/or harassment based on protections provided by federal law (race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status).</li> <li>• Dismissal, demotion, or suspension without pay for disciplinary reasons without just cause.</li> <li>• Inaccurate or misleading information in the personnel file adverse to the Grievant as a Grievable Issue.</li> </ul>
Former College Employee (any type of appointment)	<ul style="list-style-type: none"> <li>• Discrimination and/or harassment based on protections provided by federal law (race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status).</li> </ul>
Applicant for College Employment	<ul style="list-style-type: none"> <li>• Discrimination and/or harassment based on protections provided by federal law (race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, or political affiliation).</li> <li>• Denial of Veterans' preference as required by law.</li> </ul>

**C. Issues that are NOT Grievable Using Internal Grievance Process**

- Disciplinary Actions, including written warnings
- Termination of Temporary Employment Contract
- Non-renewal of the Employment Contract
- Termination of Probationary Employment Contract
- Performance Appraisal/Evaluation
- Reductions-in-Force (layoff)
- Termination of Special Condition Contracts

D. Internal Grievance Process

1. Informal Grievance Resolution (required first step for current employees): Discussion with supervisor and/or other appropriate supervisor (respondent) in the employee's chain of command who has the ability to resolve the complaint or issue. This discussion must occur within 10 calendar days of the alleged event or action that is the basis of the grievance. The Grievant must tell the respondent what specifically is being grieved and the resolution sought. The respondent must respond to the Grievant in writing (with cc to Human Resources and the appropriate Vice President) within five calendar days with his or her decision.
2. Formal Grievance Resolution (second step for current employees; first step for former employees and applicants for employment): If the informal grievance resolution/decision is not satisfactory to the current employee, or if the grievance is from a former employee or applicant for employment, the Grievant may file a written grievance with the President within 15 calendar days. The written grievance must include specific facts supporting the grievance and the resolution sought. The President shall notify the College's Grievance Committee Chair to schedule and conduct a hearing. At the conclusion of the hearing and not later than 15 calendar days after the referral from the President, the chair of the Grievance Committee shall inform the President, in writing, of the Committee's recommendation(s). The President can accept, reject, or modify the subcommittee's recommendation and will make the final college decision within five calendar days and the decision will be communicated to all appropriate persons. The President's decision shall be final. This step concludes the internal grievance process.
  - a. Roles of Attorney(s): The College may accommodate the involvement of a Grievant attorney(s) during the grievance process at the Grievant expense; however, the College's grievance process is an internal dispute resolution process and does not have the same rules/procedures as a formal legal procedure. The College will not compel the testimony of potential witnesses.
  - b. Conflicts of Interest in Grievance Panel Selection: If the Grievant objects to a named panelist to the grievance hearing, he or she may submit a request to replace ONE panelist to the Grievance Committee chair within five calendar days of notice. The Grievance Committee chair will name a replacement.

E. External Filing of a Discrimination Charge

A Grievant alleging unlawful discrimination, harassment or retaliation has the right, at any time, to bypass or discontinue the Informal Grievance Resolution process or the formal College grievance process and file a charge directly with the Equal Employment Opportunity Commission (EEOC). Filing deadlines may vary.

Information about filing an EEOC charge and deadlines for filling the charge can be found at: <http://www.eeoc.gov/employees/charge.cfm> or by calling the EEOC regional offices located in Raleigh, Greensboro and Charlotte at 1-800-669-4000.

Information about filing through the Civil Rights Division of the Office of Administrative Hearings can be found at: <http://www.ncoah.com/civil/> or by calling 919-431-3036.

F. Simultaneous Internal and External Filing of a Discrimination, Harassment or Retaliation Charge

An applicant for employment may file simultaneously with the EEOC at any point in the College's formal internal grievance process.

Adopted: June 13, 2016

## I. POLICY STATEMENT

The College may terminate employment or may require any employee or class of employees to take involuntary leave without pay at any time because of: 1) a financial exigency, or 2) a program change for institutional reasons.

## II. DEFINITIONS

- A. Employee means full-time and part-time employees who are not considered "at will."
- B. Financial Exigency means any decrease in the College's financial resources that are brought about by decrease in enrollment, decrease in funding from any source (federal, state, local, institutional, etc.) or by other action or events requiring the immediate expenditure or diversion of College resources that prevent or inhibit the College's ability to continue the employment or level of the employee's compensation or a class of employees and cause a need for reduction in force and/or involuntary leave without pay.
- C. Impermissible Grounds means the use of the employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation, or status as a covered veteran in accordance with all applicable federal, state, and local laws; or if the decision is otherwise a violation of state or federal law.
- D. Involuntary Leave without Pay means a period of mandatory separation from work during which an employee may not take or use any form of paid leave. All state mandated benefits shall continue to accrue during any period of leave without pay.
- E. Program Change means any elimination, curtailment, or reorganization of an educational offering or support department that may or may not be related to a financial exigency.
- F. Reduction in Force means the termination of employment during a contract period as a result of financial exigency or program change. A non-renewal is not considered a reduction in force under this policy; see Policy 3.3.5 – Contracts Nonrenewal and Resignations.

## III. INVOLUNTARY LEAVE WITHOUT PAY/REDUCTION IN FORCE



A. General Criteria for the President's Decision

All decisions made under this policy will take into consideration the needs of the population being served with respect to the College's mission and goals while attempting to minimize the level of impact and quality of services provided. Responsibility will rest with the President working collaboratively with senior level administrators to determine the employee(s) affected by involuntary leave without pay or reduction in force based on recommendations from Vice Presidents, Deans, Directors, Department Heads and/or other management personnel associated with the departments where proposed actions will be implemented.

Further, the President will consider relevant factors when considering a reduction in force or, if applicable, involuntary leave without pay, which may include, but are not limited to:

1. Written recommendations regarding staffing needs from supervisors;
2. Specific and overall program enrollment history and needs;
3. Source of available funds and applicable restrictions;
4. Other beneficial service by an employee to the College;
5. Length of service in the North Carolina Community College System;
6. Employee performance evaluations.

These factors are not listed in any particular order or priority.

B. President's Decision and Notice to Affected Employees

Once the President makes a decision, he or she shall give written notice of termination and/or involuntary leave without pay to each affected employee. The written notice will be given as soon as practicable, and in any event, no less than 10 business days prior to the effective date of termination and no less than five (5) business days prior to a period of involuntary leave without pay. The written notice shall include: 1) a statement of condition requiring termination and/or involuntary leave without pay; 2) a general description of the procedures followed in making the decision; and 3) a copy of this policy. The President shall also send a copy of the notice to the Chair of the Board of Trustees ("Chair").

C. Request for an Appeal

An employee may appeal the President's decision to impose a reduction in force or involuntary leave without pay to the Board of Trustees pursuant to Policy 3.3.6; however, the Board of Trustees will only hear and consider an employee's appeal if the employee is alleging that the non-renewal is based on Impermissible Grounds. The decision to reduce in force or to place an employee on leave without pay shall not be tolled pending the appeal.

D. Continuation of Health Insurance

If an employee has at least 12 months of service and is terminated in accordance with this policy due to a financial exigency, the employee may retain health insurance coverage for up to 12 months. The College shall continue to pay the employer portion of the cost of health insurance coverage for 12 months, but the employee must continue to pay the employee portion of the cost of coverage. A former employee covered by this section shall lose eligibility if the former employee is provided health insurance coverage on a non-contributory basis by a subsequent employer.

#### **IV. EXCLUSIVE REMEDY**

The rights and remedies set forth herein constitute the sole and exclusive process in the event of a termination by reduction in force or involuntary leave without pay. No other personnel action or grievance may be asserted or considered under this policy.

Adopted: June 13, 2022

Legal Reference: N.C.G.S §135-48.40(b)(8)

(This policy replaces “Reduction in Force Policy” revised November 18, 2010.)

## **I. POLITICAL ACTIVITY – NON-SOLICITATION**

No College employee shall solicit support for a political candidate or any issue on a referendum during regular College working hours, on College property, using College stationery or e-mail or other College resources. The Board of Trustees, however, may authorize the President or the President's designee to solicit support during regular College working hours for referendums that directly support the College's interest.

Any employee who becomes a candidate for political office is prohibited from soliciting support while on duty and/or on College property. Any exceptions must have prior written approval from the President.

Employees, officials, and the President of the College are prohibited from promising rewards, threatening loss of a job, or coercing an employee to support or contribute to any political issue, candidate, or party. Employees, officials, and the President of the College are prohibited from allowing an employee's support, contribution, or lack thereof to any political issue, candidate, or party to influence that employee's status, advancement, or ability to perform his or her duties at the College.

## **II. POLITICAL ACTIVITIES BY COLLEGE EMPLOYEES**

### **A. College Employees**

As an individual, a College employee retains all rights and obligations of citizenship provided in the Constitution and laws of North Carolina and the Constitution and laws of the United States. Therefore, the College encourages an employee to exercise his or her rights and obligations of citizenship.

Any College employee who decides to run for a public office shall, prior to or at the time of filing for that office, notify the President of his or her intention to run and shall, in writing, certify that he or she will not campaign or otherwise solicit support during regular work hours. Further, any employee who seeks a public office shall, in writing, certify that he or she will not involve the College in his or her political activities.

Any employee who wishes to participate in any political activity during the normal workday must take leave in accordance with College policy. Also, the employee shall obtain the permission of his or her supervisor in scheduling leave.

Any employee who is elected or appointed to a part-time public office shall certify, in writing, through the President to the Board of Trustees that the duties of elected office will not interfere with the employee's ability to carry out the duties of the employee's position with the College and that if those duties do interfere, as determined by the President or Board of Trustees, the employee will request leave.

Any employee who is elected or appointed to a full-time office or the General Assembly shall take a leave of absence, without pay, upon assuming that office. The Board of Trustees shall determine the length of the leave of absence.

B. College President

If the President decides to run for public office, he or she shall notify the Board of Trustees, prior to filing for that office, of the intention to run and certify, in writing, that no campaigning or political activities will be engaged in during regular work hours and that the College will not be involved in the President's political activities.

If the President wishes to participate in any political activity during the normal workday, he or she must take leave in accordance with College policy. If the President is elected or appointed to a part-time public office, he or she shall certify, in writing, to the Board of Trustees that the duties of the elected public office will not interfere with his or her ability to carry out the duties of the College presidency and that if those duties do interfere, as determined by the Board of Trustees, he or she will request leave.

If the President is elected or appointed to a full-time public office or to the General Assembly, he or she shall take a leave of absence, without pay, upon assuming that office. The Board of Trustees shall determine the length of the leave of absence.

The President is prohibited from soliciting support for election to public office during regular work hours. The President is also prohibited from soliciting support on College property unless otherwise authorized by the Board of Trustees. The authorization shall be determined on a case-by-case basis. The Board of Trustees shall notify the State Board of Community Colleges if the President becomes a candidate for public office or if the President is elected or appointed to a public office.

C. Definitions

Public office means any national, state, or local governmental position of public trust and responsibility, whether elective or appointive, which is created or prescribed or recognized by constitution, statute, or ordinance. Membership in the General Assembly is a full-time public office under this policy.

Adopted: June 13, 2022

Legal Reference: 1C SBCCC 200.99

(This policy replaces "Political Activities"; no date.)

The illegal use of controlled substances, substances that cause impairment, and abuse of alcohol are harmful to the health, well-being, and safety of the College's employees and students. Employees and students who illegally use controlled substances, substances that cause impairment, or who abuse alcohol are less productive, less reliable, and prone to greater absenteeism resulting in unnecessary costs, delays, academic failure, and safety risks. The College is committed to maintaining a safe workplace and an educational environment free from the influence of illegal controlled substances, substances that cause impairment, and alcohol.

## I. PROHIBITED BEHAVIOR

All College employees and students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or drug paraphernalia. Using or being under the influence of substances that cause impairment is prohibited for all employees and students.

This policy does not apply to the use of alcohol in instructional situations (e.g., cooking classes, laboratory experiments) or in conjunction with events that meet the requirements of all state laws. This policy does not apply to the proper use of lawfully prescribed controlled substances by a licensed health-care provider to the student or employee who is prescribed the controlled substance and using it in the manner in which the healthcare provider prescribed it.

## II. DEFINITIONS

For purposes of this policy, the following definitions shall apply:

- A. Alcohol means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.
- B. Controlled Substance means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug that has a high potential for abuse and includes, but is not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state, or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.
- C. Substance means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

- D. Conviction means the entry in a court of law or military tribunal of: (1) a plea of guilty, nolo contendere, no contest or the equivalent; (2) a verdict of guilty; or (3) a prayer for judgment continued or a deferred prosecution.
- E. Reasonable Suspicion is the legal standard required before the College can require an employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

### **III. DUTY TO REPORT**

Pursuant to Procedures 4.3.3.1 – Arrests and Convictions, all employees who are arrested, indicted, cited, or convicted for a criminal offense are required to inform, in writing, their supervisor. This includes being arrested or receiving a citation for a violation of any federal or state controlled substance or alcohol statute. If an employee’s arrest, conviction or citation has an effect on the employee’s ability to perform his or her job duties or brings negative attention to the College, the employee may be subject to disciplinary action in accordance with this policy.

Convictions of employees working under federal grants that are convicted of violating a federal or state controlled substance or alcohol statute on the College’s property, or as part of any activity initiated by the College, shall be reported to the appropriate federal agency. A College official must notify the U.S. government agency that made the grant within 10 days after receiving notice from the employee or otherwise receives actual notice of a conviction of a controlled substance or alcohol statute occurring in the workplace.

Students employed under the College Work Study Program are considered to be employees of the College if the work is performed for the College in which the student is enrolled. For work performed for a federal, state, local public agency, a private nonprofit or a private for-profit agency, students are considered to be employees of the College unless the agreement between the College and the organization specifies that the organization is considered to be the employer.

### **IV. CONSEQUENCES FOR VIOLATIONS**

Violation of this policy will subject students and employees to disciplinary action including but not limited to: suspension, expulsion, non-renewal or termination of employment or the requirement that the student or employee agree to certain conditions, such as satisfactory participation in a drug or alcohol abuse assistance or rehabilitation program at the student or employee’s expense and approved by the College.

Article V of Chapter 90 of the North Carolina General Statutes makes it a crime to possess, manufacture, sell, or deliver or possess with intent to sell or deliver a controlled substance. N.C.G.S. § 90-95. As citizens, all members of the College community are expected to

know and comply with these laws. Legal matters may be referred to local law enforcement. Employees and students who are in violation of alcohol and drug laws may suffer legal consequences ranging from fines up to incarceration. Furthermore, any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs, is also considered a violation of the drug and alcohol policy.

## **V. CONTROLLED SUBSTANCES AND ALCOHOL TESTING**

Upon a conditional offer of employment, new employees may be required to be tested for substances, including controlled substances or alcohol.

Employees may be required to be tested for substances, including controlled substances or alcohol, based on individualized, reasonable suspicion or if an employee admits to illegal controlled substance or alcohol usage. The required observations for reasonable suspicion testing shall be made by an administrator, supervisor, or other trained official, and the person who makes the determination that reasonable suspicion exists shall not be the same person who conducts the test. This section does not apply to law enforcement officers serving the College. Law enforcement officers must adhere to their normal standards when conducting a search.

A College Substance Abuse Coordinator or their designee must first approve controlled substances and alcohol testing prior to any employee being tested under this policy. All substances, including controlled substances and alcohol testing, shall be administered by a non-College, third party laboratory chosen by the President. The testing shall be performed at the laboratory. A representative from Human Resources and the employee's immediate supervisor will accompany the employee to the testing site utilizing a College vehicle (if available). The chosen laboratory shall use standard testing protocols that will maintain the confidentiality of the employee and student. All tests shall be reviewed by a medical review officer not affiliated with the College.

Employees will have the opportunity to provide any information to the medical center the employee considers relevant to the test, including identification of currently or recently used prescription or non-prescription drugs. The College shall pay for the initial test. If the employee wishes to dispute the results with a subsequent re-test, the employee shall be responsible for the cost of the re-test.

Pending the results of the testing (if not instant), the employer may suspend the employee with pay or may permit the employee to resume his or her duties as is safe and practical. The College must give the employee written notice of positive results and notice of the right to a re-test (at the employee's expense) pursuant to G.S. 95-232(f). If the results are positive, the supervisor may recommend disciplinary action pursuant to Policy 4.3.4.

An employee may be immediately dismissed from employment with the College if he or she refuses to sign a consent and release form for testing, refuses to take a controlled substance or alcohol test, or interferes or refuses to cooperate with the testing process.

**VI. POST-ACCIDENT TESTING**

In the event of a work-related injury, if the supervisor has reason to suspect that impairment is involved in the accident, he or she should report the incident to a representative from the Human Resources Department and the employee may be tested as set forth above.

**VII. DISSEMINATION TO COLLEGE COMMUNITY**

This policy shall be maintained on the College's website, and a copy of this policy will be maintained in the College's Human Resources Office and Student Services Office.

**VIII. POLICY REVIEW**

The College Administration will review this policy annually.

Adopted: June 13, 2022

Legal Reference: 21 CFR Part 1308; 34 CFR 86; N.C.G.S. 90-86

(This policy replaces “Drug and Alcohol Policy – Drug-Free Workplace” revised November 11, 2010.)



Alamance Community College is committed to providing a learning environment in which individuals can develop the skills necessary to function successfully in an open society. The College recognizes the necessity for freedom in legitimate academic decisions that foster an environment where faculty and students can freely inquire, study, and evaluate.

To that end, the College endeavors to give faculty members the freedom to conduct individual academic affairs in accordance with each person's best professional judgment, including the development, implementation, and revision of programs and courses, the selection of teaching materials, and the evaluation of student performance. Likewise, faculty members have the ethical obligation and responsibility to exercise reasonable judgment in teaching their subjects, in respecting individuals and their diverse views, and in maintaining competence in the discipline.

Faculty members shall:

1. Use their professional judgment in developing and implementing appropriate course material.
2. Keep abreast of the main academic trends and themes in their respective fields and incorporate these into their scholarship and teaching.
3. Organize their subject matter and present it in ways that present the optimum value for their students, subject to reasonable guidelines reflected in College, departmental, and faculty policies and procedures.
4. Require an amount and quality of work from their students that is justifiable under the standards and regulations of the North Carolina Community College System and ACC.

Any questions or issues concerning the parameters of academic freedom at this College should be addressed to Vice President of Instruction. In the event the faculty member cannot reach an informal resolution, he or she may file a grievance pursuant to Policy 3.3.8. – Grievance.

This policy is not intended to limit the rights of faculty or students in discussing any matter outside of the academic setting. Outside the classroom, faculty have the rights of private citizens to speak freely on matters of public concern and to participate in political activities.

Revised November 18, 2010; revised June 13, 2022

**I. SECONDARY EMPLOYMENT**

- A. Full-time College employees' primary professional obligation is to the College. Full-time employees who engage in secondary employment have the responsibility to ensure that any such employment does not interfere with their work at the College as outlined in the employee's position description and the College's policies and procedures. The employee shall not utilize College time, facilities, supplies, or equipment in relation to any secondary employment.
- B. Secondary employment shall not be permitted when it would (1) create either directly or indirectly a conflict of interest with the primary employment, (2) impair in any way the employee's ability to perform all expected duties during the employee's normally assigned working hours, or (3) impair in any way the employee's ability to make decisions and carry out in an objective fashion the responsibilities of the employee's position at the College.
- C. Prior to beginning any secondary employment, the employee shall provide a written notice of intent for secondary employment by submitting the Secondary Employment Approval Form to their immediate supervisor. The employee's supervisors up to and including the President shall approve or disapprove of any secondary employment. All employees engaging in secondary employment will submit a new notice of intent for secondary employment upon the re-issuance of an annual contract.
- D. The Board of Trustees shall approve or disapprove any secondary employment of the President.
- E. The President may withdraw approval of an employee's secondary employment at any time if the secondary employment has an adverse impact on the employee's primary professional obligation to the College.

**II. OUTSIDE COMPENSATION**

- A. College employees are encouraged to provide leadership and professional expertise to various constituencies or organizations whether locally, regionally, or nationally who may request their services as a result of their College employment provided that the outside activity does not interfere or compete with their full-time duties at the College.
- B. A College employee must receive the approval of his or her immediate supervisor prior to committing to any outside activity that occurs during the normal workday.
- C. College employees may accept outside compensation for services rendered during annual leave, holidays, semester breaks, or other such times when classes are not in session or if the services provided take place outside the scheduled or the normal workday.

- D. Outside compensation does not include nominal honorariums that staff or faculty members receive as a representative of the College for services provided for workshops, seminars, SACSCOC visits, or state or regional committee involvement.
- E. Exceptions to this section of the policy must be approved by the President.

Revised June 13, 2005; revised June 13, 2022:

Teleworking, or working remotely, will be considered in situations in which it can be mutually beneficial for both the College and its employees.

If an employee is interested in teleworking, his or her supervisor must first evaluate suitability as outlined in the conditions and requirements provided in this policy. Not all positions will be appropriate for teleworking. Teleworking arrangements shall be limited to no more than one day a week.

This teleworking policy applies to staff only, as distinguished from faculty. Faculty workload options are explained in Procedure 3.1.3.1.

### Definitions

1. Telework is an arrangement in which an employee, under a written telework agreement, is scheduled to perform the duties and responsibilities of his or her position at an alternate location on a regular and recurring basis. The employee is approved for telework on an agreed-upon day or days of the week. For the purposes of this policy, telework and remote work are used interchangeably.
2. Alternate (or remote) worksite is the employee's approved telework site (e.g., an employee's residence).
3. Official worksite is the College campus or location where the employee reports on-site to work.

### Teleworking Eligibility

The following conditions must be met for an employee to qualify for telework:

1. The employee's job responsibilities can be completed remotely in an effective manner.
2. There is adequate and suitable work available for the employee to perform away from campus.
3. Teleworking does not adversely affect service quality, College operations, or workload for other employees.
4. There will be sufficient on-campus presence in the teleworking employee's department during normal operating hours to meet the needs of students, faculty, and staff.
5. The employee has maintained a good work record prior to making his or her request to telework.
6. Suitable equipment and technology services can be provided and/or maintained at the remote work site by the College and/or employee.

7. The employee can be adequately supervised when teleworking, and his or her performance can be assessed through measureable work products.

### **Supervisor Responsibilities**

Supervisors of employees who telework must adhere to the following:

1. In making decisions about which employees are approved for telework, the supervisor will consider the needs of students, the department, and the College.
2. The supervisor will participate in telework training for managers and supervisors of teleworkers.

### **Teleworking Employee Responsibilities**

Employees who wish to telework must agree to the following:

1. To attend required in-person meetings and events at the College or other locations as directed by their supervisor or as necessary for performance of their job responsibilities, including on days designated for teleworking. When teleworking employees must be on campus during an established remote working day, they cannot exchange or swap another day during that week.
2. To be responsible for all travel and per-diem to and from the remote work location to the College's designated workplace regardless of distance.
3. To work their normal hours when teleworking, typically 8:00 a.m. to 5:00 p.m. during weekdays. Some departments have alternate shifts, such as 9:00 a.m. to 6:00 p.m. Work schedules may change during summer hours.
4. To be readily available by phone and responsive to other forms of communication during their normal hours when teleworking. When teleworking, employees are required to forward their office phone to their home or cell phone.
5. To demonstrate professionalism in communication when teleworking, including professional dress and video/audio during virtual meetings.
6. To designate a remote work site that is preapproved by the College and protect the workspace from any known hazard or danger that could affect College equipment or the employee.
7. To follow normal procedures for reporting illness and use leave in accordance with existing policies and procedures when working remotely. Teleworking employees cannot use teleworking in place of sick leave.
8. To focus on work tasks when teleworking. Teleworking is not intended to be a substitute or replacement for child or adult care. If family members in need of primary care are in the

telework location during employees' work hours, some other individual should be present to provide the care, or the employee must take leave during the time he or she is tending to the family member.

9. To maintain compliance with College policies and regulations while teleworking, including following the College's approved Acceptable Use of Information Systems policy and procedures in order to ensure confidentiality and security of data. Supervisors must grant permission for employees to work on restricted-access information or materials at alternate work locations.
10. To maintain a consistent remote work schedule by teleworking on the same day each week.

### **Safety and Liability**

The College assumes no responsibility for injuries occurring in the employee's alternate work location outside the agreed upon work hours or for injuries that occur during working hours but do not arise out of and in the course of employment. Workers' Compensation coverage is limited to designated work areas in employees' homes or alternate work locations. Employees must follow normal procedures for reporting injury. The employee consents to allow the College or its designee to inspect the workspace after a reported accident. The College also assumes no liability for damages to employees' real or personal property resulting from participation in the teleworking program.

The College and the teleworking employee shall agree on the equipment, if any, and the maintenance thereof to be provided by the College and/or the employee to enable the teleworking arrangement. Teleworking employees may use College equipment only for legitimate College purposes. Employees may use their own equipment while teleworking provided the use of such equipment has been approved by the Director of Information Services or designee. When employees are authorized to use their own equipment, the College is not responsible for the cost, repair, or service of the equipment, unless agreed to in advance in the telework agreement.

The College is not obligated to assume responsibility for operating costs, home maintenance or internet services, ergonomically appropriate and safe telework furniture or equipment, or other costs incurred by employees in the use of their homes as a telework location. The College will not assume responsibility for the purchase of office supplies other than basic supplies that can be obtained from the College supply room.

### **Teleworking Request and Approval Procedure**

1. The employee should discuss a potential teleworking request with his or her supervisor. If the employee's supervisor agrees with the teleworking request after evaluating and discussing suitability, requirements, and conditions as outlined in this policy, the employee shall complete the teleworking agreement.
2. The supervisor will notify the appropriate Associate Vice President or Vice President, and present the agreement to the Director of Human Resources ("Director"). If approved, the Director will present the information to the President.

3. If approved by the President, the agreement will be signed by the employee, the employee's supervisor, the Director, and the President. The agreement will be included as an addendum to the employee's employment contract.
4. Teleworking agreements will be reviewed regularly.

In unusual situations, and in order to ensure continuity of College operations, the President may grant temporary teleworking approval for positions that would not normally be considered appropriate for teleworking.

#### **Terminating a Teleworking Agreement**

Teleworking arrangements may be revised or discontinued at any time. In the event the College or the employee wishes to discontinue the teleworking arrangement, all equipment owned by the College will be returned promptly.

Adopted: November 14, 2022

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>INSTRUCTIONAL ROLE OF CURRICULUM PERSONNEL IN ACADEMIC GOVERNANCE</b>	<b>POLICY 4.1.1</b>
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The College's curriculum faculty, in partnership with the administration, ensure the overall effectiveness of the educational programs. Additionally, curriculum faculty are involved in the College's decision-making processes in the following ways:

1. Have primary responsibility for the content, quality, and effectiveness of the curriculum.
2. Participate in program/division level decisions and activities.
3. Participate in College committees based on the President or designee's appointment.
4. Participate in the Institutional Effectiveness Committee, or similar body, which is designed to provide broad-based participation in the college planning process.
5. Participate in the Faculty Affairs Committee, or similar respective advisory body, which addresses the educational and related issues of interest to the faculty.

Adopted: June 13, 2022

(This policy replaces "Role of Faculty in Academic and Governance Matters" adopted November 12, 2012.)



The College is authorized to provide the following academic programs:

- A. Curriculum Programs. Except as stated in section B, curriculum programs are organized sequences of courses leading to an associate degree, a diploma, or a certificate. All curriculum programs are designed to provide education, training, or retraining for the workforce or to prepare students for transfer to institutions offering baccalaureate degrees.
- B. Developmental Education Programs. Developmental education is a program that consists of courses and support services in curriculum and basic skills which may include diagnostic assessment and placement, tutoring, advising, and writing assistance. These programs are designed to address academic preparedness, workforce retraining, development of general and discipline-specific learning strategies, and affective barriers to learning. Developmental education courses do not earn credit toward a degree, diploma, or certificate.
- C. Continuing Education Programs. Continuing education programs provide education and training opportunities for various skills and trades. Courses are non-credit, short-term, and are offered in a variety of instructional delivery modes and locations. Included within continuing education programs are:
  1. Occupational Extension Courses. Occupational extension courses consist of single courses for the specific purposes of training an individual for full or part-time employment, upgrading the skills of persons presently employed, and retraining others for new employment in occupational fields.
  2. Community Service. Community service courses consist of single courses that focus on an individual's personal or leisure needs rather than occupational or professional employment.
  3. Self-Supporting Programs. Self-Supporting programs are specific courses of interest requested by the community or which serve a special need for the community and College.
  4. Basic Skills Programs. Basic skills programs provide courses for students seeking a high school diploma equivalency, general education development, or other specific types of education services including adult basic education, English as a second language, and transitional programming.
  5. Customized Training Programs. Customized training programs address company-specific training customized for job growth, technology investment, or productivity enhancement.

6. Human Resources Development Programs. Human resources development programs provide skill assessment services, employability skills training, and career counseling to unemployed and underemployed adults.

Adopted: June 13, 2022

Legal Citation: 1D SBCCC 200.3

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>INSTRUCTIONAL CONTINUING EDUCATION ACCOUNTABILITY PLAN</b>	<b>PROCEDURE 4.1.2.1</b>
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The Board shall adopt a Continuing Education Internal Program Accountability Plan (“Plan”). At a minimum, the Plan shall include a class visitation plan in accordance with the State Board of Community Colleges Code and define a system of checks and balances to prevent and detect errors or irregularities when reporting hours for FTE purposes, and establish a framework for defining program quality and improvement procedures.

The Board shall review the Plan at least once every three years from the date of its adoption. The Plan, including amendments, shall be submitted to the Continuing Education Department at the System Office upon adoption.

Adopted: June 21, 2022

Legal Citation: 1D SBCCC 300.4(a)(1)-(4)

The College recognizes that some courses requested by the community, or which serve a special need, are not supported by state revenues and membership hours produced from the classes are not counted towards full-time equivalent calculations. When these circumstances exist, it may be necessary to offer certain classes on a self-supporting basis.

It is the intent of Alamance Community College to offer self-supporting courses and activities at an affordable and reasonable cost. At the same time, it is important that registration fees are established in such a manner as to ensure the long-term fiscal health of the program. Because instructional costs vary from course to course, in many cases this means setting registration fees on a course-by-course basis.

Recognizing that state funds are not to be used for self-supporting activities and that all costs must be absorbed by the students/participants, fees are recommended to encompass the following:

1. Direct costs which include:
  - a. Instructor salary, FICA, travel, course development
  - b. Instructional supplies and materials
  - c. Advertising, printing, postage
  - d. Equipment
  - e. Refreshments
  - f. Administrative or clerical costs
2. Indirect costs which include:
  - a. Utilities, custodial, & security services
  - b. Coordination/Administration and clerical salary and fringes

Self-supporting receipts are to be deposited in a special account, and expenses are to be paid from the same account.

Funds in excess of operating expenses may be used for the support and enhancement of additional self-supporting courses and activities, general program improvement, and other activities of direct benefit to students such as financial aid and scholarships.

Regarding the issue of “mark-up,” the ACC Board of Trustees recognizes the need for affordability and reasonableness in the establishment of local registration fees. In courses that are not offered to the public—primarily in Business and Industry—where costs and revenue (the revenue being based on a pre-determined number of participants) are known ahead of time, the Board mandates that a “cost + 25%” guideline be used to establish the appropriate registration fee for each course. However, in courses offered to the general public, the Board recognizes that the “cost + 25%” guideline is not feasible since revenues (i.e., the number of student registrations) cannot be known until long after the course and course fees are advertised to the public. In these cases, the Board mandates that registration fees be set for each course based on (1) a reasonable break-even point with a target of “cost + 25%,” (2) market value, (3) a combination of both, or (4) the mandate of

an outside agency (such as the Real Estate Commission) where applicable. The persons responsible for ensuring that these guidelines are followed and that self-supporting registration fees are appropriate and reasonable (in their respective areas) will be the Assistant to the President for Business & Industry and the Dean of Continuing Education.

The Board has adopted policy 6.1.3 regarding the method of determining the self-supporting fee rates and the permissible use of any excess funds.

Adopted: June 13, 2022

Legal Citation: 1D SBCCC 200.3(2)(c)

Cross Reference: Policy 6.1.3 Self Supporting Course Fees

(This procedure replaces “Self-Supporting Program Policy” adopted May 2008.)

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>INSTRUCTIONAL CUSTOMIZED TRAINING PROGRAM</b>	<b>PROCEDURE 4.1.2.3</b>
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The College shall provide customized training programs for businesses experiencing job growth, productivity enhancement needs, or creating technology investment to support the community and State's economic development. The College shall administer the training program with consultation and assistance from the North Carolina Community College System Office Economic Development staff.

Before a business or industry becomes qualified to receive assistance under the customized training program, the President of the North Carolina Community College System shall determine that:

- A. The business is making an appreciable capital investment;
- B. The business is deploying new technology;
- C. The business or individual is creating jobs, expanding an existing workforce or enhancing the productivity and profitability of operations within the State; and
- D. The skills of the workers will be enhanced by the assistance.

College employees may not engage in the regular management, supervision, or operation of a business receiving assistance under this policy during the hours the employee is employed for the instructional or educational purposes of the College.

Adopted: June 21, 2022

Legal Citation: N.C.G.S. § 115D-5.1; 1D SBCCC 500.98

The College shall monitor the quality and viability of all its programs and services. Each curriculum program, each continuing education program area, including Basic Skills, occupational extension, and community service, and each service area will be reviewed at least every five (5) years to determine program strengths and weaknesses and to identify areas for program improvement. The program review process shall be consistent with the requirements of the regional accrediting agency.

The College shall publish its data on all performance measures annually in the College Catalog.

Adopted: June 21, 2022

Legal Reference: 1B SBCCC 400.3

## I. PURPOSE

Alamance Community College's Curriculum Program Review is part of the college's overall Institutional Effectiveness plan. It is a collaborative process that supports the mission of ACC by assessing, sharing, and improving the impact of the educational programs offered by the college.

Each program review is an opportunity for the department and the institution to take a comprehensive look at the program, to evaluate the program's strengths and weaknesses, to assess its future and develop a strategy to meet the opportunities and challenges that the program anticipates over the next five years.

### Principles

- The program review is part of an overall assessment process that provides a portrait of program strengths and limitations and should result in program improvement.
- The process should be broadly participatory.
- The process should facilitate planning in areas such as student learning outcomes, curricular development, and resource allocation.
- The program review process allows ACC to account for its use of resources, develop support among its various constituencies, and provide collegial review.

## II. TIMELINE

ACC will conduct comprehensive program reviews on a rotating five-year cycle. Each program will be reviewed a minimum of every five years. A calendar will be updated annually by the Director of Research and Institutional Effectiveness ("Director") indicating programs to be reviewed by year. If possible, programs will be reviewed the academic year prior to their re-accreditation by external agencies. A comprehensive program review will be done if the enrollment in any program drops below 10 students for two consecutive years, regardless of the five-year cycle.

All programs will complete an Annual Program Report between the comprehensive program review years. This report will include an evaluation of information about enrollment and student success and an update on any action items from the last comprehensive program review.

### Deadlines

- Director sends notification & instructions to Department Head & Dean by **July 1**.
- Department Head establishes Program Review Committee by **September 1**.
- Research and Institutional Effectives Office shares documentation with Department Heads by **October 1**.



- Department Head completes Student & Advisory surveys by **October 1**.
- Department Head completes and compiles all documentation and sends to Committee by **December 1**.
- Department holds first Committee meeting by **February 1**.
- Department Head sends completed Program Review Form to Dean by **April 1**.
- Dean sends Final Program Review Form to VP of Instruction by **May 1**.
- Department Head completes follow-up actions: Reviewed annually, tasks completed according to timeline.

### **III. MEMBERSHIP OF THE PROGRAM REVIEW COMMITTEE**

The Program Review Committee assists the Department Head and faculty in analyzing and interpreting data and information related to the program's mission, goals, course offerings, learning outcomes, resources, enrollment, retention rates, success rates, workforce trends, and employer and student satisfaction. The goal is to assess program strengths and to identify areas for improvement. The Committee will receive program data in the fall semester and will meet at least once and possibly more in early spring semester. The Committee should consist of the following members:

- Department Head (Chair)
- Two program or division faculty members
- One staff member from a student support department
- One faculty member from another division
- Department Head's Dean
- Director of Research and Institutional Effectiveness (ex officio)
- Additional members as designated by Department Head

### **IV. PROCESS OF PROGRAM REVIEW**

#### **A. Notification**

By July 1 of each academic year, the Department Head and respective Dean will be notified by the Director that they are scheduled for a Program Review during the upcoming academic year.

#### **B. Program Review Committee**

The Department Head, in consultation with the Dean and other department faculty, will select members of the Program Review Committee according to the guidelines outlined above. The Program Review Committee should be established by September 1. The Department Head is responsible for all communication with the Committee.

#### **C. Assessment**

Program review is a structured review of the following elements:

- Program Overview
- Program Resources
- Enrollment
- Student Learning
- Student Success
- Employment/Workforce Development
- Surveys (Student and Advisory)

For each element, there are two primary components: documentation and evaluation.

Documentation: There are two sources of documentation: (1) Research and Institutional Effectiveness will provide program-specific data, and (2) the Department Head will provide information including the program overview, student learning outcomes-related information, survey questions, and other items as noted below.

Evaluation: Department Heads, with the help of the Program Review Committee, will interpret all of the documentation in order to assess program strengths and to identify areas for improvement. Assessments are guided by a series of evaluation questions, each of which must be answered in the Program Review Form.

Documentation gathered by Research and Institutional Effectiveness will be sent to the Department Head by October 1. The Department Head will collect the remaining documentation and send all of the documentation and the evaluation questions to Program Review Committee members by December 1. Committee members will review all documentation and evaluation questions prior to the first committee meeting. The Department Head will schedule Committee meetings. All Committees should meet at least once; subsequent meetings can be scheduled at the discretion of the Department Head. All Committees should have their first meeting no later than February 1.

In the meeting, the Program Review Committee will use the documentation and evaluation questions to discuss the strengths and weaknesses of the program. The Department Head will use the Committee's feedback to complete the Program Review Form and to make a final assessment of areas in which improvement is needed.

#### D. Final Documents

The final product for program review is the completed Program Review Form with all required documentation and each evaluation question fully addressed. The Program Review Form should be completed and sent, with all required documentation, to the Dean for approval by April 1.

E. Subsequent Actions

Once the Program Review Form has been approved by the Dean, the documents are sent to the Vice President of Instruction for review. The Vice President of Instruction should receive the final documents by May 1. In the summer and early fall, Department Heads and Deans will meet with the Vice President of Instruction to present and discuss the completed Program Review Form. The Vice President of Instruction will present a summary of each program's Five-Year Program Review to the Curriculum Committee of the Board of Trustees, which will subsequently present the summary to the full Board of Trustees.

Department Heads and Deans should monitor completion of tasks identified for program improvement. The Program Review Form should also be used in the budgeting process as documentation/justification for new, additional, or special budget requests.

The Vice President of Instruction will send the Program Review Form to the Director of Research and Institutional Effectiveness by July 1 to use in the College's strategic planning process. The Director of Research and Institutional Effectiveness will post the Program Review Forms on the College website, will share with the Institutional Effectiveness Committee, and will include the reviews in the College's annual Institutional Effectiveness Report.

**V. ANNUAL PROGRAM REPORT**

Each Department Head will complete an Annual Report, due to the division Dean by **June 28**. This report will include an evaluation of recent enrollment and student success data. It will also include a progress update on the action items noted on the department's most recent comprehensive program review. Enrollment and student success data will be provided by Research and Institutional Effectiveness.

**VI. PROGRAM REVIEW ELEMENTS**

A. Program Overview

Documentation for review, analysis, and interpretation by the Program Review Committee provided by the Department Head:

- Program mission/goals
- Program history
- Degrees/credentials offered
- Course sequencing (semester by semester sequence)
- Any special admission restrictions (e.g. MLT, Nursing, etc.)
- Program Accreditation(s), articulation agreements, etc.

Evaluation questions to be answered by the Department Head in the final Program Review document:

A1. Provide the program's mission statement. Is the program mission statement current and relevant?

A2. What is the target audience for the program (e.g. traditional, transfer, adult learners, etc.)?

A3. If there are admissions criteria for the program, are they appropriate and do they facilitate program and student success?

A4. What are the external standards that the program addresses or meets? Are the current courses within the program or discipline appropriately and sufficiently addressing external standards?

A5. Does the program design and structure reflect external standards and best practices in curriculum design, as indicated by Guided Pathways?

A6. Does the program articulate to any four-year institutions? If so, list those articulations. To what extent is the curriculum aligned with the first two years of transfer institutions?

A7. What credentials are offered in the program (e.g., certificates, diplomas, etc.)? Is the curriculum developed in such a way that it has a clear sequence of training and course work that leads to stackable credentials?

\*\*Action Items: List the actions needed as a result of the program overview.

B. Program Resources

Documentation for review, analysis, and interpretation by the Program Review Committee:

Annual program costs (XDBR in Colleague) provided by Department Head

FTE generated provided by Research and Institutional Effectiveness  
Equipment (provided by Department Head)

Facilities/classroom, lab space; off-site locations (provided by Department Head)

Number of faculty by semester including full time and adjunct (provided by Department Head)

Evaluation questions to be answered by the Department Head in the final Program Review document:

B1. List the number of full-time and adjunct faculty teaching in the program. Do the number and ratio of full-time/adjunct faculty support the goals of the department?

B2. What professional development have program faculty participated in over the last several years? Is the professional development that faculty are receiving sufficient for them to maintain currency in their field and area(s) of expertise?

B3. Are additional faculty or faculty development resources needed to support the goals of the department over the next five years? If so, explain.

B4. Are current resources/facilities/equipment up to date and sufficient to facilitate teaching and learning? Are they sufficient to meet the goals of the department over the next five years? If not, what additional resources/facilities/equipment are needed?

B5. Does the program currently offer classes at any off-site locations? If so, explain. Would the program benefit from expanding to (additional) off-site location(s)? Are there any plans to expand the program to off-site location(s)?

**\*\*Action Items:** List the actions needed as a result of the review of program resources.

C. Enrollment

Documentation for review, analysis, and interpretation by the Program Review Committee:

Applications & Applicant Demographics provided by Research and Institutional Effectiveness

Headcount & FTE Trends provided by Research and Institutional Effectiveness

New Students (Cohorts) & Demographics provided by Research and Institutional Effectiveness

Cohort Persistence provided by Research and Institutional Effectiveness

Course Sections Offered provided by Department Head

Distance Learning Courses Offered provided by Department Head

Evaluation questions to be answered by the Department Head in the final Program Review document:

C1. Describe the program's enrollment and FTE earned over the last five years. Is the program attracting and appropriately serving the target audience? If not, what needs to be done?

C2. State the program's enrollment targets: What is the goal for enrollment within the next five years? Does enrollment represent a diversity of student populations—if not, what is being done to address that? Is the enrollment trend meeting established targets, ensuring program viability?

C3. What factors limit enrollment in this program? What is being done to address those factors?

C4. What are the program's target retention rates for fall-to-spring and fall-to-fall? Describe the program's rates over the last five years for fall-to-spring and fall-to-fall retention, including rates for different student populations. Are student retention rates meeting established targets? If rates are not meeting the targets, what is being done to address the gap?

C5. How many sections of program-specific course offerings are provided each semester, and in what delivery methods and times? Are day/evening course offerings (courses and number of sections) sufficient to meet student and programmatic needs? (For example, do program courses typically have waiting lists?) If not, what is being done to address the problem?

C6. Does the program offer courses online and/or in hybrid format? If so, are online course offerings (courses and number of sections) sufficient to meet students and programmatic needs? If not, explain.

\*\*Action Items: List the actions needed as a result of the review of program enrollment, retention, and scheduling.

D. Student Learning

Documentation for review, analysis, and interpretation by the Program Review Committee:

- Student learning outcomes for past five years to include improvements made to teaching/curriculum as a result of assessments provided by Research and Institutional Effectiveness
- Curriculum map provided by the Department Head
- General Education student learning outcomes provided by the Department Head

Evaluation questions to be answered by the Department Head in the final Program Review document:

D1. Provide the program learning outcomes and curriculum map here. Do student learning outcomes (SLOs) reflect the demonstrable skills, knowledge, and attitudes expected of students by the end of the program? Are the SLOs clearly stated and measurable? If not, what changes are suggested?

D2. Include in the response to this question all of the WEAVE outcomes assessment plans for the last five years. Have all of the program learning outcomes been evaluated over the past five years? Where is student performance falling short of the goals set by the program?

D3. Are all of the general education learning outcomes and associated competencies integrated into the program? Do students have the opportunity to build the knowledge and skills associated with the general education and departmental student outcomes throughout the program?

D4. How do the programs course offerings represent the depth (complexity of topics) and breadth (diversity of topics) of the program's requirements? Are the current course offerings sufficient in terms of breadth and depth? If not, what courses should be added or eliminated?

D5. Provide an example of the way that course sequencing helps students build skills and knowledge throughout the program, from the application of

lower to higher-order thinking skills. Explain how the course sequence is aligned in such a way that the SLOs are mastered by the end of the program.

**\*\*Action Items:** List the actions needed as a result of the review of student learning outcomes, student performance, and course offerings.

E. Student Success

Provided by Research and Institutional Effectiveness: Documentation for review, analysis, and interpretation by the Program Review Committee:

Credits successfully (C/P or better) completed by term

Math/English courses completed by first term

Persistence

Completions (certificates, diplomas, degrees) at 50%, 100%, 150%, 200% time

Licensure pass rate (where applicable)

Transfer performance (where applicable)

Evaluation questions to be answered by the Department Head in the final Program Review document:

E1. Describe the success rates of students in the program. Do students appear to be progressing through the program well? (Based on the number of students who complete at least 75% of their attempted credits with a C, P, or better.) What needs to be done to address gaps in success rates?

E2. Describe the performance of students by gender, race and ethnicity, and age. Are various sub-populations meeting the performance targets at the same rate? What needs to be done to address gaps in success rates?

E3. Describe the success rates in gatekeeper courses. Are students passing gatekeeper courses at the appropriate rates? (Target is 75% of students pass with a C or better) Are course success rates the same for various sub-group populations? What needs to be done to address gaps in success rates?

E4. What is the yearly ratio of the number of students enrolled to the number of graduates? Is the ratio appropriate, given program enrollment and retention goals?

E5. If the program requires licensure or certification exams, describe student performance. Are licensure/certification exam pass rates above state or national averages? If not, offer suggestions for improvements.

E6. Does the program have articulation agreements with four-year institutions? If so, is transfer performance above the target of 90%? If not, offer suggestions for improvement.

**\*\*Action Items:** List the actions needed as a result of the review of student success rates.

F. Employment/Workforce development

Provided by Research and Institutional Effectiveness: Documentation for review, analysis, and interpretation by the Program Review Committee:

Graduate employment (from NC Tower)  
Current job opportunities, job growth forecasts, industry trends  
Feedback from current students/graduates  
Feedback from Advisory Committee, other industry contacts

Evaluation questions to be answered by the Department Head in the final Program Review document:

F1. What is the graduate employment rate for the program? Are students obtaining employment in their program of study at satisfactory rates? If not, what is being done to address the problem?

F2. What is the market demand for jobs aligned with this program? What are the job and wage projections? Is the number of graduates aligned with the market need? If not, what is being done to address the problem?

F4. Do the job projections and wages data suggest that this program will be viable over the next five years?

\*\*Action Items: List the actions needed as a result of the review of employment and workforce development.

G. Surveys

Documentation for review, analysis, and interpretation provided by Research and Institutional Effectiveness:

Summary of results from Advisory committee survey  
Summary of results from Student satisfaction survey

Department Head should contact the Director for assistance with development of surveys.

Evaluation questions to be answered by the Department Head in the final Program Review document:

G1. Summarize the results of the advisory committee surveys. What did you learn from the advisory committee surveys? Will you take any actions with the program as a result of what you have learned?

G2. Summarize the results of the student satisfaction surveys. What did you learn from the student satisfaction surveys? Will you take any actions with the program as a result of what you have learned?



H. Summary of Action Items, Potential Costs

Department Head provides this information at the conclusion of the evaluation questions:

Summary of all Action Items with Projected Costs – Organize your action items by topic (Overview, Resources, Enrollment, Student Learning, Student Success, Employment, Surveys) and provide a timeline for completion of each item. Example table (create a table that works for you):

TOPIC	PRIORITY	ACTION ITEM	PROJECTED COSTS	COMPLETION DATE

Adopted: June 21, 2022  
Legal Reference: 1B SBCCC 400.3

## I. PURPOSE

Alamance Community College's Continuing Education Program Review is part of the college's overall Institutional Effectiveness plan. It is a collaborative process that supports the mission of ACC by assessing, sharing, and improving the impact of educational programs offered by the college.

Each program review is an opportunity for the department and the institution to take a comprehensive look at the program, to evaluate the program's strengths and weaknesses, to assess its future and develop a strategy to meet the opportunities and challenges that the program anticipates over the next five years.

### Principles

- The program review is part of an overall assessment process that provides a portrait of program strengths and limitations and should result in program improvement.
- The process should be broadly participatory.
- The process should facilitate planning in areas such as student learning outcomes, curricular development, and resource allocation.
- The program review process allows ACC to account for its use of resources, develop support among its various constituencies, and provide collegial review.

## II. TIMELINE

ACC will conduct comprehensive program reviews on a rotating five-year cycle. Each Continuing Education area will be reviewed a minimum of every five years. A calendar will be updated annually by the Director of Research and Institutional Effectiveness indicating programs to be reviewed by year. If possible, programs will be reviewed the year prior to their re-accreditation by external agencies.

### Deadlines

- Director of Research and Institutional Effectiveness sends notification & instructions to Program Directors by **September 1**.
- Program Director establishes Program Review Committee by **November 1**.
- Research and Institutional Effectiveness Office shares documentation with Program Directors by **December 1**.
- Program Director completes Student & Advisory surveys by **December 1**.
- Program Director completes and compiles all documentation and sends to Committee by **March 1**.
- Department holds first Committee meeting by **April 1**.
- Program Director sends completed Program Review Form to Vice President of Workforce Development by **June 1**.

- Vice President of Workforce Development sends Program Review Forms to Research and Institutional Effectiveness by **July 1**.
- Program Director completes follow-up actions as needed and shares follow-up with the Vice President of Workforce Development.

### **III. MEMBERSHIP OF THE PROGRAM REVIEW COMMITTEE**

The Program Review Committee assists the Program Director in analyzing and interpreting data and information related to the program's mission, goals, course offerings, learning outcomes, resources, enrollment, retention rates, success rates, workforce trends, and employer and student satisfaction, as relevant to the program area in question. The goal is to assess program strengths and to identify areas for improvement. The Committee will receive program data in the fall semester and will meet at least once and possibly more in early spring semester. The Committee should consist of the following members:

- Program Director (Chair)
- One instructor
- One Coordinator, as relevant to the program area
- One business and industry representative, as relevant to the program area
- One Director from another area, could include but not limited to Continuing Education
- Director of Research and Institutional Effectiveness (ex officio)
- Additional members as designated by Program Director

### **IV. PROCESS OF PROGRAM REVIEW**

#### **A. Notification**

By September 1 of each academic year, the Program Director and Vice President of Workforce Development will be notified by the Director of Research and Institutional Effectiveness that they are scheduled for a Program Review during the upcoming academic year.

#### **B. Program Review Committee**

The Program Director, in consultation with the Vice President of Workforce Development, will select members of the Program Review Committee according to the guidelines outlined above. The Program Review Committee should be established by November 1. The Program Director is responsible for all communication with the Committee.

#### **C. Assessment**

Program review is a structured review of the following elements:

- Purpose

- Resources
- Quality
- Impact
- Community Input

For each element, there are two primary components: documentation and evaluation.

Documentation gathered by Research and Institutional Effectiveness will be sent to the Program Director by December 1. The Program Director will collect the remaining documentation and send all of the documentation and the evaluation questions to Program Review Committee members by March 1. Committee members will review all documentation and evaluation questions prior to the first committee meeting. The Program Director will schedule Committee meetings. All Committees should meet at least once; subsequent meetings can be scheduled at the discretion of the Program Director. All Committees should have their first meeting no later than April 1.

In the meeting, the Program Review Committee will use the documentation and evaluation questions to discuss the strengths and weaknesses of the program. The Program Director will use the Committee's feedback to complete the Program Review Form and to make a final assessment of areas in which improvement is needed.

#### D. Final Documents

The final product for program review is the completed Program Review Form with all required documentation and each evaluation question fully addressed. The Program Review Form should be completed and sent, with all required documentation, to the Vice President of Workforce Development for approval by June 1.

#### E. Subsequent Actions

The Vice President of Workforce Development will present a summary of each program's Five-Year Program Review to the Board of Trustees.

Program Directors and Vice President of Workforce Developments should monitor completion of tasks identified for program improvement. The Program Review Form should also be used in the budgeting process as documentation/justification for new, additional, or special budget requests.

The Vice President of Workforce Development will send the Program Review Form to the Director of Research and Institutional Effectiveness by July 1 to use in the College's strategic planning process. The Director of Research and Institutional Effectiveness will post the Program Review Forms on the College website, will share with the Institutional Effectiveness Committee, and will include the reviews in the College's annual Institutional Effectiveness Report.

#### **IV. PROGRAM REVIEW ELEMENTS**

##### **A. Purpose**

Documentation for review, analysis, and interpretation:

- Program/area mission/goals
- Program/area history
- Credentials, CEUs offered
- Any special enrollment restrictions or registration fees
- Accreditation(s), articulation agreements, etc.

Evaluation questions, which must be answered in the final Program Review document:

A1. Provide the program's mission statement. Is the program mission statement current and relevant?

A2. Who is the target audience for the program? (e.g., business/company training, employed adults seeking CEUs, adult job-seekers, etc.)

A3. What are the external or industry standards that the program addresses or meets? Is the program accredited? Does the program have any articulation agreements or partnerships with other institutions? Apprenticeships?

A4. What credentials and CEUs are offered in the program?

A5. To what extent is the program aligned & integrated with a corresponding curriculum program at ACC? Are classes developed/offered in such a way that they have a clear sequence of training and course work that leads to for-credit credentials?

A6. Does the program have any special enrollment restrictions or pre-requisites?

**\*\*Action Items:** List the actions needed as a result of the evaluation.

##### **B. Program Resources**

Documentation for review, analysis, and interpretation:

- Annual program costs
- FTE generated
- Funding tiers
- Equipment
- Facilities/classroom, lab space; off-site locations
- Number of instructors by semester (full time, adjunct)

Evaluation questions, which must be answered in the final Program Review document:

B1. What are the annual costs of the program?

B2. How much FTE does the program generate? What funding tier are the program's courses in? How does the FTE generated compare to the costs of the program?

B3. List the number of full-time and adjunct instructors teaching in the program. Does the number of faculty support the goals of the program?

B4. What professional development and/or credentials do program instructors have? Do instructors have opportunities for professional development to maintain currency in their field and area(s) of expertise?

B5. Are additional instructors or instructor development resources needed to support the goals of the department over the next five years? If so, explain.

B6. Are current resources/facilities/equipment up-to-date and sufficient to facilitate teaching and learning? Are they sufficient to meet the goals of the department over the next five years? If not, what additional resources/facilities/equipment are needed?

B7. Does the program currently offer classes at any off-site locations? If so, explain. Would the program benefit from expanding to (additional) off-site location(s)? Are there any plans to expand the program to off-site location(s)?

\*\*Action Items: List the actions needed as a result of the evaluation.

C. Quality

Documentation for review, analysis, and interpretation:

- Course learning outcomes
- Course evaluations
- Proportion of credential-aligned courses (On NCCCS dashboard)

Evaluation questions, which must be answered in the final Program Review document:

C1. Do all courses have learning outcomes? Are the outcomes well written and reasonable for the length of the course?

C2. Is the content for all courses up to date? Do course offerings and content satisfy business/industry local and regional business needs?

C3. What proportion of courses offered are credential-aligned? (? On NCCCS dashboard)

C4. What are the qualifications of instructors?

C5. Do the methods of instruction offered meet the needs of students? Do online courses meet ADA standards? Do online courses

C6. Do online courses meet Quality Matters standards?

C7. Are all courses evaluated by students? What changes have been implemented as a result of student feedback?

\*\*Action Items: List the actions needed as a result of the evaluation.

D. Impact

Documentation for review, analysis, and interpretation:

- Number of students/companies served (duplicated and unduplicated)
- Demographics of students served (age, race/ethnicity, sex, highest edu, employed, residence)
- Number & type of courses offer
- Credentials, certifications, CEUs earn
- Current job opportunities, job growth forecasts, industry trends

Evaluation questions, which must be answered in the final Program Review document:

D1. How many students and/or companies are served each year (unduplicated)? How many students and/or companies take more than one course?

D2. Is the program reaching its target audience?

D3. Do the demographics and characteristics of the students served meet the College's diversity goals?

D4. How many credentials, certifications, and CEUs were earned?

D5. What is the local and regional market demand for jobs aligned with this program? What are the job and wage projections?

D6. Do the job projections and wage data suggest that this program will be viable over the next five years?

\*\*Action Items: List the actions needed as a result of the evaluation.

E. Community Impact

Documentation for review, analysis, and interpretation: The Office of Research and Institutional Effectiveness can assist with the creation of surveys to solicit feedback

- Feedback from current and past students
- Feedback from advisory committees, industry contacts, other community groups

Evaluation questions, which must be answered in the final Program Review document:

**E1.** Summarize the results of the feedback from students. What did you learn from the feedback? Will you take any actions with the program as a result of what you have learned?

**E2.** Summarize the results of the feedback from advisory committees, industry contacts, other community groups. What did you learn from the feedback? Will you take any actions with the program as a result of what you have learned?

**\*\*Action Items:** List the actions needed as a result of the evaluation.

**F. Summary of Action Items, Potential Costs**

Program Director provides this information at the conclusion of the evaluation questions:

Summary of all Action Items with Projected Costs – Organize your action items by topic (Purpose, Resources, Quality, Impact, and Community Input) and provide a timeline for completion of each item. Example table (create a table that works for you):

TOPIC	PRIORITY	ACTION ITEM	PROJECTED COSTS	COMPLETION DATE

Adopted: June 21, 2022  
Legal Reference: 1B SBCCC 400.3



The Distance Learning program strives to provide quality instruction through web-based technologies to enable students to attain their educational goals. Courses delivered online earn the same credit and maintain the same quality and standards as traditional classroom courses. Courses are universally designed and delivered to meet the needs of a diverse population of students.

Students enrolling in online courses should have access to a computer with reliable internet access. For students who do not have a computer of their own:

- ACC provides two (2) open-access labs in the Academic Skills Lab/Tutoring Center and Library.
- Many public libraries also offer access to computers and Wi-Fi.

Some online courses require a proctored exam. Students unable to take the proctored exam on campus can work with their instructor to find an approved proctor.

## **I. TYPES OF DISTANCE LEARNING COURSES**

ACC offers several types of Distance Learning courses to choose from depending on students' schedules and specific educational needs:

### **A. Online "E"**

1. Course with 100% of instruction delivered via the Internet.
2. Course delivered asynchronously.
3. Example: BUS 225 01E

### **B. Online Live Meetings "EL"**

1. Course with 100% of instruction delivered via the Internet.
2. Course delivered synchronously.
3. Meets virtually at specific days and times.
4. Interact live with faculty and students in a virtual environment.
5. Example: BUS 225 01EL

### **C. Hybrid/Blended "H"**

1. Face-to-face (on campus) course combined with required online assignments and tasks.
2. Face-to-face meeting times are determined by each department.
3. Students who register for a hybrid course must have access to the Internet and be able to complete assigned course activities online in addition to meeting on campus for scheduled class days.
4. Example: HIS 131 03H

**II. SUBSTANTIVE AND REGULAR ACADEMIC ENGAGEMENT**

<p><b>Academic Engagement Related to Academic Attendance</b></p>	<p>Active participation by a student in an instructional activity related to the student’s course of study that includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• Attending a synchronous class, lecture, recitation, or field or laboratory activity, physically or online, where there is opportunity for interaction between the instructor and students</li> <li>• Submitting an academic assignment</li> <li>• Taking an assessment or exam</li> <li>• Participating in an interactive tutorial, webinar, or other interactive computer-assisted instruction</li> <li>• Participating in a study group, group project, or online discussion that is assigned by the institution</li> <li>• Interacting with an instructor about academic matters</li> </ul>
<p><b>Substantive Interaction in Distance Education</b></p>	<p>Substantive interaction is engaging students in teaching, learning, and assessment, consistent with the content under discussion, and also includes at least <b><i>two</i></b> of the following:</p> <ul style="list-style-type: none"> <li>• Providing direct instruction through live class sessions, office hours, or one-on-one meetings with students</li> <li>• Assessing and providing feedback on a student’s coursework</li> <li>• Providing information or responding to questions about the content of a course or competency</li> <li>• Facilitating a group discussion regarding content of a course or competency</li> <li>• Documents, videos, or other resources created to address a specific class’ concerns and understanding.</li> <li>• Other instructional activities approved by the institution’s or program’s accrediting agency</li> </ul>
<p><b>Regular Interaction in Distance Education</b></p>	<p>Regular interaction between a student and instructor prior to the student’s completion of a course or competency will be established by the following:</p> <ul style="list-style-type: none"> <li>• Providing the opportunity for substantive interactions with the student on a predictable and scheduled basis commensurate with the length of time and the amount of content in the course or competency AND</li> <li>• Monitoring the student’s academic engagement and success and ensuring that an instructor is responsible for promptly and proactively engaging in substantive interaction with the student when needed on the basis of such monitoring, or upon request by the student</li> </ul>
<p><u>Regular interaction</u> can include the following:</p>	

1. Announcements sent to students once per week in Moodle (Outline weekly assignments and requirements for the week, an overview of resources available to students for that week, status of grades for work submitted).
2. Minimum of biweekly (every two weeks) online sessions where students can attend live or view recordings later and/or assignments where students are given prompt, personalized feedback (feedback before the next related assignment is due). These assignments include discussion boards, journals, blogs, and/or assignments appropriate for the academic discipline. Instructors will provide individual feedback for the assignments.
3. Office hours scheduled as requested by students and/or faculty to add additional monitoring of the student's academic engagement and success.

*Additional information: Regular and Substantive Interaction: An Overview for Instructors of Online Courses at Alamance Community College.*

Adopted: June 29, 2022  
Source: 34 CFR 600.2

The Board of Trustees shall determine the programs of instruction needed to meet the educational needs of the people in the College's service area and shall determine the effectiveness and efficiency of the programs and services in meeting these needs. For this purpose, the Board may establish a Curriculum Committee to first review any recommendation regarding curricular programming by the President.

**I. NEW DEGREES AND CURRICULUM PROGRAMS**

All recommended new programs offered by the College must be approved by the Board of Trustee's Curriculum Committee, the full Board of Trustees, the North Carolina Community College System Office, and when required by State regulation, the State Board of Community Colleges. All approved programs and courses should be contained in the College's Catalog.

**II. THE ELIMINATION OF DEGREES AND CURRICULUM PROGRAMS**

The continued operation of any curriculum program is dependent upon adequate state funds and sufficient enrollment in the program. Program elimination shall require the approval of the Board's Curriculum Committee and the full Board of Trustees. The President shall notify the North Carolina Community College System Office of the elimination of any curricular program.

**III. SIGNIFICANT ALTERATION TO CURRICULUM PROGRAMS**

The Curriculum Committee shall also review and recommend to the full Board of Trustees any significant alteration to a curriculum program. For purposes of this policy, a significant alteration is any change that alters the requirements to complete the program or degree.

The President or his or her designee shall develop procedures for the implementation of this Policy.

Adopted: June 13, 2022  
Legal Citation: 1D SBCCC 400.6

Offering relevant and updated curriculum courses and programs is critically important to the success of both the College and its students. For any curriculum not otherwise mandated by the North Carolina State Board of Community Colleges (“State Board”) or by another controlling entity, as it becomes necessary to introduce new courses and programs or major curriculum alterations which alter graduate requirements, the following Procedures shall be followed.

- A. Instructional employees directly involved in teaching a particular class or within a particular program shall assist in the development of new curricula and in the review of anticipated changes to existing curricula.

Each academic division shall hold annual meetings to review and make recommended changes in the curricula within that division. Curriculum personnel directly involved with instruction are responsible for preparing written course descriptions and outlines for each new or revised course offering as well as initial feasibility studies. The division is encouraged to make requests to the Dean for any new curriculum deemed useful to the College and its students.

- B. The Vice President for Instruction (“Vice President”) shall act as the coordinator for curriculum development and shall work with Deans in conducting further feasibility studies, consulting with industry and business representatives concerning course content and length, as well as other activities necessary to develop a curriculum application.
- C. After the Vice President has made an initial review, and after consultation with the Curriculum Technician, Dean, the Vice President may submit the request to the College’s Curriculum and Instruction Committee (“Committee”), a group of College faculty and a subcommittee of administrators. Upon review, the Committee shall present its recommendations to the Vice President. The subcommittee shall determine if the requested change is substantive.

If the requested change is minor (e.g., changing the course sequence in a program of study), the Vice President may make the necessary change.

If the requested change is substantive, or if it involves a new program or elimination of an existing program, the Vice President may present his or her recommendation to the President. Prior to making a recommendation to the President, the Vice President shall ensure that the State Board, all accreditation bodies, and the Board’s policies are followed in the development of a curriculum proposal including providing notice to other community colleges.

- D. The President shall examine the fiscal aspects of proposed curricula or changes in existing curricula and ascertain that the budgetary requirements are within the College’s fiscal capabilities. All new curricula must be approved by the President before submitted to the Board’s Curriculum Committee and the full Board.

- E. The Vice President shall present the request to the Board’s Curriculum Committee regarding the nature of the request, the results of the feasibility study and any other pertinent information requested. The Curriculum Committee will submit its recommendation to the full Board. The full Board must formally approve the request prior to submission to the North Carolina Community College System Office (“System Office”).
- F. If approved by the Board, the College will submit the request to the System Office and State Board for approval. The College may officially offer the curriculum for credit after it has received all necessary approvals from the System Office and State Board. The Vice President for Instruction is responsible for all reporting to the System Office, State Board, and regional accreditor.
- G. The continued operation of any curriculum at the College is dependent upon adequate state funds and sufficient enrollment to make it financially feasible to continue. The College reserves the right to discontinue any program if sufficient funds are not available. In addition, the College shall terminate a curriculum program when there has been no enrollment for two years or as otherwise directed by the Board. The College may request a one-year extension of a curriculum program upon justification of the potential for employment opportunities and student enrollment. If the President determines a curriculum program should be eliminated, the President or designee shall seek approval of the Board’s Curriculum Committee and the full Board and if approved, the President shall inform the System Office President by submitting a termination notice. The System Office President shall have the program removed from the College's program approval list.

Adopted: June 21, 2022

Legal Citation: 1D SBCCC 400.6

Related Procedure: Curriculum Change Procedure 4.1.3.1.1

This procedure outlines the process for making changes to curriculum programs at ACC. The goal of this process is to ensure timely action on proposals and to identify potential issues that will require resolution before the proposed curriculum change can be implemented.

The purpose of the Curriculum & Instruction Committee is to review and approve all new programs and changes to existing programs. The curriculum change process is grounded in the principle of shared governance, recognizing that both faculty and the administration have important roles to play. The primary responsibility for curriculum development and refinement rests with the faculty. This ensures that programs contain content and pedagogical approaches that reflect current best practices within a field of study and that the curriculum is appropriate for the students enrolled. Administrative review and approval ensures that educational programs are consistent with the mission of the College, that the resources and commitment necessary to carry out those programs are available, and that the College is in compliance with all federal, state, and accrediting agency requirements.

### Change Approvals and Notifications

<b>Curriculum Change Curriculum &amp; Instruction Committee</b>	<b>ACC Board of Trustees</b>	<b>NCCCS</b>	<b>Dept. of Ed</b>
Adding CCP Pathway	X	X	
Adding a credential (certificate, diploma, degree) to existing program	X	X	X
Adding course offerings at existing offsite location	Informational Only		If more than 50% of program offered off- site
Adding courses to existing program	X	X	If SACS-COC approval is needed
Adding curriculum program	X	X	X
Adding off-site location	X	X	If SACS-COC approval is needed
Adding online credentials to existing program	Informational Only		If SACS-COC approval is needed
Changing course pre-requisites or co-requisites	X	X	If SACS-COC approval is needed
Changing program credit hours	X	X	X
Changing program prerequisites	X		If SACS-COC approval is needed
Changing sequence of courses in existing program	Informational Only		If SACS-COC approval is needed
Implementing contractual agreements, consortia, and dual/joint awards	X	X	
Making existing program inactive	X		
Removing courses from existing program	X	X	If SACS-COC approval is needed
Terminating CCP Pathway	X	X	X

<b>Curriculum Change Curriculum &amp; Instruction Committee</b>	<b>ACC Board of Trustees</b>	<b>NCCCS</b>	<b>Dept. of Ed</b>
Terminating existing curriculum program	X	X	X
Adding 1+3, 2+2 articulation agreements and/or co-admission agreements	X		
Changes to CCL courses, curriculum standards, or adding new programs to the NCCCS program list	X	X	If new program is added

### **North Carolina Community College System (NCCCS) Approvals**

ACC must receive NCCCS approvals/notifications for the following changes:

Changing existing programs of study—courses added/removed—requires electronic program of study input for approval by the System Office

Adding programs requires a program application process and electronic entry of program of study

Terminating programs requires completion of a form

Initiating Level II and Level III Instructional Service Agreements with other NCCCS colleges requires an agreement

Changes to the CCL, curriculum standards, or approved program lists for the NCCCS

### **SACS-COC Substantive Changes**

Some curriculum changes also require SACSCOC notification or approval. A substantive change is a significant modification or expansion of the nature and scope of the institution. Among other things, it includes:

The addition of courses that represent a significant departure, either in content or method of delivery, from those that were offered when the institution was last evaluated.

A substantial increase in the number of clock or credit hours awarded for successful completion of a program.

The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50% of an educational program.

Closing a program.

Some changes require SACSCOC approval prior to implementation; in order to receive approval, the institution must submit a prospectus. Other changes require only notification prior to implementation. Closing a program requires submission of a teach-out plan for approval.

Department Heads with proposals before the Committee will be invited to join the meeting while their proposals are discussed.

### **Process Overview**

All curriculum changes must be approved before being implemented. Faculty and Department Heads will discuss potential curriculum changes and complete the proposal form. The



Department Head will complete the *Curriculum Change Proposal* form and share with Dean. If possible, the Curriculum Technician will test the changes in the electronic program of study to ensure that all state guidelines are followed. At the committee meeting, the Dean will present the proposed change. If a Department Head has a proposal before the Curriculum & Instruction Committee, he or she will be invited to attend the meeting.

### **Timeline**

The Committee will meet in Fall (October) for changes that require NCCCS (Program applications requiring State Board approval are due **June 1st**, Program of Study Colleague submissions are due to the NCCCS by **June 15th**) or BOT Curriculum Committee approval and Spring (March) for For Information Only items such as changing length of courses or moving already approved courses to a different semester and CCP Pathway approvals. Department Heads should submit proposals no later than two weeks before the scheduled meeting. Curriculum changes will take effect in the fall semester unless approved by the Vice President of Instruction. Additional meetings can be called as necessary to include electronic votes.

### **Curriculum Change Process**

#### Planning

- Step 1 Faculty and Department Head (and if appropriate, Advisory Committee) discuss possible curriculum changes.
- Step 2 Department Head completes the *Curriculum Change Proposal*, and Dean reviews.
- Step 3 If relevant, Curriculum Technician tests the proposed change in the electronic program of study system.
- Step 4 If the proposal aligns with NCCCS standards, it moves to the Committee. If not, it is returned to the Department Head with suggestions for revision.

#### Internal Review/Approval

- Step 5 Curriculum & Instruction Committee reviews the *Curriculum Change Proposal*, discusses and votes on proposed change.
- Step 6 If proposal is approved by the Committee, VP of Instruction presents proposed change to the Curriculum Committee of the Board of Trustees.
- Step 7 If approved in committee, Chair of the Curriculum Committee of the Board presents the change to the Board of Trustees for final approval.
- Step 8 VP of Instruction communicates BOT approval to members of the Curriculum & Instruction Committee, who inform others as needed.

External Review/Approval

Step 9            If the change impacts the program of study, Curriculum Technician in the Office of Instruction submits changes for official approval by the NCCCS. *Note: 4-week process*

OR

If the change is a new program, Dean and VP of Instruction will complete the NCCCS program application which requires State Board approval. *Note: 2-3 month process*

Step 10           If the change requires a Substantive Change notification or prospectus for SACSCOC, VP of Instruction and Director of Research & Institutional Effectiveness will submit Substantive Change documents to SACSCOC. *Note: 6-8 month process*

Step 11           If the change requires Department of Education approval, upon receiving final approvals, Director of Financial Aid will notify the Dept. of Education. *Note: 6-8 month process*

Communication of Results

Step 12           VP of Instruction communicates final, approved changes to members of the Curriculum & Instruction Committee, who inform relevant faculty and staff in their areas.

Step 13           Changes are published in the college catalog, website, and related materials.

Revised: March 2021

The College may enter into a written instructional service agreement with another community college within the North Carolina Community College System. The service agreement must be drawn in conformance with the State Board Code and include the following:

- A. Specify the curriculum or continuing education program to be shared;
- B. Define the plan for sharing the curriculum or continuing education program, including who shall earn the FTE and grant the award;
- C. Certify that appropriate and adequate resources are available at each participating college;
- D. Where feasible, the joint utilization of physical facilities, equipment, materials, and instructional faculty should be considered;
- E. Certify that the curriculum or continuing education program meets the standards of the appropriate accrediting agency; and
- F. Specify under what conditions and what time frame the agreement can be terminated.

The Board hereby delegates to the President the authority to approve and sign Level I and II service agreements, as defined by the State Board of Community Colleges. The Board shall approve any Level III service agreements, and they shall be signed by the Board Chair.

Notification of termination of an agreement shall be sent to the System President prior to the effective termination date.

Adopted: June 13, 2022

Legal Citation: 1D SBCCC 400.96

The Vice President of Instruction/Chief Academic Officer shall supervise the College's academic advisory system. Academic advisors are College employees who help students plan and complete their academic goals. Academic advisors shall assist students with course selection and requirements for their program of study.

Academic advisors can offer students opportunities to enhance their education by making them aware of the various resources available throughout the College community. Academic advisors play an important role in the educational progress of advisees, by continually monitoring and evaluating their progression, as well as helping them clarify their educational goals and values.

Academic advisors shall be familiar with the Board's policies and procedures as well as other academic processes.

Adopted: June 13, 2022

## I. ACADEMIC TERMS

The calendar year is divided into three academic terms:

- A. Spring Term: January 1 – May 15
- B. Summer Term: May 16 – August 14
- C. Fall Term: August 15 – December 31

## II. BEGINNING AND END DATE FOR ACADEMIC TERMS

The Board of Trustees shall determine the beginning and end date for each academic term within the timeframes set forth in Section I, unless an exception is granted by the System President. The System President may grant an exception if it does not result in an overlap with another academic term, 10% point of all course sections falls within the corresponding academic term reporting period, and the exception does not negatively impact the College's ability to meet data reporting requirements.

The academic semester for credit courses shall be designed so that classes may be scheduled to include the number of instructional hours shown in the College Catalog and the approved curriculum program of study compliance document, and reported for FTE purposes. Instructional hours include scheduled class and laboratory sessions as well as examination sessions. Length of semesters or courses may vary as long as credit and membership hours are assigned consistent with requirements contained in the State Board Code.

If necessary to meet the needs of particular constituents (e.g., courses provided at high schools, military bases, prisons, or at the specific request of business), without an exception by the System President, the College may schedule curriculum course sections that fall outside the academic term beginning and end dates, as defined by the Board. If such course sections cross academic term reporting periods, FTE enrollment shall be reported consistent with the provisions of the State Board Code.

Adopted: June 13, 2022

Legal Citation: 1G SBCCC 100.1, 200.93; CC17-017

The College shall follow the requirements and provisions for calculating and reporting FTEs for curriculum, continuing education, and other applicable classes/programs, as prescribed in the State Board Code.

Adopted: June 13, 2022

Legal Citation: SBCC, Title 1, Chapter G, Subchapter 100; CC17-017.

Credit hours for approved and proposed courses offered at the College are determined and awarded using the following definitions as established by the State Board of Community Colleges Code.

1. Credit for one semester hour is awarded for each 16 hours of “class work.” Class work is lecture and other classroom instruction. Class work is under the supervision of an instructor. It is the College’s expectation that assignments and course activities are developed so that at least two hours of out-of-class student work occurs for each hour of class work.
2. Credit of one semester hour is awarded for each 32 hours of “experiential laboratory work.” Experiential laboratory work means instruction given to a student by an instructor to increase the student’s knowledge and skills without immediate student application.
3. Credit of one semester hour is awarded for each 48 hours of “faculty-directed laboratory work.” Faculty-directed laboratory involves structured and coordinated demonstration by an instructor with immediate student application.
4. Credit of one semester hour is awarded for each 48 hours of “clinical practice.” Clinical practice is a structured, faculty-directed learning experience in a health sciences program which develops job proficiency. Clinical practice requires significant preparation, coordination, and scheduling by the faculty and is under the supervision of an instructor or preceptor who is qualified for the particular program.
5. Credit of one semester hour is awarded for each 160 hours of “work-based learning.” Work experience involves the development of job skills by providing the student with employment that is directly related to, and coordinated with, the educational program. Student activity in work experience is planned and coordinated by a college representative, and the employer is responsible for the control and supervision of the student on the job.

Adopted: January 14, 2013; revised February 8, 2021

Reference: 1D SBCCC 400.1; 1D SBCCC 400.8; NCCCS Curriculum Procedures Reference Manual

The North Carolina Community College System (NCCCS) Combined Course Library (CCL) course offerings are reviewed and approved by the state-level Curriculum Course Review Committee and by a vote of local community colleges that have approval to offer the curriculum.

When the College is requested to vote on a proposed combined Course Library Offering, the College's Vice President of Instruction/Chief Academic Officer will cast the vote on behalf of the College. Prior to casting the vote, the Chief Academic Officer will consult with the appropriate Dean, Department Head, and subject matter expert to determine the College's position on the course offering.

Adopted: February 8, 2021



	<b>INSTRUCTIONAL MINIMAL ACCEPTABLE LEVEL, PERFORMANCE TARGET – TOTAL STUDENT COMPLETION RATE</b>	
<b>ALAMANCE COMMUNITY COLLEGE</b>		<b>POLICY 4.1.9</b>

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Required by the Southern Association of Colleges and Schools to select a “Key Indicator” of student completion, ACC chose the National Student Clearinghouse Total Student Completion Rate. The College is required to identify minimal acceptable levels of performance and a performance target for this rate and to report results in the Fifth-Year Impact Report and the decennial Compliance Review Certification.

The Total Student Completion Rate is a six-year completion rate that does not include dual-enrolled students. Students who are simultaneously attending high school and postsecondary classes are not considered first-time college students in this measure. The Total Student Completion Rate focuses on a cohort of first-time-in-college degree-seeking students of any age who start in the fall semester.

ACC’s recent results are provided below:

<b>Cohort</b>	<b>ACC Total Completion Rate</b>	<b>Peer Group Comparison Rate</b>
2010*	36.6%	38.7%
2011	41.90%	37.53%
2012	43.62%	39.22%
2013	45.33%	40.76%

\*Methodology for 2010 cohort included dual-enrolled students.

**A. Minimum Acceptable Level**

A threshold of 42% is ACC’s minimal acceptable level of achievement. This threshold represents the College’s average performance for the last four years (higher than the peer group average of 39%). Using the most recent average score as the minimal level of acceptable performance allows the College to monitor whether the total completion rate continues to trend upward.

**B. Performance Target**

ACC’s target performance level is 45%. The target is one standard deviation higher than the College’s average score over the last four years and 6.3 points higher than the peer comparison group average of 39% over the same time span.

**C. Annual Review of Performance Levels**

The Committee will review results and performance levels annually.

Adopted: April 12, 2021

The College acknowledges the ownership rights associated with intellectual property and requires students and employees to adhere to all applicable state and federal laws.

Intellectual property may be defined as any intellectual or creative works that can be copyrighted, trademarked, or patented. Such works may include but are not limited to literary, musical, dramatic or artistic works, computer software, multimedia presentations, brand marks, or inventions.

## **I. WORKS MADE FOR HIRE**

The College recognizes that the "works made for hire doctrine" applies to College employees. Under this doctrine and this policy, a work made for hire is defined as a work prepared by any employee within the scope of his or her employment. Other works created under the terms of an agreement between the College and a creator may also be deemed works made for hire under that agreement. Works made for hire include any materials that may receive protection under federal patent, copyright, or trademark law. The College retains its ownership of works made for hire and all rights incidental to that ownership except as stated below.

This policy does not include independent works by employees that were not created within the scope of employment and without College support.

## **II. ACADEMIC EXCEPTION FOR COPYRIGHTABLE WORKS**

The College recognizes an academic exception to the works made for hire doctrine. Unless otherwise determined by the College prior to the creation of the work, it is the College's policy that employees own and retain the copyright, and all rights incidental to that ownership, to works created for traditional academic purposes regardless of any use of College resources used in making the work.

This exception applies only to works that may be legally registered in the United States Copyright Office, including but not limited to, textbooks, scholarly monographs, trade publications, maps, charts, articles, novels, nonfiction works, supporting materials, artistic works, syllabi, lecture notes, educational software, and multimedia. Employees, however, may not use College resources to commercialize or publish a work without written approval from College administration.

For any creative work that falls under this exception, the employee grants and the College retains a perpetual, royalty-free, non-exclusive right to use the work for educational, research, and marketing purposes.

This exception does not apply to trademarks, inventions, or patent ownership.

### **III. STUDENT WORKS**

Except as stated herein, the College recognizes that students retain ownership of intellectual property submitted in fulfillment of academic requirements. By enrolling in the College, the student gives the College a perpetual, non-exclusive, royalty-free license to mark, modify, and use any work as may be required by the process of instruction, or for other educational, research, or marketing purposes.

This section does not apply to class or lab notes created by a student.

The College shall retain the ownership of all patentable inventions created by a student in fulfillment of academic requirements under the following conditions: the development of the invention involved substantial use of College resources, including use of facilities, time, and/or other resources.

### **IV. OTHER AGREEMENTS**

In support of its mission, the College, an employee, or a student may voluntarily enter into other agreements for ownership of intellectual property or the sharing of royalties. In these instances, the written agreement is controlling, not this policy.

In the case of a work created under the provisions of a grant, the terms of the grant will determine the ownership and all rights incidental to the ownership of the property created, not this policy.

All revenue derived by the College from the creation and production of intellectual property shall be used for educational and research purposes that directly support the College's mission.

### **V. DISPUTE RESOLUTION**

- A. Prior to creating works using College resources, employees and students should direct intellectual property ownership questions to the appropriate Vice President.
- B. Employees. If issues related to ownership of intellectual property arise and cannot be resolved informally, College employees may seek resolution through the Grievance process. A committee will be appointed by the President to assist with fact finding and recommendations. The committee will be made of both administrators and faculty. Prior to initiating litigation, both parties may participate in voluntary mediation before a neutral third-party mediator and will equally share the cost of such mediation.
- C. Students. If issues related to ownership of intellectual property arise and cannot be resolved informally, College students may seek resolution through the Grievance process. A committee will be appointed by the President to assist with fact finding and recommendations. The committee will be made of administrators, faculty, and

student(s). Prior to initiating litigation, both parties may participate in voluntary mediation before a neutral third-party mediator and will equally share the cost of such mediation.

Adopted: June 13, 2022

(This policy replaces “Intellectual Property Ownership” adopted August 13, 2012.)

Live client projects are defined as:

- A. Educational programs in which students, as part of their educational experiences and as part of the instructional course requirements, repair or remodel non-college owned personal or real property; or
- B. Educational programs that construct structures that are sold, produce goods that are sold, or provide services for a fee, such structures, goods, or services being the normal and necessary product of learning activities of students.

The President is hereby delegated to develop procedures that are consistent with the State Board Code for live client projects.

Adopted: June 13, 2022

Legal Citation: 1H SBCCC 300.1

(This policy replaces “Live Projects” adopted March 17, 1987.)

## **I. APPROVAL FOR LIVE PROJECTS**

### **A. Program Based Live Client Projects**

For College programs which traditionally use live client projects as a routine part of the curriculum and program, the Dean responsible for the program shall submit an annual report at the end of the academic year to the Vice President of Instruction regarding active live client projects. The Vice President of Instruction is share any concerns arising from the report with the President.

### **B. Specific Live Client Projects**

If an instructor desires to implement a specific or new live client project, the instructor shall provide a written summary of the project to the Dean for review. The Dean shall review and provide written recommendation to the Vice President for Instruction. The Vice President makes a recommendation to the President to approve specific or new live client projects.

## **II. CLIENT SELECTION**

Clients for live projects shall be limited to current students and employees in the North Carolina Community College System. When, however, it becomes necessary to solicit outside clients in order to provide students with enough experience to carry out the desired live project, the instructor responsible for the live project shall adopt specific, written criteria for selecting outside clients. The criteria must be approved in advance by the Vice President for Instruction and shall be consistent with the State Board Code.

## **III. CLIENT CHARGES**

Under State Board Code, the College is authorized to charge clients for goods and services produced through live projects. For live projects involving repair or remodeling non-College owned personal and/or real property, the owner of the property shall supply or pay for all parts required. For live projects that build structures that are sold, produce goods that are sold, or provide services for a fee, the College shall charge the client for the value of the structures, goods and/or services.

## **IV. USE OF LIVE CLIENT PROJECT RECEIPTS**

All costs that otherwise would not have been incurred absent the live client project shall be supported by funds from the College's account that receives the live client project receipts and shall not be supported from State funds. These costs include but are not limited to: supplies and materials used in producing the good or service; additional personnel required to serve clients; specialized equipment; liability insurance; and other costs directly related to the live client project as distinguished from an instructional program that does not produce income. In the context of construction live client projects, these costs include, but

are not limited to: all building materials; land; land improvements; amounts paid to subcontractors for work not performed by College students or employees; any actual interest paid on construction loans or financing arrangements provided for by a partnering third-party entity; and any legal fees and closing costs that may be required. Live client project receipts may also be used to supplement instructional costs of those programs engaging in live client projects. The instructor responsible for the live project shall maintain detailed records so that the College may prepare annual financial statements and a complete audit of the account may be made after the close of the fiscal year.

- A. Where federal programs are involved, federal regulations do not permit goods to be sold. In such programs, goods produced may be used for the benefit of the College or donated to another nonprofit charitable organization, educational agency or institution.
- B. For live projects that involve the repair of equipment purchased with State funds or Federal surplus property, the repair of this equipment and its sale as surplus shall follow the State Division of Purchase and Contract regulations. The proceeds of such sales shall be deposited with the State Board of Community Colleges and credited to the College's equipment budget.
- C. The College may use a combination of State funds and live client project receipts to support costs associated with providing services to patrons, such as cosmetology and dental services.

## **V. CONSTRUCTION LIVE PROJECTS**

- A. The College shall not engage in live client construction projects that repair or remodel property for companies or individuals that are in the construction business, unless the property undergoing repair or remodeling is used in the usual course of the business and is not being resold.
- B. For construction live client projects where a permanent building is constructed on the College's campus or property owned by the College, the College shall follow all requirements of the General Statutes in acquiring the building materials and any subcontracted work, as well as in disposing of the building and property. College employees are permitted to perform construction or repair work as long as project costs do not exceed the maximum thresholds established in G.S. 143-135. A project cannot be subdivided to evade the provisions of G.S. 143-135.

## **VI. LIABILITY ISSUES**

- A. Prior to entering into any live client projects, the instructor for the live project must obtain all the appropriate signatures on the Live Client Project Agreement Form. Participating clients must sign the Project Agreement form, agreeing to release the College from liability for work, projects and services provided to the client. The participating clients shall assume any and all risk, as well as all future liability, for

the live client project when the College declares the students/instructor(s) involvement terminated and the live client project is finished.

- B. For any live projects conducted off-campus, prior to the project beginning, the participating client must provide documentation of liability insurance covering the College's Trustees, employees, students and agents in an amount no less than one million dollars, from an insurance company authorized to conduct business in North Carolina.

Adopted: June 21, 2022

Legal Citation: N.C.G.S. §143-135; 1H SBCCC 300.1



**ALAMANCE  
COMMUNITY COLLEGE**      **INSTRUCTIONAL  
INSTRUCTIONAL MATERIAL  
SELECTION**      **POLICY  
4.2.3**

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- A. The Department Head of each academic department is responsible for the oversight of ordering instructional materials for his or her department.
- B. Instructors will order instructional materials utilizing the system developed by the College in partnership with the bookstore vendor. At least every four (4) years, the Board shall review the College's mark-up on textbooks and other instructional materials sold through the bookstore to determine if the mark-up is appropriately balanced between affordability for students and other priorities identified by the Board.
- C. Requests for textbooks are to be made as soon as possible after the next semester schedule is completed. All requests should specify the course in which the textbooks are to be used.
- D. Deans, or their designees, will be responsible for acquiring textbooks for adjunct faculty.

Adopted: June 13, 2022  
Legal Citation: 1H SBCCC 300.3

Textbook orders should be entered through the ACC Bookstore ordering site as follows:

1. The bookstore will send an email to department heads providing due dates for textbook orders for upcoming semesters;
2. Department heads will then go to [www.alamancecc.edu](http://www.alamancecc.edu);
3. Click “Services for Students” and then click Bookstore;
4. Click the banner ad, Shop Now;
5. Click Shop option;
6. Select Textbooks;
7. Select Faculty Resources and then Online Adoptions;
8. Enter login information. If you are new to the site, select New? Register here;
9. Select Order Course Materials;
10. Select either New Order or Re-order;
11. Follow the prompts on the screen until the book order is submitted and an email confirmation is received;
12. You will need to repeat the order process for every course section.

Adopted: June 21, 2022

Legal Citation: 1H SBCCC 300.3

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>INSTRUCTIONAL SURPLUS INSTRUCTIONAL MATERIAL</b>	<b>PROCEDURE 4.2.3.2</b>
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When books and book-like media (i.e., audio visual materials, CD's, electronic resources and other learning resources of durable nature) ("Instructional Material") originally purchased from State or federal funds are no longer useful to the College, the College shall dispose of the Instructional Material as follows:

1. Destroying locally, through standard recycling methods or disposed of by the College through a local sale;
2. Disposing through a profit-sharing arrangement with a company that resells and recycles Instructional Material;
3. Disposing through donations to non-profit, tax-exempt organizations, (including the College's Foundations) or tax-supported agencies or institutions; or
4. Disposing through a public bid sale by the State Surplus Property Agency.

The College shall maintain records and receipts of each sale for auditing purposes. The College shall use any receipts generated from the sale of surplus Instructional Material to purchase additional Instructional Material.

Adopted: June 21, 2022

Legal Citation: 1H SBCCC 400.2

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>INSTRUCTIONAL INSTRUCTIONAL PERSONNEL QUALIFICATIONS</b>	<b>POLICY 4.2.4</b>
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When employing instructional personnel, the College shall adhere to the following criteria:

1. The College shall employ instructional personnel to meet Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) criteria.
2. The College shall determine appropriate teaching and non-teaching loads for instructional personnel to meet SACSCOC criteria.
3. All instructors in the area of Emergency Services Training must be qualified as established by the respective emergency services certifying agency. Emergency services training means training delivered to personnel in law enforcement, fire and rescue services, and emergency medical services agencies.
4. The College also considers competence, effectiveness, and capacity, including, as appropriate, undergraduate and graduate degrees, related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes. For all cases, the College is responsible for justifying and documenting the qualifications of its faculty.
5. In alignment with the SACSCOC faculty qualification guidelines, academic deans and department heads in collaboration with the Chief Academic Officer and faculty, regularly update a Faculty Credentials Manual to establish demonstrated competency requirements and to serve as a guideline for hiring competent and qualified faculty members.
6. The College gives primary consideration to the highest earned degree in the discipline when hiring instructional personnel. All degrees must have been earned at regionally accredited institutions to document competence.

It is the responsibility of the institution to keep documentation of academic preparation on file for all full-time and part-time faculty. This documentation should include official transcripts. If appropriate for demonstrating competency, an Alternative Portfolio may be created to include official documentation for professional and related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies, qualifications, and achievements.

Adopted: June 13, 2022

Legal Citation: 1C SBCCC 300.3

The College requires all full-time and part-time faculty to submit official transcripts and documents upon hire as outlined in Policy 4.2.4.

Procedures:

1. Full-time and part-time faculty submit official transcripts to Human Resources (HR) before the official start date and HR communicates receipt to the Department Head/Dean.
2. Department Heads and Deans initiate the Faculty Credentialing Form and indicate that they have reviewed official transcripts that meet Policy 4.2.4 Instructional Personnel Qualifications and align with the Faculty Credentials Manual. Access to the Faculty Credentialing Form is provided by each academic division.
3. The Faculty Credentials Manual is reviewed annually and revised as needed during the review process.
4. Alternative portfolios are completed for any faculty member not meeting the highest degree required thus requiring documentation of professional and related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies, qualifications, and achievements related to the academic discipline.
5. The Vice President of Instruction/Chief Academic Officer in conjunction with Department Heads and Deans will ensure that each faculty member meets credentialing requirements.

Adopted: June 28, 2022

Legal Citation: 1C SBCCC 300.3

Field trips are considered a very important aid in the communication of knowledge, ideas, and understanding to students. Instructors are encouraged to plan and make use of this teaching aid.

Adopted: June 13, 2022

The following procedures apply to all field trips offered or mandated through a College course:

A. Planning

1. Field trips are to be planned in advance, with pre-instruction, post-discussion, and evaluation being of prime importance in the planning.
2. The site, industry or business visited should be engaged in practices which demonstrate something related to the subject matter being covered in the course.
3. All arrangements are to be made by the instructor in advance of the trip.
4. Transportation shall be arranged by the instructor for mandatory field trips. Students must bear the cost of transportation unless travel is being otherwise arranged by the College in advance. Students may use their personal vehicle if they are comfortable driving their vehicle and accepting the associated personal risk.
5. Students participating in voluntary field trips will be responsible for their transportation.
6. When students on a field trip are to miss classes taught by other instructors at the College, prior approval is to be obtained from the instructors involved. Instructors may exchange class meeting times to make up hours lost if they so desire.
7. An approved Field Trip Form must be submitted and approved by the appropriate Dean and the Vice President of Instruction at least three (3) days prior to the field trip.

B. Use of Curriculum Area Travel Funds

1. Each curriculum division will be assigned a travel budget for the fiscal year. The Dean is responsible for coordinating and regulating the use of these funds. All requests for use of the funds should be directed to the Dean prior to the planned trip. Requests for travel reimbursement from State funds that do not have prior approval by the Dean and the Vice President of Instruction will not be honored.
2. For overnight travel, out-of-state travel, or other special action, a Travel Authorization Form must be submitted along with the Field Trip Form.

Adopted: June 21, 2022

All College classroom instructors shall adhere to the following provisions when carrying out job duties and employment responsibilities.

- A. Promptness – Punctuality is a valuable habit desired by all employers. College employees can help to develop this habit in their students by meeting with their scheduled classes or other meetings at the time designated and by insisting that students also arrive on time. If an instructor fails to meet his or her class within 15 minutes past the designated starting time, students are to sign their names on a roll and are then excused.
- B. General Housekeeping – Prospective students, student employers, and numerous other interested individuals routinely visit the College. It is important that all employees be active in helping to maintain an orderly and well-organized appearance. The proper attitude toward clean and orderly shops, labs, and other workspaces can be passed on to the student by their instructor's attitude and actions.

Employees can aid the custodial staff by ensuring that:

1. Smoking and the use of smokeless tobacco products are prohibited in all College buildings, facilities, and grounds. Food is not allowed in labs.
  2. Paper and other materials that accumulate during the day are picked up prior to leaving the classroom.
  3. All tools are locked in their proper storage place at the end of each class or day.
  4. Furniture is left in an orderly appearance. In general, disarrangement of a classroom because of teaching activities shall be corrected by the students in the class under the supervision of the instructor in charge.
  5. All labs are secured according to established departmental procedures.
- C. Discipline – Each instructor has the responsibility of handling any discipline problems that arise in class. Student code of conduct violations are referred to the Vice President of Student Success with Academic Dean notification. Extreme cases are to be immediately referred



to **Public Safety** or other appropriate administrator. Upon request by the instructor, administrators will serve as mediators in extreme or reoccurring disciplinary issues. The College will not condone prolonged disruptive activities by students or groups of students. Student disciplinary matters shall be dealt with pursuant to College policy.

- D. Professional Appearance – Instructors should always present a professional image.
- E. Safety – Every instructor should maintain a proper attitude toward safety. The instructor's attitude and habits toward safety have a profound influence on the habits and attitudes formulated by the students. It is extremely important that the following safety regulations be utilized by all instructors:
1. Safety rules and regulations specific for each program of instruction must be posted on laboratory and shop bulletin boards.
  2. The instructor should demonstrate proper procedures for the use of dangerous equipment. Hazards should always be pointed out in advance. This aspect of safety training is to be utilized prior to any student being allowed to use equipment and machinery.
  3. The instructor must always be present in shops and laboratories when machinery or equipment is being used by students. In the event the instructor must leave the area, another instructor should be placed in charge.
  4. Jewelry or loose clothing should not be worn when operating moving equipment. If neckties are worn, they should be of the bow or breakaway type.
  5. Unauthorized students are prohibited from using equipment and machinery.
  6. Long hair must be tied at the back and placed under a hat or some type of covering while working in any shop.
  7. North Carolina law requires that eye protective devices be worn by students, teachers, and visitors to the instructional area where any of the following activities are conducted:
    - a. Working with hot solids, liquids, or molten metal.
    - b. Milling, sawing, turning, shaping, cutting, or stamping of any solid materials.
    - c. Heat-treating, tempering, or kiln firing of any metal or other material.
    - d. Welding of any type.
    - e. Repairing or servicing any vehicle.
    - f. Using caustic or explosive chemicals or materials.

8. Visitors to a classroom, shop, or laboratory must be accompanied by a College employee.
  9. Minor children, with the exception of dual-enrolled students, may not enter shops, labs, or other hazardous areas unless accompanied by an instructor or adult.
- F. Equipment and Furniture – It is the instructor's responsibility to see that the equipment and furniture for each area are maintained. Abuse of equipment or furniture by students will not be tolerated. Longer life and better care may be derived from equipment and furniture if the instructor will utilize the following practices:
1. Emphasize that there is a proper tool or piece of equipment for each job.
  2. Demonstrate and utilize recommended preventative maintenance methods. This includes keeping equipment clean.
  3. Emphasize that equipment and furniture are not to be loaned or removed from the premises for any purpose. Special consideration may be given to this regulation when pre-arranged field trips or other conditions warrant the use of equipment away from the school. Prior arrangements must be made with the appropriate administrator.
  4. Repair damaged or broken equipment whenever possible. Damage and loss of equipment are to be reported to Administrative Services. New equipment must be checked and processed by the Administrative Services Office prior to its disbursement to classrooms or laboratories. Thereafter, the instructor in charge of each area shall be responsible for the accountability and care of the equipment and furniture in that area.

Adopted: June 13, 2022

The College shall obtain and maintain regional accreditation by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

Adopted: June 13, 2022

Legal Citation: 1B SBCCC 400.1

Alamance Community College (ACC) recognizes the importance of compliance with the most recently updated version of the Southern Association of Colleges and Schools Commission on Colleges' *Substantive Change Policy and Procedures*, which requires ACC to report all substantive changes accurately and in a timely manner to the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The purpose of this policy is to describe the process and procedures to be used to ensure that ACC complies with this SACSCOC substantive change policy and procedures.

## I. SCOPE

ACC's Substantive Change Compliance Policy is mandatory and applies to each curriculum academic unit and department.

## II. DEFINITION OF "SUBSTANTIVE CHANGE"

Substantive change as defined by SACSCOC is "a significant modification or expansion of the nature and scope of an accredited institution." Examples of substantive changes that might be proposed by an institution include the following:

- Initiating coursework or programs at a more advanced level than currently approved;
- Initiating a branch campus;
- Altering significantly the educational mission of the institution;
- Initiating a merger or consolidation with another institution;
- Relocating a main or branch campus;
- Changing governance, ownership, control, or legal status of an institution;
- Changing from clock hours to credit hours;
- Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing; and
- Closing a branch campus or an institution.

Other examples of substantive changes that might typically originate with proposals from department or academic program leadership include:

- Expanding programs at current degree level;
- Initiating joint degrees with another institution;
- Initiating a certificate program at employer's request and on short notice;
- Initiating other certificate programs;
- Initiating off-campus sites;
- Expanding program offerings at previously approved off-campus sites;
- Relocating an off-campus instructional site;
- Initiating online programs or other programs where the faculty and students are not in the same location that are significantly different from current online offerings;
- Initiating degree completion programs;
- Initiating programs or courses offered through contractual agreement or consortium;

- Entering into a contract with an entity not certified to participate in USDOE Title IV programs;
- Acquiring any program or site from another institution;
- Altering the length of a program significantly; and
- Closing a program or approved off-campus site.

The initiation of new off-campus sites and the addition of new site-based programs that represent significant departures from current offerings are commonly reported substantive changes. A "significant departure" is one in which the proposed new program has no closely related counterpart among the previously approved programs in the curriculum offered at a site, whether the location is the main campus or an off-campus location. To determine whether a new program is a "significant departure," SACSCOC considers whether the new program requires significant amounts of additional faculty, courses, library or other learning resources, equipment or facilities, or financial resources.

### **III. POLICY**

ACC ensures compliance with SACSCOC's *Substantive Change Policy and Procedures* by: 1) implementing effective communication and procedures, 2) providing adequate resources, and 3) utilizing quality assurance safeguards.

### **IV. COMMUNICATION AND PROCEDURES**

- All curriculum program changes are first vetted and approved in the Curriculum and Instruction Committee, in consultation with the Administrative Compliance Subcommittee.
- Detailed procedures regarding academic program planning and revision processes are found in ACC's Curriculum Change Process.
- Academic units follow the procedures within the Curriculum Change Process to obtain internal approval for curriculum changes.
- Once the change has been approved internally, the Vice President of Instruction and Director of Research and Institutional Effectiveness/SACSCOC Accreditation Liaison determine if the change requires notification or prior approval from SACSCOC.
- If notification or approval is needed, the Vice President of Instruction and Director of Research and Institutional Effectiveness will submit Substantive Change documents to SACSCOC.
- Approved actions are processed, documented, and tracked for each required compliance step.
- Actions and decisions are communicated to appropriate Deans and stakeholders according to the guidelines in the Curriculum Change Guide.

### **V. RESOURCES**

- Policies, procedures, and information regarding substantive change are published on the College's website in the Employee Policies and Procedures Manual.

- The Deans and the Vice President of Instruction provide guidance for internal procedures.
- The SACSCOC Accreditation Liaison provides guidance for all external reporting activities.
- The Office of Research and Institutional Effectiveness will offer periodic information sessions for Deans and Department Heads on substantive change policy and other academic program compliance issues.

## **VI. QUALITY ASSURANCE**

- The President's Office and the Office of Research and Institutional Effectiveness maintain and monitor external reporting and communications with SACSCOC.
- Procedures and information contained in the Curriculum Change Guide are reviewed and published annually on the College's website in the Employee Policies and Procedures Manual.
- The Curriculum and Instruction Committee consists of Deans, Department Heads, and faculty. The Committee reviews proposals from faculty and Department Heads and makes recommendations to approve or deny new programs and modifications to existing programs.
- The Curriculum and Instruction Committee consults with an Administrative Compliance Subcommittee, whose members help ensure compliance with ACC policies and procedures, regional and program-specific accrediting standards, NC Community College System curriculum standards and administrative code, and other federal and state regulations.

## **VII. ENFORCEMENT**

Responsibility for enforcement of this policy resides with the President. The Deans are responsible for their units adhering to the procedures set forth within the Curriculum Change Guide, and the Vice President of Instruction is responsible for ensuring that they do. The Director of Research and Institutional Effectiveness serves as the liaison to the Southern Association of Colleges and Schools Commission on Colleges with responsibility to report substantive changes in a timely manner. No substantive change can be implemented until a letter of approval or an acceptance of notification is received from the Commission on Colleges. Prior to receipt of the letter of approval, any distribution of information, including advertising, must include wording that the program is pending SACSCOC approval.

## **VIII. REVIEW**

The Board of Trustees has approved Alamance Community College's Substantive Change Compliance Policy. This policy will be reviewed and updated periodically as appropriate.

Adopted: September 10, 2012; revised January 11, 2016; revised June 13, 2022

Legal Reference: 1B SBCCC 400.96; [SACSCOC Policy Statement](#) (June 2021)

The Board of Trustees hereby establishes the following honorary award:

Professor Emeritus Status Award

This award is designated as the highest and most prestigious award for presentation to instructors who have provided meritorious service or support to the College in fulfilling its mission to the Community. The Board hereby authorizes the President to present this award to deserving instructors on appropriate occasions following consultation with the Board of Trustees.

The Board of Trustees further authorizes the President to identify appropriate guidelines for the selection of deserving recipients and the presentation of this award.

Adopted: June 13, 2022



The Culinary Technology curriculum of Alamance Community College conducts certain live project experiences for the students in order to provide them with the multiple skill-building activities necessary to be competent in this field. In addition to internal functions at Alamance Community College, the department also accepts external engagements from area non-profit organizations. Activities are confined as much as possible to the hours of 8 a.m. - 8 p.m., Monday through Friday. Culinary Technology department engagements with external organizations are for the sole purpose of educating and training students, some of whom are in the early stages of learning. For this reason first-level professional quality in every detail cannot always be possible.

Charges are for food, transportation and related expenses, and receipts are deposited in a special account for the Culinary Technology department only.

Adopted: March 17, 1987

This policy constitutes the rules and regulations for employing and using live models in Art classes. Failure to follow this policy constitutes disruptive behavior and may result in the student's immediate removal from the classroom or other disciplinary action pursuant to the College's policies.

These rules will be reviewed in the course prior to the introduction of any life models, nude or clothed, and all enrolled students must sign the Live Model Procedure and Policy Form in acknowledgment of their understanding of the policy.

### **REQUIRED STUDENT CONDUCT AROUND MODELS**

Only students enrolled in the course, who have acknowledged their understanding of these rules, are allowed into the classroom when the model is present.

#### **A. Photography and Recording**

Students shall never take nor ask to take photographs of the model.

Students shall never have cell phones or other electronic recording devices in the life model drawing space, in particular because the use of cellular phones or image-recording devices is prohibited in the presence of nude or clothed models. Students who are on-call or who are anticipating an emergency phone call should inform the instructor at the start of class with the request for permission to have their cell phones available.

#### **B. Timeliness and Classroom Conduct**

Students must be on time. The classroom will be closed as soon as the model begins work (i.e., on the model stand). No one will be allowed to enter the classroom or to leave until break times or end of class.

#### **C. Contact with the Model**

Students shall never touch the model. There are no exceptions.

Students shall never invade the model's personal space, remaining five to six feet away from the model at all times. This includes sitting on the model's stand at any time during the class. This also includes anytime students see the model before, during, or after the session, in any environment.

Students are to honor the model's right to privacy and professional conduct.

Students shall never speak to the model unless the model addresses the student. This applies before, during, or after a model is on the stand working. Other than a polite

greeting in the hallway or a “thank you” at the end of the session, students shall not approach or talk to a model. Maintaining this invisible boundary is important to allowing the model to feel safe and comfortable in an otherwise vulnerable position. If a model is comfortable, the model may approach the student to ask questions about the student's work, but this interaction should never be initiated by the student. Students with questions that concern the model shall speak to the instructor and abstain from asking the model, unless directed by the instructor to do so.

Students shall never ask any personal questions of the model or request to meet outside of class. The model's professional role is strictly defined, and any violation of that role may constitute sexual harassment in the workplace.

Students shall never comment on a model's body or appearance, either to the model or to others in the classroom. If a student wants to discuss the model's work, the student should speak to the instructor privately, not in the presence of the model.

#### D. Images/Drawings Created by Students

Students shall make a good faith effort to artistically create a likeness of the model image/drawing in the pose and classroom lighting conditions.

Students shall not distort the model's image by either (1) creating a caricature, or (2) adapting or modifying the image pose or make a variance in the actual sitting of the model and/or background. Students shall endeavor to create a true likeness of the model in the instructed pose. Students shall not disfigure or add any unnatural or additions to the model's pose as the intended image for the drawing study.

Students are the owner of their drawings and are entitled to copyright their image. Students are not entitled to reproduce or make copies of their drawing or to license the reproduction thereof without the prior written consent of both the model and the instructor of the class.

By signing the Live Models Procedures and Policy Form, students acknowledge that the instructor has the right to deny their participation in class for any violation of these rules.

Adopted: October 1, 1964; revised September 11, 2023

It is the student's responsibility and obligation to secure and pay for adequate criminal background checks when required by affiliates.

Adopted: September 13, 2004

The College does not discriminate on the basis of race, color, religion, sex, gender, gender identity or expression, pregnancy, age, national origin, disability, political affiliation, genetic information, or military/veteran status in any of its activities or operations.

## **I. OPEN DOOR ADMISSIONS**

Except as otherwise specified herein, the College maintains an open-door admission policy to all applicants who are legal residents of the United States and who are high school graduates or are at least 18 years of age. The College shall not solicit or use information regarding the accreditation of a secondary school located in North Carolina that a person attended as a factor affecting admission to the College or to any program of study, loans, scholarships, or other educational activity at the College unless the accreditation was not conducted by a State agency. For purposes of this Policy, the term “accreditation” shall include certification or any other similar approval process. Student admission processing and placement determination shall be performed by College officials. Admission requirements for an emancipated minor shall be the same as for an applicant who is 18 years old or older. Non-emancipated minors may be admitted and allowed to attend the College pursuant to 1D SBCCC 200.95.

The open-door policy does not mean there are no restrictions on admission into specific College programs. Students shall be admitted into specific College programs when they demonstrate aptitude for these programs as determined by personal interest, academic background, placement tests, and personal interviews. If an academic deficiency exists, applicants will be given an opportunity to remove the deficiency by taking preparatory work.

For more specific information regarding certain admissions criteria, see Procedure 5.1.1.1.

## **II. ADMISSIONS DENIALS**

### **A. Basis for Denials**

#### **1. Suspension/Expulsion from another Educational Entity.**

The College reserves the right to refuse admission to any applicant during any period of time that the applicant is under a period of suspension or expulsion from another educational entity for non-academic disciplinary reasons.

#### **2. Safety Concern.**

The College reserves the right to refuse admission to any applicant if it is necessary to protect the safety of the applicant or other individuals. When making a safety determination, the College may refuse admission to an applicant when there is an articulable, imminent, and significant threat to

the applicant or other individuals. When refusing admission based on safety concerns, the President or designee shall document:

- a. Detailed facts supporting the rationale for denying admission;
- b. The time period within which the refusal to admit shall be applicable and the supporting rationale for the designated time period; and
- c. The conditions upon which the applicant that is refused would be eligible to be admitted.

3. Residency for Distance Learning.

The College is not authorized to provide distance learning courses outside of North Carolina unless state authorization has been granted from the state in which the applicant resides. State authorization requires colleges to seek and secure authorization to offer instruction in that state.

Admission of applicants residing outside of North Carolina to an online degree, diploma, certificate program or individual online courses offered by the College is dependent on the College's ability to secure authorization from the applicant's state of residence.

State authorization does not affect the cost of attending the College. Tuition requirements, including those for out-of-state students, still apply. This requirement does not apply to non-credit continuing education courses.

4. Undocumented Immigrants.

An undocumented immigrant is any immigrant who is not lawfully present in the United States. The College shall not admit undocumented immigrants unless all of the following conditions apply:

- a. The undocumented immigrant attended and graduated from a United States public high school, private high school, or home school that operates in compliance with State or local law.
- b. The undocumented immigrant must comply with all federal and state laws concerning financial aid.
- c. The individual shall not be considered a North Carolina resident for tuition purposes and must be charged out-of-state tuition regardless of whether the individual resides in North Carolina.
- d. When considering whether to admit the individual into a specific program of study, the College shall take into account that federal law prohibits states from granting professional licenses to undocumented immigrants.

- e. Students lawfully present in the United States shall have priority over any undocumented immigrant in any class or program of study when capacity limitations exist.
- f. An admitted undocumented student will not be permitted to register for a class or program of study or be placed on a waiting list until the final period of registration for the term.

5. Readmission.

The College reserves the right to refuse readmission to a former student who has unsettled financial obligations at the College; who has not complied with previous disciplinary requirements; who was dismissed for academic reasons; who was dismissed for articulable, imminent, and significant threats; or who is under a period of suspension or expulsion from another educational entity for non-academic disciplinary reasons.

6. Criminal Justice Education and Training.

The College requires students enrolled in courses mandated under N.C.G.S. § 17C and 17E, the North Carolina Criminal Justice Education and Training Standards Commission, or the North Carolina Sheriffs' Education and Training Standards Commission to be sponsored by law enforcement agencies until completion of the program. The student must be sponsored by a law enforcement agency to be admitted into the program. Failure to have such sponsorship shall result in an admission denial.

7. Non-Criminal Justice Education and Training Firearm Courses.

Except for courses governed by Criminal Justice Education and Training, if the College has a program that requires students to possess a firearm, prior to admission, the student must provide proof of eligibility to possess firearms. For purposes of this policy, “firearm” means a handgun, shotgun or rifle that expels a projectile by action of an explosion; “proof of eligibility” means i) a current, valid State-issued permit to purchase a firearm; ii) a current, valid State-issued concealed carry permit from North Carolina; iii) a current, valid State-issued concealed carry permit from a state with a reciprocal concealed carry agreement with North Carolina; iv) proof of an exemption from permit requirements pursuant to N.C.G.S. § 14-415.25; or v) a background check to determine whether the applicant can lawfully possess a firearm in North Carolina pursuant to N.C.G.S. §§ 14-269.8; -404(c); -415.1; -415.3; and -415.25.

8. Lack of Program Capacity.

The College may deny admission based on lack of program capacity, upon recommendation of the Vice President of Instruction, consistent with academic requirements established by the College.

B. Appeal of Admissions Denials

If an applicant is denied admission to the College for any of the reasons specified in Section II(A)(1)-(8), within five (5) calendar days following the receipt of the reasons specifying the denial, the applicant may file a written appeal with the Director of Enrollment Management for a reconsideration. The written appeal shall contain the applicant's reasons why he or she should be admitted and shall include any supporting documentation. The Director of Enrollment Management shall also meet with the applicant and provide the applicant an opportunity to respond. Within 10 calendar days from receipt of the applicant's written appeal, the Director of Enrollment Management shall make a determination and provide the applicant with a written response.

If the applicant does not agree with the Director of Enrollment Management's determination, within five (5) calendar days following the receipt of the Director of Enrollment Management's determination, the applicant may file a written appeal with the President. The President shall conduct an "on the record review" and shall make a determination within 10 calendar days after receipt of the applicant's written appeal. The President's decision is final.

Adopted: June 13, 2022

Legal Reference: 1D SBCCC 200.95 and 400.2; NC Community College Written Memoranda CC10-026 (issued 7/12/10)

(This policy replaces "Denial of Admission for Suspension or Expulsion from Another Educational Entity," which moves to a procedure, adopted May 10, 2020; revised February 12, 2018. This policy also replaces "Nursing Program Admissions Requirement" adopted January 9, 2012; revised May 9, 2016. Nursing program admissions requirements will be posted in the College Catalog.)



Admission to the College does not guarantee immediate acceptance to the curriculum program desired by the applicant. Admission to certain programs may have additional specific entrance requirements. Students may have to complete basic skills or developmental level courses before being accepted into their desired academic curriculum program.

The Enrollment Management department administers all admissions requirements and enforces all College admission policies and procedures.

## I. CURRICULUM PROGRAMS

### A. Diploma and Degree Seeking Applicants

For curriculum certificate, diploma and degree seeking applicants, all applicants must:

1. Complete a residency determination at [www.ncresidency.org](http://www.ncresidency.org).
2. Submit a completed application for admission at [www.alamancecc.edu](http://www.alamancecc.edu).
3. Provide an official high school transcript or an official GED score from a regionally accredited institution. These transcripts must include the date the diploma was awarded, the type of diploma and have the institution's official seal. It must be mailed or electronically transferred from the issuing institution or agency. Current applicants who are high school seniors may submit a transcript showing work through the end of the first semester of the senior year. A final official transcript must then be submitted upon high school graduation, and before enrollment, to be fully accepted. Applicants who have completed an associate's degree or higher from a regionally accredited post-secondary institution may submit college transcripts with conferred degree awarded in lieu of high school transcripts.
4. If required, complete the College's placement test to determine if developmental courses are required before enrollment into college level math or English. If a student is placed into developmental English or math, these courses should be completed during the first two semesters of enrollment.

Placement test minimum scores ("cut scores") are determined by the North Carolina Community Colleges Developmental English/Reading and Math Redesign committees and approved by the North Carolina State Board of Community Colleges. Cut scores are evaluated on an annual basis.

When more than five (5) years passes between the time of placement testing and enrollment in applicable course, the student should retest.

High school GPA determines placement. Under some conditions, testing requirements can be waived or placement can be altered by:

- a. Documentation of acceptable SAT or ACT scores as established by College Administrators.
  - b. Results of placement tests taken at another North Carolina Community College System institution, which have been taken within the preceding five (5) years and meet the College's scores.
  - c. Transfer credit (grade "C" or better) received from a regionally accredited institution for college transferrable reading, math, and English courses. The student must submit an official transcript to receive transfer credit and to officially waive the need for placement testing. A maximum of seventy-five percent (75%) of the total semester credit hours in any program will be accepted in transfer.
5. Returning students who are eligible for readmission and who have not been enrolled at the College for two (2) academic semesters must submit a new admission application and update residency classification prior to registration. The student is required to meet the curriculum requirements in effect at the time of readmission according to the current College catalog.

Students who have been placed on academic or disciplinary suspension must fulfill the terms of their suspension before being considered for readmission. Students on disciplinary suspension must also submit a letter to the Admissions/Records Office requesting readmission.

The College reserves the right to deny readmission to a former student, including a student who has unsettled financial obligations at the College or who has not complied with previous disciplinary requirements. All of the student's debts to the College must be paid in full before registering for courses.

**B. Non-Degree Seeking Applicants**

Non-degree seeking students are those students who enroll in one or more courses but do not desire to graduate from one of the established curricula. The student may register for any course which is open to all students and does not require a prerequisite. However, if a student plans to register for a course that requires a prerequisite course, the student must submit an official transcript from a regionally accredited institution showing completion of this requirement with a grade of "C" or better prior to registering. An applicant who plans to enroll in mathematics and/or English courses must satisfactorily complete the College placement test requirement. Students may not register for courses in a program that has a waiting list or restricted admission (such as nursing).

Non-degree seeking students are not eligible for financial aid or veterans benefits nor are they permitted to earn any degree, diploma or certificate awarded by the College.

C. International Students

ACC welcomes international students who have completed an equivalent to a 12-year public education in the USA and possess the requisite English proficiency skills necessary to be successful in programs of study. Admission requirements include:

1. Official transcripts from any college(s) attended. A notarized, U.S. credentialed, translation of these documents into English may be needed. In that case, it is the applicant's responsibility to secure the services of an independent academic credential evaluation provider. Providers are listed on the College's website.
2. Test score report. Minimum admissions test scores are 88 on the Internet based TOEFL or a band of 6.5 on the IELTS, unless the applicant enrolls in the necessary English as a Foreign Language (EFL) courses at the College. Applicants may also be required to take placement tests at the College. English placement tests will be waived for students who are level 5 completers of the American Language Academy (ALA).
3. A notarized affidavit of sponsorship form requiring specific information about the student's (or student's sponsor's) financial eligibility for study at ACC. The College does not provide any medical coverage for students and is not liable for any expenses that a student incurs.
4. Visa Clearance Form (for transfer students only). The college that the student is currently attending completes this form. A photocopy of the student's visa page of the passport is also required. A student must be enrolled for at least one semester in the college that originally issued the I-20. An official transcript from that school must accompany the application.

## **II. WORKFORCE DEVELOPMENT PROGRAMS**

For applicants seeking admission to a continuing education program, all applicants must complete the College's Workforce Development registration process and pay the applicable tuition and institutional fees.

## **III. PROVISIONAL ADMISSIONS**

In certain situations, an applicant may be provisionally accepted by the College and permitted to register prior to completion of all admissions requirements. Students who are

admitted on a provisional basis must complete all admission requirements within the first semester of attendance. Failure to complete the provisional requirements could result in the student being denied continued admissions for the next semester.

Adopted: June 13, 2022

(This procedure replaces “Readmission Policy” revised September 10, 2007 and February 12, 2018.)

Some of the College's Health Science Programs are designated as limited enrollment programs. Factors for admission include, but are not limited to: clinical space availability, instructor-to-student ratios specified by the applicable accrediting/approving agencies and/or other limited instructional resources.

In addition, Health Science Programs may have additional student enrollment criteria including, but not limited to: 1) successful completion of required prerequisite courses; 2) minimum GPA requirements; 3) successful completion of clinical enrollment requirements (i.e., criminal and drug background checks); and 4) other content criteria. As of 2021, the Dental Assisting and the Nursing programs are limited enrollment programs.

Adopted: June 13, 2022

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>STUDENT SERVICES ACCEPTANCE OF TRANSFER STUDENTS/CREDIT</b>	<b>POLICY 5.1.2</b>
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- A. Course work transferred or accepted for credit toward an undergraduate degree must represent collegiate course work relevant to the degree with course content and level of instruction resulting in student competencies at least equivalent to those of students enrolled in the College's undergraduate degree program.
- B. Any such earned credit must meet the minimum College academic standards of a grade of "C" or better and must parallel the content of similar courses offered. The maximum amount of credit allowed to be transferred is 75% of the student's program of study. Any course taken at a North Carolina Community College System institution will be accepted for the equivalent course except as specified herein.

For all others, the following criteria will be considered in determining the acceptability of the transfer course work:

- 1. Accreditation of the school by a regional or national accrediting body recognized by the United States Department of Education. Accreditation does not guarantee acceptance of transfer credit.
  - 2. Equivalency of course descriptions, outcomes and analysis of course level, content, quality, comparability, and degree program relevance. It shall be the student's responsibility to provide documentation of this equivalency, which may include, but is not limited to, syllabi, course catalogs, course outcomes, etc.
  - 3. Use of recognized guides, such as those published by the American Council on Education, the American Association of Collegiate Registrars and Admissions Officers, and the National Association of Foreign Student Affairs.
  - 4. If the school was not accredited by a regional or national accrediting body recognized by the United States Department of Education at the time the course was taken, additional documentation will be required. It shall be the student's responsibility to provide any additional documentation requested.
  - 5. For skills-based courses, particularly those in the advanced technology programs, demonstration of student skills may be a component of the evaluation process. Decisions related to acceptance of credit will be made by the appropriate faculty member(s) and Dean, in consultation with the Vice President of Instruction.
  - 6. Within the Nursing department, departmental policy limits transfer credit for nursing courses to NUR 111 and NUR 117. These courses must have been taken no more than two years prior to enrollment at the College and have earned a grade of "B" or better. Credit for general education courses will transfer only with a grade of "C" or better.
- C. The responsibility for determining transfer credit from other colleges and universities rests with the Registrar and Admissions staff. When there is doubt about the appropriateness of

transfer credit or when a student wishes to appeal a transfer credit decision, the transcript will be referred to the appropriate Dean, whose decision will be final. In such cases, the Dean will note the decision in the student's academic file. Time limits may be imposed in certain situations, such as for health sciences program courses. Enrollment Management and the appropriate Dean will maintain a list of courses that have time limits for transfer. Any student challenge regarding the award of transfer credit will be referred to the appropriate Department Head or Dean. This credit must be approved by the Dean.

- D. When a student transfers from a postsecondary institution to the College, the following steps will be implemented:
1. The student fills out an application for admission and is responsible for providing an official high school transcript (except when the student has already earned an associate's degree or higher) and an official transcript from any other postsecondary institution. The student should allow at least one month for the transcript evaluation process prior to registering for classes.
  2. The Admissions staff evaluates the transcript and credit is accepted in accordance with the College's program offerings and the procedure stated herein. No credit for a course with a grade lower than a "C" may be transferred. The transcript evaluation is conducted in cooperation with the appropriate Department Head and Dean, as applicable.
  3. The student is given placement test(s), if applicable.
  4. The student continues with registration procedure.

The College recognizes the following additional opportunities for awarding transfer credits:

1. College Board Advanced Placement Program (AP): College course credit will be granted to students who pass the AP examinations with a score of three, four, or five. Students must submit a College Action Report to the Enrollment Management Office for consideration of granting college credit.
2. College-Level Examination Program (CLEP): College course credit will be granted to students who participate in CLEP Subject Examinations and achieve the minimum passing score as recommended by the American Council on Education. Students must submit a CLEP transcript to the Enrollment Management Office for consideration of granting college credit.
3. Educational Experiences in the Armed Services: Servicemen and veterans may be awarded college credit for service schools they have attended. The service schools must be accredited by a regional accrediting agency. Before applying for credit, students should contact the service school(s) and ask them to which regional accrediting agency they belong. Students should Contact Enrollment Management for more information.

4. Non-curriculum to Curriculum Transfer Credit: Non-curriculum course work from the College related to curriculum instruction may be transferred or accepted for credit towards curriculum courses in specific programs. Students must have earned a minimum letter grade of a “C,” passed the final assessment with a proficiency of 85% or better, or passed the applicable credentialing exam. The appropriate Dean for each division will approve non-curriculum course material prior to officially granting curriculum credit. Faculty teaching courses for which non-curriculum to curriculum credit may be awarded must meet all SACSCOC credentialing requirements.
5. Credit by Credential: Academic credit may be awarded for adequately documented and validated industry-recognized credentials. Credential credits must be approved by the subject-matter experts based on content and outcomes. The Department Head, Dean, and Vice President of Instruction must approve credential credits.
6. Transfer of credit to Nursing Program: Within the Nursing Department, departmental policy limits transfer credit for nursing courses to NUR 111 and NUR 117. These courses must have been taken no more than two years prior to enrollment at the College with a grade of “B” or better. Credit for general education courses will transfer only with a grade of “C” or better.

Adopted: June 13, 2022

(This policy replaces “Transfer Credit Policy” adopted January 11, 2016. This policy also replaces “CLEP, AP, and IB Credits” adopted April 12, 2021. The latter will continue to be published in the College Catalog.)



Transfer credit from other institutions may be awarded for quarter system credits if they meet semester conversion guidelines and closely parallel the content, competencies, and credit hours of the ACC course.

#### Semester Conversion Guidelines

The college uses the following ratio when converting quarter hours for transfer credit from outside institutions: Two (2) semester hours equates to three (3) quarter hours.

Adopted: June 29, 2022

The College provides the opportunity for all students to apply for certain types of financial aid programs. The College administers these programs in accordance with all applicable laws, rules, and regulations. Requirements, critical dates, and procedures for receiving financial aid are outlined in the College's catalog and on the College's website.

Adopted: June 13, 2022

**I. ENROLLMENT OF HIGH SCHOOL STUDENTS**

The College provides seamless opportunities for high school students to get a head start with their college education by enrolling in eligible pathways through Career and College Promise (CCP) and the Alamance-Burlington School system (ABSS) Early College. Enrollment in identified courses is available to students enrolled in public and private schools (including home schools) through articulation agreements between the school system and the College and approved by the North Carolina Community College System Office.

**II. CCP OVERVIEW**

CCP provides seamless dual enrollment educational opportunities for eligible North Carolina high school students to accelerate completion of college certificates, diplomas, and associate degrees that lead to college transfer or provide entry-level job skills. The College offers the following CCP pathways:

- A. Core 44 College Transfer Pathway, leading to a college transfer certificate requiring the successful completion of 30 semester hours of college transfer courses, including English and mathematics, for qualified high school students;
- B. Career and Technical Education Pathway, leading to a certificate or diploma aligned with one or more high school Tech Prep Career Clusters; and
- C. Cooperative Innovative High School Pathway, which is the Alamance-Burlington Early College.

Tuition is waived for CCP students; however, CCP students must purchase their own textbooks and supplies and pay fees required for their classes unless their high school or school district covers these costs. Transportation for high school students will not be provided by the College.

**III. EXCLUSIVE COLLEGE PROGRAMS FOR MINORS**

Unless they are participating in a CCP program or the Alamance-Burlington Early College, the College cannot offer enrollment options for students who are under the age of 16 unless they have earned a high school diploma.

Adopted: June 13, 2022

Legal Reference: N.C. Session Law 2011-145, § 7.1A(a)-(l); Article 15, Part 9, Chapter 115C of the N.C.G.S. – Cooperative Innovative High School Programs; 1D SBCCC 200.95

**STUDENT SERVICES  
RECRUITMENT/ENROLLMENT  
OF MILITARY SERVICE  
MEMBERS**

**ALAMANCE  
COMMUNITY COLLEGE**

**POLICY  
5.1.5**

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Alamance Community College (ACC) will ensure compliance with program integrity requirements consistent with the regulations issued by the Department of Education (34 C.F.R. 668.71-668.75, 668.14, and 600.9) related to restrictions on misrepresentation, recruitment, and payment of incentive compensation. This applies to the educational institution itself and its agents including third party lead generators, marketing firms, or companies that own or operate the educational institutions.

#### Responsibilities

As part of efforts to eliminate unfair, deceptive, and abusive marketing aimed at Service members, and in accordance with federal laws, regulations, and the Department of Defense Voluntary Education Partnership Memorandum of Understanding:

1. ACC refrains from providing any commission, bonus, or other incentive payment based directly or indirectly on securing Service member enrollments or federal financial aid to any persons or entities engaged in any student recruiting, admission activities, or decision-making regarding the award of student financial aid.
2. ACC refrains from high-pressure recruitment tactics such as making multiple unsolicited contacts, including contacts by phone, email, or in-person, and engaging in same-day recruitment and registration for the purpose of securing Service member enrollments.

Adopted: November 11, 2019

Requirements for the certificate, diploma, or degree will vary according to curriculum. Course requirements for graduation are stated in the College catalog.

In order to graduate with any Associate in Applied Science Degree, the student must have a minimum of 15 semester hours in general education including at least one course from each of the following areas: Humanities/Fine Arts, Social/Behavioral Sciences, and Natural Sciences/Mathematics. Degree programs must contain a minimum of six semester hours of communications. Diploma programs must contain a minimum of six semester hours of general education; three semester hours must be in communications. General education is optional in certificate programs.

Each student must have a minimum cumulative grade point average (GPA) of 2.00 in his or her current program of study. The program of study is defined as the program identified in the graduation application and all courses required for the program.

Adopted: January 9, 2012

## I. ATTENDANCE REQUIREMENTS

The following attendance requirements shall apply to all College students:

- A. Students are expected to attend and be on time for all scheduled classes and labs. Students should refer to the course syllabus for individual course attendance requirements. At instructors' discretion, students may make up work missed. When students must be absent, it is vital that they remain in contact with their instructors.
- B. Any student who has not attended at least one face-to-face class meeting or completed one assignment/activity for an online class by the date in which 10% of the class has passed will be reported by the instructor as "never attended." A student who has never attended a class by the 10% date is no longer enrolled in the class.

Under extenuating circumstances, a student who has never attended by the 10% date may petition for reinstatement in the class and earn course credit. The student should notify the instructor, in writing, of the extenuating circumstances prior to the 10% percent date of the class and provide compelling documentation to support the request for reinstatement. Reinstatement will only be considered by the instructor when the absences were due to unforeseeable and uncontrollable circumstances. An instructor's decision regarding reinstatement may be appealed to the appropriate Dean within two (2) business days. The Dean's decision is final.

- C. Any student who has been absent for 20% or more of the total contact hours prior to the withdrawal date of the course may be administratively withdrawn from the course. A student in an online or hybrid course may be administratively withdrawn following two consecutive weeks in a 16-week term (or one week in shorter academic terms) of missed assignments, missed attendance, and lack of communication with the instructor regarding course participation. Consistent with policies establishing attendance in online courses, logging into a course site but failing to perform the assignments does not constitute attendance. A grade of "WP" will be assigned for any course from which the student is administratively withdrawn. Administrative withdrawals will be allowed up to the published Administrative Withdrawal deadline each semester (the 80% point of the semester). Thereafter, the earned grade will be posted.

Under extenuating circumstances, a student may petition, in writing, the instructor, for reinstatement in the course upon demonstrating the capacity and likelihood of satisfactorily completing requirements as indicated on the course syllabus. Tuition refunds or credits will not result from an administrative withdrawal.

- D. A student's absence while participating in a College-sponsored or approved activity or field trip will be considered an excused absence for participating students. Such excused absences will not be considered in the students' class attendance for drop

purposes, nor will excused absences be included in the determination of a grade for “participation” of which class attendance is a part. The responsibility for making up class work rests entirely with the student. All assignments, tests, labs, class time, and final exams to be missed due to College sponsored or approved activity will be rescheduled prior to the excused absences or otherwise rescheduled at the discretion of the instructor.

- E. The College provides reasonable accommodations, including a maximum of two (2) excused absences each academic year, for religious observances required by a student’s religious practice or belief. Such reasonable accommodations must be requested in accordance with the procedures for this policy and include the opportunity for the student to make up any tests or other work missed due to an excused absence for a religious observance. An accommodation request imposes responsibilities and obligations on both the College and the student requesting the accommodation. College faculty are required, as part of their responsibility to their students and the College, to adhere to this policy and ensure its full and fair implementation by reasonably accommodating students’ religious practices or beliefs. Regardless of any accommodation that may be granted, College students are responsible for satisfying all academic objectives, requirements, and prerequisites as determined by their instructor and the College.
1. Academic year: The sequence of fall, spring, and summer semesters.
  2. Reasonable accommodation: Any change in an academic course or program of study with respect to the way tasks or responsibilities are customarily done that enables a student to observe his/her religious practice or belief without creating an undue hardship.
  3. Religious practice or belief: A practice or observance that is sincerely held within the tenants of that religious belief.
  4. Undue hardship: An accommodation that would require significant expense or difficulty for the College or would result in the inability of the student to perform an essential function of his or her course/program of study. The determination of undue hardship is dependent on the facts of each individual situation.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-5(u); 1B SBCCC 500.99; 1G SBCCC 200.93

(This policy replaces “Student Excused Absence for Religious Observance Policy” adopted February 7, 2011.)

- A. A full-time student is a student enrolled in a given semester with 12 or more semester hours of credit. A part-time student is a student enrolled with fewer than 12 semester hours of credit. A freshman is a student who has completed less than half the required credit hours of an associate degree program and a sophomore is a student who has completed more than half the required credit hours of an associate degree program.
- B. Part-time students may enroll for individual curriculum courses. Credit earned by such students may be applied to a degree, diploma, or certificate depending upon the level of such work.
- C. Special credit students who do not wish to apply for a degree, diploma, or certificate program may enroll for individual curriculum courses upon completion of an application for admission only. Special credit students who later wish to enroll in a program of study must complete all admission requirements and declare a program of study. Credit earned as a special credit student may be applied to program requirements, if appropriate.

Adopted: June 13, 2022

Legal Reference: IG SBCCC 100.1



Students shall be permitted no more than two (2) days of excused absences for religious observances during an academic year. These absences are not in addition to the number currently permitted by College policy; thus, the threshold of minimum absences from class each semester is 20% **including** those for religious observance, or the maximum percentage listed on the course syllabus, which has been approved by the College administration. The only difference for religious observance absences is that the student must be permitted the opportunity to make up any tests or other work missed due to an excused absence for religious observance.

Students requesting an excused absence for religious observance must complete the Religious Accommodation Form and submit it to their Instructor(s) at least 14 college working days in advance of the intended absence. The completed form includes not only the day requested and the class(es) to be missed, but also the agreed-upon manner on how, when, and where the make-up(s) will take place for the missed work. Failure to adhere to the agreed-upon schedule will void the student's right to make up the work, unless the Instructor(s) involved agree to a reschedule. Excused absences for religious observances do not relieve students from responsibility for any part of the course work required during the period of absence.

A student may not request different religious observance days for different classes offered on the same day. If a request is made for any class on a certain day, that request will count as one of the two days permitted for the entire academic year.

Adopted: June 13, 2022

The College shall allow any enrolled student who is in the United States Armed Forces who has received temporary or permanent re-assignment as a result of military operations and a National Guard service member placed onto State active duty status during an academic term to be given an excused absence for the period of time the student is on active duty.

- A. The College shall provide the student the opportunity to make up any test or other work missed during the excused absence.
- B. The College shall give the student the option, when feasible, to continue classes and coursework during the academic term through online participation for the period of time the student is placed on active duty.
- C. The College shall give the student the option of receiving a temporary grade of "incomplete" or "absent from the final exam" for any course that the student was unable to complete as a result of being placed on State active duty status; however, the student must complete the course requirements within one (1) semester following their return from active service to avoid receiving a failing grade for the course.
- D. The College shall permit the student to drop, with no penalty, any course that the student was unable to complete because of being placed on State active duty status.

Adopted: June 13, 2022

Legal Reference: 1B SBCCC 500.1

**STUDENT SERVICES  
COURSE READMISSION  
AFTER ATTENDANCE  
RELATED WITHDRAWAL**

**ALAMANCE  
COMMUNITY COLLEGE**

**PROCEDURE  
5.2.1.4**

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When a student is dropped from a course:

1. The instructor will notify the student of the drop.
2. The instructor will submit the drop/add form with a recommendation to the appropriate Dean.
3. The student is permitted three (3) school days in which to submit an appeal of the instructor's drop decision by stating in writing his or her reasons for the absences to the Dean.
4. If the student is readmitted to the course, the student and instructor will be notified by the Dean.

If the appeal of the instructor's drop decision is denied by the Dean, the drop/add form will be forwarded to the student records office for processing and the student and instructor will be notified of the decision.

Adopted: June 13, 2022

**I. STUDENT VOLUNTARY WITHDRAWAL FROM COURSE(S)**

A. Ten Percent (10%) Date

A student may withdraw from a course for a partial refund on or before the official 10% date of the semester. For more information on tuition/fee refunds, see Policy 6.1.4 – Tuition/Fee Refunds. In the case of withdrawal on or before the official 10% date of the semester, the withdrawn course(s) will not be included on the transcript.

B. Eighty Percent (80%) Date

At any point prior to the 80% date of the semester, a student may voluntarily withdraw from his or her courses. If a student drops a course during the last 20% of a semester, the final grade will reflect the earned numerical average of the student's work in the course. All applicable deadlines will be published in the College's official calendar.

It is the student's responsibility to withdraw from course(s) if he or she cannot meet the requirements of the course. The student should first consult with the instructor or an advisor before requesting to be withdrawn from a course. Students receiving financial aid should also consult a financial aid advisor before requesting to be withdrawn from a course. Withdrawing from a course could substantially delay the completion of the student's program of study and may have impacts on future financial aid eligibility.

To officially begin the withdrawal process, the student should obtain a "Drop Form" from the College web page and ask each instructor sign the form and record the appropriate grade. It is the student's responsibility to ensure the Drop Form is completed and submitted to the Admissions/Records Office. Failure to follow this procedure may result in a grade of "F" for courses the student stops attending.

Students must officially withdraw from any course they stop attending to ensure that they will not receive an "F" in the course. In the case of a withdrawal, the student will receive a "WP" which will not be included in the grade point average but will appear in the student's official transcript.

**II. STUDENT INVOLUNTARY WITHDRAWAL FROM COURSE(S)**

A. Students who register for a course and do not attend classes prior to the 10% point of the course will be dropped by the instructor.

B. Any student who accumulates absences in excess of 20% of the course contact hours may be withdrawn from the class. If the student is withdrawn from a class

during the final 20% period of the term for excessive absences, the student will receive the grade earned in the course.

- C. Students may be involuntarily withdrawn from courses for disciplinary reasons subject to student discipline policies.

### **III. COURSE WITHDRAWAL AS “WH” (WITHDRAWAL-HARDSHIP)**

Alamance Community College employs a letter grading system to evaluate students’ performance in meeting stated instructional objectives. The College has established a grade of Withdrawal-Hardship (WH). The WH grade will be assigned in cases where students are not able to continue in a course due to documented extenuating circumstances. Examples of extenuating circumstances include, but are not limited to, the following:

- Student illness – communicable disease or other emergency.
- Illness of someone the student provides care for.
- Financial hardship due to an unexpected emergency.

A student may request that the WH grade be assigned in circumstances outside those outlined above.

Please note: Withdrawals may affect a student’s financial aid, veteran’s benefits, scholarships, and sponsorship. Refunds will be given in accordance with Policy 6.1.4 – Tuition/Fee Refunds. Students’ financial aid eligibility and Satisfactory Academic Progress (SAP) calculation may have impacts on current financial aid awards and/or future financial awards/eligibility.

#### **WH Grade Assignments**

The Registrar’s Office will administratively assign the WH grade under the following circumstances:

- A student requests a withdrawal and indicates the reason is related to an emergency. This must be approved by a dean.
- A faculty member submits an official withdrawal form for a student and indicates that the reason is related to an emergency/hardship. This must be approved by a dean.

#### **Procedures**

The request to withdraw from a course using the WH (Withdrawal-Hardship) option must be made in writing to the academic dean through completing the Drop Form Process. The request must include a completed Drop-Add Form and documentation illustrating that the withdrawal is clearly related to an emergency/hardship. The dean will review the request and make a final determination to submit to the Vice President of Student Learning for approval if a refund is authorized. Students will not have an opportunity to appeal the decision.

Only the Registrar's Office can officially record the WH grade.

Adopted: June 13, 2022; revised August 12, 2024  
Cross Reference: Policy 5.2.1 Attendance

Any individual may audit a College class based on the following:

- A. The individual pays the normal tuition and fees. However, any person who is at least 65 years old may audit non-self-supporting basis courses without the payment of tuition provided the individual meets the other criteria listed herein. The cost of course materials, insurance, and other fees are the responsibility of the student.
- B. Auditing students do not take tests or examinations, they do not receive grades, credit, or financial aid, and cannot change the “audit” to credit after the drop/add period.
- C. Students auditing a course must meet the same course prerequisite, attendance, and class participation standards as all other students in the course. Auditing a course will not meet the prerequisite of any sequential or higher-level course.
- D. Auditing is subject to open seats in the course, and a student who audits a course shall not displace other students seeking to enroll in the course.
- E. Students who audit a course and withdraw or are dropped from the course will be issued a grade of “WP.”
- F. Students who desire to audit must declare the audit before the end of the drop/add period. Successful audits appear on the grade report as “AU.”
- G. Courses in the following areas are exempt from auditing: real estate, public safety, cosmetology, health sciences. Classes that provide industry certification are exempt from auditing.

Adopted: June 13, 2022

Legal Reference: 1D SBCCC 700.1; S.L. 2017-57

(This policy replaces “Course Audit Policy” adopted January 8, 2018.)

The College has a right to set academic standards that students must meet. Grades are based on quality of achievement of the objectives of the course being taken. The following system is used for recording student achievement:

<u>Grade</u>	<u>Quality Points/Credit Hour</u>
A – Excellent	4
B – Good	3
C – Satisfactory	2
D – Lowest passing	1
F – Failure	0

The College operates on a quality point system. For each credit hour of work with a grade of A, B, C, D or F, a numerical value of 4, 3, 2, 1 or 0, respectively, is awarded. This number is multiplied by the number of credit hours for the course to determine the quality points earned.

A student’s semester grade point average (GPA) is determined by dividing the total quality points earned in all courses by the total credit hours attempted (excluding I, R, TR, CE, P and AU grades). This grade point average (GPA) is a general measure of the quality of the student’s work. Hours attempted and quality points earned in previous terms are included in the above procedures to determine the Cumulative Grade Point Average. **All students must have a minimum cumulative GPA of 2.0 in the student’s current program of study to graduate.**

I – Incomplete

This indicates that a student has made significant and satisfactory progress in the course; however, due to unavoidable circumstances the student is not able to complete course requirements by the end of the semester. Since the “incomplete” extends enrollment in the course, requirements and deadlines for satisfactory completion will be established through faculty/student consultation. The work for the “I” grade must be completed, and a grade assigned “A, B, C, D, F” no later than the end of the next semester/term, or the grade of “I” will automatically be changed to an “F.”

R – Re-enroll

A student who has been unable to meet the course objectives in the specified time must re-enroll to earn credit. This grade may only be given to students in noncredit developmental courses.

WP – Withdrew Passing

A student may withdraw up to the 80% point of the course and receive a WP. Instructors can withdraw a student during this time for excessive absences. The WP grade is not used to compute the student’s GPA. After the official drop date as published in the student calendar, students must complete the course and will be awarded the appropriate grade earned at the end of the semester.



P – Passed

This grade is awarded in corequisite noncredit developmental courses and in the work experience portion of work-based learning. It may also be awarded for other experiential learning courses such as supervised field studies or review courses. When a course is graded in this manner, it must be reflected in the master course plan, and the Registrar's Office must be notified when the course is established. This grade signifies that the student has satisfactorily completed the course (equivalent to a C or better). Failure to complete the course graded in this manner may be indicated with any other appropriate grade as prescribed in the course plan. No grade points are awarded for hours completed in this manner, and the P grade is not used to compute the grade point average (GPA).

P1 – Passed Tier 1

This grade is awarded in transitional noncredit developmental mathematics and/or English courses. No grade points are awarded, and the grade is not used in the computation of the grade point average (GPA).

P2 – Passed Tier 2

This grade is awarded in transitional noncredit developmental mathematics and/or English courses. No grade points are awarded, and the grade is not used in the computation of the grade point average (GPA).

P3 – Passed Tier 3

This grade is awarded in transitional noncredit developmental mathematics and/or English courses. No grade points are awarded, and the grade is not used in the computation of the grade point average (GPA).

TR – Transfer

This signifies that credit for a course was accepted from another institution. No quality points are awarded, and the grade is not used in the computation of the GPA.

CE – Credit by Examination

This signifies that the student has met the course objectives as demonstrated by a proficiency examination. No quality points are awarded, and the grade is not used in the computation of the GPA.

AU - Audit

This signifies that the student has taken a course for no credit. No quality points are awarded, and the grade is not used in the computation of the GPA. The student who enrolls for a course cannot change from audit to credit or credit to audit after the official drop/add period.

The North Carolina Community College System may enact temporary grades due to emergencies such as a pandemic. In such situations, the College will adopt such grades as necessary and in the best interest of students.

Adopted: June 13, 2022

This policy shall apply to grade appeals unrelated to issues pertaining to academic dishonesty as outlined in Policy 5.3.2 – Student Code of Conduct. The grade appeal process applies only to course grades.

In the event a student appeals a grade that prevents progression in a program, the student will be allowed to enroll and attend the following semester pending the outcome of the appeal, except clinical and work-based learning courses/experiences. If the grade is upheld, the student will be administratively dropped from the course and refunded the tuition.

An appeal should be initiated within 30 days from the date the grade was issued and the appeal must be in writing. The steps a student should take are described in Procedure 5.2.5.1. An appeal to the Vice President of Instruction is the final step in the appeal process.

Adopted: June 13, 2022

The grade appeal process is:

- A. If a student is dissatisfied with a grade issued by an instructor, the student must first request to meet with the instructor who assigned the grade within five (5) business days after official issue of that grade and submit the Grade Appeal Form. The instructor will make a written determination via the Grade Appeal Form and provide a copy to the student and Department Head. In cases where the student is unable to meet in person with the instructor, the student may contact the instructor by letter or email including the Grade Appeal Form in that communication. If the instructor is no longer employed at the College, the student may proceed to the next step.
- B. If the student is dissatisfied with the instructor's determination, within five (5) business days thereafter, the student may appeal in writing using the Grade Appeal Form to the Department Head. The student must present the instructor's written determination. In cases where the student is unable to meet in person with the Department Head, the student may contact the Department Head by letter or email including the Grade Appeal Form in that communication. The Department Head will make a written determination and provide it to the student and appropriate Dean.
- C. If the student is dissatisfied with the Department Head's determination, within five (5) business days thereafter, the student may appeal in writing using the Grade Appeal Form to the appropriate Dean. The student must present the Department Head's written determination. In cases where the student is unable to meet in person with the Dean, the student may contact the Dean by letter or email including the Grade Appeal Form in that communication. The Dean shall make a written determination and provide it to the student and Vice President of Instruction.
- D. If the student is dissatisfied with the Dean's determination, within five (5) business days thereafter, the student may file a written appeal via the Grade Appeal Form with all documentary evidence to the Vice President of Instruction ("Vice President"). The Vice President shall perform an "on the record review" and will make a determination within 10 business days after receipt of the student's appeal. If needed for clarification, the Vice President may meet with the student or ask the student to submit additional information. The Vice President shall make a written determination and provide a copy of the decision to the student, instructor, Department Head, and appropriate Dean. The Vice President's decision is final.

Adopted: June 23, 2022

The College's minimum standards of academic progress are intended to ensure academic success and graduation. The standards provide advance notice to students and opportunities to improve by students who perform at or below the minimum grade point average (GPA) required for graduation.

The GPA used in these standards refers to the student's cumulative GPA in his or her current program of study.

#### Academic Progress Standards

- A. A student who is making unsatisfactory academic progress will be placed on academic warning when his or her cumulative grade point average falls below 2.0 at the end of an academic term.
- B. A student on academic warning is placed on academic probation when his or her cumulative GPA remains below 2.0 after completion of an academic warning semester.
- C. If a student is on academic probation for two consecutive semesters, he or she will be placed on academic suspension for the next semester.

Adopted: June 13, 2022

## I. ACADEMIC WARNING

- A. At the end of each semester, cumulative grade point averages in students' current program of study are reviewed. A student is expected to achieve a minimum cumulative GPA of 2.0 in the student's current program of study based on credit hours attempted.
- B. If a student's cumulative GPA in the student's current program of study is below 2.0, the student is placed on Academic Warning.
1. Access to the College's course registration system is prevented by an Academic Warning "hold" placed on the student's record.
  2. Students on Academic Warning receive written communication notifying them of the College's Academic Progress Standards, providing them with information about resources available for academic support, and informing them of advising contacts for both academic and financial aid matters.
- C. As soon as possible after notification of warning, but no later than midterm of the semester of Academic Warning, each student on Academic Warning must take the initiative to meet with a Faculty Advisor.
1. The purpose of the meeting is to discuss academic challenges and develop an Academic Improvement Plan.
  2. The Academic Improvement Plan may include required time in the Tutoring Center, conferences with a Career Counselor, conferences with the Single Stop Coordinator, attending Academic Success workshops, and/or using other strategies for success.
  3. After an Academic Improvement Plan is in place, the student's access to the course registration system is restored (if there are no other "registration hold" conditions in effect).

## II. ACADEMIC PROBATION

- A. A student on Academic Warning is placed on Academic Probation when the student's cumulative GPA in the current program of study remains below 2.0 after completion of the Academic Warning semester.
1. The student is not in good academic standing, but is permitted to enroll for a probationary semester.
  2. Access to the College's course registration system is prevented by an Academic Probation "hold" placed on the student's record.
  3. Students on Academic Probation receive written communication notifying them of the College's Academic Progress Standards, providing them with information about resources available for academic support, and informing them of advising contacts for both academic and financial aid matters.
- B. As soon as possible after notification of probation, but no later than mid-term of the semester of Academic Probation, each student on Academic Probation must take the initiative to meet with a Faculty Advisor.

1. The purpose of the meeting is to discuss academic challenges and develop an Academic Improvement Plan.
  2. The Academic Improvement Plan may include required time in the Tutoring Center, conferences with a Career Counselor, conferences with the Single Stop Coordinator, attending Academic Success workshops, and/or using other strategies for success.
  3. After an Academic Improvement Plan is in place, the student's access to the course registration system is restored (if there are no other "registration hold" conditions in effect).
- C. A student on Academic Probation who does not achieve a minimum cumulative 2.0 GPA in the current program of study by the end of the first Academic Probation semester is permitted to enroll for one additional regular semester while continuing on Academic Probation. The conditions described above are re-imposed including the update of, and commitment to, an Academic Improvement plan in consultation with a Faculty Advisor.

### **III. ACADEMIC SUSPENSION**

- A. A student is placed on Academic Suspension from the College after his or her cumulative GPA in the student's current program of study remains below 2.0 following two consecutive regular semesters of being on Academic Probation.
1. The student is not in good academic standing, and a notation of "Academic Suspension" is made on the student's official transcript.
  2. Access to the College's course registration system is prevented by an Academic Suspension "hold" placed on the student's record.
- B. A student placed on Academic Suspension:
1. Is dropped from any courses for which he or she is pre-registered (with refund of tuition and fees),
  2. Is not eligible to receive financial aid,
  3. Is not permitted to register for any curriculum courses for a minimum of the next semester,
  4. Is not allowed to participate in College functions on- or off-campus,
  5. Is not allowed to use College facilities except a) the Library which is open to the general public, and b) facilities required as part of the student's enrollment in non-credit Workforce Development classes, and
  6. May not enroll in any curriculum courses at ACC during the period of Academic Suspension.

Note: Some limited-enrollment programs may have more rigorous academic progress standards as outlined in the College Catalog and in departmental handbooks. A student may be academically suspended from his or her program of study, independent of College-wide academic standing, if he or she does not meet the program-specific academic progression.

**IV. RE-ENROLLMENT AFTER ACADEMIC SUSPENSION**

- A. Students who have been placed on Academic Suspension are prohibited from enrolling in any curriculum coursework in future semesters or terms.
- B. A student who wants to re-enroll in curriculum courses or programs following a minimum of one semester of Academic Suspension must request a waiver of academic suspension by:
  - 1. Updating his or her Academic Improvement Plan with a Faculty Advisor,
  - 2. Completing a Reinstatement from Academic Suspension Form, and
  - 3. Submitting the Reinstatement Form to the Dean responsible for the program of study.
- C. The Dean consults with faculty, the student's academic advisor, and counselors for assistance with the review. A decision will be finalized within five business days of the receipt of the Reinstatement from Academic Suspension Form.
- D. If reinstatement is approved, the student must complete the College's readmission process.
  - 1. The reinstatement is granted for one regular semester or summer session as appropriate to the student's circumstances.
  - 2. The student is placed on Academic Probation with a notation on his or her official transcript.
  - 3. Reinstatement approval may include stipulations related to the number of credit hours for which a student may enroll, a semester or term grade point average that the student must achieve, and/or required participation in specific student success services or activities.
- E. If a student makes progress in that term but has not achieved a minimum cumulative 2.0 GPA in the current program of study at the end of the term, the student may submit a written appeal to the Dean to continue enrollment on Academic Probation for one additional regular semester.
- F. If the Reinstatement from Academic Suspension or the appeal to continue on Academic Probation is denied, the student is not permitted to enroll in curriculum courses at ACC for any subsequent semesters or terms without approval from the Vice President of Instruction.

Adopted: June 13, 2022



The purpose of a prerequisite and/or a corequisite is to ensure student success in subsequent coursework. While successful completion of prerequisites and/or corequisites is the traditional way students demonstrate readiness, in exceptional circumstances students may demonstrate readiness through other means. In such cases, prerequisites or corequisites may be waived with approval of the Department Head, Dean, and Vice President of Instruction. Documentation of the approved waiver will be maintained on file.

Adopted: June 13, 2022

Legal Reference: 1D SBCCC 400.8(e)

(This policy replaces “Credit by Exam” and “Credit by Credential,” both adopted August 13, 2012.)

In certain circumstances, students may demonstrate readiness through other means. In such cases, prerequisites or co-requisites may be met or waived with appropriate approvals and/or permission of the appropriate Dean and the Vice President of Instruction. Several routine ways in which prerequisite or co-requisite requirements are met are through: 1) credit by examination, 2) credit by credential, or 3) evaluation of Joint Services Transcripts.

### **I. CREDIT BY EXAMINATION**

Students who believe they are competent in a course may ask the Department Head for Credit by Exam (“CE”). The student must be currently enrolled at ACC and must not have enrolled in the course prior to taking the exam. A student may challenge a particular course only once. A nonrefundable \$25 exam fee will be charged. Students will be given credit for the course if they achieve a score of at least 85 percent on the test. If students do not earn at least 85 percent on the test, they must register for the course, pay tuition, and complete the requirements for the course in order to receive credit. A maximum of 25 percent of the student’s program of study may be awarded on this basis. When students register and pay tuition for a course and then decide to challenge the course by requesting credit by exam, they must complete the credit by exam process prior to the end of the drop/add period. Exceptions to this procedure must be approved by the Vice President of Instruction.

If the student passes the proficiency exam, a grade of “CE” is assigned and the student will no longer be required to attend class. If the student does not pass the proficiency exam, the student must complete the course with a passing grade to earn credit.

Credit hours will be recorded in the Total Hours Earned and will count towards hours for graduation; however, no Quality Points will be assigned, the grade will not affect the student’s GPA, and Financial Aid or Veteran’s Benefits shall not pay for courses in which a grade of “CE” is earned.

### **II. CREDIT BY CREDENTIAL**

In cases where the learning outcomes of current, industry-earned credentials align with the learning outcomes of a course(s), academic credit may be awarded.

Academic credit may be awarded for adequately documented and validated industry-recognized credentials. These credentials must be approved by the subject matter experts based on content and outcomes. This credit must be approved by the Department Head, Dean, and the Vice President of Instruction. Students should contact the Department Head to determine if a credential qualifies for academic credit.

### **III. JOINT SERVICES TRANSCRIPT EVALUATION**

Joint Services Transcript (JST) is an academically accepted document approved by the American Council on Education (ACE) to validate a service member's military occupational experience and training along with the corresponding ACE college credit

recommendations. When the College receives an official copy of a JST, the Registrar will review and apply appropriate course credit. The appropriate Dean will be consulted if there is need for further discussion regarding proposed course credit.

Adopted: June 13, 2022

**I. REPEATING COURSES**

A. Curriculum Courses

A student may repeat a curriculum course for credit in an effort to earn a higher grade and/or to improve mastery of course content. When a course is repeated, the highest grade earned will be counted in determining the hours earned and in determining the grade point average at Alamance Community College. The highest grade earned in that course will become the grade of record. All repeated course grades and hours are shown on the transcript, but only the highest grade is included in the grade point calculation.

Repeating a course may have implications for students receiving financial aid and/or Veterans benefits, and students should consult these offices to determine if repeating a course has a financial impact.

Students planning to transfer should note that the receiving institution may recompute grade point averages and could include all grades in their calculations for admissions decisions.

Selected programs have a more restrictive policy regarding how many times a student may repeat a particular course for credit to fulfill program requirements.

B. Workforce Development Courses

Students may enroll in extension education courses as many times as necessary to accomplish their individual educational/training goals provided they continue to show progress, do not prohibit others from participating, are willing to pay fees, and do not violate North Carolina Community College System policy.

Extension Education programs/courses are designed to enable participants to progress, at their individual achievement rates, in gaining knowledge and skills in specific educational areas.

**II. COURSE SUBSTITUTES**

When it is determined to be in the best interest of the student's declared educational objective, appropriate courses may be substituted for other courses for graduation purposes. Necessary course substitutions within the major field (courses reflecting the prefix of the student's major curriculum) require the approval of the appropriate Dean and Vice President of Instruction.

Course substitutions from curricula outside the student's major area, which have been made for the purpose of addressing the general education or related course requirements, must be approved by the appropriate Dean and Vice President of Instruction. The Dean must

notify the Registrar's Office in writing of all applicable course substitutions on an individual student basis.

Adopted: June 13, 2022

(This policy replaces "Repeating Courses Policy" adopted January 13, 2014.)

Procedures for approving course substitutes are as follows:

1. The course(s) used as a substitute must have credit hours that are at least equal to the number of credit hours in the original course.
2. The substitute course(s) must have relevance to the curriculum and to the course for which the substitution is made, unless the course is being used as an elective.
3. Required core course(s) as outlined in the North Carolina Community College System curriculum standards may not be substituted without review and approval of the Vice President of Instruction/Chief Academic Officer.
4. Requests to substitute courses that were completed at institutions other than a North Carolina Community College must be accompanied by a full course description and accreditation status at the time the course was completed from the institution from which the course is being transferred. If necessary, the Department Head or program director may request a course syllabus if the course description is not detailed enough. It is the responsibility of the student to provide all requested documentation.
5. The Registrar's Office requires documentation in order to process the substitution in the student information system.
6. The Course Substitution form must be used to submit the request and documentation. The form begins with the requestor followed by Dean approval and Vice President of Instruction approval.
7. Approval or denial will be noted in the student early alert system including the completed course substitution form. The Registrar's Office will also include a cop of the approval or denial in Etrieve.

Adopted: June 13, 2022

Academic forgiveness is awarded on a one-time basis for courses with a grade of “F.” It is designed to give students a second chance at successfully completing a degree. Students are eligible for academic forgiveness if they:

1. Complete a minimum of 12 credit hours at Alamance Community College following the semester(s) in which the “F” grade(s) was/were assigned, with a grade average of “C” or better, and
2. Are currently enrolled when requesting academic forgiveness.

Students who failed a required course in their current program of study should retake the course under Policy 5.2.8 – Repeating Courses.

Academic forgiveness does not apply to the grade point average (GPA) required to meet the requirements of Satisfactory Academic Progress (SAP) for federal and state financial aid eligibility.

Students must send a written request for academic forgiveness to the Vice President of Student Services. Forgiven grades still appear on a student’s official transcript, but they are not calculated into the student’s cumulative GPA.

Adopted: June 13, 2022; revised August 12, 2024

**STUDENT SERVICES  
TITLE IV STUDENT AID  
RECIPIENTS SATISFACTORY  
ACADEMIC PROGRESS  
STANDARDS**

**ALAMANCE  
COMMUNITY COLLEGE**

**POLICY  
5.2.10**

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Title IV aid is provided to cover the cost of attendance at Alamance Community College. Eligibility must be established by a standard needs analysis as defined by the U. S. Department of Education. Awards are made based on eligibility, cost of attendance, enrollment, and payment schedules. To remain eligible, a Pell recipient must comply with the following academic standards.

1. The overall grade point average must be at least 1.5 or above depending on the hours attempted (see the graduated scale in the academic catalog).
2. Students must complete at least 67% of all attempted hours to remain eligible. Attempted hours versus completed hours are calculated to determine completion rate.
3. A recipient is given three (3) years in a two-year degree program and two (2) years in a diploma program to complete graduation requirements. A total of 105 hours attempted is allowed for associate degree programs and 60 hours is allowed for diploma programs.

Grade point average, completion rate, and all attempted hours are monitored each year for continual awards.

Students will be given every opportunity to retain eligibility with assistance from the counseling staff. Appeals of any suspension may be made to the Director of Financial Aid.

Adopted: April 14, 2008



The College may award Credits for Prior Learning (“CPL”) as designated by law and state regulations for the following prior learning methods:

1. Apprenticeship
2. State or Industry Recognized Credentials/Continuing Education to Curriculum Credit
3. Courses listed in high school to community college articulation agreements
4. Military education and training
5. Standardized examinations
6. Challenge exams/Proficiency
7. Portfolio assessment
8. Public Safety Training ("PST") prefix courses

The College may award curriculum CPL when the documentation of prior learning meets or exceeds a demonstration of learning outcomes at the College’s standards for awarding credit for the corresponding curriculum course. The College shall award CPL in a manner consistent with State Board regulations.

To be eligible to receive CPL, students must 1) meet all admission requirements for their program of study; 2) be enrolled in a curriculum program to which the credit will directly apply; and 3) request a prior learning assessment.

**A. CREDIT THROUGH APPRENTICESHIP**

The College shall award CPL based on statewide articulation as approved by the Curriculum Course Review Committee for related instruction provided by external entities for registered apprenticeship programs. All apprenticeships must be approved and registered with the North Carolina State Apprenticeship Agency through ApprenticeshipNC.

The College, participating employer, and North Carolina Community College System shall cooperatively put together an apprenticeship agreement that will require at least 2,000 hours of on-the-job learning plus an additional amount of classroom instruction.

Upon successful completion of a registered apprenticeship, the individual will receive work-based learning course credit.

**B. CREDIT THROUGH CERTIFICATION AND LICENSURES**

Students seeking CPL via industry recognized and/or state regulated credentials will complete a request form for a prior learning assessment, attach supporting documentation that substantiates credential attainment, and submit it to the designated college official or office for consideration. Designated faculty/staff should review the request form and supporting documentation to determine whether the student is eligible to receive academic credit.

Students are responsible for providing evidence of their valid (non-expired) certification(s) which must have been issued within five (5) years prior to their request for articulated credit. Students must be enrolled in the associated program to receive course credit.

**C. HIGH SCHOOL TO COMMUNITY COLLEGE ARTICULATION AGREEMENT CREDITS**

North Carolina Department of Public Instruction high school courses that are listed in the High School to Community College Articulation Agreement are eligible for Combined Course Library curriculum course credit. Transcripts of high school courses must be submitted to the College.

**D. MILITARY EDUCATION AND TRAINING**

Servicemen and veterans may be awarded college credit for service schools they have attended. The service schools must be accredited by a regional accrediting agency. Before applying for credit, contact the service school(s) and ask them to which regional accrediting agency they belong. Contact Student Services for more information.

**E. STANDARDIZED EXAMINATIONS**

The College may award CPL credit for the following standardized examinations:

1. College Board Advanced Placement Program (“AP”): College course credit will be granted to students who pass the AP examinations with a score of three, four or five.
2. Cambridge Assessment International Education: College course credit will be granted to students who score a grade of e/E or better based on the AS and A Level exam(s) taken.
3. College-Level Examination Program (“CLEP”): College course credit will be granted to students who participate in CLEP Subject Examinations and achieve the minimum passing score as recommended by the American Council on Education.
4. DANTES Subject Standardized Tests: College course credit will be granted to students who score at or above the credit-granting score recommended by the American Council on Education.
5. International Baccalaureate Diploma Programme: College course credit will be granted to students who earn a grade of 70% or higher in courses taken from a recognized international institution, validated by a US credentialing agency.

**F. REQUESTING CHALLENGE/PROFICIENCY EXAMINATION**

CPL may be awarded through examinations created and administered by academic units that offer the course. The examination is constructed to allow the student to demonstrate mastery of the learning outcomes of the course.

If a department offers credit by examination, no eligible student can be refused the opportunity to take the exam for course credit. A student must meet all pre-requisite requirements before they are eligible to take the challenge/proficiency examination for a course.

Students meeting challenge exam eligibility requirements, as provided by the State Board, state and federal law, and this policy, are responsible for submitting a challenge examination request.

As defined in the State Board of Community Colleges Code, developmental courses, supplemental courses, and courses including clinical practice are not eligible for challenge exams/proficiency.

**G. PORTFOLIO ASSESSMENT PROCESS**

CPL may be awarded through a portfolio assessment process managed by an academic department of the College. A portfolio is “a formal communication” presented by a student as a request for prior learning credit.

Prior learning assessment by portfolio assessment will follow a course-equivalency credit model. Students demonstrate college-level learning by submitting a portfolio consisting of an organized collection of evidence that demonstrates mastery of the learning outcomes of a specific course offered at the College.

To submit a portfolio for assessment, students must contact the department offering the course and follow the schedule established by the department. Courses eligible for credit by portfolio assessment are determined by the department. All portfolio assessments will be completed by discipline-appropriate faculty trained in assessing portfolios for credit. Departments offering prior learning assessment by portfolio will establish rubrics to guide faculty assessment and scoring.

**H. CREDIT THROUGH PUBLIC SAFETY TRAINING PREFIX COURSES**

Courses in the Combined Course Library with a Public Safety Training (PST) prefix may be used for awarding prior learning credit for industry-recognized public safety training and/or credentials.

Credit shall be considered for public safety training that meets the criteria outlined in the Public Safety Training course descriptions as listed in the Combined Course Library.

Official documentation from the training provider or credentialing entity shall be provided to the College to validate the training.

Adopted: September 11, 2023

Legal Reference: N.C.G.S. § 115D-5; 1D SBCCC 800.1; 4A SBCCC 100.1; 4B SBCCC 100.1

The following is an overview of basic student rights. For more specific information concerning these and other rights, students are directed to review the specific policy or procedure dealing with the issue of concern. The provisions and language contained in specific policies and procedures control over this policy.

- A. Students are free to pursue their educational goals. The College shall provide appropriate opportunities for learning in the classroom and on the campus.
- B. Students have the right to freedom of expression, inquiry, and assembly without restraint or censorship, subject to reasonable and non-discriminatory rules and regulations regarding time, place, and manner. For more information, consult Policy 2.3.5 – Campus Free Speech, Distribution of Material, and Assembly.
- C. Students have the right to inquire about and to propose improvements in policies, regulations, and procedures affecting the welfare of students through established student government procedures, campus committees, and College offices.
- D. The Family Educational Rights and Privacy Act of 1974 (FERPA) provides safeguards regarding the confidentiality of and access to student records, and the College shall adhere to the FERPA laws and regulations. Students and former students have the right to review their official records and to request a grievance if they challenge the contents of these records. No records shall be made available to unauthorized personnel or groups outside the College without the written consent of the student involved or if a legal exception applies. For more information, consult Policy 5.4.2 – Student Records – FERPA.
- E. No disciplinary sanctions, other than temporary removal from class or activity, may be imposed upon any student without due process. For more information concerning student due process rights with respect to disciplinary situations, consult Policy 5.3.2 – Student Code of Conduct.
- F. Students have the right to withdraw voluntarily from courses under certain criteria. For more information, consult Policy 5.2.2 – Withdrawal from Courses.
- G. Students have the right to be free from discrimination, harassment, and sexual violence while attending the College and accessing the College’s programs and opportunities. For more information, consult Policy 5.3.4 – Students – Discrimination and Harassment.
- H. Each student is responsible for his or her own conduct, from the time of application for admission through the actual awarding of a degree, diploma, certificate, or skills certification. This requirement applies during the academic year, between terms, and before and after classes begin and end.

- I. Career and College Promise (CCP) students whose classes meet on the ACC campus are subject to the ACC Student Code of Conduct, and complaints will be adjudicated by ACC. Records are subject to FERPA. CCP students whose classes meet at their high school are subject to their high school's student code of conduct, and complaints will be adjudicated by the high school.
- J. Early College students are subject to complaint adjudication by Early College administrators.
- K. Policies and regulations that relate to college-recognized student organizations, and their duties and responsibilities, are established through the Constitution of the Student Government Association and the Student Code of Conduct. Complaints against groups or their members for violations of the Student Code of Conduct are adjudicated by the Vice President for Student Success or designated student conduct officer.

Adopted: June 13, 2022

The College makes every effort to maintain a safe and orderly educational environment for students and staff. Therefore, when, in the judgment of College officials, a student's conduct disrupts or threatens to disrupt the College community, appropriate disciplinary action will be taken to restore and protect the safety of the community.

Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and morality. The purpose of these standards is not to restrict student rights but to protect the rights of individuals in their academic pursuits.

These regulations apply to and encompass all properties and facilities owned or leased by Alamance Community College, including all ACC campuses and off-campus sites at which the College conducts programs, services, or events.

Procedural fairness is basic to the proper enforcement of all College policies and rules. In particular, no disciplinary sanctions shall be imposed unless the student has been informed in writing of the charges against him or her and has (1) an opportunity to know the nature and source of the evidence against him or her; (2) an opportunity to respond to all alleged violations and present evidence on his or her own behalf; and (3) an opportunity to file a petition of appeal of any disciplinary action taken against him or her.

The following regulation sets forth offenses for which disciplinary proceedings may be initiated. Violation of one or more of the following code provisions may result in one of the sanctions described in Procedure 5.3.2.1 – Discipline and Appeal for Academic Violations and/or Procedure 5.3.2.2 – Discipline and Appeal for Non-Academic Violations.

## **I. ACADEMIC-RELATED VIOLATIONS**

- A. Plagiarism – Students shall not plagiarize. Plagiarism is the unacknowledged use of another's work or ideas, presenting as original or new an idea derived from another source. Plagiarism includes but is not limited to: a) paraphrasing or summarizing another's words or works without proper acknowledgement; b) using direct quotes of material without proper acknowledgment; or c) purchasing or using a paper or presentation written or produced by another person. If a student is uncertain about what constitutes plagiarism, he or she should talk to the class instructor.
- B. Cheating – Students shall not use notes or other material on an exam or class work without permission from the class instructor and shall not receive information from another student during an exam or obtain a copy of an exam or questions from an exam prior to taking the exam. Students shall not submit someone else's work as their own or have someone take their exam and submit it as their own.
- C. Aiding Acts of Academic Dishonesty – Students shall not provide information to another student when they know, or reasonably should have known, that the student intends to use the information for cheating or other deceptive purposes.

## **II. NON-ACADEMIC-RELATED VIOLATIONS**

- A. Theft and Property Damage – Students shall not steal, damage, or misuse College property or another individual’s property. Students who are caught stealing or damaging said property may be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline. *Misuse* is defined as any use that is inconsistent with the prescribed, customary authorized or intended use. Misuse includes damage, theft, unauthorized occupation or access, seizure, intentional breaking or destruction. It also includes tampering with safety or security equipment, motor vehicles, instructional equipment or technology, or providing false alarm or communicating a threat.
- B. Trespass to Property – Students shall not trespass. Students are trespassing if in an unauthorized area of the College campus, present on the College campus after closing hours (without permission), or remaining on the College campus after having been directed to leave by a College official.
- C. Drugs and Alcohol – Students shall not unlawfully possess, use, be under the influence of, manufacture, dispense, sell, or distribute alcohol, illegal, or unauthorized controlled substances or impairing substances at any College location. For more specific information, see Policy 5.3.7 – Students – Alcohol and Drugs on Campus. In addition, students may not use tobacco of any form or e-cigarettes on campus or at any College-affiliated activities or events.
- D. Lewd and Indecent Behavior – Students shall not engage in lewd or indecent behavior, including public physical or verbal action or distribution of obscene material based on reasonable community standards, profanity, obscenity, or lack of appropriate dress for the occasion. The conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct constitutes lewd and/or indecent behavior.
- E. Mental/Physical Abuse – Students shall not mentally or physically abuse any person on the College premises or at a College-supervised function, including oral, written, online or physical actions which harass, threaten, intimidate, coerce, bully, libel, slander, or endanger the health or safety of any such persons. Hazing is a form of mental and/or physical abuse.
- F. Assault – Students shall not assault or threaten to assault another person for any reason whatsoever. Assault includes a demonstration of force, unlawful physical touching, or striking.
- G. Sexual Harassment and Sexual Violence – Students shall not engage in sexual harassment and/or sexual violence. For more specific information and definitions of prohibited activities, consult Policy 5.3.5 – Sexual Misconduct.
- H. Unlawful Discrimination. Students shall not engage in unlawful discrimination. For specific information, consult Policy 5.3.4 – Student Discrimination and Harassment.



- I. Communicating Threats – Students shall not verbally, in writing, through a third party, or by any other means threaten to physically injure another person or that person’s child, sibling, spouse, or dependent, or willfully threaten to damage the property of another.
  
- J. Disorderly Conduct and Disruption – Students shall not obstruct or disrupt any teaching, research, administration or disciplinary proceedings, or other College functions and activities, including public service functions, and other duly authorized activities on or off College premises. Students shall not occupy or seize, in any manner, College property, a College facility or any portion thereof for a use inconsistent with prescribed, customary, or authorized use. Students shall not participate in or conduct an assembly, demonstration, or gathering in a manner which threatens or causes injury to person or property; which interferes with free access to enter or leave College facilities; which is harmful, obstructive, or disruptive to the educational process or institutional functions of the College; or which infringes on the rights of others. Students shall not hold rallies, demonstrations, or any other forms of public gathering without prior approval of the College based on reasonable time, place, and manner restrictions; and shall not remain at the scene of such an assembly after being asked to leave by a representative of the College staff.
  
- K. Possession of Weapons – Students shall not have a weapon of any kind, including but not limited to, a knife, stun gun, or any firearm in their possession on campus or at any College-affiliated activities or events except handguns as allowed by N.C.G.S. § 14-269.4. Handguns are permitted under these circumstances: a) the person has a concealed handgun permit that is lawfully issued; b) the handgun is in a closed compartment or container within the person’s locked vehicle; c) a person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times; and d) the vehicle is locked at all times. Examples of weapons include but are not limited to explosives, incendiaries, bowie knives, dirks, daggers, loaded canes, sword canes, machetes, box cutters, brass knuckles, and hazardous chemical or biological agents unrelated to College instructional activities.
  
- L. Tampering with Fire Alarms, Public Safety, or Notification Devices – Students shall not set off a fire alarm or use or tamper with any fire safety equipment, public notification device, call box, camera, or speaker system except with reasonable belief in the need for such alarm or equipment.
  
- M. Gambling – Students shall not gamble or wager for money or material on campus or at any College-affiliated activities or events. As permitted by an exception in the North Carolina General Statutes, a nonprofit organization may conduct up to two raffles per year.
  
- N. Traffic Violations – Students shall not violate College regulations regarding the operation and parking of motor vehicles.

- O. Providing False Information – Students shall not present to the College or its employees forged or false information as part of an investigation, inquiry, hearing, or in other matters related to College activities; neither may a student knowingly withhold information which may have an effect on their enrollment or their status with the College. Students shall not present false identification with intent to deceive. ACC prohibits representing the College, its community members, or a student organization without authorization, or representing or using the identity of an individual member of the community without express authorization of the individual.
- P. Disobedience/Insubordination – Students shall identify themselves and comply with instructions of College officials acting in performance of their duties. Students will adhere to the terms of any discipline action or directive associated with threat assessment.
- Q. Financial Impropriety – Students shall not engage in financial impropriety such as failure to pay College-levied fines, failure to repay College-funded loans, misuse or failure to properly account for club or student organization funds, or pass worthless checks, drafts, or orders to College officials.
- R. Public Laws – Students shall follow federal, state, and local laws while on campus or at College-authorized events or activities. Violations of public law may lead to legal actions as well as College discipline. Violations of federal, state, or local laws occurring off campus may result in disciplinary action if the student’s continued presence on campus constitutes a threat to the safety and order of the campus.
- S. Failure to Report Criminal Activity – Students shall inform the College in writing within five (5) days after a conviction for violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while on a College location. For more information, see Policy 5.3.5 – Student Alcohol and Drugs on Campus.
- T. Unauthorized Access to College Records – Students may not access, view, copy, or change official College records without expressed authority to do so.
- U. Animals on Campus – Students may not have an animal of any kind on campus. This includes animals left within a vehicle. Service animals are permitted, and any student with a service animal should report the use of a service animal to the College’s Disability Services Coordinator. For more information regarding service animals, see Policy 2.2.7 – Service Animals and Other Animals on Campus.
- V. Improper Use of the College Network/Technology – Students are prohibited from engaging in any activities prohibited under Policy 7.1 – Acceptable Use of Information Systems.

- W. Violation of Policies and Procedures – Students are expected to be familiar with the College’s policies and procedures. Students may be disciplined for failure to follow the College’s policies and procedures.
  
- X. Violations of Normal Classroom Behavior – Students are expected to comply with reasonable rules issued by an instructor. Students shall not cause disruption in the classroom or be disrespectful to classmates or the instructor. To be considered a violation, the conduct must be objectively severe or pervasive enough that a reasonable person would agree that the conduct is disruptive or disrespectful not based on content or viewpoint discrimination.

Adopted: June 13, 2022

(This policy replaces “Student Code of Conduct, Rights, and Responsibilities Policy” revised September 10, 2007 and June 11, 2018.)

## **I. OVERVIEW**

Deans, Department Heads, Instructors, Vice President of Workforce Development, or designated student conduct officer, or Student Conduct Appeals Panel are responsible for implementing student discipline procedures for academic dishonesty. Academic-related violations include plagiarism, cheating, and aiding acts of academic dishonesty, all of which are defined in Policy 5.3.2 – Student Code of Conduct. The College is committed to providing an excellent educational experience for all students. Academic integrity is an essential component to this level of education.

The academic penalty for academic-related violations should be clearly stated by the instructor in each course syllabus and reviewed at the beginning of the first-class meeting.

These procedures only apply to academic-related violations, outlined herein and defined in Policy 5.3.2. For non-academic violations, see Discipline and Appeal Procedure 5.3.2.2.

## **II. SANCTIONS FOR VIOLATIONS**

The following sanctions may be imposed for academic violations:

- Oral warning
- Letter of warning
- Re-complete the assignment
- Additional course work
- Loss of credit for the assignment
- Loss of credit for the course
- Administrative withdrawal from the course.

## **III. INSTRUCTOR’S INVESTIGATION**

An instructor suspecting an incident of an academic-related violation shall follow these steps to address the concern:

1. The instructor suspecting the alleged violation shall first present concerns to the student and provide an opportunity for the student to explain or refute the concerns.
2. The student will be allowed to comment on the evidence or to present evidence to clarify the issue in question.
3. Based on the evidence presented and the student’s comments, the instructor shall determine whether an academic violation has occurred. This determination will result in one of the following findings:
  - a. An academic-related violation did not take place and the issue is resolved.
  - b. An act of academic dishonesty did occur in the instructor’s judgment.

#### **IV. INSTRUCTOR'S DETERMINATION**

The instructor will communicate his or her findings via email to the student's official College email address within five (5) business days of the initial meeting with the student. If an email address is not available, the instructor shall send his or her written findings to the student's mailing address on record with the College. The findings must contain, with specificity, the evidence supporting the instructor's determination. The instructor shall also inform the student of the imposed academic sanctions. The sanction will remain in place unless modified or overturned on appeal.

#### **V. APPEAL PROCEDURES**

A student who disagrees with the instructor's decision may appeal to the appropriate Dean if the student is enrolled in a course for credit, or the Vice President of Workforce Development if the student is enrolled in a non-credit course. This appeal must be submitted in writing within three (3) business days of receipt of the instructor's decision and describe, with specificity, why the student believes the instructor's findings to be in error.

The appropriate Dean or the Vice President of Workforce Development will conduct an "on the record review" examining the instructor's written findings and student's written appeal. The official may require the student, the instructor, and any other necessary party to provide additional documents as needed, including written statements, or provide written clarification to submitted documents.

After considering the evidence presented, the appropriate Dean or the Vice President of Workforce Development will affirm, modify, or overturn the instructor's decision.

The official will inform the student via the student's official College email address of the decision within 10 business days of the receipt of the student's appeal. If an email address is not available, the official shall send his or her written findings to the student's mailing address on record with the College.

The Dean or Vice President of Workforce Development's decision is final.

Adopted: June 13, 2022

**STUDENT SERVICES  
DISCIPLINE AND APPEAL  
FOR NON-ACADEMIC  
VIOLATIONS**

**ALAMANCE  
COMMUNITY COLLEGE** **PROCEDURE  
5.3.2.2**

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**I. OVERVIEW**

The President, Vice President of Student Success, Vice President of Workforce Development, designated student conduct officer, or Student Conduct Appeals Panel are responsible for implementing student discipline procedures for non-academic violations.

These procedures apply to non-academic violations defined in Policy 5.3.2 – Student Code of Conduct. For academic-related violations, see Procedure 5.3.2.1 – Discipline and Appeal for Academic Violations. For issues regarding sexual harassment and sexual violence, see Policy 5.3.5 – Sexual Misconduct and Title IX and for issues related to other forms of unlawful discrimination, see Policy 5.3.4 – Students – Discrimination and Harassment.

**II. SANCTIONS FOR VIOLATIONS**

The following sanctions may be imposed for non-academic violations:

- A. Oral Warning. A verbal censure of a student and a warning that subsequent violations are likely to result in heavier sanctions.
- B. Letter of Warning. A written communication that gives official notice to the student that any further disciplinary offense will carry heavier penalties because of this prior infraction.
- C. Educational and Community Service Sanctions. Activities intended to improve a student’s ability to function within the range of expected conduct within the College community. Examples include but are not limited to performing a specified number of community service or college service hours, writing a reflection paper relevant to the circumstances of the violation, assignment of specified counseling, agreement to a behavioral contract, or assignment of a no-contact order.
- D. Disciplinary Probation. Disciplinary probation results in loss of good standing and becomes a matter of record. While on disciplinary probation, the student will not be eligible for initiation into any local or national organization and shall not receive any College award or other honorary recognition. The student may not occupy a position of leadership or responsibility with any College or student organization, publication, or activity. This sanction prohibits the student from officially representing the College or participating in any extracurricular activities including intramural competitions. Disciplinary probation will be in effect for not more than two (2) regular semesters including the current semester, and any intervening summer session. Any further disciplinary offenses while under disciplinary probation may result in the student’s immediate suspension.

- E. Restitution. Paying for damaging, misusing, destroying, or losing property belonging to the College, College employees, or students. Restitution may take the form of financial payment or appropriate service to repair or otherwise compensate for such damages.
- F. Withholding Academic Records and/or the Right to Register. Withholding transcripts, diplomas, or the right to register or participate in graduation ceremonies is imposed when a student's financial obligations are not met or the student has a disciplinary case pending final disposition.
- G. Interim Suspension. The exclusion from all College property and all College activities pending the resolution of a disciplinary proceeding or for conduct that poses a threat to the health or well-being of any member of the College community or to the activities and property of the College. An interim suspension may be assigned when an accused student or student group/organization does not respond timely to begin the complaint resolution process after being notified of a student conduct complaint. Interim suspension is generally limited to five (5) school days or until a student begins participation in the complaint adjudication process.
- H. Suspension. The exclusion from all College property and all College activities for a specified period of time, not generally to exceed two (2) semesters and any intervening summer session. This sanction is reserved for those offenses warranting discipline more severe than disciplinary probation. A student under suspension must receive specific written permission from the Vice President of Student Success or Vice President of Workforce Development before returning to campus. Suspension appears on the student's academic transcript.
- I. Expulsion. Dismissal from the College for an indefinite period. The minimum length of expulsion will not be less than one (1) calendar year. The student may be readmitted to the College only with the approval of the Vice President of Student Success or Vice President of Workforce Development. Expulsion appears on the student's academic transcript.
- J. Group Probation. Group probation is given to a College club or other organized student group for a specified period of time. If group violations are repeated during the term of probation, the charter may be revoked or activities restricted.
- K. Group Restriction. Removing College recognition during the semester in which the offense occurred, or for a longer period (usually not more than one other semester). While under restriction, the group may not seek to add members, hold events, or sponsor events in the College community or engage in other activities as specified.
- L. Group Recognition Revocation. The removal of College recognition for a group, club, society, or other organization for a minimum of two (2) years. Recognition after that time must be approved by the President.

### **III. IMMEDIATE REMOVAL FROM CAMPUS**

If an act of misconduct threatens the health, safety, or well-being of any member of the academic community and/or seriously disrupts the function and good order of the College, an instructor will immediately notify Public Safety, the instructor's department head, or any College Vice President or Dean who will meet with the student and direct the student to cease and desist such conduct and advise the student that failing to cease and desist will result in an immediate removal from campus. If the student(s) fails to cease and desist, or if the behavior is such that the student(s) needs to immediately be removed from campus, the Office of Public Safety may then immediately have the student(s) removed from campus.

The Office of Public Safety or other complainant shall notify the Vice President of Student Success or Vice President of Workforce Development in writing of the student involved and the nature of the infraction as soon as possible but no more than one (1) working day following the incident. Upon receipt of the written notice, the appropriate student conduct officer shall meet with the student as soon as possible to allow the student to present his or her side. If, in the student conduct officer's opinion, the student behavior threatens the health, safety, and well-being of the College community, the appropriate Vice President shall place the student on interim suspension pending the outcome of the disciplinary matter. Interim suspension may be imposed (a) to ensure the safety and well-being of members of the College; (b) to ensure the student's own physical or emotional safety and well-being; or (c) if the student poses a direct threat of disruption or interference with the normal operations of the College.

### **IV. DISCIPLINARY PROCEDURES**

To provide an orderly system for handling student disciplinary cases in accordance with due process and justice, the following procedures will be followed:

#### **A. Incident Report**

Any College employee or student may file written charges with the Vice President of Student Success or Vice President of Workforce Development against any student or student organization for violations of the Student Code of Conduct. Events, decisions, or activities (except sexual misconduct allegations) that occurred more than 120 days earlier are "stale" and are not normally subject to student conduct action. Exceptions to the time frame will be made at the discretion of the Executive Vice President.

#### **B. Investigation and Determination**

The appropriate Vice President shall investigate the charges and allegations. Within 10 business days after receipt of the incident report, the Vice President shall complete an investigation of the charges and shall meet with the student (or student representative(s) on behalf of a student organization), present the results of the investigation, and provide the student (or student representative(s)) with an



opportunity to present his or her side. The meeting is closed to the public. After discussing the alleged infraction with the student, the Vice President may act as follows:

1. Drop the charges;
2. Impose a sanction; or
3. Refer the student(s) to a College office or community agency for services.

All disciplinary actions should be progressive in nature and should take into account the totality of the situation; however, depending on the severity of the infraction, even first-time offenses could result in suspension or expulsion. All findings are based upon preponderance of the evidence.

C. Notification and Records

The appropriate Vice President shall provide the student with his or her written decision and instructions governing the appeal process. Such notice shall be given in person or sent to the student's College email address or mailing address of record. Resolution of complaints should be completed within 60 days, except when there are extenuating circumstances.

If the College suspends or expels a student for non-academic disciplinary purposes, the College shall record the suspension or expulsion in the student's educational record. Upon receipt of a written request signed by the student and subject to all applicable privacy laws, the College shall, in accordance with the student's request, inform other colleges and universities of the term and circumstances of the student's non-academic disciplinary suspension or expulsion, if any.

**V. DISCIPLINARY APPEAL PROCEDURE**

A. Appeal to the Student Conduct Appeals Panel

An accused student who disagrees with the student conduct officer's decision may appeal to the Student Conduct Appeals Panel ("Panel"). This request must be submitted in writing to the Chair of the College Grievance Committee within three (3) working days after receipt of the Vice President's decision. The appeal must be based on one or more of the following grounds: (1) insufficient evidence to support the decision; (2) new evidence unavailable at the time of the original hearing; (3) procedural error serious enough to affect the outcome of the hearing; (4) excessive or inappropriate sanctions; (5) discrimination based on the appellant's membership in a protected group. The student conduct officer shall provide the Panel a report of the nature of the alleged misconduct, the name of the complainant, the name of the student(s) against whom the charge has been filed, and the relevant facts revealed by the investigation and adjudication. The sanctions assigned in the case may be held in abeyance pending the completion of the appeal process, at the discretion of the appropriate Vice President.

1. Panel Composition

Membership of the Panel shall be composed of three (3) members assembled by the Chair of the Grievance Committee. No member who has a conflict of interest will serve on the panel. Decisions in a particular case are made by majority vote and based upon a preponderance of the evidence. The Chairperson of the Grievance Committee will chair the hearing but will not vote.

2. Rules and Guidelines for Student Conduct Appeals Panels

- a. The Chairperson will provide the original hearing officer and original accuser (if relevant) with a copy of the written appeal and will request a written response from the hearing officer and/or original accuser as appropriate to the particular case. The Chairperson will then provide the appellant with a copy of the hearing officer's and/or original accuser's response.
- b. The appellant, the original hearing officer, and the original accuser (as appropriate to the particulars of the case) are entitled to be present during all segments of the hearing in which testimony is given.
- c. The hearing will be closed to the public. The hearing will be electronically recorded, except deliberations will not be recorded. Voice recordings and any transcripts thereof become the property of Alamance Community College. These materials will be securely housed in the Office of the Vice President of Student Success. At the expense of the requestor, access to copies of the materials will be determined by the Committee Chair after consultation with the Vice President of Student Success. The College will not release any student information protected by the Family Educational Rights and Privacy Act, unless ordered by a court of law.
- d. Each witness must submit a written statement of testimony to the Chairperson at least three (3) college days prior to the scheduled date of the hearing. The Chair will make a determination and certify the witness as an individual having testimony relevant to the hearing. If it is impossible for a witness to appear in person, he or she may request in writing that a statement be considered at the hearing.
- e. Witnesses may be present in the hearing only when they are providing oral testimony.
- f. The appellant may have an advisor of his or her choice present at a student conduct appeal hearing and any related meetings. In the case of sexual misconduct allegations, the appellant, the original hearing officer, and the original accuser may have an advisor present. An advisor serves on a consulting (non-participatory) basis in a student conduct appeals hearing or related meetings. If an attorney is to be present as advisor to the appellant or the original accuser, current contact information of the attorney must be provided to the Chairperson of the Grievance Committee at least five (5) college days before the

scheduled date of the administrative hearing. The College reserves the right to have its legal counsel present as advisor or observer at any administrative hearing, Student Conduct Appeals Panel hearing, and related meetings.

- g. The Student Conduct Appeals Panel has the authority to uphold the original decision, uphold or modify the sanctions, remit the case for a new administrative hearing, or reverse the decision and dismiss the complaint.
- h. Perjury and Contempt:
  - 1. Perjury is defined as the voluntary violation of an oath or vow given before testimony. It includes such examples as lying or falsification of records. Such acts of perjury may result in a penalty of dismissal for those college students, faculty, staff, or witnesses who are found responsible for perjury.
  - 2. Contempt is defined as any act or process in which a person prohibits or obstructs the system of fundamental fairness. Examples include being out of order in a committee session, attempting to bribe a committee member or witness, or not appearing at a scheduled appeal hearing. Such acts may result in a penalty of dismissal for those college students, faculty, staff, or witnesses who are found responsible for contempt.

3. Procedures in Student Conduct Appeals Panel Hearings

- a. The Chairperson of the Grievance Committee presides.
- b. The complaint is read to the Appeals Panel and other participants.
- c. The plea of the hearing officer and/or original complainant is heard.
- d. Testimonies by both parties and witnesses occur. Every person giving testimony will take the following oath: “On my honor, I affirm to tell the truth, the whole truth, and nothing but the truth.”
- e. Either party may write questions for the Chairperson to use in hearing oral testimony. The Chairperson or any Appeals Panel member may ask questions of either party during the presentation of testimony.
- f. For procedures specific to sexual misconduct cases, see ACC’s “Procedures to Address Sexual Misconduct” posted on the College’s web site.
- g. A written notification of the committee’s decision will be provided to the accused, the hearing officer, the accuser (when permitted by College policy), and the appropriate Vice President within 24 hours after the conclusion of the hearing and decision of the Panel. Appeal procedures to the President will be described in the written notification.

B. Appeal to the President

- a. If the appellant is dissatisfied with the decision of the Student Conduct Appeals Panel, the final appeal rests with the President, who may delegate authority to the Executive Vice President. The student who

appeals a student conduct decision has five (5) college days to communicate, in writing, why the decision is unjust or the procedures used were unfair. Until the President's office receives the appeal in writing, all findings of the Student Conduct Appeals Panel remain in effect. The President, or Executive Vice President if so designated, completes a review of the record, will render a decision within 10 college days after receiving the written appeal, and will notify pertinent parties and the Student Conduct Appeals Panel. The President, or Executive Vice President if so designated, has the authority to uphold the original decision, uphold or modify the sanctions, remit the case for a new administrative hearing, or reverse the decision and dismiss the complaint. The President's, or if so designated the Executive Vice President's, decision serves as the final authority of the College.

- b. While an action of the Vice President of Student Success, Vice President of Workforce Development, designated student conduct officer, or Student Conduct Appeals Panel is under appeal, a student may or may not be permitted to attend class or participate in College-related activities. This determination will be made by the Vice President on a case-by-case basis. If the appeal is denied, the original sanction(s) stand and the academic standing of the student reverts back to the day sanctions were imposed.

## **VI. STUDENT VOLUNTARY WITHDRAWAL**

If a student is accused of violating the Student Code of Conduct and voluntarily withdraws prior to the conclusion of the disciplinary matter without the consent of the appropriate Vice President, the student will not be allowed to re-enroll at the College unless reasonable re-entry restrictions, as determined by the Vice President, are satisfied. For students who withdrew prior to a determination regarding alleged misconduct that threatened the health, safety, or well-being of any member of the academic community and/or seriously disrupted the function and good order of the College, in addition to other reasonable re-entry restrictions, the student must provide proof from a qualified mental health professional (ex. psychiatrist or licensed psychologist), at the student's expense, that the student no longer poses a direct threat.

Adopted: June 13, 2022

## **I. PURPOSE**

It is the policy of Alamance Community College ("ACC" or "College") to provide a safe place for its students to learn and a safe place for its employees to work. Threat Assessment is a safety management process to be used when facing an extraordinary discipline (threat of violence or disruption) and/or safety issue. The goal of threat assessment is the prevention of violence through identification and evaluation of individuals or groups that pose a threat to harm persons or property, followed by intervention to reduce the risk of violence.

## **II. SCOPE**

This Threat Assessment Policy and accompanying procedure apply to all ACC students enrolled in campus-based and/or online courses in both degree programs and in non-credit programs; to faculty; to staff; to Early College students; to contracted workers; and to campus visitors. It applies when on the campuses of ACC, including, but not limited to, in on-line courses and activities, and at any College-sponsored program or activity.

Reporting potential threats: In the event of an emergency, an immediate call should be made to 911. In other situations, anyone who believes the immediate safety and well-being of an individual or the campus, or the property of the College is/are at risk should promptly notify the Director of Public Safety or the Vice President of Student Success.

Threat Assessment is determined and reporting is authorized in situations involving indications of unlawful criminal activity or evidence of threatening behavior that constitutes a clear and present danger to the physical and/or emotional well-being of a person, including other students, faculty, staff or visitor(s). Threat Assessment is distinct from, and is not, ACC's disciplinary action, behavioral intervention/CARE Team, emergency management, or profiling.

College officials who may each authorize the Threat Assessment Procedure (Procedure 5.3.3.1) are the Public Safety Director or designee, the Vice President of Student Success or designee, the College President or designee, and the Behavioral Intervention Team chair or designee.

Threat Assessment review is conducted by the Threat Assessment Team (TAT), a cross-functional, multidisciplinary group focused on prevention and early intervention to address the situation. The review may include gathering additional facts, evidence or documentation, speaking with a student and others, and review of other evidentiary sources. Based on the result of the review, the TAT may do the following: a) treat and refer the matter as a disciplinary case; b) make a written referral to the behavioral intervention team; or, c) conclude no further action is warranted.

TAT will use an appropriate model or tool, approved by the Director of Public Safety, to guide the threat assessment evaluation. The TAT will be trained on use of the threat

assessment tool and on interventions available to respond to cases.

The core members of the Threat Assessment Team are:

- Vice President of Student Success (team leader),
- Director of Public Safety,
- College Counselor or Disability Services Coordinator.

Additional TAT members are included on a case-specific basis as authorized by the team leader. Examples include but are not limited to:

- Human Resources Director in cases involving employee(s),
- Workforce Division representative,
- Instructional Division representative,
- Student Conduct officer.

The TAT should be referred cases involving threats of violence that would affect the campus community. Referrals may be made by any administrative unit of the College; by the behavioral intervention team; or by individual students, faculty members, staff members, or any other person. Health and counseling agencies must comply with federal and state law regarding privacy information and release of patient/client information. The referring unit or person(s) should coordinate their reporting and actions with the TAT so the overall response addresses safety concerns.

Administrative decisions and/or actions regarding the subject(s) of an active investigation that would alter the subject's academic, employment, or disciplinary status should be reviewed by the TAT and should be undertaken with procedural fairness. In a case of disagreement between College administrative officials and the TAT regarding disciplinary, academic, or employment status, the College President (or designee) shall make the final decision.

The TAT will classify each case as active (from referral through investigation and intervention) or inactive (when the TAT concludes there is no longer concern that the person of interest poses an immediate threat). An inactive case can be referred to the TAT again if changed conditions raise a reasonable concern about a threat or safety.

### **III. DEFINITIONS**

Threats include but are not limited to:

- Threatening/expressing the intention to harm an individual or a group of individuals (may be communicated directly to the intended target or indirectly to third parties; may be explicit or veiled; may be expressed orally, in writing, by means of drawings or visual representations, through media such as social media, cell phones, internet, or communications or acts of behavior such as bodily gestures or physical symbolism).
- Assaulting or injuring another person physically.

- Engaging in behavior that creates a reasonable fear of injury to oneself or others including bullying.
- Engaging in behavior that indicates preparation for a violent act.
- Expressing high anger or verbal abuse in a manner that suggests violent intentions.
- Possessing, brandishing, or using a weapon while on College premises except where possession is a result of participation in an organized and scheduled exercise for a course, or by persons specifically authorized and in accordance with N.C. G.S. 14-269.2.
- Threatening to damage, or intentionally damaging, property.
- Participating in reprisal (act of vengeance) or retaliating against any employee, student or community member who, in good faith, executes his/her duties or reports a violation of College policy.

Adopted: January 23, 2023

**STUDENT SERVICES**  
**ALAMANCE STUDENTS – DISCRIMINATION POLICY**  
**COMMUNITY COLLEGE AND HARASSMENT 5.3.4**

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Alamance Community College does not discriminate in administering its programs and activities. No person shall be denied access to admission or fair treatment or in any way be discriminated against based on race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation, or veterans' status.

For issues related to sexual harassment, assault, and violence, consult Policy 5.3.5 – Sexual Misconduct and Title IX.

For issues related to all other types of unlawful discrimination and harassment, consult Policy 5.3.2 – Student Code of Conduct, and Procedure 5.3.2.2 – Discipline and Appeal for Non-Academic Violations.

Adopted: June 13, 2022

Legal Reference: Title VII of the Civil Rights Act of 1964; The Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; The Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Title II of the Genetic Information Nondiscrimination Act of 2008; Title IX of the Higher Education Amendments of 1972; Lily Ledbetter Act; NC Equal Employment Practices Act; NC Retaliatory Employment Discrimination Act; Jeanne Clery Disclosure Act of Campus Security Policy and Campus Statistic Act of 1990; Campus Sexual Assault Victim's Bill of Rights of 1992; Violence Against Women Act of 1994; Campus Sexual Violence Elimination Act of 2013.



**STUDENT SERVICES**  
**SEXUAL MISCONDUCT AND**  
**TITLE IX**  
**POLICY**

**ALAMANCE**  
**COMMUNITY COLLEGE**      **(2020 FINAL RULE REVISION)**      **5.3.5**

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Alamance Community College (the “College” or “ACC”) is committed to providing an educational environment in which all employees and students, without regard to sex, sexual orientation or gender identity, have a right to work and learn free from sexual harassment and sexual violence. Sexual misconduct is prohibited, and the College will promptly, fairly, and impartially address complaints through its Title IX procedures. This policy applies to sexual misconduct that occurs within the scope of the College’s educational programs and activities (both on-campus and off-campus) against a person in the United States. The College will provide supportive measures as well as complaint resolution options to its students, applicants, and employees who are alleged victims.

When a sexual misconduct complaint falls outside the jurisdiction of Title IX, the College will apply its student conduct procedures (See Policy 5.3.2 – Student Code of Conduct and Policy 5.3.6 – Student Grievance) or employee grievance procedures (Policy 3.3.8 – Grievance Policy and Procedure - Non-Student) as appropriate to the particular complaint.

Sexual harassment and sexual violence are deemed forms of sex discrimination prohibited by Title IX of the Educational Amendments of 1972 (and Title IX Final Rule 2020) which prohibits sex discrimination against students and employees in educational institutions which receive federal funds and by Title VII of the Civil Rights Act of 1964, as amended, which prohibits sex discrimination in employment and by North Carolina General Statutes 136-16.

**I. DEFINITIONS AND PROHIBITED CONDUCT**

Prohibited conduct under Title IX includes the following:

- **Sexual harassment** as defined in Title IX Final Rule 2020:
  - An employee of the College conditioning educational aid, benefit or service on an individual’s participation in unwelcome sexual conduct (quid pro quo harassment) as prohibited in the Title IX Final Rule 2020.
  - Offenses defined in the Clery Act and the US Violence Against Women Reauthorization Act of 2013 (including sexual assault, dating violence, domestic violence, and stalking on the basis of sex as prohibited in Title IX Final Rule 2020).
  - Unwelcome conduct that a reasonable person would find so severe, pervasive and objectively offensive that it denies a person equal educational access, as prohibited by in Title IX Final Rule 2020.
- **Any form of sexual violence.** These are physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability or a medically diagnosed impairment. Sexual violence includes:
  - VAWA and Clery Act offenses

- Any form of sexual violence defined as a criminal sex crime in North Carolina G.S. 14-27.1 and G. S. 50B – 1 (including rape, sexual battery and sexual coercion).
- **Unwelcome verbal and/or physical conduct of a sexual nature or with sexual implications, based on sex or sexual stereotyping, when the conduct is sufficiently severe or pervasive as to create a hostile work or learning environment** when evaluated from the standpoint of a “reasonable person” and consistent with First Amendment protections of free speech and academic freedom.

### **Definitions**

Sexual harassment is a specific form of discriminatory harassment and an unlawful discriminatory practice. Sexual harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, dating violence, domestic violence, and stalking, all of which are defined below. For the purposes of this policy, sexual harassment is defined as unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s education programs or activities. Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

The complainant is an individual who is the reported victim of conduct that could constitute sexual misconduct. The respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct.

Sexual assault is any sexual act directed against another person, without the consent of the complainant, including instances in which the complainant is incapable of giving consent. This includes:

- Forcible rape, which is defined as penetration, no matter how slight, of the vagina or anus with a body part or object, or oral penetration by a sex organ or other person, without the consent of the complainant.
- Forcible sodomy, which defined as oral or anal sexual intercourse with another person, forcibly, and against that person’s will (non-consensually), or not forcibly against that person’s will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Sexual assault with an object, which is defined as the use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Forcible fondling, which is defined as the touching of the private body parts of another person for the purposes of sexual gratification, forcibly, and/or against that person’s will (non-consensually), or not forcibly against that person’s will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

- Incest, which is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by North Carolina law.
- Statutory rape, which is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent of North Carolina.

Dating Violence is defined as violence, on the basis of sex, committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is defined as violence, on the basis of sex, committed by a current or former spouse or intimate partner of the complainant by:

- A person with whom the complainant shares a child in common, or
- A person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner, or
- A person similarly situated to a spouse of the complainant under the domestic or family violence laws of North Carolina, or
- Any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of North Carolina.

To categorize an incident as domestic violence, the relationship between the respondent and the complainant must be more than two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

Stalking is defined as engaging in a course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear for his or her safety, or the safety of others, or suffer substantial emotional distress. For the purposes of this definition:

- "Course of conduct" means two or more acts, including but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the complainant.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

Consent is an agreement between participants to engage in sexual activity. It is defined as voluntary, freely given, informed, positive and cooperative in act and attitude, revocable at any time, and ongoing throughout a sexual encounter. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or marital relationship shall not be sufficient to constitute consent. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Persons who are related to each other within the degrees wherein marriage is prohibited by law cannot consent to sexual intercourse with each other. Consent may not be assumed. If there is any ambiguity or confusion, a person involved should stop the activity to clarify and confirm consent. Once consent is withdrawn, the sexual activity must stop immediately.

Consent is not freely given if:

- It is obtained through the use of force, through the fear or threat of force, intimidation, coercion, or by kidnap;
- The individual has acted or spoken in a manner which expresses they refuse to give consent; or
- The complainant was unable to give consent for any of the following reasons:
  - The individual is unable to make an informed decision due to incapacitation,
  - The individual is unconscious, asleep, or suffering from shock,
  - The individual is under the statutory age of consent, or
  - The individual has a permanent or temporary mental disorder or development or physical disability, and therefore is legally unable to give consent.

For the purposes of this definition:

- “Coercion” is the practice of forcing another party to act in an involuntary manner by use of intimidation or threats or some other form of undue pressure or force. Coercion may include the use of emotional manipulation to persuade someone to do something the person does not want to do.
- “Incapacitation” is the state where someone cannot make rational, reasonable decisions due to a lack of capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, and how” of the sexual interaction) due to alcohol, prescribed medication, predatory drugs, or other drugs.

### **Bystander Interventions and Risk Reduction**

Every member of the ACC community can play a role in facilitating safe and positive preventative measures. The entire college community is encouraged to be an active bystander. It is important to note that if someone is assaulted, it is never their fault; however, bystanders can use the three options provided below to intervene to prevent harm or potential harm:

- **Direct:** Approach the situation directly. Say, “What’s going on?” or “Where are you going?”
- **Delegate:** Contact the Department of Public Safety or find a friend to intervene

- **Distract:** Do something to take attention away from the situation. Say, “The police are coming,” or do something to distract.

In addition to bystander interventions, risk reduction strategies include the following:

- Get clear, unambiguous consent for every aspect of sexual activity.
- If someone says no or looks uncomfortable, stop what is happening.
- Communicate boundaries and expectations.
- Have backup plans. Sometimes plans change quickly. Download a ride share app, like Uber, or keep the number for a reliable cab company on hand.
- When alcohol is involved:
  - Whenever going out in a group, plan to arrive together and leave together and if necessary communicate early departures to the group.
  - Know what is being served. Don’t recognize an ingredient? Look it up. Be wary of large-batch drinks like punches that may have deceptively high alcohol content.
  - Don’t leave a drink unattended.
  - Don’t accept drinks from strangers or acquaintances.
  - Be aware of sudden physical changes that could signal inebriation.

## II. REPORTING OPTIONS

Any person may report sexual misconduct (harassment or violence) to one or more of the following: the Title IX Coordinator (ACC’s Director of Human Resources), a College “responsible employee,” a College “counselor/advisor,” their employment supervisor, a College Public Safety official, a local law enforcement officer, a local medical professional, a local mental health professional, or a pastoral counselor. A report may be made in person, by mail, by telephone, or by email. A third party complaint, made on behalf of someone else who has been the victim of sexual misconduct/harassment/violence, will be investigated by ACC. Complainants should be aware it may be difficult to keep the victim’s identity confidential during the investigation because of the circumstances of the charge.

Upon receipt of a complaint, the Title IX Coordinator will determine whether the complaint meets the condition of the Title IX Final Rule 2020. If so, the Title IX response process will be initiated. If not, the complaint will be referred to the appropriate student conduct or employee grievance contact person.

### **Responsible Employees**

College “responsible employees” are all faculty members, administrators, and support staff (including student employees and contracted service providers) except the Title IX Coordinator and designated “counselors/advisors”; all student services staff members except designated “counselors/advisors”; and ACC Public Safety staff. A “responsible employee” shall report to the College’s Title IX Coordinator or designee relevant details of instances of sexual misconduct made known to him/her, and he/she shall inform the

complainant of his/her right to file a Title IX complaint with the College and to report a crime to ACC Public Safety and/or local law enforcement.

### **Counselors/Advisors**

College “counselors/advisors” are not considered “responsible employees” for reporting purposes but are counselors/advisors whom students or employees may consult confidentially for support and information. These designated individuals are the Director of Wellness & Student Support, Coordinator of Disability Services, and counselor trainees working under the supervision of a professional counselor, ACC-selected/appointed sexual assault responders designated and appointed for a term of service by the Vice President of Student Services, and ACC-approved third parties providing confidential counseling services on the campuses or by referral. These “counselors/advisors” are not required to report incidents except as described below, and they will provide information about support services students can use whether or not they file a complaint on campus or with off-campus authorities. “Counselors/advisors” will report incidents under certain specific circumstances, including an informed consent release by the complainant, a threat of harm to self or others, a court order, or harm to minors (NCGS 14-27.5).

### **Supportive Measures**

In all cases, the Title IX Coordinator will contact the complainant confidentially to discuss the availability of supportive measures and to explain the process for filing a formal complaint. Supportive measures are individualized, reasonably available services designed to ensure equal educational access, protect safety, or deter sexual harassment. The measures must be non-punitive, non-disciplinary, and not unreasonably burdensome to the accused party.

Supportive measures are available to both complainants and respondents before or after the filing of a formal complaint, or where no formal complaint has been filed. The College will maintain as confidential any supportive measures provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The College is obligated to comply with a student’s reasonable request for an academic situation following an alleged sex offense.

Supportive measures may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the community or community subgroups
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations

- Academic support, extensions of deadlines, or other course or academic program-related adjustments
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased campus police and security to monitor certain areas of campus
- Any other actions deemed appropriate by the Title IX Coordinator

No-Contact Orders may be imposed at the request of a party or at the discretion of the Title IX Coordinator. When a No-Contact Order is put in place, the party or parties must refrain from:

- Approaching one another at any time
- Calling one another at any time
- Communicating electronically (email, social media, text message, etc.)
- Other forms outlined in the No Contact Order that may be required specific to the terms of the case

### **Written Notification of Rights and Services**

When a student or employee reports he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether on or off campus, the College will provide written notification to the student or employee about his/her rights and options both within the institution and the community. This written notification is titled “Written Notification of Rights and Options.”

The College will provide written notification to victims about options for, available assistance in, and how to request changes to academic, transportation, and working situations or protective measures.

### **Time Limits and Response Timeline**

There is no time limit to invoking this policy to respond to alleged sexual misconduct. However, complainants are encouraged to report allegations of sexual misconduct immediately in order to maximize the College’s ability to obtain the relevant information and witness testimony needed to complete a thorough and impartial investigation.

The College will strive to resolve complaints within 60 days of the initial report (not including appeal processes) unless fact-finding is delayed to defer to law enforcement evidence gathering, or if other “good cause” delays or special circumstances such as College break periods apply. The complainant and respondent will be notified in writing of extensions and delays.

### III. CONFIDENTIALITY

In general, the College will obtain consent from the complainant before beginning a Title IX or other investigation. The College will keep confidential the identity of complainants, respondents, and witnesses except as permitted by FERPA, as required by law, or as potential criminal conduct. College officials reserve the authority to determine, consistent with State and local law, whether appropriate law enforcement authorities should be notified. If the College determines the alleged perpetrator poses a serious and immediate threat to the College community, the Director of Public Safety will be called upon to issue a timely warning to the community as required by the Clery Act. Such a warning does not include information that identifies the victim.

If the complainant requests confidentiality or asks that the complaint not be pursued, the College will take reasonable steps to investigate and respond to the complainant consistent with the complainant's request. The College will inform the complainant that its ability to respond may be limited. The College's Title IX Coordinator or designee will evaluate the complainant's request for confidentiality in the context of ACC's obligation to provide a safe environment for students and employees, and will inform the complainant prior to starting an investigation if it cannot ensure confidentiality. At minimum in every case of reported sexual harassment and sexual violence, an anonymous report of the incident must be provided by the Title IX Coordinator to ACC Public Safety staff in order to comply with campus crime reporting (Clery Act) requirements.

The College will maintain as confidential any accommodations or protective measures provided to students or employees, to the extent that confidentiality does not impair the ability of the College to provide the protective measures and does not infringe on the due process rights of an accused person.

### IV. RETALIATION

Those who make complaints or otherwise participate in investigative and/or disciplinary processes under this policy are protected from retaliatory acts. No employee or student may engage in interference, coercion, restraint, or reprisal against any person alleging sexual misconduct. Perpetrators of retaliation will face disciplinary action. Likewise, claims of sexual misconduct that are substantiated as malicious or frivolous may result in disciplinary action against the instigator.

### V. INFORMAL RESOLUTION OPTIONS

The complainant has the right to end an informal resolution process at any time and pursue formal resolution.

1. Confidential consultation with the Title IX Coordinator or designee for support, information, and/or exploration of possible actions.
2. Confidential counseling and referral: "Counselors/advisors" as designated in this policy may counsel a student confidentially to provide support, information, referral, and/or exploration of possible actions.



3. For complaints subject to the Title IX Final Rule 2020, the two parties can agree to engage in an informal resolution process in lieu of a formal investigation, except in cases that allege quid pro quo harassment. Both parties must give voluntary, informed, and written consent. Informal resolution options are not available under the Title IX Final Rule 2020 when the accused person is an employee.
4. Informal voluntary mediation, contingent on the availability of qualified mediators and on the voluntary, informed, and written consent of both parties. This option is available only for complaints of sexual violence including but not limited to rape, sexual abuse, sexual assault, and sexual battery.

## VI. FORMAL RESOLUTION OPTIONS

A formal complaint is a document filed by a complainant or signed by the Title IX Coordinator, alleging sexual misconduct and requesting that the College investigate the allegation of sexual misconduct. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in, the educational program or activities of the College. The document must be filed with the Title IX Coordinator in person, by mail, or by electronic submission and must contain the complainant's physical or digital signature.

If the allegations in a formal complaint do not meet the definition of sexual harassment in the Title IX Final Rule 2020, or did not occur in the College's educational program and activities against a person in the United States, then the Title IX Coordinator will dismiss the complaint under Title IX Final Rule 2020 and will refer the complaint to the College's Student Code of Conduct procedures (if the respondent is student) or to the employee grievance procedure policy (if the respondent is an employee or contracted employee.) The Title IX Coordinator will notify the parties in writing when a complaint is dismissed under Title IX Final Rule 2020 and the reasons for the dismissal.

The complainant has the right to pursue the applicable following options:

If the case is addressed under the Title IX Final Rule 2020, it will be investigated and adjudicated under the College's Title IX procedures. Adjudication includes the provision of a live hearing with cross-examination. Both parties have the right to appeal a determination regarding responsibility, or the dismissal of the allegations in a formal complaint, on the following bases: procedural irregularity that affected the outcome of the matter, newly discovered evidence that could affect the outcome of the complaint, or Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

If the case is dismissed under Title IX Final Rule 2020, and the accused is an Alamance Community College student, the College will follow its student grievance procedures/student conduct process as described in the student handbook, including appeal procedures described. Note that the: investigation and resolution will be prompt, fair and impartial; standard of evidence for a finding of "responsible" is preponderance of the evidence; accuser and accused are entitled to have an advisor of their respective choice present at a disciplinary proceeding and any related meetings. An advisor serves

on a consulting (non-participatory) basis in a disciplinary hearing; and, sanctions assigned to a student found responsible include one or more of the following: oral warning, written warning, educational or community service sanction, general probation, restrictive probation, suspension, explicit and/or indefinite dismissal.

If the case is dismissed under the Title IX Final Rule 2020 and the accused is an Alamance Community College employee or contracted employee, the College will follow its employee grievance procedures, including appeal procedures. An employee found responsible will be assigned one or more of the following disciplinary sanctions: oral warning, written warning, special training appropriate to the findings, probation, suspension or dismissal.

The complainant also has the right to pursue the following options individually or simultaneously:

- File a criminal complaint with the applicable local law enforcement agency. Public Safety staff will assist with this process.
- File a complaint directly with the appropriate Federal or North Carolina agency (e.g., Equal Employment Opportunity Commission, Office of Civil Rights). Contact information may be obtained from the Title IX Coordinator.

## VII. NOTIFICATION OF OUTCOME

For cases adjudicated under Title IX Final Rule 2020, a written determination by the decision-maker addressing criteria described in the Final Rule must be sent simultaneously to the parties along with information about how to file an appeal.

For non-Title IX cases adjudicated under the Student Code of Conduct or the employee grievance procedures, the College will notify the accused in writing whether or not it found that sexual misconduct occurred, all disciplinary sanctions assigned in the case, and information about how to file an appeal. The College will notify the complainant in writing of the finding whether or not sexual misconduct occurred, any individual remedies offered to the complainant, other steps the College has taken to eliminate a hostile environment and prevent recurrence, and information about how to file an appeal. The College will disclose to the complainant matters about disciplinary sanction(s) assigned to the accused that are directly related to the complainant's participation in the College's educational program and activities.

If the alleged victim is deceased as a result of such crime or offense, the next of kin of the victim shall be treated as the alleged victim for purposes of disclosure.

Names of any other persons, such as a victim/survivor or witness, will be included only with the consent of those persons. The College will not require a party to abide by a nondisclosure agreement that would prevent the re-disclosure of information related to the outcome of the proceeding.

## VIII. TRAINING AND AWARENESS

The College expects all employees and students to participate in ongoing training and awareness campaigns focused on defining, addressing, and preventing sexual misconduct. Training topics and content provided by the College will be consistent with Title IX and Campus SaVE Act regulations and recommendations.

Prevention and awareness campaigns for new employees and new students include information shared at new employee orientation and new student orientation. The following topics are included in this training and awareness programming:

- Statement that the College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined by the Clery Act.
- Definitions of dating violence, domestic violence, sexual assault, stalking, and consent under Title IX.
- Description of safe and positive options for bystander interventions.
- Information on risk reduction.
- Description of the College's disciplinary proceedings for incidents of dating violence, domestic violence, sexual assault, and stalking.

Those who conduct Title IX training will receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of complainants and respondents and promotes accountability.

Employees in specific roles will participate in specialized training. Those roles include Title IX Coordinator, responsible employees, counselors/advisors, complaint investigators, hearing officials, grievance committee members, and Public Safety staff. Employees responsible for conducting Title IX hearings will receive training that addresses, but is not limited to, relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.

ACC's sexual misconduct policy and procedures will be published in key College publications (e.g., General Catalog, Student Handbook, Policy and Procedures Manual) and made widely available to members of the College community.

Adopted: June 8, 2015; revised March 27, 2020; revised September 14, 2020, revised October 14, 2024

## I. GRIEVANCE PROCESS OVERVIEW

To maintain a harmonious and cooperative environment between and among the College and its students, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every student shall have the right to present his or her problems or grievances free from coercion, restraint, discrimination, or reprisal.

This policy provides for prompt and orderly consideration and determination of student problems and grievances by College administrators and ultimately the President. Authorized decision-makers base their conclusions and remedies upon a preponderance of the evidence. In all cases, the burden of proof is on the grievant.

### A. What is Not Covered in This Policy

A grievance is any matter of student concern or dissatisfaction within the College's control except for the following:

- Student discipline matters regarding academic dishonesty (plagiarism, cheating, etc.) and non-academic violations such as theft, drugs and alcohol, disorderly conduct, traffic violations, etc., as outlined in Policy 5.3.2 – Student Code of Conduct. Grievances against students related to alleged violations of the Student Code of Conduct are resolved through the student conduct adjudication and appeal processes as described in Procedures 5.3.2.1 and 5.3.2.2.
- Discrimination, sexual harassment, and sexual violence as defined in Policy 5.3.5 – Sexual Misconduct and Title IX Policy. Grievances against students related to alleged violations of the Sexual Misconduct and Title IX Policy are resolved through the process described within that policy.
- A grade appeal as defined in Policy 5.2.5 – Grade Appeal. Grade appeals are resolved through the process outlined in Procedure 5.2.5.1.
- Any other matter that has a specific grievance process outlined in that specific policy or procedure.
- Academic matters related to courses, minor classroom behavior issues, attendance, academic regulations, or academic activities are resolved by instructors, Department Heads, and/or Deans under their authority and responsibility for instruction. Deans are the final arbiters in these matters. Referral may be made to the student conduct adjudication and appeal process if appropriate to the particular circumstances.
- Grievances against part-time student workers in their roles as employees are resolved through Policy 3.3.8 – Grievance Policy and Procedure (Non-Student).

### B. What is Covered in this Policy

Complaints and grievances against a student or students in all other matters within the College's control are addressed in this policy.

## **II. GRIEVANCE PROCESS**

### **1. Informal Grievance – Step One**

In the event the alleged grievance lies with an instructor or staff member, the student must first go to that instructor or staff member and attempt to informally resolve the matter. The student and instructor or staff member must have an informal conference to discuss the situation and document the attempts taken to resolve the grievance at this level. If the student is unsatisfied with the resolution reached at the informal conference, he or she may proceed to Step Two within five (5) business days after the informal conference. Not proceeding to Step Two within the time period will result in the grievance not being heard and the matter being closed.

If the grievance concerns issues unrelated to a particular instructor or staff member (for example, an issue with College policy), the student may skip the informal process and proceed to Step Two.

### **2. Formal Grievance – Step Two**

If the grievance is not resolved at Step One (or, given the nature of the grievance, Step Two begins the process) the student may file a written grievance with the Vice President of Student Success or Vice President of Workforce Development, as appropriate to the complaint. The written grievance must contain, with specificity, the facts supporting the grievance and the attempt, if applicable, to resolve the grievance at the first level.

The Vice President of Student Success or Workforce Development (or, depending on the nature of the grievance, another appropriate Vice President) shall review the written grievance and refer it to the appropriate administrator, or conduct whatever further investigation, if any, is necessary to determine any additional facts that are needed to resolve the grievance. The Administrator or Vice President shall provide his or her written decision within 10 business days after receipt of the grievance.

If the student is dissatisfied with the resolution reached by the Vice President, he or she may proceed to Step Three within five (5) business days after receipt of the Vice President's written determination. Not proceeding to Step Three within the time period will result in the grievance not being heard and the matter being closed.

### **3. Appeal – Step Three**

If the student is not satisfied with the Vice President's determination, the student may appeal to the President. The appeal must be in writing, must provide a written summary of the facts and must contain any other documentation pertinent to the matter. The President or his or her designee may, at his or her discretion, assemble the Grievance Committee to further investigate the matter and make a recommendation to the President. The President or designee will conduct an "on

the record” review and conduct any further investigation that is necessary to ascertain the facts needed to make a determination.

At the conclusion of the investigation and not later than fifteen (15) business days after receipt of the student’s appeal, the President or designee shall provide a written decision to the student. The President’s decision is final.

After a student has exhausted the College’s complaint or grievance procedures, if a matter remains unresolved, a formal complaint may be filed with the North Carolina Community College System using the online Student Complaint Portal hosted by the Licensure Division of the University of North Carolina System Office. The Portal can be found online at <https://studentcomplaints.northcarolina.edu>. For more information, send an email to [studentcomplaint@northcarolina.edu](mailto:studentcomplaint@northcarolina.edu).

Adopted: June 13, 2022

(This policy replaces “Student Grievance Policy” adopted June 11, 2018; revised February 8, 2021.)

The College is committed to providing each of its students a drug-free and alcohol-free environment in which to attend classes and study. From a safety perspective, the use of drugs or alcohol may impair the well-being of students, interfere with the College's educational environment, and result in damage to College property.

This policy does not apply to alcohol use related to Basic Law Enforcement Training (BLET) program sobriety testing, which students are required to complete as part of the state-mandated curriculum.

All students shall adhere to the following:

- A. All students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, transmitting, selling, or distributing alcohol, illegal, or unauthorized controlled substances or impairing substances at any College location.
  1. Controlled Substance means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug that has a high potential for abuse and including but not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state, or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.
  2. Alcohol means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.
  3. Impairing Substances include any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.
  4. College Location means in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students to and from College or College activities; and off College property at any College-sponsored or College-approved activity, event or function, such as a field trip or athletic event, where students are under the College's jurisdiction.
  5. Reasonable Suspicion is the legal standard required before the College can require a student to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or

possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

- B. Student use of drugs as prescribed by a licensed physician is not a violation of policy; however, individuals shall be held strictly accountable for their behavior while under the influence of prescribed drugs.
- C. Students may be required to be tested for substances, including controlled substances or alcohol, based on individualized, reasonable suspicion. The required observations for reasonable suspicion testing shall be made by an administrator, supervisor, or other trained official, and the person who makes the determination that reasonable suspicion exists shall not be the same person who conducts the test. This section does not apply to law enforcement officers serving the College through the local sheriff's department. Law enforcement officers must adhere to their normal standards when conducting a search.
- D. The College does not differentiate between drug users, drug pushers, or sellers. Any student in violation of Section A herein will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.
- E. A student who violates the terms of this policy will be subject to disciplinary action in accordance with Policy 5.3.2 – Standards of Student Conduct. At his or her discretion, the Vice President of Student Services may require any student who violates the terms of this policy to satisfactorily participate in a drug abuse rehabilitation program or an alcohol abuse rehabilitation program sponsored by an approved private or governmental institution as a precondition of continued enrollment at the College.
- F. Each student is required to inform the College in writing within five (5) days after he or she is convicted for violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while on or at a College location. Failure to do so could result in disciplinary action.
- G. When required by state or Federal regulations, the Student Services office will notify the appropriate government agency within ten days of receiving notice from the student or otherwise receiving actual notice of such a conviction.
- H. In addition to this Policy, students employed by the College, including students employed under the College's Work Study Program, shall adhere to the requirements in Policy 3.4.2 – Employees - Drugs and Alcohol on Campus.



Adopted: June 13, 2022, revised October 14, 2024

Legal Reference: 21 CFR Part 1308; 34 CFR 86; N.C.G.S. 90-86, *et seq.*

(This policy replaces “Drug-Free Workplace” revised November 18, 2010.)

**I. PURPOSE**

The College has an obligation to provide a safe environment for its students to learn and a safe place for its employees to work. Behavioral Intervention (BI) serves as a resource for faculty, staff, students, and administrators to address student behavior of concern. BI shall function in collaboration with existing threat assessment, student conduct, grievance, public safety, and counseling processes but does not replace or supersede those processes. Behavioral Intervention is preventive in nature. It supports early identification of at-risk students; and it provides a process/protocol for evaluation of, and intervention in, student behavior to reduce risk, support academic success, and minimize disruption to the individual and the College community.

**II. SCOPE**

The Behavioral Intervention Policy and accompanying procedure apply to all Alamance Community College (ACC) students enrolled in campus-based and/or online courses in both degree programs and in non-credit programs; to Early College students enrolled in Alamance Community College courses; and to Career and College Promise students taking courses on the ACC campus. It applies when on the campuses of Alamance Community College, in online courses and activities, and at any College-sponsored program or activity.

Reporting behavior of concern: If an emergency, an immediate call should be made to 911 or to the ACC Public Safety Department. In other situations, anyone who believes the well-being of an individual or the campus as a whole are at risk should promptly notify the Vice President of Student Success or designee.

Behavioral Intervention can be authorized when a College employee or student is concerned about a student displaying behavior that, in the eyes of a reasonable person, demonstrates elevated levels of distress, disturbance, or dysregulation (e.g. suicidal thoughts or impulses, violent and aggressive impulses, depression, disruptive behavior, physical or sexual abuse). A student displaying behavior or expressing threats that pose or expresses a direct threat to the health, welfare and safety of an individual or of the College community will be referred immediately to the Threat Assessment Team for evaluation under Policy 5.3.3. Threats may be direct, indirect, implied or veiled.

College officials who may authorize the Behavioral Intervention procedure are the Vice President of Student Success or designee, the College President or designee, or the CARE Team chair or designee.

Behavioral Intervention review is conducted by the CARE Team (Campus Assessment, Response and Education), a cross-functional, multidisciplinary group focused on prevention and early intervention to address the situation of concern. The functions of the CARE Team are:

1. Provide a central location to collect and analyze reports and information.
2. "Triage" reports.

3. Initiate Threat Assessment when appropriate.
4. Coordinate resources for investigation, intervention, assessment, referral, and support.
5. Coordinate follow-up when appropriate.
6. Develop and implement guideline procedures for the work of the team, both written and in practice.
7. Encourage a culture of reporting incidents of concern on campus.
8. Track concerns and keep records as needed.
9. Cooperate with the College's threat assessment and emergency/crisis management processes.
10. Collaborate with relevant departments/functions to provide education and awareness opportunities for the ACC community (ex. faculty/staff training, reference material, mental health and wellness information for students and ACC employees).

CARE Team Core Members are:

1. Vice President for Student Success or designee. (Chair )
2. Counseling representative.
3. Instructional representative.
4. Workforce Development/Academic and Career Readiness representative.
5. Public Safety representative.

*Ad hoc* members are, as needed (but not limited to):

1. Disability Services representative.
2. Financial Aid representative.
3. Veterans Affairs coordinator.
4. Registration/Records representative.
5. Dean or department head.
6. Single Stop coordinator.
7. Success Coaches (ex. MMSI, TRIO SSS, PACE).

College employees and CARE Team members shall comply with federal and state law regarding recordkeeping and release of patient/client/student information (ex. FERPA, HIPAA).

The CARE Team reviews reports to assess whether the conduct in question is creating, or may lead to, a campus disruption and/or impede the success of the student in question. When conducting the review, CARE Team members may: (a) speak with the student; (b) gather additional evidence or information by interviewing members of the College community; (c) compile additional documentation; and (d) review other evidentiary sources.

The CARE Team may recommend, but is not limited to:

1. No action required.
2. Propose mediation or a resolution to address miscommunication.
3. Propose an action plan agreement to address concerning behaviors and support student success.

4. Monitor student progress from time to time as determined to be in the best interest of the student.
5. Refer student for an external initial assessment to help the CARE Team develop recommended next steps and/or action plan.
6. Refer the matter to Policy 5.3.2 - Student Code of Conduct to initiate appropriate disciplinary action if a violation is believed to have occurred. The CARES Team is not authorized to suspend or to withdraw a student involuntarily.

Administrative decisions and/or actions regarding the subject(s) of an active case that would alter the subject's academic, employment, or disciplinary status should be reviewed by the CARE Team and will be undertaken with due process. In a case of disagreement between College administrative officials and the CARE Team regarding disciplinary or academic status, the College President (or designee) will make the final decision.

The CARE Team will classify each case as active (from referral through investigation and intervention) or inactive. An inactive case can be referred to the CARES Team again if changed conditions raise a reasonable concern about behavior. Records will be retained consistent with the North Carolina records retention and disposition schedule.

Adopted: June 12, 2023

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>STUDENT SERVICES STUDENT RIGHT TO KNOW ACT</b>	<b>POLICY 5.4.1</b>
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Pursuant to the Student Right to Know and Campus Security Act (the “Act”), the College is required to publicly disclose relevant graduation and transfer rate information for its students. The Act provides a consumer information report designed for public access to relevant graduation and transfer information to enable students to make informed decisions regarding their college choice. The College makes available to currently enrolled as well as prospective students the graduation and transfer rate for the most recent cohort of entering students based on a one-year reporting period.

The report is a cohort-based study. The cohort is comprised of students who enrolled as first-time college students who attended full-time (i.e., 12 or more hours) and declared themselves as degree seeking. The graduation and transfer rate for the cohort is calculated one year after the cohort's initial date of enrollment. These numbers can be misleading because many community college students attend part-time. Those students are not included in this report. Moreover, students with academic goals other than transfer or degree seeking are not included in this report. Also, not included with the report are those students who leave school to serve in the armed services, on an official church mission, or with a recognized foreign aid service of the Federal government.

The report is updated annually and is available online at <https://nces.ed.gov/collegenavigator>. Students should type “Alamance Community College” under “Name of School” and press the “Enter” key.

Adopted: June 13, 2022

Legal Reference: P.L. 101-542 – Student Right-To-Know Act

(This policy replaces “Student Right to Know Act – Completion and Graduation Rates,” no date.)

All student records must be current and maintained with appropriate measures of security and confidentiality. The College is responsible for complying with all legal requirements pertaining to the maintenance, review, and release of records retained by the College.

## **I. COMPLIANCE WITH FERPA RIGHTS**

- A. The Family Educational Rights and Privacy Act (FERPA) provides students with certain rights to privacy of their educational records and rights of access by others to their educational records. College employees are expected to fully comply with this policy.
- B. For purposes of this policy, “student” means an individual who is or has been in attendance at the College. It does not include persons who have not been admitted, or who have been admitted but did not attend the College. “Attendance” starts when the individual matriculates or declares his or her intention to enroll at the College, whichever comes first.

## **II. ANNUAL NOTIFICATION OF RIGHTS**

The College shall provide every student with an annual notice of his or her rights under FERPA. The Vice President for Student Success, or his or her designee, is responsible for preparing and delivering this annual notice.

## **III. RIGHT TO INSPECT RECORDS**

- A. Students who want to inspect their education records should direct that request to the individual and within the timeframe as designated in the annual notice. Records that are available for inspection shall be provided to the student during regular business hours.
- B. Students may obtain copies of their educational records if circumstances make on-site inspection impractical and the student is in good standing. When copies are provided, the student may be charged a reasonable fee for the actual copying expense.

## **IV. DIRECTORY INFORMATION**

- A. The College may release Directory Information without student consent. The College designates the following information as Directory Information:
  - 1. Student's name;
  - 2. Program (major field) of study;
  - 3. Dates of attendance, grade level, and enrollment status; and
  - 4. Degrees, diplomas, certificates, honors, and awards received.

- B. The College shall only release Directory Information to individuals and organizations that demonstrate, in the College's opinion, a legitimate, educational interest in the information or provide a direct service to the College. However, the College shall release information to military recruiters in compliance with the Solomon Amendment (10U.S.C.§983) including student addresses, telephone numbers, date of birth, and other required information.

College-issued photographs, videos, or other media containing a student's image or likeness are disclosed by the College and/or third parties contractually affiliated with the College (such as vendors and partner institutions with a joint memorandum of understanding) for purposes limited to:

1. Publication in print and/or on web sites/social media hosted by, on behalf of, or for the benefit of the College for purposes including but not limited to marketing, public relations, outreach, press releases, or College ID cards.
  2. College events including but not limited to college fairs, job fairs, open houses, and student organization activities.
- C. Students who do not wish to have their Directory Information released to the individuals and organizations identified above shall comply with the "opt out" provisions designated in the annual notice.

## **V. RELEASE OF EDUCATIONAL RECORDS**

- A. The College will not release a student's educational records, aside from Directory Information, to any third party unless the student consents to the release or a valid, legal exception applies.
- B. Disclosures may be made to school officials that include any of the following when that person has a legitimate educational interest in having access to the information:
1. Any administrator, certified staff member, or support staff member (including health, medical, safety, and security staff) employed by the College.
  2. A member of the College's Board of Trustees.
  3. A contractor, consultant, volunteer, or other party to whom the College has outsourced services or functions (including but not limited to an attorney, auditor, cloud storage provider, consultant, expert witness, hearing officer, law enforcement unit, investigator, insurer/insurance company adjuster, investigator, or any other claims representative, medical provider or consultant, or counselor/therapist) provided that the person is a) performing a service or function for which the College would otherwise use employees, b) is under the direct control of the College with respect to the use and maintenance of education records, and c) is subject to FERPA requirements governing the use and re-disclosure of PII from education records.

4. A person serving on a committee appointed by the College, such as a disciplinary or grievance committee or other review committee.
- C. The College shall release a student's educational records to the student's parents or guardian when requested by the parents or guardian and: i) the student is listed as a dependent on the parents' tax returns; ii) the student violated a law or the College's policies regarding drugs and alcohol and the student is under the age of 21; or iii) the disclosure is needed to protect the health or safety of the eligible student or other individuals in an emergency situation.

## **VI. CORRECTING RECORDS**

A student has the right to challenge an item in his or her records believed to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The student may file a grievance pursuant to Policy 5.3.6 – Student Grievance beginning at Step Three. If the final decision is that the information in the record is, in the College's determination, not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the Vice President of Student Success shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the College's decision.

## **VII. MISCELLANEOUS**

- A. Students who believe their rights have been violated may file a complaint with the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington D.C., 20202. The complaint must be filed within 180 days of the date of the alleged violation or the date the student knew or should have known of the alleged violation.
- B. A hold may be applied to the release of an official transcript, diploma, or other information requested from an official record for a student who has an overdue indebtedness to the College. A hold may be applied for failure to comply with a disciplinary directive. Such a student continues to have the right to see and photocopy his official record upon request.
- C. The College shall only destroy student records in accordance with federal and state laws and regulations and as allowed by the [Records Retention & Disposition Schedule](#) for North Carolina Community Colleges. The College shall not destroy student records if there is an outstanding request, grievance, or legal matter related to those records.

Adopted: June 13, 2022

Legal Reference: 10 U.S.C. § 983; 20 U.S.C. § 1232g; 34 C.F.R. pt. 99

(This policy replaces "Family Educational Rights and Privacy Act (FERPA) Policy" adopted June 9, 2008; revised January 11, 2016; revised February 12, 2018.)





**I. STUDENT RECORDS**

The College is required to maintain, at a minimum, current, complete, and accurate records to show the following:

- A. An application for admission that includes the student's educational and personal background, age, and other personal characteristics.
- B. Progress and attendance including date entered, dates attended, subjects studied, and class schedule. This record shall be in a form which permits accurate preparation of transcripts of educational records for purpose of transfer and placement, providing reports to government services or agencies or for such other purposes as the needs of the student might require. Such transcripts shall be in a form understandable by lay persons and educators alike. The grading system on such transcripts shall be explained on the transcript form. Subjects appearing on the transcripts shall be numbered or otherwise designated to indicate the subject matter covered.
- C. All student enrollment agreements shall include at a minimum, the program of study, program tuition and fees, date programs are to begin, time period covered by the tuition payment, and statement of or reference to the College's tuition refund policy.
- D. All student account ledgers shall include, at a minimum, monies owed and paid by each student, and refunds issued by the College.
- E. A copy of the student's high school transcript or certificate of high school equivalency or a signed, notarized attestation of either graduation from a public or private high school that operates in compliance with State or local law; graduation from a state registered home high school; or receipt of a certificate of high school equivalency. If the student provides the school with written evidence of the student's inability to obtain a copy of the student's high school transcript or certificate of high school equivalency or, for persons at least 18 years old who did not graduate from a public, private, or state registered home high school or obtain a certificate of high school equivalency, demonstration of an ability to benefit as determined by any test instrument approved by the Department of Education.

**II. INSPECTION BY STATE BOARD OF COMMUNITY COLLEGES**

- A. Students' records shall be open for inspection by properly authorized State Board officials.
- B. The College's financial records shall be open for inspection by properly authorized State Board officials.

Adopted: June 13, 2022  
Legal Reference: 2A SBCCC 400.11

The Family Educational Rights and Privacy Act (FERPA), a federal law, provides students with certain rights with respect to their education records. These rights are:

- A. The right to inspect and review your education records within 45 days of the day the College receives a request for access. You should submit to the College's Registrar a written request that identifies the record(s) you wish to inspect. The College's Registrar will make arrangements for access and notify you of the time and place where the records may be inspected. If the records are not maintained by the College's Registrar, the Registrar will advise you of the correct official to whom your request should be made.
  
- B. You have the right to challenge an item in your education records believed to be inaccurate, misleading, or otherwise in violation of your privacy rights. You may file a grievance pursuant to Policy 5.3.6 – Student Grievance beginning at Step Three. If the final decision is that the information in the record is, in the College's determination, not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the Vice President of Student Success shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the College's decision.
  
- C. The right to consent to disclosures of personally identifiable information contained in your education records. FERPA requires that the College obtain your written consent prior to the disclosure of any such information with certain exceptions. College officials with a legitimate educational interest are an exception and do not need your consent. For a complete list of the disclosures that may be made without your consent, see 34 CFR Part 99.31 – 99.39. Exceptions to disclosures include, but are not limited to:
  - 1. Organizations conducting studies;
  - 2. Health/safety emergencies;
  - 3. Under the U.S. Patriot Act;
  - 4. Federal, state and local authorities;
  - 5. Accrediting organizations;
  - 6. State, local or tribal welfare agencies;
  - 7. College officials with legitimate educational interest;
  - 8. In response to subpoenas and court orders; and
  - 9. In response to a lawsuit where a student names the College as a party.
  
- D. A College official includes any of the following when that person has a legitimate educational interest in having access to the information:
  - 1. Any administrator, certified staff member, or support staff member (including health, medical, safety, and security staff) employed by the College;

2. A member of the College's Board of Trustees;
3. A contractor, consultant, volunteer, or other party to whom the College has outsourced services or functions, such as, but not limited to: an attorney, auditor, cloud storage provider, consultant, expert witness, hearing officer, law enforcement unit, investigator, insurer/insurance company adjuster, investigator, or any other claims representative, medical providers or consultants, or counselors/therapists, provided that the person is performing a service or function for which the College would otherwise use employees, is under the direct control of the school district with respect to the use and maintenance of education records, and is subject to FERPA requirements governing the use and re-disclosure of personally identifiable information from education records; and
4. A person serving on a committee appointed by the College, such as a disciplinary or grievance committee or other review committee.

A College official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- E. The College may release Directory Information about you unless you have advised the College to the contrary. The College has designated the following information as Directory Information: name; program (major field) of study; dates of attendance, grade level and enrollment status; and degrees, diplomas, certificates, honors and awards received. In addition, the College releases the following limited-use directory information: College-issued photographs, videos, or other media containing a student's image or likeness are disclosed by the College and/or third parties contractually affiliated with the College (such as vendors and partner institutions with a joint memorandum of understanding) for purposes limited to: a) publication in print and/or on web sites/social media hosted by, on behalf of, or for the benefit of the College for purposes including but not limited to marketing, public relations, outreach, press releases, or College ID cards; and b) at College events including but not limited to college fairs, job fairs, open houses, and student organization activities.
1. The College shall only release Directory Information to individuals and organizations that demonstrate, in the College's opinion, a legitimate, education interest in the information or provide a direct service to the College; provided, however, the College shall release Directory Information to military recruiters in compliance with the Solomon Amendment unless you specifically restrict the release of your Directory Information.
  2. If you do not want the College to disclose your Directory Information described above from your education records to the recipients identified above without your prior written consent, you must submit a completed Student Release Form to the Office of Enrollment Management within 14 days of the beginning of the academic year or within 14 days of you enrolling in the College.

- F. The College shall release a student's educational records to the student's parents or guardian when requested by the parents or guardian and: i) the student is listed as a dependent on the parents' tax returns; ii) the student violated a law or the College's policies regarding drugs and alcohol and the student is under the age of 21; or iii) the disclosure is needed to protect the health or safety of the eligible student or other individuals in an emergency situation.
- G. You have the right to file a complaint with the U.S. Department of Education concerning alleged failures of the School District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is the:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

Questions regarding student records should be directed to the College's Admissions/Records Office.

Adopted: June 13, 2022

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. pt. 99

Each area of the campus that handles student records shall establish internal procedures to protect the security and confidentiality of student information, including hard copy and digital formats. The following guidelines must be followed when accessing confidential information and student records.

**I. HARD COPY DATA**

- A. Student information with social security numbers and birth dates shall not to be placed on hard copy file folder labels (use student ID instead).
- B. Student information with social security numbers and birth dates should not be left unsecured at any time.
- C. File folders (hard copies) containing student information with social security numbers and birth dates must be kept in a locked drawer or a locked room with access only by appropriate personnel.
- D. Any documents containing student information that is confidential should be shredded before discarding.
- E. Interoffice mail containing sensitive student information shall be sent using a sealed, opaque envelope.
- F. Sensitive information shall be mailed First Class or using other traceable delivery service and using an opaque envelope with no markings that will distinguish it as sensitive information.

**II. ELECTRONIC DATA**

- A. Electronic data shall be maintained by ITS and shall be backed up to a separate location daily. The only exception to this is that Distance Learning student course records are housed off-campus, and are backed up daily.
- B. Electronic student and confidential information is only accessible to appropriate personnel in accordance with procedures approved by ITS.
- C. Access to information systems is only given to appropriate personnel upon permission by a staff member's supervisor. Permission records will be maintained by ITS.
- D. Personnel who have been granted authority to access student information will be issued an ID and password by ITS to access information systems.
- E. Each staff member is only to use his or her designated ID and password to access student and confidential information. Under no circumstances should an ID and

password be shared or should a staff member access College information systems under an ID and password that has not been issued to him or her.

- F. Student information with social security numbers and birth dates is not to be distributed or transmitted through email or otherwise made accessible to users without clearance to see this information.
- G. The student ID generated by the College's operating system will be used in place of the social security number for identification purposes and in all communications.
- H. ITS reserves the right to revoke all privileges to information systems if College Information Technology policies and procedures are not followed.
- I. Faxing of sensitive student information shall be done by first verifying the fax number. Once the number has been verified, the intended recipient must be readily available to retrieve the information.

### **III. STUDENT COMMUNICATIONS**

- A. Students are required to create a unique password upon setting up their accounts in the College's information systems.
- B. Electronic communication with an active student should only be sent to that student's College email address. Communication with prospective students or past students may be sent to the student's personal email, but should not include any sensitive information (e.g., student grades).
- C. When communicating with students regarding technical support, registration, transcripts, financial aid, and financial information, students should not be asked for a social security number or birth date in public/within hearing distance of other people.
- D. Two forms of authentication must be requested when verbally verifying student identification. Appropriate forms of authentication are the student Colleague ID number, the last four digits of the social security number, and birth date. Under no circumstances should a student be requested to verify his or her social security number through email.

### **IV. SECURITY BREACH**

- A. Any security breach or loss of records should be reported to one's immediate supervisor immediately upon discovery of the breach/records loss.
- B. Any student that has had their sensitive information compromised shall be contacted within 24 hours via telephone. In the event that the student cannot be reached, the College will use the emergency contacts to try to establish communications with the student. After the College has exhausted these resources



the next form of contact will be First Class mail or other traceable delivery service in accordance with N.C.G.S. § 75-65.

- C. While sensitive student information is in transport to the College, the information shall remain locked in the trunk or other secure area of the vehicle. If the vehicle does not have a secure location, the sensitive student information must not be transported until the information can be transported securely unless it will be transported with no stops that will require the vehicle to be left unattended.
- D. Any student information that is collected off-campus or after campus hours shall remain in the custody of the student, agency or business until the sensitive student information can be delivered to the College.
- E. With the exception of coursework to be graded, no College employee will have hard copies of sensitive student information in their possession overnight without prior approval from that employee's supervisor or the college president. Any digital records removed from campus should be encrypted and password protected.

Adopted: June 13, 2022

As a condition of enrollment at the College, the student grants the College a non-exclusive, perpetual, world-wide, royalty-free right and license to reproduce and publicly or privately display, distribute, or perform the student's work, in whole or in part, for the College's own educational purposes. This includes:

- A. The use of student work to demonstrate compliance with accrediting bodies.
- B. Research conducted by College personnel and presentations or publications resulting from such research.
- C. The use of student work to demonstrate student and instructor activities for the purposes of promoting the college and its endeavors.

Nothing herein permits the disclosure of a student's educational record, including student grades, nor can student work be presented in a personally identifiable manner without the student's exclusive permission. This license does not extend to commercialization of the work. Intellectual property created by the student for commercial purposes singularly or in cooperation with the College shall be governed by Policy 4.2.2 – Intellectual Property.

Adopted: June 13, 2022

## I. OVERVIEW

The College attempts to provide extracurricular activities for students because the College believes that such activities contribute to the overall growth and educational development of an individual. Students are expected to exhibit high standards of responsible citizenship during all College functions whether on or off campus.

The Office of Student Life and Engagement encourages and helps conduct a program of student activities. The student activity program is a part of the educational experience available to all students. Admission for all student activities shall be non-discriminatory.

## II. STUDENT GOVERNMENT ASSOCIATION

- A. The Student Government Association (SGA) is made up of representatives from the student body. The SGA coordinates and regulates student activities and serves as the student body's official voice. The President of the SGA is a non-voting member of the College's Board of Trustees.
- B. The SGA's organizational documents shall be updated and shall be on file with the Office of Student Life and Engagement. Any revisions to the SGA's organizational documents shall be reviewed and approved by the College President.
- C. State funds cannot be used for athletics or other extracurricular activities; therefore, almost all student activities are established and maintained by SGA funds. SGA funds are derived from a portion of student activity fees. The SGA budget will be approved by the SGA and submitted for approval to the President as early in the school year as possible. Once approved, no further approvals for expenditure of funds will be required by the SGA unless changes to the budget are adopted. All expenditures of funds must still be approved by the Coordinator.

## III. OTHER STUDENT CLUBS AND ORGANIZATIONS

- A. The College maintains that extracurricular activities complement academic programs. Students are encouraged to participate in all phases of the student activities program as long as such participation is consistent with sound educational practices.
- B. The following criteria must be considered by clubs who seek recognition as an official College student organization:
  - 1. The organization must serve an area of student activity need;
  - 2. The membership provisions must not exclude anyone because of his or her race, color, religion, sex, gender, national origin, age, disability, or sexual orientation;

3. The organization must agree to abide by the College's policies and administrative procedures;
  4. The organization's purpose must be compatible with the College's philosophy and educational objectives; and
  5. Such other reasonable rules and regulations required by the President.
- C. **Recognized Student Clubs and Organizations:** Only officially recognized student clubs and organizations shall be allowed to function on the College's campus. To achieve recognition, the applying club or organization must complete an official application and receive approval by the SGA, the Vice President for Student Success, and the President. Recognition must be renewed annually.

#### **IV. FUNDRAISING**

The President, in consultation with the Vice President for Student Success, shall establish rules and regulations regarding the fundraising activities of student clubs and organizations. In addition to such rules and regulations, student clubs and organizations are limited as follows:

- A. **Raffles** – The North Carolina General Statutes consider raffles as a form of gambling and therefore generally unlawful in the state of North Carolina. However, an exception allows two (2) raffles per year for each tax exempt non-profit organization. The total cash prizes offered or paid by any exempt non-profit organization may not exceed \$10,000 in any calendar year.

Student clubs and organizations are encouraged to use alternative methods of fundraising aside from raffles.

- B. **Food** – Unless clubs and organizations have prior, written permission from the President or designee, clubs and organizations may only sell pre-packaged food items that are prepared by a permitted entity, including pre-wrapped items and beverages in sealed containers. Items must comply with all local Health Department regulations. Examples of these items include bottled/canned soft drinks, pre-wrapped sub sandwiches, wrapped/package desserts, etc. Muffins or cookies must be pre-packaged. The sale of food prepared or assembled at point of sale, such items as tacos, hot dogs, chili, sandwiches, etc., is prohibited unless prior authorization is obtained from the President or designee. The sale of potentially hazardous foods as described in 15A NCAC 18A .2635(9) shall not be allowed.

Pursuant to N.C.G.S. § 130A-250(7), the College, as a tax-exempt entity, is exempted from temporary food establishment permitting requirements for preparing or serving food or drink, for pay, no more frequently than once a month for a period not to exceed two consecutive days.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 14-309.15, 130A-250(7); 15A NCAC 18A .2635(9)

## I. TUITION AND FEES GENERAL REQUIREMENTS

Tuition and fees shall be charged in accordance with state statutes and according to schedules established by the North Carolina State Board of Community Colleges (“State Board”) and/or the College’s Board of Trustees (“Board”). The State Board establishes a general and uniform semester tuition rate for curriculum students. The State Board establishes both a North Carolina resident rate and a nonresident rate. Whether a student is a resident for tuition purposes shall be established in accordance with N.C.G.S. § 116-143.1 and -143.3 (for purposes of Armed Forces personnel and their dependents). For more information concerning residency requirements, see Policy 6.1.2 – Tuition Residency Requirements. The rate for auditing a course is the same as taking the course for credit.

## II. TUITION AND REGISTRATION FEE WAIVERS

The North Carolina General Assembly and the State Board have promulgated statutes and administrative regulations dealing with authorized groups of students with respect to tuition and registration fee waivers. For information concerning tuition and registration waivers, see N.C.G.S. §§ 115B-1, 115D-5, 1E SBCCC 800.2 and the [North Carolina Community Colleges Tuition and Registration Fee Waiver Reference Guide](#).

To obtain a tuition and registration fee waiver, individuals must establish proof of eligibility as a member of an authorized group.

To be eligible for a tuition or registration fee waiver, trainees enrolled in Basic Law Enforcement Training (BLET) courses must obtain a letter of sponsorship from a state, county, or municipal law enforcement agency prior to enrollment and uphold the terms of the sponsorship until completion of the BLET course. The College must maintain documentation of the sponsorship on file.

The College shall not grant tuition and registration fee waivers to students enrolled in self-supporting courses. The College shall charge the student the self-supporting fee or use institutional funds to pay for the self-supporting fee on the student’s behalf.

Annually, the President shall report to the State Board the amount of tuition and registration fees waived by the College on behalf of individuals who are members of authorized groups.

## III. LOCAL FEES

### A. Authorization

Pursuant to 1E SBCC 700.1, the Board adopts the following local fees. The College shall deposit receipts derived from local fees in an unrestricted institutional account. The College will only use the local fee receipts for the purposes for which the local fee was approved. The President shall annually report all required local fees to the State Board.

B. Local Fee Waiver

All students will be required to pay applicable Specific Fees and Other Fees, with the following exceptions:

The following groups are exempt from the Student Activity Fee, the Instructional Technology Fee and the College Access and Parking Fee: 1) all students who are exempt from paying tuition and registration fees; 2) continuing education students, except as other listed herein; and 3) individuals who participate only in meetings and seminars organized by the College (i.e., a group of people gathered for a one-time basis primarily for discussion under the direction of a leader or resource person).

C. Authorized Local Fees

1. Student Activity Fee

Pursuant to 1E SBCCC 700.2, the Board establishes a Student Activity Fee as follows: \$35.00 per academic year for 12 credit hours or more; \$23.50 per academic term for six (6) credit hours or more, yet less than 12; and \$11.50 per term for less than six (6) hours.

The Student Activity Fee receipts shall be used for the permissible activities and expenses listed in 1E SBCCC 700.2.

2. Instructional Technology Fee

Pursuant to 1E SBCCC 700.3, the Board establishes an Instructional Technology Fee as follows:

- a. Curriculum students - \$2.25 per credit hour, maximum of \$27.00 per academic term.
- b. Workforce Development/Continuing Education students - \$5.00 per course.

The Instructional Technology Fee receipts shall be used to support costs of procuring, maintaining and operating instructional technology used primarily for instructional purposes and specialized instruction equipment necessary for hands-on instruction, as explained in 1E SBCCC 700.3.

3. College Access, Parking and Security (“CAPS”) Fee

Pursuant to 1E SBCCC 700.4, the Board establishes a CAPS Fee at a rate of \$18.00 per academic term for 12 credit hours or more; \$12.00 per academic term for six (6) hours or more, yet less than 12; \$6.00 per term for less than six (6) hours for each academic semester for curriculum students. The CAPS Fee receipts shall only be used to support costs of acquiring,

constructing, and maintaining the College's parking facilities, parking enforcement, and security of College property, as explained in 1E SBCCC 700.4.

4. Required Specific Fees

Pursuant to 1E SBCCC 700.5, specific fees will be charged to students for select courses to cover academic costs for consumable goods or services that are specifically required for that course. Such academic costs include, but are not limited to tools, uniforms, insurance, certification/licensure fees, e-text, labs, and other consumable supplies. The specific fee rate must be based on the estimated cost of providing the good or service.

The Board hereby delegates to the President the authority to approve all specific fees under \$300 per course. Any specific fees over \$300 per course must be approved in advance by the Board. A list of all approved specific fees will be maintained in the College's business office and the President shall provide an annual report to the Board regarding such specific fees.

5. Other Fees

Pursuant to 1E SBCCC 700.6, other fees will be charged to students to support costs of goods or services provided by the College that are not required for enrollment. Examples include, but are not limited to student health and other insurance fees, graduation fees, transcript fees, optional assessment fees, library/equipment replacement fees, and fees to participate in a specific event or activity.

The Board hereby delegates to the President the authority to approve all other fees under \$300. Any other fees over \$300 must be approved in advance by the Board. A list of all approved specific fees will be maintained in the College's business office and the President shall provide an annual report to the Board regarding such other fees.

The President shall maintain a fee schedule of all fees outlined in this Section.

#### **IV. TUITION AND FEE DEFERMENT**

All students, after registering for courses for the specific term, must pay or establish a payment plan through a provider approved by the College on or before a specific date prescribed by the College that is on or before the first date of the course section. Students applying for financial aid who completed their application before the established deadline, and appear to be eligible for assistance, will be allowed to remain in their courses until their financial aid is processed. Students who did not apply for financial aid prior to the established deadline may establish a payment plan.



- A. Students wanting to enroll but lacking funds to pay tuition and fees must meet one of three criteria to defer their payment beyond the payment deadline set by the registrar's office:
1. Must have applied for financial aid by the application deadline set by the financial aid office and, through preliminary review, appear to qualify for assistance;
  2. Must provide (or have their sponsor provide) documentation in writing from a valid third party agency that the student may be sponsored by the third-party agency once a final review is complete; or
  3. Must enroll in a payment plan to satisfy the outstanding balance through a third-party provider contracted by the College. All balances must be paid before the last day of the semester.
- B. Students who have not completed all requirements by the financial aid office, not supplied a final authorization from their third-party agency, or who fail to pay the balance owed by the end of the semester will be subject to the following restrictions until payment in full has been received or until assistance is granted to satisfy the account balance:
1. Grades for the term shall be withheld;
  2. Transcripts shall not be released;
  3. Registration for future terms shall not be permitted; and
  4. Permission to participate in graduation shall be denied.
- C. Students with outstanding balances shall be notified by a Statement of Account showing the account balance and the nature of the charges and shall be dealt with pursuant to Policy 6.2.9 – Debt Collection.

Adopted: June 13, 2022; revised June 10, 2024; revised August 12, 2024

Legal Reference: N.C.G.S. §§ 115B-1 *et al.*, 115D-5, -39, 116-143.1 and -143.3; 1E SBCCC 200.2, 700.1 – 700.6, 800.2; *NC Community College Tuition and Registration Fee Waiver Reference Guide – FY 2015-17 Edition*

## I. DEFINITIONS

- A. Domicile: a person's fixed and permanent home and place of habitation of indefinite duration (for an indefinite period of time); it is the place where he or she intends and is able to remain permanently and to which, whenever absent, he or she expects to return. Domicile may be established by birth, law, and/or choice.
- B. Nonresident: a person who does not qualify as being domiciled in North Carolina.
- C. Residence: a place of abode, whether permanent or temporary. A person may have many residences but only one permanent residence.
1. Permanent Residence: the legal residence or domicile.
  2. Temporary Residence: one's abode for an undetermined or temporary duration.
- D. Resident: a person who qualifies as being domiciled in North Carolina.

For more complete definitions of these and other terms, consult the North Carolina Residency Determination Service (RDS) [Guidebook](#). All the definitions contained in the [RDS Guidebook](#) are incorporated herein by reference.

## II. RESIDENCY STATUS

### A. Establishing Residency

Residency status of all applicants must be determined for the purpose of tuition assessment. Nonresidents are admitted under the same admission requirements as residents but are required to pay out-of-state tuition except for courses classified as self-supporting curriculum courses or continuing education courses.

To qualify as a resident, an applicant must have established a permanent residence in North Carolina and maintained that permanent residence for at least 12 uninterrupted months immediately prior to his or her classification as a resident. The applicant must maintain his or her residence for purposes of maintaining a bona fide domicile rather than maintaining a mere residence for purposes of enrollment in an institution of higher education. All applicants for admission shall be required to make a statement as to his or her length of residence in the State. An applicant shall not be classified as a resident until he or she provides evidence related to his or her legal residence and its duration.

To determine whether a student has established a domicile in North Carolina, as opposed to a mere temporary residence, one must first determine if the student has capacity to establish residency and then reach a conclusion about the intent of the student, as measured by objectively verifiable conduct of the student. The conduct

of the student, taken in total, must demonstrate an intention to make North Carolina his or her permanent dwelling place. The determination of domicile does not depend on one fact or a required combination of certain circumstances. The determination is made based on all the facts and circumstances taken together and viewed as a whole showing by a preponderance of evidence (more likely than not) that some particular location is the student's domicile. Oftentimes, this evidence will include personal statements provided by the student regarding his or her intention to make a residence his or her domicile. While such statements are appropriate evidence to consider, there is no requirement that they be accepted at face value. Student's personal statements should be considered carefully but also cautiously even if there is no concrete evidence that the student is being untruthful. The student's conduct and actions taken toward establishing a domicile are generally of greater evidentiary value than personal statements, especially when the student's conduct and actions are inconsistent or in conflict with the student's statements of intent. Statements of a student's intent to take actions towards establishing domicile at some time in the future generally are not considered sufficient.

For a student to be classified as a resident, the balancing of all the evidence must show that there is a preponderance of evidence supporting the student's claim of domicile. To satisfy this requirement, more of the evidence than not must consist of a cluster, focus or accumulation of favorable information that the student established a domicile in North Carolina at a point in time at least 12 months prior to the domiciliary classification. Because there is almost always variation among cases and individuals, the domiciliary inquiry is more a function of reasonable review and balancing of the total circumstances of each individual case rather than a formulaic computation.

Each applicant for admission is required to complete the RDS application for initial consideration concerning residency before, during, or after submitting an application for admission.

**B. Special Rules for Domicile**

In addition to establishing a person's domicile as noted above, the determination of domicile and residence status for tuition purposes is also affected by special rules set out in North Carolina statutes. For some, but not all, of these special rules, eligible nonresidents remain classified as out-of-state students and are charged in-state tuition rates. For more specific information regarding these special results, consult the Manual.

These special rules impact the following categories of students:

1. Minors;
2. Members of the Armed Forces and their families;
3. Non-military federal personnel, volunteers and missionaries;
4. Non-U.S. citizens;
5. Prisoners/inmates;

6. Married persons; and
7. Special Exemptions for certain community college students:
  - a. Business-sponsored students - When an employer (other than the armed services) pays tuition for an employee to attend a community college and the employee works at a North Carolina business location, the employer shall be charged the in-state tuition rate.
  - b. Business and military transferred families - A community college may charge in-state tuition to up to one percent (1%) of its out-of-state students (rounded up to the next whole number) to accommodate the families transferred into North Carolina by business or industry, or civilian families transferred into North Carolina by the military. A student seeking this benefit shall provide evidence of the following:
    - i. Relocation to North Carolina by the student and if applicable, the student's family, within the 12 months preceding enrollment;
    - ii. Written certification by the employer on corporate letterhead that the student or some member of the student's family was transferred to North Carolina for employment purposes;
    - iii. Certification of student's compliance with the requirements of the Selective Service System, if applicable; and
    - iv. If a family member of the transferred individual is applying for this benefit, the family member must also establish the familial relationship with the transferred individual, live in the same residence as the transferred individual, and provide evidence of financial dependence on the transferred individual.
  - c. Students sponsored by a non-profit entity - A lawfully admitted nonresident of the United States who is sponsored by a North Carolina non-profit entity is eligible for the in-state resident community college tuition rate. The student is considered to be "sponsored" by a North Carolina nonprofit entity if the student resides in North Carolina while attending the community college and the North Carolina nonprofit entity provides a signed affidavit to the community college verifying that the entity accepts financial responsibility for the student's tuition and any other required educational fees. A North Carolina nonprofit may sponsor no more than five nonresident students annually under this provision. This provision does not make a person a resident of North Carolina for any other purpose.
  - d. N.C. public school graduates - Any person lawfully admitted to the United States who satisfied the qualifications for assignment to a public school under North Carolina law (G.S. 115C-366) and

graduated from the public school to which the student was assigned shall be eligible for the State resident community college tuition rate.

- e. Refugees - A refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes. While the refugee must live in North Carolina to be eligible for in-state tuition, the refugee is not required to be domiciled in North Carolina for the 12-month qualifying period.
- f. Nonresidents of the United States - A nonresident of the United States who has resided in North Carolina for a 12-month (365 days) qualifying period and has filed an immigrant petition (Forms I-130, I-360, or I-140) with the United States Citizen and Immigration Service (USCIS) shall be considered a North Carolina resident for community college tuition purposes.
- g. Federal law enforcement officers, firefighters, EMS personnel and rescue and life-saving personnel - Federal law enforcement officers, firefighters, EMS personnel, and rescue and lifesaving personnel whose permanent duty stations are within North Carolina are eligible for the State resident community college tuition rate for courses that support their organizations' training needs. The State Board of Community Colleges must approve the courses designed to support law enforcement officers, firefighters, EMS personnel, and rescue and lifesaving personnel's training needs prior to the college awarding the State resident community college tuition rate.

C. Loss of Resident Status

If a person has been properly classified as a resident for tuition purposes and enjoyed that status while enrolled at an institution of higher education in this state, a change in that person's state of residence does not result in an immediate, automatic loss of entitlement to the in-state tuition rate. Students in this situation are allowed a "grace period" during which the in-state rate will still be applicable even though the student is no longer a legal resident of North Carolina. The grace period can apply under certain circumstances both to currently enrolled students as well as to students who are no longer enrolled or who have graduated.

1. Currently Enrolled Students

To qualify for the grace period if the student is currently enrolled, the student must satisfy the following conditions:

- a. The student must have been properly classified as a resident for tuition purposes on the basis of a valid finding that the student in fact was

domiciled in North Carolina and had been for the required 12-month period prior to classification; and

- b. At the time of change of legal residence to a state other than North Carolina, the individual must have been enrolled in an institution of higher education in North Carolina. “Enrolled” shall include both persons who are actually attending the institution during an academic term as well as those whose consecutive attendance of academic terms has been interrupted only by institutional vacation or summer recess periods. A person whose change in legal residence occurred during a period while not enrolled is not entitled to the benefit of the grace period.

The grace period extends for 12 months from the date of the change in legal residence, plus any portion of a semester or academic term remaining at the time the change in legal residence occurred. No change in applicable tuition rates resulting from the expiration of the basic 12-month grace period will be effective during a semester, quarter, or other academic term in which the student is enrolled; the change in tuition rates are effective at the beginning of the following semester, quarter, or other academic term. Once perfected, the grace period is applicable for the entire period at any institution of higher education in the State.

2. Students who are no Longer Enrolled

To qualify for the grace period if the student is no longer enrolled, the student must satisfy the following conditions:

- a. The student must have been properly classified as a resident for tuition purposes at the time the student ceased to be enrolled or graduated from an institution of higher education in this state; and
- b. If the student subsequently abandons his or her domicile in North Carolina and then reestablishes domicile in this state within 12 months of abandonment, the student may reenroll at an institution of higher education in this state as a resident for tuition purposes without having to satisfy the 12-month durational requirement so long as the student continuously maintains his or her reestablished domicile in North Carolina at least through the beginning of the academic term for which in-state tuition status is sought.

It is important to note that a student may benefit from this particular grace period only once during his or her life.

There is no such limitation on the grace period available to students who experience a change in residence status while still enrolled at an institution of higher education in this state.

### **III. RECONSIDERATION AND APPEAL OF RESIDENCY DECISIONS**

If the student does not agree the initial consideration concerning his or her residency status, the student may seek a reconsideration or appeal with RDS. For more information concerning the reconsideration and appeal process and deadlines, the student should consult with the [RDS Guidebook](#).

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115D-39; 116-143.1; N.C. Session Law 2015-241, Section 11.23; 1E SBCCC 300.2; *North Carolina Residency Determination Service Guidelines* (November 2016)

**I. AUTHORITY TO CHARGE SELF-SUPPORTING FEES**

Pursuant to North Carolina law, the College is authorized to offer curriculum and continuing education course sections on a self-supporting basis and charge self-supporting fees to students who enroll in self-supporting course sections.

**II. SELF-SUPPORTING FEE RATES**

A. Differing Rates

The College may adopt different self-supporting fees for different courses and activities.

B. Curriculum Self-Supporting Fee Rates

The College must determine self-supporting fees for curriculum courses using one of two methods:

1. Pro-Rata Share Method. The amount charged to each student shall approximate the pro-rata share of the direct and indirect costs associated with providing self-supporting instruction. Unless the College can demonstrate a need for a higher rate, the College may estimate indirect costs by applying its federal indirect cost rate or a rate up to 25%, whichever is higher, to the direct costs of providing the self-supporting activity. The amount charged to the student shall be calculated based on either: 1) the estimated costs of an individual self-supporting course section divided by the number of students expected to enroll in the course section; or 2) the estimated costs of a set of self-supporting course sections divided by the number of students expected to enroll in the set of course sections. Each student must pay the self-supporting fee even if the sum of the curriculum tuition and self-supporting fees charged to the student for the academic term exceeds the maximum tuition rate set by the State Board and academic term.
2. Transparent Rate Method. The College shall charge each student an amount consistent with the curriculum tuition rate based on residency status. The transparent rate method shall only be used if the receipts generated through this method can adequately support the direct and indirect costs of the self-supporting instruction.

C. Continuing Education Self-Supporting Fee Rates

The College shall set self-supporting fees for continuing education course sections at a level at or below the local market rate for the type of continuing education instruction provided.



### **III. USE OF SELF-SUPPORTING FEES**

#### **A. Deposit of Self-Supporting Fees**

The College shall deposit self-supporting fee receipts in an institutional unrestricted general ledger account. Any course section initially designated as self-supporting cannot be changed to a State-funded designation after the College collects any receipts for the course section.

#### **B. Use of Self-Supporting Fee Receipts**

Self-supporting fee receipts shall be used to support the direct and indirect costs of the self-supporting course sections. The College shall not use state funds for direct costs of self-supporting course sections. If a full-time curriculum instructor teaches a self-supporting course section, the College shall either: 1) pro-rate the instructor's salary based on the time allocated between state-funded and self-supporting course sections in the instructor's course load; or 2) reimburse State funds an amount equal to the number of instructional hours associated with self-supporting course section multiplied by the instructor's hourly rate of pay.

#### **C. Excess Receipts**

Specific fee receipts shall be used for the purpose for which they are charged. If self-supporting receipts exceed expenditures for the purpose for which they are charged, the College shall use excess receipts to support the costs of future self-supporting course sections, instruction, student support services, student financial aid (e.g. scholarships, grants, and loans), student refunds, student activities, curriculum development, professional development, promotional giveaway items, instructional equipment, and capital improvements and acquisition of real property.

Excess receipts shall not be used for any of the following purposes: supplemental compensation or benefits of any personnel, administrative costs, entertainment expenses, and fundraising expenses.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115D-5; -39; 1E SBCCC 600.1 – 600.4

## I. DEFINITIONS

- A. Academic Period – an academic term or subdivision of an academic term during which the College schedules a set of course sections.
- B. Non-regularly scheduled course section – any of the following: a) a class where a definitive beginning and ending time is not determined; b) a class offered in a learning laboratory type setting; c) a self-paced class; d) a class in which a student may enroll during the initial College registration period or at any time during the semester; or e) any class not meeting the criteria for a regularly scheduled class.
- C. Off-cycle course section – a regularly scheduled course section that is not offered consistent with an academic period.
- D. Officially Withdraw – the removal of a student from a course section by one of the following methods:
1. The student notifies the authorized College official, as defined by the College's published procedures for withdrawal, of the student's intent to dis-enroll in a course section as outlined in the College's published procedures for withdrawal; or
  2. The College removes the student from the course section because the College cancels the course section or for any other reason authorized by written College policy.
- E. On-cycle course section – a regularly scheduled course section that is offered consistent with an academic period.
- F. Regularly scheduled course section – a class that meets any of the following criteria: a) assigned definite beginning and ending times; b) specific days the class meets is predetermined; c) specific schedule is included on the College's Master Schedule or other official College documents; d) class hours are assigned consistent with the College's catalog; or e) identified class time and dates are the same for all students registered for the class excluding clinical or cooperative work experience.

## II. CURRICULUM TUITION/FEE REFUNDS

For Curriculum students, the College shall issue tuition refunds, using State funds, and fees only in the following circumstances:

- A. Refunds for On-Cycle Course Sections
1. The College shall provide a 100% refund to the student for both tuition and fees if the student officially withdraws or is officially withdrawn by the

College prior to the first day of the academic period as noted on the College calendar.

2. The College shall provide a 100% refund to the student for both tuition and fees if the College cancels the course section in which the student is registered.
3. After an on-cycle course section begins, the College shall provide a 75% percent refund to the student for tuition only if the student officially withdraws or is officially withdrawn by the College from the course section prior to or on the 10% point of the academic period.
4. For students dropping a course in order to add a replacement course, the student must drop and add the respective courses in the same transaction to receive the full refund. If the drop and addition of the respective courses is not completed in the same transaction, the College will reduce the refund by 25%.

**B. Refunds for Off-Cycle Sections**

1. The College shall provide a 100% refund to the student for both tuition and fees if the student officially withdraws or is officially withdrawn by the College prior to the first day of the off-cycle course section.
2. The College shall provide a 100% refund to the student for both tuition and fees if the College cancels the course section in which the student is registered.
3. After an off-cycle course section begins, the College shall provide a 75% refund to the student for tuition only if the student officially withdraws or is officially withdrawn by the college from the course section prior to or on the 10% point of the course section.

**C. Non-Regularly Scheduled Course Sections**

1. The College shall provide a 100% refund to the student for both tuition and fees if the student officially withdraws or is officially withdrawn by the College prior to the first day of the non-regularly scheduled course section.
2. The College shall provide a 100% refund to the student for both tuition and fees if the College cancels the course section in which the student is registered.
3. After a non-regularly scheduled course section begins, the College shall provide a (75% refund to the student for tuition only if the student officially withdraws or is officially withdrawn by the College from the non-regularly scheduled course section prior to or on the 10<sup>th</sup> calendar day after the start of the course section.

### **III. CONTINUING EDUCATION TUITION/FEE REFUNDS**

For Continuing Education students, the College shall issue tuition refunds using State funds only in the following circumstances:

- A. The College shall provide a 100% refund to the student for tuition and fees if the student officially withdraws or is officially withdrawn by the College from the course section prior to the first course section meeting.
- B. The College shall provide a 100% refund to the student for tuition and fees if the College cancels the course section in which the student is registered.
- C. After a regularly scheduled course section begins, the College shall provide a 75% refund of tuition only upon the request of the student if the student officially withdraws or is officially withdrawn by the College from the course section prior to or on the 10% point of the scheduled hours of the course section. This section applies to all course sections except those course sections that begin and end on the same calendar day. The College shall not provide a student a refund using State funds after the start of a course section that begins and ends on the same calendar day.
- D. After a non-regularly scheduled course section begins, the College shall provide a 75% refund of tuition only upon the request of the student if the student officially withdraws or is withdrawn by the College from the course section prior to or on the 10<sup>th</sup> calendar day after the start of the course section.

### **IV. OTHER REFUND CIRCUMSTANCES**

#### **A. Death of a Student**

If a student, having paid the required tuition and fees for a course section, dies prior to completing that course section, all tuition and fees for that course section shall be refunded to the estate of the deceased upon the College becoming aware of the student's death.

#### **B. Military Refund**

Upon request of the student, the College shall:

1. Grant a full refund of tuition and fees to military reserve and National Guard personnel called to active duty or active duty personnel who have received temporary or permanent reassignments as a result of military operations that make it impossible for them to complete their course requirements; and
2. Buy back textbooks through the Colleges' bookstore operations to the extent allowable under the College's buy back procedures.

3. The College shall use distance learning technologies and other educational methodologies, to the extent possible as determined by the College, to help active duty military students, under the guidance of faculty and administrative staff, complete their course requirements.

C. Self-Supporting Tuition and Fees

Refunds to students enrolling in self-supporting curriculum courses and self-supporting continuing education courses shall be regulated in the same manner as stated in Sections II and III.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115D-5; -39; 1E SBCCC 900.1 – 900.5

## I. FISCAL YEAR AND FINANCIAL STATEMENTS

In accordance with the North Carolina State Board of Community Colleges, the College's fiscal year will be July 1 through June 30.

The President or designee shall prepare and submit monthly expenditure reports and annual financial statements to the Board of Trustees ("Board") and, if otherwise required, to the appropriate state and county agencies.

## II. BUDGETING PROCESS

### A. Preparation and Submission

The President shall be responsible for the preparation of the College's annual budget. The President shall develop procedures for soliciting budget recommendations from the appropriate College administrators and stakeholders. The President shall submit the proposed budget to the Budget and Finance Committee, which shall examine and make such recommendations and modifications to the budget before submitting it to the Board. The Board shall have final approval of the proposed budget.

The Board shall submit its proposed budget to the State Board in the format established in N.C.G.S. § 115D-54(b) on such date as determined by the State Board. The Board shall also submit to the Alamance County Commissioners for their approval that portion of the budget within the Commissioners' authority as established in N.C.G.S. § 115D-55(a).

Upon final approval by the State Board and County Commissioners, the Board shall adopt its final budget. In the event that the final budget has not been adopted by the new fiscal year beginning on July 1, the Board, pursuant to N.C.G.S. § 115D-57, hereby authorizes the President to pay salaries and the College's other ordinary operating expenses for the interval between the beginning of the new fiscal year and the adoption of the new budget.

### B. Budget Amendments and Budget Transfers

The President, or designee, shall report budget amendments to the Board in the monthly budget report at the next regular Board meeting. The Board hereby delegates to the President the authority to make inter-budget transfers as authorized in N.C.G.S. § 115D-58(c). The President, or designee, shall report budget transfers to the Board in the monthly budget report at the next regular Board meeting.

The President, or designee, shall recommend budget amendments that exceed the authority granted herein to the Budget and Finance Committee. The Committee shall make such recommendation to the Board as it deems appropriate.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115D-54 through -58

**I. FIRE AND CASUALTY INSURANCE – COLLEGE BUILDINGS**

- A. For all College buildings and equipment and other contents therein that is State property, and upon recommendation of the Budget and Finance Committee, the College shall secure and maintain fire and casualty insurance as proscribed in N.C.G.S. §§ 115D-58.11(a).
- B. The County shall provide to the College the funds necessary to purchase such fire and casualty insurance.
- C. All insurance must be purchased from companies duly licensed and authorized to sell insurance in North Carolina.

**II. LIABILITY INSURANCE**

- A. Upon recommendation of the Budget and Finance Committee, the Board of Trustees may purchase liability insurance to adequately insure the Trustees against any and all liability for any damages by reasons of death or injury to person or property proximately caused by the negligence or torts of the College's agents and employees when acting within the scope of their authority or the course of their employment.
- B. All insurance must be purchased from companies duly licensed and authorized to sell insurance in North Carolina or from other qualified companies to sell insurance as determined by the N.C. Department of Insurance.
- C. The Trustees are authorized to pay as a necessary expense the lawful premiums of the retained liability insurance.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115C-58.11 and -58.12

The following categories of employees shall be bonded by a surety company authorized to do business in North Carolina at an amount, to be determined by the President, which sufficiently protects the College's property and funds:

1. All employees authorized to draw or approve checks or vouchers drawn on local funds;
2. All employees authorized or permitted to receive College funds from whatever source; and
3. All employees responsible for or authorized to handle College property.

The College shall provide the funds necessary for the payment of the premiums of such bonds.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-58.10



The Trustees may provide by appropriate resolution the use of facsimile machines, signature machines, signature stamps, or similar devices in signing checks and drafts. The Trustees authorize the use of such machines by the Secretary of the Board and the Vice President of Business and Finance/Chief Financial Officer.

The Trustees may charge the President or some other bonded employee with the custody of the necessary machines, stamps, plates or other devices, and that person and the sureties on the official bond are liable for any illegal, improper, or unauthorized use of them.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-58.8

All money regardless of source or purpose collected or received by a College officer, employee, and/or agent shall be provided to the College's Cashier and deposited intact daily. Deposits shall be given to the Cashier in the College's Business Office prior to the end of the business day. The Cashier will provide to the officer, employee, and/or agent a receipt for the money. All individuals shall physically deliver the money to be deposited to the Business Office and provide directly to the Cashier or a Business Office staff member. Individuals are prohibited from sending money to the Cashier through interoffice mail or leaving the money on the Cashier's desk.

Tuition and all revenues declared by law to be State moneys or otherwise shall be deposited pursuant to the rules of the State Treasurer.

Adopted: June 13, 2022

Legal Reference: N.G.C.S. §§ 115D-58.9; 147-77

The College's book of accounts shall be audited a minimum of once every two years or, if additional audits are necessary, as required by the State Board. The College may use state funds to contract with the North Carolina State Auditor or with a certified public accountant to perform the audit. The College shall submit the results of the audit to the State Board. The audit provides assurances that departments are complying with internal and external policies, procedures, and regulations as well as verifying that financial statements and required reporting are completed in a timely and accurate manner.

Additionally, all State Fund reports are submitted monthly to the North Carolina Community College System's finance office. These reports are reviewed and reconciled prior to the release of state monies for the subsequent months.

Nothing herein would prohibit the President, if he or she deemed it necessary, from requesting a special audit of the College's accounting records by an outside agency. The President is also authorized, as needed, to develop procedures regarding internal controls to ensure that there are adequate controls in place to promote efficiency and protect the College's assets.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-58.16

## I. DEFINITIONS

- A. Cash balance – amount equal to all moneys received into institutional accounts minus all expenses and withdrawals from those accounts in an Official Depository of the College as approved by the Board.
- B. Official depository – one or more banks, savings and loan associations, or trust companies in North Carolina as approved by the Board.

## II. SELECTION OF DEPOSITORY

### A. Deposits

The Board shall designate one or more Official Depositories for the College's use. The College may deposit at interest all or part of the College's Cash Balance of any fund in an Official Depository. Moneys may be deposited at interest in any Official Depository in the form of such deposit accounts as may be approved for county governments. In addition, moneys may be deposited in the form of such deposit accounts as provided for a local government or public authority. Public moneys may also be deposited in Official Depositories in Negotiable Order of Withdrawal accounts where permitted by applicable federal or state regulations.

### B. Deposit Security

The amount of funds on deposit in an Official Depository or deposited at interest shall be secured by deposit insurance, surety bonds, letters of credit issued by a Federal Home Loan Bank, or investment securities of such nature, in a sufficient amount to protect the College on account of deposit of funds made therein, and in such manner, as may be prescribed by rule or regulation of the Local Government Commission. When deposits are secured, no public officer or employee may be held liable for any losses sustained by the College because of the default or insolvency of the depository. No security is required for the protection of funds remitted to and received by a bank, savings and loan association, or trust company acting as fiscal agent for the payment of principal and interest on bonds or notes, when the funds are remitted no more than 60 days prior to the maturity date.

## III. INVESTMENTS

The College's investment objective is to realize the highest earnings possible on invested cash. Pursuant to N.C.G.S. § 115D-58.6, the College may deposit all or a part of the Cash Balance of any fund in an Official Depository and shall manage the investments subject to the Board's restrictions. The investment program shall be so managed that investments and deposits can be converted to cash when needed. All investments shall be secured as provided in N.C.G.S. § 159-31(b). The Board shall appoint an Investment Committee ("Committee") which shall consist of a minimum of three (3) people who have sufficient

financial background to review and evaluate the College's investment options. These individuals should have experience in institutional or retail investment management with knowledge of fixed income and public equities. The Committee shall make recommendations to the Board on those investment options as well as monitor the performance of investments once made. With respect to investments, the Board shall discharge their duties with respect to management and investment of College funds as follows:

- A. Investment decisions shall be solely in the interest of the College and the students, faculty, and staff.
- B. Investments shall be for the exclusive purpose of providing an adequate return to the College.
- C. Investments shall be made with the care, skill and caution under the circumstances then prevailing which a prudent person acting in a like capacity and familiar with those matters would use in the conduct of an activity of like character and purpose.
- D. Investment decisions shall be made impartially, taking into account the College's best interest, with special attention to conflict of interest or potential conflicts of interest.
- E. Investments shall only incur costs that are appropriate and reasonable.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115D-58.6 and -58.7; 159-31(b).

**I. DISBURSEMENT OF STATE MONEY**

The deposit of money in the State treasury to credit the College shall be made in monthly installments, and additionally as necessary, at such time and in such manner as may be convenient for the operation of the community college system. Before an installment is credited, the College shall certify to the Community College System Office the expenditures to be made by the College from the State Current Fund during the month.

The Community College System Office shall determine whether the moneys requisitioned are due the College and, upon determining the amount due, shall cause the requisite amount to be credited to the College. Upon receiving notice from the Community Colleges System Office that the amount has been placed to the credit of the College, the College may issue State warrants up to the amount so certified. Money in the State Current Fund and other moneys made available by the State Board of Community Colleges shall be released only on warrants drawn on the State Treasurer, signed by the Vice President of Business and Finance/Chief Financial Officer and Finance Manager.

**II. DISBURSEMENT OF LOCAL MONEY**

All local public funds received by or credited to the College shall be disbursed on checks signed by the Vice President of Business and Finance/Chief Financial Officer and the Finance Manager. The officials so designated shall countersign a check only if the funds required by such check are within the amount of funds remaining to the credit of the College and are within the unencumbered balance of the appropriation for the item of expenditure according to the College's approved budget. Each check shall be accompanied by an invoice, statement, voucher, or other basic document which indicates, to the satisfaction of the signing officials, that the issuance of such check is proper.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 115D-58.3 and -58.4

## **I. STUDENT DEBT COLLECTION**

Tuition and fees for all College students are due and payable prior to the beginning of each term. A student's registration will be subject to cancellation when prior term, past due charges have not been resolved before the current term. Students not paying or deferring current term charges by the due date may be subject to cancellation. Any unpaid balance on a student's account may prevent registration. In addition, transcripts and diplomas may be withheld until outstanding balances are paid.

Students who leave the College with unpaid balances are subject to collection actions. These actions will begin with a letter reminding the student of the unpaid debt and encouraging immediate payment, payment arrangements, or other action to resolve the debt and avoid additional action. If the student fails to respond satisfactorily, a final letter will be sent. Next steps include referral to collection agencies, litigation where appropriate, and actions pursuant to the NC State Offset Debt Collection Act ("SODCA") and the NC State Employee Debt Collection Act ("SEDCA"), when applicable.

Uncollected student debts will be written off and expensed as bad debt once collection efforts have been exhausted. Writing off the account balance does not relieve the student's legal obligation to pay the debt. A record of the debt and the related student account holds are maintained along with SODCA and SEDCA reporting until the debts are paid or collected. If the write-off debt is later collected, then the resulting funds will be recognized as a recovery of the write-off.

## **II. NON-STUDENT DEBT COLLECTION**

Accounts receivable or uncollected billings that may be submitted for collection include, but are not limited to salary overpayments, contract work completed by the College for which the College has not received payment, fees owed to the College, deposited checks returned unpaid for insufficient funds, and nonpayment for goods or services purchased from the College.

## **III. AUTHORITY OF THE PRESIDENT**

The President is hereby authorized to write off any debt owed to the College that is less than \$5,000 and that is uncollectible and has been outstanding for at least five (5) years, so long as reasonable attempts have been made to collect the debt. The President shall periodically report to the Board any debts which have been written off.

The President is authorized to develop procedures consistent with this policy.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 105A-1; 115D-5; -39

The President is hereby authorized to create procedures regarding the method of payments accepted by the College.

Adopted: June 13, 2022



**ALAMANCE BUSINESS SERVICES  
COMMUNITY COLLEGE REVIEW OF GRANT FUNDED POLICY  
PROJECTS AND PROGRAMS 6.2.11**

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The College is responsible for ensuring that external or grant-funded projects adhere to all program regulations as established by the funding source or agency and to all College policies regarding management of restricted funds.

The President is authorized to adopt procedures consistent with this policy.

Adopted: June 13, 2022

The Board shall ensure that sound fiscal and management practices are employed in the operation of the College's business office. To that end, the Board requires the following:

- A. The College expends all funds prudently and consistently within the adopted budget.
- B. The College shall manage the budget to ensure the percentage of State current operating funds remaining unexpended in the budget does not exceed five (5) percent or five (5) times the system-wide percentage, whichever is higher.
- C. The College's fund accounts do not have a negative balance at the end of the fiscal year unless such an instance exists for a planned reason, such as an anticipated reimbursement. If any of the College's fund accounts have a negative balance at year-end, the negative fund balance shall be reviewed by the President and Finance Director. In the event the negative balance is not due to a planned reason, the President shall develop a plan to rectify the negative balance and shall report the matter to the Board at its first scheduled meeting in the new fiscal year.
- D. The College shall track expenditures consistent with the North Carolina Community College System's Chart of Accounts, as outlined in the North Carolina Community College System Accounting Procedures Manual (see Policy 6.3.5 – Chart of Accounts).
- E. The President or designee shall provide financial reports to the Board at its regularly scheduled meetings, or at intervals determined by the Board of Trustees.
- F. The College shall participate in the EAGLE Program (Enhancing Accountability in Government through Leadership and Education) and shall maintain a system of internal controls as required by N.C.G.S. 143D – The State Governmental Accountability and Internal Control Act.
- G. The College shall not overdraw accounts by ensuring bank accounts are reconciled and any discrepancies resolved within 30 business days from the end of the prior month. In the event the College fails to comply with this requirement more than once during a fiscal year, such information shall be reported to the Board at its first scheduled meeting following the month of non-compliance.
- H. The College shall submit complete and accurate financial statements to the North Carolina Office of the State Controller by deadline as prescribed by the State Controller.
- I. The College shall conduct audits consistent with N.C.G.S. §115D-20(9) and N.C.G.S. § 115D-58.16 (see Policy 6.2.6).

- J. Once established, the President shall address to the Board any findings identified in audits, compliance reviews, SACSCOC reviews, or other monitoring reviews. The President shall address the matter with the Board at the first scheduled meeting following notice of the findings.
- K. The College shall actively seek to fill leadership and other supervisory positions in a timely manner with individuals of high competence.
- L. The College shall monitor employee turnover by providing an employee vacancy report for information to the Board at least biannually.

Adopted May 13, 2019; revised June 13, 2022

Legal Citation: 1A SBCCC 200.4

## I. BOOKSTORE OPERATIONS

All financial transactions pertaining to bookstore operations shall be accounted for in a proprietary Institutional Fund program account and kept separate from all of the College's other activities. At least every four years, the Board shall review the College's mark-up on textbooks and other instructional materials sold through the bookstore to determine if the mark-up is appropriately balanced between affordability for students and other priorities identified by the Board.

## II. USE OF BOOKSTORE OPERATING REVENUES

- A. Bookstore receipts shall first be used to support bookstore operating expenses including, but not limited to salaries and benefits of bookstore personnel, purchase of inventory, marketing, supplies, travel, equipment associated with the operation of the bookstore, enhancement of the bookstore, and bookstore facility support costs such as utilities, housekeeping, maintenance and security.
- B. Receipts in excess of the above operating expenses shall be transferred to the appropriate account and expended consistent with the following provisions:
  1. Excess receipts may be used to support instruction, student support services, student financial aid (e.g. scholarships, grants, loans, Work Study), student refunds, student activities, giveaways to students, curriculum development, program improvement, and instructional equipment. And, given specific approval from the Board, excess receipts may be used to support professional development and capital improvements related to facilities associated with the bookstore and student activities.
  2. Excess receipts shall not be used to support any supplemental salary, benefit, or other form of compensation for the College's President. Excess receipts shall not be used to support administrative costs, promotional giveaways to individuals other than students, entertainment expenses, fundraising expenses, and capital improvements not allowed under (B)(1) above.

Adopted: June 13, 2022

Legal Reference: 1H SBCCC 300.3

(This policy replaces "Institutional Funds Policy" adopted June 6, 1968; revised April 6, 1972; revised November 19, 1979; revised February 9, 1998; revised September 11, 2000; revised October 8, 2018.)

Profits received from the College's operation for vending machines and other concession activities shall be deposited, budgeted, appropriated, and expended for the following purposes:

- A. For student financial aid, including work-study program support;
- B. For expenditures of direct benefit to students;
- C. For memorials, flowers, and various remembrance gifts for personnel and Board members;
- D. For community and personnel relations; and
- E. Other similar expenses authorized by the Board (i.e., new facility positions for new programs, counselors, equipment, construction, etc.).

These profits shall not be used to supplement the President's salary.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-58.13; 1H SBCCC 300.4

(This policy replaces "Institutional Funds Policy" adopted June 6, 1968; revised April 6, 1972; revised November 19, 1979; revised February 9, 1998; revised September 11, 2000; revised October 8, 2018.)

**I. DISBURSEMENT OF STATE FUNDS**

State funds expended by the College shall be disbursed through a disbursing account that the State Treasurer has established for the College. The signature of College officials that are authorized by the College's President to sign vouchers issued on State funds shall be maintained on file with the State Treasurer and the State Board. The State Treasurer will furnish signature cards for this purpose.

**II. EXPENDITURE OF STATE FUNDS**

State funds shall be expended consistent with the purposes for which the State Board allocated the funds. In the event that the College expends State funds for an unauthorized purpose, the College shall reimburse the State for the amount from non-State funds.

A. Allowed Expenditures

1. Travel Expenses

State funds may be expended for travel in accordance with Policy 6.3.4 – Financial Reimbursements.

2. Accreditation Expenses and Dues

a. Accreditation expenses relative to Southern Association of Colleges and Schools Commission on Colleges may be paid from State funds within the College's current allotment. These expenses shall be limited to payment of travel, subsistence, lodging, and honorarium incurred by members of visiting committees, other bona fide representatives, and members of the staff of accrediting organizations.

b. The College may pay from State funds the required annual dues of the Southern Association of Colleges and Schools Commission on Colleges, and such institutional association membership dues as the Board deems to benefit the College.

c. The College may also pay from State funds the fees for accrediting individual programs offered by the College if the College's President determines that the accreditation provides value to graduates of the program.

3. Campus Security

The College may use up to a specific amount of State funds designated by the State Board for campus security. Under this authority, the College may:

- a. Hire security or campus police personnel;
- b. Contract for professional security services and other security-related services; and
- c. Purchase surveillance cameras, call boxes, alert systems, and other equipment-related expenditures, excluding vehicles.

4. Employee Recognition

The College may use State funds for purchases related to the recognition of employees for meritorious service through programs such as the one authorized by the State for State employees. In addition, State funds may be expended, not to exceed \$50, for the purchase of a plaque or for the printing and framing of a certificate to recognize employee service or performance. The expenditure of State funds for these purposes is subject to the availability of funds within the College.

B. Prohibited Expenditures

1. Athletics

The College shall not use State funds to create, support, maintain, or operate an intercollegiate, club, or intramural athletics program. Athletic programs may only be supported by student activity fees or other non-State funding sources that are authorized for that purpose.

2. Promotional Giveaways

The College shall not use State funds to purchase promotional giveaway items or other gifts for any reason, including promotional giveaway items purchased for College marketing and advertising. “Promotional giveaway items” are items given to an individual or entity for less than fair market value that do not serve an instructional or institutional purpose. Items that serve “an instructional or institutional purpose” are those used for classroom instruction and daily, routine operations of the College not associated with marketing, advertising, recruiting, or fundraising.

3. County Funded Items

Unless otherwise authorized by law, the Colleges may not use State funds for those budget items listed in N.C.G.S. § 115D-32 that are the County’s responsibility to fund.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. § 115D-32; -58.3; 1H SBCC 200.3 through 200.11

For all financial reimbursements, the College follows the North Carolina Community College System [Accounting Procedures Manual and Reference Guide](#), Section 1: Fiscal Procedures (the “Manual”). The Board hereby incorporates the Manual.

Consistent with the Manual, the Board of Trustees hereby delegates to the President the authority to establish the IRS business standard mileage rate as the reimbursement rate for official business travel. If the President recommends to establish a rate lower or higher than the IRS business standard mileage rate, the Board of Trustees must approve the rate change.

Adopted: June 13, 2022

(This policy replaces “Travel Policy” revised August 10, 2004 revised; August 1, 2007; revised September 10, 2018; revised February 11, 2019; revised February 10, 2020); revised August 10, 2020; revised June 14, 2021. This policy also replaces “Mileage Reimbursement Policy” adopted October 10, 2005.”



For all accounting procedures, the College follows the North Carolina Community College System [Accounting Procedures Manual and Reference Guide](#), Section 2: Chart of Accounts (the “Manual”). The Board hereby incorporates the Manual.

Adopted: June 13, 2022

The Board is the official legal entity for the College. Unless otherwise delegated, the power to contract on the Board's behalf is solely vested with the Board. The College's size and complexity, however, is such that individual review by the Board of every agreement is neither feasible nor in the College's best interest. Therefore, certain delegations of contracting authority are appropriate within the following specified guidelines.

- A. Contacting Authority Delegation - the President is hereby expressly authorized and empowered to contract in the Board's name as follows:
  - 1. Personnel - All employment contracts shall be signed by the President or his/her appointed designee.
  - 2. Capital Improvement Project Contracts and Change Orders - See Policy 2.2.5 Capital Improvement Projects.
  - 3. Service Agreements - The President or his/her appointed designee shall have authority to execute service agreements on the Board's behalf.
  - 4. Instructional Agreements - The President or his/her appointed designee is expressly authorized to sign all instructional agreements on the Board's behalf.
  - 5. Cooperative Agency Agreements - The President or his/her appointed designee is authorized to sign all cooperative, inter-institutional, and interagency agreements on the Board's behalf.
- B. Signatory Authority - Unless the authorizing action of the Board specifically provides otherwise, any contract approved by the Board shall be executed on the Board's behalf by either the Board Chair or the President.
- C. Custody of Contracts - The President is hereby designated as custodian of all Board contracts. He or she shall maintain on file in either the President's office or the Business Services Office one of every contract to which the Board is a party.
- D. Reporting - The President shall periodically report to the Board all service contracts made pursuant to delegated authority that have costs exceeding \$50,000.

Adopted: June 13, 2022, revised October 14, 2024

Legal Reference: N.C.G.S. § 115D-14

**I. N.C. COMMUNITY COLLEGE PURCHASING AND EQUIPMENT PROCEDURES MANUAL**

The Board hereby incorporates the [N.C. Community College Purchasing and Equipment Procedures Manual](#) (“Manual”). The Manual shall control in the event of any inconsistencies with this policy or any of the College’s purchasing procedures.

**II. PURCHASING AND BIDDING**

Purchasing procedures are originated by the North Carolina Division of Purchase and Contract. Such procedures are sanctioned by N.C.G.S. § 143, Article 3 and § 115D-58.5.

- A. State Contract Items - Items on state contract may be ordered directly from the vendor subject to any restrictions on the contract certification.
- B. Non-Contract Items - Non-contract items of less than \$10,000 total order may be placed by the College without the oversight or approval of the Division of Purchase and Contract. Good purchasing practices mandate that competition is to be sought for all purchases. For small purchases, where the total order is \$5,000 or less, telephone or e-quotes should be obtained to establish competitive prices, unless the items are purchased off a state contract. A record of those quotes should be attached to the requisition. For the purchase of more than \$5,000 but less than \$10,000, a minimum of three written quotes must be obtained and attached to the purchase requisition, unless the items are purchased off state contract. If three written quotes cannot be obtained, users must attach a note explaining the circumstances.
3. Competitive Bid Items - Non-contract items over \$10,000 must be sent by requisition to the Division of Purchase and Contract for competitive bids.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. 115D-58.5; 1H SBCC 500.1 – 500.2

The College affirms the State of North Carolina's commitment to encourage participation of historically underutilized businesses in the College's purchase of goods and services. The College prohibits discrimination against any person or business on the basis of race, color, ethnic origin, sex, gender, disability, or religion.

The College has adopted the following verifiable percentage goals for participation in the College's contracts by women and minority-owned business: 10% for participation by minority-owned, female-owned, disabled-owned, disabled business enterprises or non-profit work centers for the blind and severely disabled in the total annual value of all purchases of goods and services.

For construction projects, the College shall adhere to the guidelines established by the Department of Administration's Office of State Construction.

Adopted: June 13, 2022

Legal Reference: N.C.G.S. §§ 143-128.2 through -128.4; [Guidelines for Recruitment and Selection of Minority Businesses For Participation in State Construction Contracts:](#)

Credit card processing at the College shall comply with the Payment Card Industry Data Security Standards (PCIDSS). The following security requirements have been established by the payment card industry and adopted by the College to ensure compliance with the payment card industry. These requirements apply to all employees, systems, and networks involved with credit card processing, including transmission, storage, and electronic or paper processing of credit card numbers.

## **I. AUTHORIZED EMPLOYEES**

Credit card processing for official college business is restricted to Business Office personnel only. No other College employees are authorized to process such information for any reason. College employees who process credit card information or who have access to this information will complete annual data security training.

## **II. PROCEDURES**

- A. Each College employee who processes credit card information must strictly adhere to the following:
  - 1. Access to credit card information is restricted to Business Office personnel.
  - 2. System and desktop passwords must be regularly changed.
  - 3. Accounts should be immediately terminated or disabled for employees who leave employment with the College.
  - 4. Credit card information should not be stored in any format.
- B. Credit card information, including the card number, cardholder name, CVV code, and expiration date should not be retained for any reason.
- C. Employees may not send or process credit card data in any insecure manner including transmitting such data via email, courier, or instant messaging. Credit card information may not be left exposed or in insecure locations.
- D. The College's Technology Department shall maintain additional procedures to ensure compliance with PCIDSS including:
  - 1. Configuration of card processing procedures, including segmentation of local area networks and protection through deployment of firewalls.
  - 2. Logging control procedures.
  - 3. Wireless use procedures.
  - 4. Encryption procedures.

Adopted: June 13, 2022

Legal Reference: N.C. Community College Written Memoranda [CC10-029](#) (issued 7/21/10)

## I. POLICY OVERVIEW

This policy is intended to meet the requirements of the FTC “Red Flag Rule.” Identity theft is a fraud committed or attempted using the identifying information of another person without that person’s authority. The College shall undertake reasonable measures to detect, prevent, and mitigate identity theft in connection with the opening of a “covered account” or any existing “covered account,” and to establish a system for reporting a security incident.

## II. DEFINITIONS

- A. Covered Account – A covered account is a consumer account designed to permit multiple payments or transactions. These are accounts where payments are deferred and made by a borrower periodically over time such as a tuition or fee installment payment plan.
- B. Creditor – A creditor is a person or entity that regularly extends, renews, or continues credit and any person or entity that regularly arranges for the extension, renewal, or continuation of credit. Examples of activities that indicate a college is a “creditor” are:
1. Participation in the Federal Perkins Loan program;
  2. Participation as a school lender in the Federal Family Education Loan Program;
  3. Offering loans to students, faculty, or staff;
  4. Offering a plan for payment of tuition or fees throughout the semester rather than requiring full payment at the beginning of the semester.
- C. Identifying Information – Any name or number that may be used, alone or in conjunction with any other information, to identify a specific person including name, address, telephone number, social security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, student identification number, computer’s Internet Protocol address, routing code or financial account number such as credit card number, in combination with any required security code, access code, or password that would permit access to an individual’s financial account.
- D. Red Flag – A red flag is a pattern, practice, or specific activity that indicates the possible existence of identity theft.
- E. Security Incident – A collection of related activities or events which provide evidence that personal information could have been acquired by an unauthorized person.

### **III. IDENTIFICATION OF RED FLAGS**

Broad categories of “Red Flags” include the following:

- A. Alerts – alerts, notifications, or warnings from a consumer reporting agency including fraud alerts, credit freezes, or official notice of address discrepancies.
- B. Suspicious Documents – such as those appearing to be forged or altered, or where the photo ID does not resemble its owner, or an application which appears to have been cut up, re-assembled and photocopied.
- C. Suspicious Personal Identifying Information – such as discrepancies in address, Social Security Number, or other information on file; an address that is a mail-drop, a prison, or is invalid; a phone number that is likely to be a pager or answering service; personal information of others already on file; and/or failure to provide all required information.
- D. Unusual Use or Suspicious Account Activity – such as material changes in payment patterns, notification that the account holder is not receiving mailed statement, or that the account has unauthorized charges.
- E. Notice from Others Indicating Possible Identify Theft – such as the College receiving notice from a victim of identity theft, law enforcement, or another account holder that a fraudulent account was opened.

### **IV. DETECTION OF RED FLAGS**

College employees shall undertake reasonable diligence to identify Red Flags in connection with the opening of covered accounts as well as existing covered accounts through such methods as:

- A. Obtaining and verifying identity;
- B. Authenticating customers; and
- C. Monitoring transactions.

A data security incident that results in unauthorized access to a customer’s account record or a notice that a customer has provided information related to a covered account to someone fraudulently claiming to represent the College or to a fraudulent web site may heighten the risk of identity theft and should be considered Red Flags.

### **V. SECURITY INCIDENT REPORTING**

College employees who believe that a security incident has occurred shall immediately notify their appropriate supervisor and Vice President, as well as the Vice President of Business and Finance/Chief Financial Officer. Upon review of the incident, the Vice President and Vice President of Business and Finance shall determine what steps may be

required to mitigate any issues that arise in the review. In addition, referral to law enforcement may be required.

If there is a security breach, the College shall comply with all notice requirements contained in N.C.G.S. § 75-65.

## **VI. TRAINING**

All College employees who process any information related to a covered account shall receive annual training and this policy shall be reviewed annually.

Adopted: June 13, 2022

Legal Reference: Fair and Accurate Credit Transactions of 2003; FTC Regulations – Red Flag Rule; N.C.G.S. § 75-65



## I. DEFINITIONS

- A. A foreign national is a person who was born outside the jurisdiction of the United States, is a citizen of a foreign country, and has not become a naturalized United States citizen under United States law. This includes legal permanent residents.
- B. Foreign nationals are classified as either "Nonresident Aliens" or "Resident Aliens." Section 1441 of the Internal Revenue Code provides a separate tax system with a different set of tax rules and regulations for individuals deemed to be Nonresident Aliens. Colleges making payments to Nonresident Aliens are subject to different tax withholding, reporting, and liability requirements.
1. A Resident Alien's income is subject to tax in the same manner as a U.S. citizen. This means that a Resident Alien's worldwide income is subject to U.S. tax and must be reported on their U.S. tax return. Income of Resident Aliens is subject to the graduated tax rates that apply to U.S. citizens.
  2. A Nonresident Alien's income is subject to federal income tax only on income which is derived from sources within the United States and/or income that is effectively connected with a U.S. trade or business. Nonresident Aliens are taxed according to special rules contained in certain parts of the Internal Revenue Code.

## II. POLICY

All North Carolina agencies, universities, community colleges, and institutions have been tasked with the responsibility of withholding and reporting on payments to foreign national individuals and vendors in accordance with the IRS Code Regulations Section 1441 and policies established by the N.C. Office of the State Controller.

When the College identifies a foreign national or foreign vendor that will be compensated via payroll, accounts payable, or student services, the appropriate department shall maintain a copy of evidentiary and supporting documentation such as I-9, W-8BEN, I-20, I-94, I-797, passport, and/or employment authorization card. The evidentiary and supporting documentation shall be provided to the Business Office. The Business Office will submit the supporting documentation to the System Office before payment is made.

If the System Office determines that payments made by the College to a foreign national or foreign vendor are taxable, the College shall withhold federal and/or state taxes as instructed by the System Office.

Adopted: June 13, 2022

Legal Reference: [Office of State Controller's Policy and Procedures Regarding Foreign Nationals](#); [NC Community College Foreign National Compliance Program](#); N.C. Community

College Written Memoranda [CC12-10](#) (issued 4/17/12); [N.C. Community College Accounting Procedures Manual and Reference Guide: Fiscal Procedures](#)

**BUSINESS SERVICES  
COMPANIES THAT BOYCOTT  
ISRAEL AND IRAN  
DIVESTMENT LIST**

**POLICY  
6.3.12**

**ALAMANCE  
COMMUNITY COLLEGE**

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For all purchases and contracts valued at \$1,000 or more (“Impacted Contracts”), the Board is prohibited from purchasing and contracting with the following:

- A. Companies identified on the list of restricted companies, developed by the State Treasurer, that are engaged in a boycott of Israel (“Boycott List”).
- B. Companies identified on the list of restricted companies, developed by the State Treasurer, that are engaging in investment activities in Iran (“Iran List”).

Prior to awarding an Impacted Contract, the College will check the Boycott List and Iran List on the State Treasurer’s website to ensure that the company is not a restricted company. Any Impacted Contract made by the College with a restricted company on the Boycott List and/or the Iran list is void.

Adopted: June 13, 2022

Legal Reference: N.C. Session Law 2017-193; N.C.G.S. 147, Articles 6G and 6E

**BUSINESS SERVICES**  
**FINANCIAL CONFLICT OF**  
**INTEREST WITH REGARD TO**  
**FEDERAL HEALTH SERVICE**  
**AGENCIES-FUNDED RESEARCH**

**ALAMANCE**  
**COMMUNITY COLLEGE**

**POLICY**  
**6.3.13**

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It is the policy of Alamance Community College (ACC) to comply with all applicable Federal Regulations, as amended from time to time, and to maintain an up-to-date, written and enforced administrative process to identify and manage Financial Conflicts of Interest (FCOI) with regards to all research projects for which Public Health Services\* (PHS) funding is sought or received. ACC will promote and enforce Investigator compliance with the regulation's requirements including those pertaining to disclosures of FCOI. If the Investigator is found to have a FCOI, a report will be made to the relevant PHS agency in a timely manner and consistent with the requirements of 42 CFR Part 50 Subpart F, "Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service (PHS) Funding is Sought."

\* *Within the Department of Health and Human Services (HHS), eight agencies are designated components of the U.S. Public Health Service (PHS). They are the Agency for Healthcare Research and Quality (AHRQ); the Agency for Toxic Substances and Disease Registry (ATSDR); the Centers for Disease Control and Prevention (CDC); the Food and Drug Administration (FDA); the Health Resources and Services Administration (HRSA); the Indian Health Service (IHS); the National Institutes of Health (NIH); and the Substance Abuse and Mental Health Services Administration (SAMHSA).*

Adopted: August 10, 2020

That the Board of Trustees of Alamance Community College authorizes the use of a signature machine by the Secretary to the Board and the College Vice President of Business and Finance and accepts full responsibility of illegal, unauthorized, or improper use of such machine.

Adopted: May 9, 1977

<b>ALAMANCE COMMUNITY COLLEGE</b>	<b>BUSINESS SERVICES BUDGET TRANSFERS – STATE FUNDS</b>	<b>POLICY 6.3.15</b>
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Pursuant to General Statute 115D-58 and subject to all relevant provisions of the State Board of Community Colleges, the President of Alamance Community College is hereby authorized to transfer moneys from one function to another function within the same fund, budget supplemental state allocations, and revert state funds as required by the State Board of Community Colleges. Any such transfers, supplemental allocations, and budget reversions shall be reported to the Board of Trustees at its next regular meeting and entered into its minutes.

Adopted: November 8, 1999

## **I. PURPOSE**

The College strives to provide information technology access in an environment in which access is shared equitably among users. This access is intended to be used in support of the College's research, educational and administrative purposes. Access to information systems, including the Internet, computer systems, and computer networks, is provided to authorized users for those resources they have been granted rights to use. This policy applies to students, employees, and other authorized users. This policy's purpose is to protect the College's technology users and computer resources and to ensure equitable access and proper management of these resources.

## **II. COLLEGE ACCOUNT CREDENTIALS**

1. It is the user's responsibility for maintaining the security of usernames, passwords, and any other access credentials assigned to them. This information may not be given to anyone other than the person to whom they were assigned.
2. Users are responsible for any use and activity of their account.
3. Attempting to discover or using another user's username or password or attempting to gain unauthorized access to another person's files or email is prohibited.
4. Failure to read College guidelines, requirements, and regulations will not exempt users from responsibility.
5. Users are responsible for providing accurate and true information about themselves in any identity verification process.

## **III. ACCEPTABLE USE FOR COMPUTER WORKSTATIONS**

The College's information technology resources are intended for the use of its students, employees and other authorized individuals for purposes related to instruction, learning, research and campus operations. Users are expected to exercise responsible, ethical behavior when using all College digital systems, internet, computer and information systems resources. This policy makes no attempt to articulate all required or prohibited behavior by users of the College's computer and information system resources. Failure to comply with the following statements of responsible use may result in disciplinary action and/or legal prosecution.

### **A. General Principles**

1. Access to resources and the use thereof on the campus network and the Internet is provided to support the research, educational, and administrative purposes of the College. All who use these services will do so responsibly, respecting the rights of other users, the integrity of the physical facilities, and all applicable laws and regulations.
2. Computer workstations, the campus network, and information systems may be monitored to ensure that use is consistent with the mission of the College and with the purposes for which they are intended.

B. Responsible Use

1. Demonstrating common sense and courtesy by limiting online time and printing time to a maximum of one hour where workstations are shared. Complying with all software license agreements and copyrights.
3. Refraining from the transmission or display of material that would be considered threatening, obscene, or harassing by the average person or by community standards.
4. Adhering to all College policies and all regulations in the ACC student or personnel handbook related to the use of College computers and information systems.
5. Avoiding the use of College computer workstations from any profit-making activity not preapproved by authorized ACC personnel.
6. Adhering to the acceptable use policies of any outside networks to which a user might connect.
7. Respecting the integrity of data contained on and the operation/maintenance of the networks.

C. Unacceptable Activity

Unacceptable activity includes, but is not limited to, the following:

1. Deliberately downloading, uploading, creating or transmitting computer viruses, malware, or other software intended to harm a computer or the College's network.
2. Destroying or modifying directory structures or registries or interfering or tampering with another individual's data or files.
3. Developing programs that infiltrate a computer or computing system, harass other users and/or damage software.
4. Attempting to obtain unauthorized information systems and/or computer access or privileges or attempting to trespass in another individual's work.
5. Using hardware or software sniffers to examine network traffic, except by appropriate College personnel, to diagnose the network for bottlenecks or other problems.
6. Committing any form of vandalism on equipment, communication lines, manuals or software, or attempting to defeat or circumvent any security measures or controls.
7. Wastefully using finite resources such as large amounts of bandwidth including but not limited to, downloading streaming music, television shows, software programs, and/or movies.
8. Connecting personal network devices on the College's wired network. Connecting unsanctioned products (software or hardware) to the College network or installing products for personal use. Special provisions may be made for visiting artists, lecturers, and trainers at the discretion of the Director of Information Technology. Information Technology support staff can offer assistance in gaining network access under these special circumstances, but the College cannot guarantee functionality and assumes no responsibility for configuration of or damage to non-college equipment.
9. Using the College's computer resources and Network to engage in disruptive, threatening, discriminatory or illegal behavior or behavior that violates the Code of Student and/or Employee Conduct.
10. Disclosing confidential student or personnel information to unauthorized third parties;



11. Violating copyright laws and/or fair use provisions through: 1) illegal peer-to-peer file trafficking by downloading or uploading pirated or illegal material including, but not limited to, software and music files; and 2) reproducing or disseminating Internet materials, except as permitted by law or by written agreement with the owner of the copyright; and other activities that interfere with the effective and efficient operation of the College or its Network or activities that violate the College's policies and procedures.

**D. Use of Personal Computer Software**

1. The College licenses the use of computer software from a variety of vendors. The College does not own this software or its related documentation, and unless authorized by the software developer, does not have the right to reproduce it.
2. College employees shall use software only in accordance with a license agreement. Supervisors must maintain documentation of the appropriateness of all software loaded on computers assigned to their area of responsibility. Compliance with license agreements must be documented a minimum of once per year. More frequent reviews are encouraged.
3. Special license agreements are required to use software on area networks or multiple machines. Supervisors must assure that software being used under either arrangement is appropriate.
4. The College does not condone the illegal duplication of software or the use of illegally duplicated software. Employees having knowledge of any misuse of software at the College shall notify their supervisor or the College President.
5. According to the Copyright Act of 1976, Section 107 (fair use provisions), illegal reproduction of software can be subject to civil damages of as much as \$100,000 and criminal penalties including fines and imprisonment. Any College employee or student who makes, acquires, or uses unauthorized copies of computer software on College-owned computers, or other devices, shall be subject to disciplinary action and/or legal prosecution. Copies of the referenced statute and/or assistance in interpretation are available from the Director of the Learning Resources Center.

**IV. ELECTRONIC COMMUNICATION AND MAIL**

The College provides free electronic mail accounts to certain College employees based on job responsibilities, as determined by the employee's appropriate Vice President, and to all students who are enrolled in a curriculum program. The use of College-provided electronic mail accounts must be related to College business, including academic pursuits. Incidental and occasional personal use of these accounts is acceptable when such use does not generate a direct cost to the College or otherwise violate the provisions within this policy.

The College will make reasonable efforts to maintain the integrity and effective operation of its electronic mail systems, but users are advised that those systems should in no way be regarded as a secure medium for the communication of sensitive or confidential information. Because of the nature and technology of electronic communication, the College cannot assure the privacy of an individual's use of the College's electronic mail

resources or the confidentiality of particular messages that may be created, transmitted, received or stored.

The College does not monitor electronic mail routinely but may do so as the College deems necessary. Students and employees should not have any expectation of privacy regarding their electronic mail addresses provided by the College. Any user of the College's computer resources who makes use of an encryption device shall provide access when requested to do so by the appropriate College authority. The College reserves the right to access and disclose the contents of employees', students' and other users' electronic mail without the consent of the user. The College will do so when it believes it has a legitimate business or need including, but not limited to, the following:

1. In the course of an investigation triggered by indications of misconduct or misuse;
2. As needed to protect health and safety of students, employees or the community at large;
3. As needed to prevent interference with the College's academic mission;
4. As needed to locate substantive information required for College business that is not more readily available;
5. As needed to respond to legal actions; and
6. As needed to fulfill the College's obligations to third parties.

Electronic mail, including that of students, may constitute "educational records" as defined in the Family Educational Rights and Privacy Act (FERPA). Electronic mail that meets the definition of educational records is subject to the provisions of FERPA. The College may access, inspect and disclose such records under conditions set forth in FERPA.

North Carolina law provides that communications of College personnel that are sent by electronic mail may constitute "correspondence" and, therefore, may be considered public records subject to public inspection under the North Carolina Public Records Act.

Electronic files, including electronic mail, that are considered public records are to be retained, archived and/or disposed of in accordance with current guidelines established by the North Carolina Department of Cultural Resources or otherwise required by College policy.

To ensure, to the extent possible, that students who are taking courses, communicating with an instructor, and submitting assignments electronically are the students who registered for the courses, the College requires the use of its official information systems, such as ACCess email.

1. The system for students relies on a student identification number issued to all students when they apply.
2. Students will follow guidelines published on the College website to create logins and passwords.

3. No other student may be permitted to access official College systems using the created logins and passwords of another student, and students may not allow access to anyone under their individual logins and passwords.
4. Students and faculty communicating with each other online about any course-related questions or when sending or receiving assignments electronically will use College-approved communication systems, such as the College email system or Moodle, the College's online Learning Management System.
5. Faculty are only permitted to accept assignments and answer electronic messages using the College's official systems.
6. All college personnel and students will use official College systems when communicating about College activities, services, and business.

#### **V. RESERVATIONS OF RIGHTS AND LIMITS OF LIABILITY**

1. The College reserves all rights in the use and operation of its computer resources, including the right to monitor and inspect computerized files or to terminate service at any time and for any reason without notice.
2. The College makes no guarantees or representations, either explicit or implied, that user files and/or accounts are private and secure. No right of privacy exists in regard to electronic mail or Internet sessions on the College Network or College-owned hardware.
3. The College is not responsible for the accuracy, content or quality of information obtained through or stored on the College Network.
4. The College and its representatives are not liable for any damages and/or losses associated with the use of any of its computer resources or services.
5. The College reserves the right to limit the allocation of computer resources.
6. The College makes efforts to maintain computer resources in good working condition but is not liable for damages incurred by loss of service.
7. College funds may not be used to purchase personal network access or products.
8. The College shall not be liable legally, financially or otherwise for the actions of anyone using the Internet through the College's network or College's computers.

#### **VI. WIRELESS INTERNET ACCESS**

The College provides free wireless Internet access. Users of wireless access must abide by the Wireless Internet Access Guidelines and this policy. Connection to the wireless network at any given time is not guaranteed. The College does not accept liability for any personal equipment that is brought to the College and, therefore, may not assist with configuration, installation, trouble-shooting or support of any personal equipment.

#### **VII. PRIVATE EMPLOYEE WEBSITES AND OTHER INTERNET USE**

When creating or posting material to a webpage or other Internet site apart from the College's website or approved ancillary external site or page, employees should remember that the content may be viewed by anyone including community members, students and parents. When posting or creating an external website, students, faculty and

staff are not permitted to use the College's name in an official capacity or use the College's marks, logos or other intellectual property.

Employees are to maintain an appropriate relationship with students at all times. Having a public personal website or online networking profile or allowing access to a private website or private online networking profile is considered a form of direct communication with students. Any employee found to have created and/or posted content on a website or profile that has a negative impact on the employee's ability to perform his or her job as it relates to working with students and the community or that otherwise disrupts the efficient and effective operation of the College may be subject to disciplinary action up to and including dismissal.

## **VIII. VIOLATIONS**

Each individual is ultimately responsible for his or her own actions. For employees, failure to exercise responsible, ethical behavior will result in disciplinary action up to and including dismissal. Students may be sanctioned according to procedures described in the Code of Student Conduct and other users may be barred permanently from using College computers and network access and suspended or expelled.

Certain activities violate Federal and/or State laws governing use of computer systems and may be classified as misdemeanors or felonies. Those convicted could face fines and/or imprisonment.

Adopted: February 8, 2021

(This policy replaces the former "Learning Resources Center Computer Usage Policy" and former "Internet and Network Use Policy.")

The Information Services department does not provide students, faculty, or staff with passwords. The department assists the process of users resetting their own passwords.

Users must change their password once every 90 days. Reminder notifications of an upcoming password change are delivered daily starting two (2) weeks before the date at which the password will expire. Notifications are delivered by email and with an operating system pop-up message when logging into a campus computer.

If a user does not manually change his or her password before the date of expiration, the system will change the user's password to force a password change. The user will be unable to log in to the account until he or she manually changes the password.

## **I. PROCEDURE FOR MANUALLY CHANGING AN ACC ACCOUNT PASSWORD**

Users should follow these procedures:

1. Visit the College's password reset portal at the following link:  
<https://guardian.alamancecc.edu/>
  - a. Staff recommend using Mozilla Firefox.
  - b. Staff recommend using a PC instead of a mobile device.
2. Enter user information as prompted: ID number, First Name, Last Name, and Birth Date must match the user information as displayed in Informer.
3. Enter a password that satisfies the guidelines outlined on the page.
4. Click the reCAPTCHA challenge button to confirm the user is not a robot and follow any additional instructions.
5. Click the Submit button once, and only once.
6. Wait for the confirmation message to appear that confirms the password has been changed successfully.
7. The user will now be able to log in to all connected systems using the new password.

## **II. COMMON ERRORS AND HOW TO RESOLVE THEM**

1. Information entered does not match the information in the system.

Information Services may view user information in Informer to confirm it matches what the user is entering. However, staff *do not* provide the user with ID number, name, or birth date information. Staff will ask the user to repeat what the user is entering on the screen and then may confirm or deny whether the data they see in Informer matches that information. This error message may appear under a few different circumstances:

  - a. Wrong web browser. Sometimes Google Chrome or Internet Explorer will falsely return this error. Solution: Ask the user to try using Mozilla Firefox.

- b. Cached information. Old information may be automatically filled into the form or submitted in a way that is not obvious to the user.  
Solution: Provide instructions for the user to clear the browser cache.
  - c. Submit button clicked more than once. The password change itself may take up to 30 seconds to complete.
  - d. If a user gets impatient and clicks the Submit button again, this error may be reported. Solution: User should resubmit the password reset request and only click the Submit button once.
  - e. Legitimate data mismatch. The user entered information that does not match what is displayed in Informer.
2. The data in Informer is wrong. Solution: Staff will help connect the user with the correct team to resolve the incorrect information (see below). In the short term, the user can complete the password reset using the incorrect information.  
Curriculum students should contact the Registrar.  
Continuing Education students should contact the Program Accountability Specialist
3. The data the user entered is wrong. Solution: Check for misspellings or extra spaces in the field. Do not copy and paste text from another location -- manually enter it.
4. Password does not satisfy the requirements. Solution: User must return to the password reset page and review the password requirements, then choose a different password that satisfies those requirements.
5. Password matches a previously used password. Solution: User must return to the password reset page and choose a different password that they have not used before.
6. ReCAPTCHA challenge failed, but the user completed the challenge correctly. This typically occurs when the user is using Google Chrome.  
Solution: User should attempt the password reset again on Mozilla Firefox.
7. User received successful confirmation of a password change but is unable to log in to his or her Gmail account using the new password. This is a problem that began to occur after the College's switch to Gmail, and seems to be caused by users with very long account names, or users who have hyphenated last names. In this case, they are able to log in to Self-Service, Moodle, etc. using the new password, but they cannot log in to Gmail. Solution: User should submit a ticket on the Information Services support portal for further assistance.

Adopted: January 31, 2021; revised July 25, 2023

## I. OVERVIEW

Alamance Community College recognizes that faculty, staff, and students may choose to use a first name other than their legal name to identify themselves for many reasons. Except when the use of an individual's legal name is required by law or policy, individuals will be identified in Alamance Community College's information systems by the preferred first name in accordance with the designed use of the software. In this procedure, "preferred name" refers to first name only.

## II. PURPOSE

A preferred name cannot be used for the purpose of misrepresentation or fraud and must comply with Alamance Community College policies.

## III. COLLEGE ISSUED IDENTIFICATION CARDS

A person's preferred name can be printed on his or her Alamance Community College identification card if requested. Faculty, staff, and students who update their preferred name after being issued an identification card may request a replacement card.

## IV. SYSTEMS AND PROCESSES

Alamance Community College utilizes multiple information systems to manage its operations and processes. Appropriate system fields, forms, reports, and processes that collect and/or use individual names will be updated to allow the use of preferred names whenever possible. This includes but is not limited to the Learning Management System and class rosters.

***Instances in which a legal name is required include, but are not limited to, online test proctoring services, payroll records, billing records, financial aid documents, official transcripts, tax documents, and federal immigration documents.***

Note that in Colleague, the "Chosen LFM" field in the BIO screen is the appropriate point for data entry to record an individual's preferred name as it relates to this procedure.

Process for Updating Name:

Individuals may update their preferred name at any time throughout the year, and college information systems will be refreshed on a regular basis.

Students should update their name using the Change of Student Demographic Information Form.

Employees should update their name using the Name Change Form.



To avoid confusion or misuse of this procedure, names should not be changed on a regular basis.

Career and College Promise students may not change their name without parental permission.

Adopted: September 26, 2023

An electronic signature is defined as any electronic process signifying an approval to terms and/or ensuring the integrity of the document, presented in electronic format. Students at Alamance Community College use electronic signatures to register, check financial aid awards, submit payments, obtain unofficial transcripts, log into campus computers, complete forms, and submit class work. Employees use electronic signatures to submit grades, log into campus computers, and access protected data through the administrative computing system.

Alamance Community College recognizes an electronic signature from employees and students subject to the conditions below:

A. Condition 1: Campus Network Username and Password

- Institution provides student or employee with a unique username.
- Student or employee sets his or her own password.
- Student or employee logs into a secure site using both the username and password.

B. Condition 2: Student/Employee Login ID and Personal Identification Number (PIN)

- Institution provides student or employee with a unique PIN.
- Student or employee sets his or her own PIN.
- Student or employee logs into a secure site using both the login ID and PIN.

It is the responsibility and obligation of each individual to keep his or her PIN and password private so that others cannot use those credentials. Once logged in, students and employees are responsible for any information they provide, update, or remove. ACC will take steps to ensure both the PIN and password are protected and kept confidential. Users are responsible for logging out of all systems and exercising the necessary precautions when using publicly accessible computers.

This policy is in addition to all applicable federal and state statutes, policies, guidelines, and standards.

Adopted: February 7, 2011

The College recognizes that social media sites are useful technologies in communicating with College constituencies and in enabling transparent communication. All of the College's social media shall follow established guidelines and procedures and shall be registered with the College's Public Information and Marketing Department. College employees shall exercise good, professional judgment when using official College social media sites to ensure that communications are appropriate, professional, maintain the security of the College's network, and comply with local, state and federal laws and with the College's technology security procedures. All content generated on a College-operated social media site should support the mission of the College.

College employees whose responsibility it is to operate a social media account on behalf of the College shall be responsible for monitoring discussions and content added by third parties, including comments. The College's Public Information and Marketing Department has the right to monitor and to remove any post or comment on any social media account operated by the College.

Social media accounts controlled by the College are subject to records retention regulations.

The President is authorized to adopt appropriate guidelines and procedures to carry out the provisions of this policy.

Adopted: June 13, 2022

Pursuant to Policy 7.2.1, the College adopts the following community standards for its official social media outlets.

College social media outlets provide information of public interest to students, staff, and other residents of our community. The College encourages stakeholders and community members to engage, share thoughts and questions, share College posts with their networks, and comment on College posts regarding the posted topics.

Staff, students, community members, and visitors are encouraged to:

- Use good judgement in commenting and sharing information.
- Be respectful and supportive of others.
- Be mindful that minors use the College's social media websites.

The College considers its social media platforms to be moderated and limited public forums. As a result, the College reserves the right to remove comments that are off-topic and inappropriate, including:

1. Profane or obscene language or content;
2. Content that promotes, fosters, or perpetuates prejudice or discrimination against protected classes;
3. Sexually harassing, lewd, bullying, harassing, or discriminatory content;
4. Conduct or encouragement of violence or criminal activity;
5. Commercial solicitations or advertisements including promotion or endorsement;
6. Information that may compromise the safety or security of individuals or the College campus.

Violators of these community standards may have their comments removed from the College's social media platforms. Continued egregious violations of this policy may prompt the College to block or further restrict an individual's ability to comment on, or engage with, official College social media platforms. The College also reserves the right to delete comments and block users from commenting if they violate community standards.

When appropriate, and if possible, the Director of Public Information and Marketing will contact the commenter regarding a violation of this procedure to notify the commenter and/or request voluntary removal or editing of the comment. If an employee or student of the College wishes to appeal a decision of the Director to remove or edit a comment, they shall use the College's Grievance Policy. Appeals made by non-employees of the College may be made directly to the Executive Vice President.

Adopted: June 13, 2022

Before creating a social media account representing the College, whether a program page or club, a request must be made to the Director of Public Information and Marketing.

If approved:

- All social media presences representing ACC must include the Director of Public Information and Marketing as an administrator.
- Any and all administrators of the accounts and pages representing ACC must attend a brief training to discuss appropriate page usage and administrative practices.
- All social media presences representing ACC may be reviewed for modification or removal at the discretion of the Director of Public Information & Marketing at any time.

Adopted: June 13, 2022