

McHenry County College
District 528

Serving McHenry, Lake, Kane & Boone Counties

BOARD POLICY MANUAL

Revised Summer 2007
Approved by the Board of Trustees
September 20, 2007

This document is to be understood and applied in association with:

I. Policy Documents

- A. *Illinois Public Community College Act*
- B. Agreement Between the McHenry County College, District No. 528, and the McHenry County College Faculty Association
- C. Agreement Between the McHenry County College, District No. 528, and the McHenry County College Staff Council, Local 1642 IFT/AFT/AFL-CIO

MCC
McHenry County College

PHILOSOPHY OF THE COLLEGE

The commitments which evolve from McHenry County College's publicly declared definition as both a comprehensive community college and an integral part of the Illinois system of higher education have served as a basis for all this institution's efforts in the past and will continue to do so in the future.

Not only is the College responsive to the educational needs of the post-high school constituents within its area without duplicating existing services, it is also dedicated to carrying out the following commitments: a policy of open admissions, a comprehensive programming of educational offerings, and the maintenance of an informal student-oriented learning environment.

The College admits any high school graduate or any adult who is capable of profiting by continuing his or her education and who desires to do so through the educational experiences offered. This open-door philosophy openly and sincerely extends to those who may not have benefited from previous college learning experiences as fully as their desires and capabilities permitted. McHenry County College also cooperates with area secondary schools in accepting high school students who desire and who are capable of using selected college educational experiences to complement their high school programs. In accordance with its open admissions concept, the College gives all entering students an equal opportunity to enter courses and programs. However, individuals must make their choices with full awareness of the standards necessarily set by the College for these courses or programs and are, therefore, expected to acquaint themselves with all available information related to the College's performance standards. Counseling services are provided to assist students in making educational and career decisions.

Through its stated commitments, the College offers both short-term and longer-term educational programs and training experiences. For example, seminars, workshops, and short courses are provided which focus on single topics of current importance; likewise, certificate and degree programs consisting of from three to as many as twenty courses are offered for students desiring a more in-depth or more extensive level of preparation in a field of study. As a comprehensive institution, McHenry County College is concerned with providing timely assistance to all students, whether their needs call for as little as a one-day seminar or for as much as a complete, two-year degree program.

As a community college, McHenry County College is dedicated to teaching and to the type of research aimed at improving its instruction. Within this context, it plans to remain a two-year institution with an informal student-oriented environment. Communication between all students and educators is planned to benefit to the fullest all those served.

MISSION

At McHenry County College, we value learning, and we put the interests of our students and community first. By providing high quality, affordable and accessible learning opportunities, we enable students to meet their educational, career and personal goals. By sharing our knowledge and resources, we support our community's educational, social, cultural and economic vitality.

VISION

The community's first choice for a lifetime of learning

GOALS

TO prepare students to transfer successfully to colleges and universities;

TO prepare students to enter and advance in their careers;

TO prepare students with the literacy and basic skills to succeed and grow as learners, workers and members of society;

TO promote personal development and lifelong learning for all students;

TO enrich the educational, social, and cultural life of the community; and

TO address the community's workforce needs.

BOARD POLICY MANUAL

TABLE OF CONTENTS

1.0	BOARD OPERATION	1
1.1	The College Governing Board.....	1
1.2	Non-Voting Board Member.....	1
1.2.1	Student Trustee Advisory Vote.....	1
1.3	Role of the Governing Board.....	1
1.4	Trustee Responsibilities.....	1
1.5	Authority of Members of the Board of Trustees.....	1
1.6	Authority for Operations.....	1
1.7	Composition of the Board.....	2
1.7.1	Number and Selection.....	2
1.7.2	Term.....	2
1.7.3	Vacancies.....	2
1.7.4	Officers.....	2
1.7.4.1	Elections.....	2
1.7.4.2	Duties.....	2
1.7.4.2.1	Chair.....	2
1.7.4.2.1.1	Board Spokesperson.....	2
1.7.4.2.2	Vice Chair.....	3
1.7.4.2.3	Secretary.....	3
1.7.4.3	Term of Office.....	3
1.7.4.4	Trustee Emeritus Program.....	3
1.8	Operation of the Board of Trustees.....	3
1.8.1	Formulation of Policy.....	3
1.8.2	Formulation of Administrative Procedures.....	3
1.8.3	Board Committees.....	4
1.8.3.1	Committee of the Whole.....	4
1.8.3.2	Standing Committees.....	4
1.8.3.3	Temporary Committees.....	4
1.8.3.4	Citizen Advisory Committees.....	4
1.8.4	Meetings.....	4
1.8.4.1	Public Meetings.....	4
1.8.4.1.1	Annual Organizational Meeting.....	4
1.8.4.1.2	Business Meetings.....	4
1.8.4.1.3	Special Meetings.....	5
1.8.4.1.4	Committee Meetings.....	5
1.8.4.2	Agenda.....	5
1.8.4.3	Preparation for Meetings.....	5
1.8.4.4	Meeting Procedures.....	5
1.8.4.4.1	Open Session for Visitors and Presentations.....	5
1.8.4.4.2	Closed Session.....	5
1.8.4.4.3	Parliamentary Procedure.....	5
1.8.4.4.4	Order of Business.....	6

1.8.4.4.5	Telephonic Participation	6
1.8.5	Resource Personnel	6
1.8.5.1	Auditor	6
1.8.5.2	Specialized Resource Personnel	6
1.8.5.2.1	Selection of Resource Personnel.....	6
1.8.6	Reimbursement for Expenses	6
1.8.7	Resolutions of Support.....	6
1.8.8	Community Support.....	7
1.8.9	Signatory for Illinois Community College Board Materials	7
1.8.10	Receipt and Forwarding of Mail	7
1.8.11	College Master Planning.....	7
1.8.12	Institutional Affiliations.....	7
1.9	Freedom of Information Policy.....	7
1.10	Anti-Violence.....	7
1.11	Gift Acceptance	8
1.12	Ethics Ordinance	8
1.13	<i>Health Insurance Portability and Accountability Act (HIPAA)</i> Compliance Policy	13
1.14	Copyright Policy	13
2.0	COLLEGE OPERATIONS	14
2.1	Management of College Funds	14
2.1.1	Investments	14
2.1.2	Borrowing.....	17
2.1.2.1	Interfund Loans.....	17
2.1.2.2	Tax Anticipation Warrants.....	17
2.1.3	Bonding Insurance	17
2.1.4	Purchasing.....	17
2.1.4.1	Purchasing Authority	17
2.1.4.1.1	Recycled Product Procurement.....	17
2.1.4.2	Quotations and Bidding; Purchasing Officer’s Authority	18
2.1.4.3	Notice.....	18
2.1.4.4	Cooperative Purchasing	18
2.1.4.5	Imprest Account.....	18
2.1.4.6	Emergency Change Orders for Construction Projects	18
2.1.5	Types of Funds.....	19
2.1.6	Basis of Accounting	19
2.1.7	Preparation of an Annual Budget.....	19
2.1.8	Publication of an Annual Financial Statement.....	19
2.1.9	Preparation of an Annual Audit	19
2.1.10	Sale of Stocks.....	19
2.1.11	College Use of Checking Accounts	19
2.2	Comprehensive Insurance.....	20
2.3	Tuition and Fees.....	20
2.3.1	Tuition and Rates	20
2.3.1.1	Credit and Non-Credit—In General.....	20

2.3.1.2	Non-Credit In-Plant	20
2.3.1.3	Credit In-Plant.....	20
2.3.1.4	Senior Citizens Tuition Reduction/Waiver	20
2.3.2	Fees	20
2.3.3	Refunds	20
2.4	Use of Facilities	21
2.4.1	Permit for Non-College Use of the College Facilities.....	21
2.4.1.1	Preliminary Screening Guidelines for Use of College Facilities	21
2.4.1.2	Approval of an Application for Use of College Facilities	21
2.4.1.3	Denial of Application for Use of College Facilities	21
2.4.2	Rental of Off-Campus Facilities	21
2.4.3	Use of Campus Facilities After Business Hours.....	21
2.4.4	Use of Campus Grounds After Business Hours.....	22
2.4.5	Campaigning and Solicitation on Campus.....	22
2.4.6	Children on Campus	22
2.4.7	Smoking on Campus	22
2.4.8	Responsible Use of Information Technology	22
2.5	Third Party Communication with Students on Campus	23
2.6	Best Management Practices – Groundwater Resources Management.....	23
2.7	Maintaining A Healthy College Environment	23
2.8	Whistleblower Policy.....	23
3.0	PERSONNEL – GENERAL	26
3.1	Employment.....	26
3.1.2	Recruitment and Selection	26
3.1.2.1	Affirmative Action and Non-Discrimination.....	26
3.1.2.2	Procedures.....	26
3.1.2.3	Appointment	26
3.1.3	Reorganization	26
3.1.4	Employees with Chronic Communicable Diseases	26
3.1.5.1	Sick Days for Retirement Option	27
3.1.6	Drug-Free Workplace	27
3.1.7	Anti-Harassment Policy	27
3.1.7.1	Employee Sexual Harassment Policy Statement	27
3.1.7.2	Employer General Harassment Policy	28
3.1.8	Assignment	28
3.1.9	Causes for Termination of College Personnel	28
3.1.10	Emeritus Program	28
3.2	Personnel – Full-Time Administrative.....	29
3.2.1	Role Description of the College President.....	29
3.2.2	Compensation	29
3.2.3	Request for Grievance Review	29
3.3	Faculty – Full-Time	29
3.3.1	Faculty Remuneration.....	29
3.3.1.1	Academic Year and Summer Session	29

3.3.1.2	Compensation for Selected Activity Sponsorship	29
	Advisors and Organization Sponsorships	
3.3.2	Outside Employment of Faculty	30
3.3.3	English Language Proficiency for Faculty	30
3.4	Faculty – Part-Time	30
3.4.1	Recruitment, Selection and Appointment	30
3.4.2	Notification of Assignment.....	30
3.4.3	Benefits	30
3.5	Staff Council Employees	30
3.5.1	Conditions of Employment.....	31
3.6	Contracted Services Personnel.....	31
3.7	Employee Military Reservists Called to Active Duty.....	31
4.0	STUDENTS	32
4.1	Residency.....	32
4.2	Student Classification	32
4.3	Student Behavior.....	32
4.3.1	Drug-Free Schools and Communities Act Policy.....	32
4.3.2	Student Harassment/Discrimination	33
4.4	Students With Chronic Communicable Diseases	34
4.5	Student Life.....	34
4.6	Student Publications.....	34
4.7	College Alumni.....	35
4.8	Student Services and Support	35
4.8.1	Library.....	35
4.8.2	Registration and Records Services.....	35
4.8.2.1	Privacy and Security of Students Records.....	35
4.8.2.2	Students Financial Obligations	35
4.8.2.3	Students Called to Active Military Duty	36
4.8.3	Student Parking.....	36
4.8.4	Campus Traffic Control	36
4.8.5	Student Use of College Facilities.....	36
4.9	Student Trustee	36
4.10	Scholarship Program.....	36
4.11	Religious Observances.....	36
5.0	INSTRUCTION	37
5.1	Degrees Awarded.....	37
5.2	Occupational Certificates.....	37
5.3	Waiver and Substitution of Graduation Requirements	37
5.4	Awarding Additional Degrees	37
5.5	College Committees.....	37
5.6	Cooperative Educational Agreements.....	37

BOARD PROCEDURES FOLLOW

1.0 BOARD OPERATION

1.1 THE COLLEGE GOVERNING BOARD

The College is governed by a non-partisan seven (7) member Board elected for staggered six (6) year terms in accordance with the general election laws and other appropriate statutes.

1.2 NON-VOTING BOARD MEMBER

The College Board shall have one non-voting member who is a student enrolled in the community college under the jurisdiction of the Board as provided by Section 805/3-7.24 of the Illinois Community College Act. **Also see Section 4.9 Student Trustee.**

1.2.1 STUDENT TRUSTEE ADVISORY VOTE

Adopted 3/23/95 The Student Trustee on the Board will be expected to cast a formally recorded non-binding advisory vote on all Board actions. **Also see Section 4.9 Student Trustee.**

1.3 ROLE OF THE GOVERNING BOARD

As the legislative body of the College District, the Board of Trustees is responsible for the development and adoption of District policies and for making decisions related thereto. Its authority in these areas is final, subject to legal limitations.

In the fulfillment of its responsibilities, the Board is committed to obtaining and weighing the views and advice of others on all matters, which are of interest to them before policies are adopted. (*See Procedures Section.*)

1.4 TRUSTEE RESPONSIBILITIES

Fundamental to the success of the College is the commitment of each Trustee to carry out his/her responsibilities as an elected official charged with providing District residents a quality, fully accredited comprehensive community college. (*See Procedures Section.*)

1.5 AUTHORITY OF MEMBERS OF THE BOARD OF TRUSTEES

Trustees have authority for official Board action only when acting in concert as a Board of Trustees legally in session. No member of the Board of Trustees shall have the power to speak out or act in the name of the Board unless authorized to do so by the Board of Trustees in legal session.

1.6 AUTHORITY FOR OPERATIONS

The Board of Trustees is the elected governing body of Illinois Community College District #528. As such, the Board operates within the statutes and regulations governing public community colleges in Illinois and retains those powers enumerated in Sections 3-31 through 3-43 of the *Illinois Public Community College Act* of 1965, as amended.

Likewise, the Board may exercise all other powers not inconsistent with the Act that may be required for proper maintenance, operation and development of the College.

1.7 COMPOSITION OF THE BOARD

1.7.1 NUMBER AND SELECTION

The Board of Trustees is comprised of seven voting members elected at-large by the District electorate and one non-voting student member elected by the student body.

1.7.2 TERM

Board member elections are conducted biannually according to Sections 805/3-7 through 805/3-7.13 (and as subsequently amended) of the *Illinois Community College Act*. Voting Trustees are elected for six-year terms. (***See Procedures Section.***)

1.7.3 VACANCIES

Vacancies on the Board of Trustees shall be filled by the Board of Trustees by appointment in accordance with Section 805/3-7 (f) of the *Illinois Community College Act*. All members of the Board of Trustees shall be involved in the selection process.

1.7.4 OFFICERS

1.7.4.1 ELECTION

The Board of Trustees will elect all of its officers for the ensuing year at its annual organizational meeting. The Board will elect from its membership a Chair, Vice Chair and Secretary. A majority vote of the full membership eligible to vote will be required to elect an officer.

1.7.4.2 DUTIES

1.7.4.2.1 CHAIR

The duties of the Chair shall include the following:

- A. Preside at all Board meetings.
- B. Make all Board committee appointments.
- C. Call special meetings.
- D. Direct the preparation of meeting agenda.
- E. Serve as an ex-officio member of all Board committees.
- F. Represent the interests of the Board on a day-to-day basis.
- G. Perform such other duties as prescribed by law or by Board action.

1.7.4.2.1.1 BOARD SPOKESPERSON

The Board Chair or his/her designee will act as spokesperson for the Board in communication to the public and will notify his/her colleagues as promptly as possible of his/her actions as their representative.

- 1.7.4.2.2 VICE CHAIR
The duties of the Vice Chair shall include the following:
A. Serve as Chair in the Chair's absence.
B. Serve as Chair of the Committee of the Whole.
C. Perform such other duties as prescribed by law or by Board action.

- 1.7.4.2.3 SECRETARY
The duties of the Secretary shall include the following:
A. Direct the official signing of all official legal documents of the Board.
B. Direct the preparation of legal notices in all official newspapers designated by the Board.
C. Provide for the custody of all records, proceedings, and documents of the Board, including making them available for public use.
D. Direct that a duplicate set of official College records be stored in a secure facility.
E. Record call to order and adjournment; motions, seconds, and voting; attendance, absence, late arrival, and early departure of members; and other such occurrences as necessary for an accurate record of Board proceedings.
F. Perform such other duties as prescribed by law or by Board action.

- 1.7.4.3 TERM OF OFFICE
The officers of the Board will be elected for a one-year term commencing and ending at the annual organizational meeting of the Board.

- 1.7.4.4 TRUSTEE EMERITUS PROGRAM
A Board member who leaves the Board after serving the College for six or more years will be considered for Trustee Emeritus status upon the request of the Chair of the Board. (*See Procedures Section.*)

1.8 OPERATION OF THE BOARD OF TRUSTEES

- 1.8.1 FORMULATION OF POLICY
The Chair may appoint a specific committee to review and recommend revision of the policies governing the operation of the Board of Trustees. (*See Procedures Section.*)

- 1.8.2 FORMULATION OF ADMINISTRATIVE PROCEDURES
The President, working with his/her staff and other members of the College community, will prepare and submit to the Board of Trustees for approval, procedures related to the administration of the College under these Board policies.

1.8.3 BOARD COMMITTEES

1.8.3.1 COMMITTEE OF THE WHOLE

The Board may meet as a Committee of the Whole as it deems necessary. Such meetings will be held consistent with the *Illinois Open Meetings Act*. (***See Procedures Section.***)

1.8.3.2 STANDING COMMITTEES

The Board may establish and appoint selected members to standing committees on an annual basis. In addition, there is a designated liaison to the Board of Directors of the Friends of MCC Foundation (hereinafter referred to as Foundation) and an ICCTA Representative. Standing committee meetings will be held consistent with the *Illinois Open Meetings Act*. (***See Procedures Section.***)

1.8.3.3 TEMPORARY COMMITTEES

The Chair of the Board shall appoint such ad hoc or special purpose committees composed of Board members and such others as the Board may, from time to time, deem necessary to conduct its business. (***See Procedures Section.***)

1.8.3.4 CITIZEN ADVISORY COMMITTEES

As a public body, the Board may, on occasion seek the assistance of a representative group of citizens to study complex issues confronting the College. The Board of Trustees shall approve the establishment and set the purposes and the members of all Citizen Advisory Committees. (***See Procedures Section.***)

1.8.4 MEETINGS

1.8.4.1 PUBLIC MEETINGS

Any meeting involving a majority of a quorum of Board members held for the purpose of discussing College business is a public meeting.

1.8.4.1.1 ANNUAL ORGANIZATIONAL MEETING

On an annual basis, and within the time limits prescribed by statute, the Board Chair shall call and conduct an organizational meeting, notice of which meeting shall be given in advance. (***See Procedures Section.***)

1.8.4.1.2 BUSINESS MEETINGS

On a monthly basis, the Board shall hold open meetings for the purpose of conducting College business, including but not limited to, the review of operations, programs, personnel, and plans for the continued development of the College. Notice of such meetings will be posted at the College and made known to the media as requested in writing.

1.8.4.1.3 SPECIAL MEETINGS

On occasion it may prove necessary for the Board to conduct special meetings to enable the timely consideration of a particular issue or issues. Special meetings shall be held consistent with the *Illinois Open Meetings Act*. (***See Procedures Section.***)

1.8.4.1.4 COMMITTEE MEETINGS

All meetings of all Board Committees shall be held in accordance with the *Illinois Open Meetings Act*.

1.8.4.2 AGENDA

The President shall prepare a tentative meeting agenda for all Board meetings subject to the approval by the Board Chair. (***See Procedures Section.***)

1.8.4.3 PREPARATION FOR MEETINGS

Following preparation of an agenda, the President shall prepare and distribute, in advance when possible, to all Board members, those documents and reports which relate to the agenda. Materials supporting the agenda are to be maintained confidential.

1.8.4 MEETING PROCEDURES

1.8.4.4.1 OPEN SESSION FOR VISITORS AND PRESENTATIONS

As a means of insuring the rights of interested parties to be heard, the Board, at each regular business meeting, shall provide an opportunity for visitors to address the Board on matters of concern to them. (***See Procedures Section.***)

1.8.4.4.2 CLOSED SESSION

As provided by statute, the Board may elect, by a vote taken in a public meeting, to consider and discuss prescribed matters in Closed session. Closed sessions will be conducted consistent with the *Illinois Open Meetings Act*. (***See Procedures Section.***)

1.8.4.4.3 PARLIAMENTARY PROCEDURE

For Board meetings and Board committee meetings, the Board will function under procedure established for Small Boards in the official Robert's Rules of Order, 10th Edition ISBN 0-7382-0307-6, page 470, except that the Board Chair shall be counted for purposes of establishing a quorum at any meeting he/she attends as a member of the Board, including as an ex-officio member of any standing or temporary committee of the Board.

1.8.4.4.4 ORDER OF BUSINESS

There will be a prescribed order of business for Board meetings that will be followed unless modified by a Board action. (*See Procedures Section.*)

1.8.4.4.5 TELEPHONIC PARTICIPATION

Rev'd
2/26/09

A Board member not physically present at a meeting may participate and vote in accordance with the *Illinois Open Meetings Act*. Board members may participate in Closed Sessions via telephone.

1.8.5 RESOURCE PERSONNEL

To assist the Board in the efficient conduct of its business, various resource personnel are necessary. The positions identified and described below are filled annually by action of the Board, with appropriate compensation determined by the Board.

1.8.5.1 AUDITOR

On an annual basis, an independent audit of College fiscal operations is conducted by an impartial firm. In addition to validating financial transactions, this audit provides insight and assistance to the Board and College staff in further refining College business practices.

1.8.5.2 SPECIALIZED RESOURCE PERSONNEL

Specialized expertise will be sought for advice on labor relations, architectural, insurance, investment and other matters on a periodic basis.

1.8.5.2.1 SELECTION OF RESOURCE PERSONNEL

The Board may determine the timing of and specifications for seeking proposals necessary in selecting appropriate resource personnel by a vote by the entire Board at any regularly scheduled Board meeting.

1.8.6. REIMBURSEMENT FOR EXPENSES

Members of the Board of Trustees are to be reimbursed upon application for travel, sustenance, lodging, and other direct expenses incurred in conducting the Board's business. (*See Procedures Section.*)

1.8.7 RESOLUTIONS OF SUPPORT

Subject to the following provisions the Board may issue resolutions of support:

- A. All resolutions for consideration must be presented to each Board member with the Board packet information for the Board meeting at which endorsement is to be sought. A resolution not meeting this requirement may be presented before a Board meeting but will not be acted upon until the next regular Board meeting.
- B. The Board shall concern itself with resolutions which pertain to or affect McHenry County College.
- C. Individual members may support any resolution, but in no way shall an endorsement be worded or used to imply Board action.

1.8.8 COMMUNITY SUPPORT

The Board of Trustees is grateful for the support of community organizations. Organizations conducting fund raising on behalf of the College or its students are encouraged to consult in advance with the Executive Director of the Foundation, and work in conjunction with the Foundation.

1.8.9 SIGNATORY FOR ILLINOIS COMMUNITY COLLEGE BOARD MATERIALS

The President acts as the official signatory to the Illinois Community College Board and the official recipient of notification of Illinois Community College Board actions pertaining to McHenry County College. The President will keep the Board informed of such actions upon receipt of such notification.

1.8.10 RECEIPT AND FORWARDING OF MAIL

All mail received by the College which is directed to the Board will be opened at the College. However, if it is directed to an individual Board member, the College will not open it, but will forward it to the home of that Board member or open it at the phone request of the Board member and read the mail to the Board member over the phone.

1.8.11 COLLEGE MASTER PLANNING

In order to conform to State guidelines, the College has identified essential characteristics of the planning process. (*See Procedures Section.*)

1.8.12 INSTITUTIONAL AFFILIATIONS

The College recognizes its responsibility to participate in appropriate regional, state, and national associations in order to contribute insight and experience to these larger fellowships, and to receive the benefits of conference participation, consultation, and publication services from these associations.

1.9 FREEDOM OF INFORMATION POLICY

Revised
2/25/10

The Board of Trustees recognizes the right of members of the public to have access to public records in accordance with the provisions of the Illinois Freedom of Information Act (“FOIA” or the “Act”) and affirms that it is the policy of the College to comply with the Act. (*See Procedures Section.*)

The College President shall designate one or more officials or employees of the College to serve as its Freedom of Information Officer(s), and shall develop and implement administrative procedures to effect compliance with the Act.

1.10 ANTI-VIOLENCE

Adopted
10/22/98

The College is strongly committed to providing a safe environment free from violence, threats of violence, aggression, intimidation, and harassment from students, employees or outside parties including visitors and vendors. The College will not tolerate any acts of violence. Prohibited behaviors include, but are not limited to: acts of violence, threats or statements which expressly or impliedly carry an intent to cause harm to a person or property, physical aggression against persons or property, and any other form of violence otherwise described in Board policies, procedures, the Student Code of Conduct, and/or the College’s Course Catalog. The College will address any and all forms of violence in our workplace including those related to domestic violence. **Also see 3.1.9 Causes for**

Termination of College Personnel and 4.4. Students with Chronic Communicable Diseases (See Procedures Section.)

1.11 GIFT ACCEPTANCE

Adopted
10/28/99

The Foundation is the principal means through which the College will accept gifts in support of the College's mission. Donors will be encouraged to make gifts to the College through the Foundation. (*See Procedures Section.*)

1.12 ETHICS ORDINANCE

Adopted
4/22/04

Preamble

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

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

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

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish Policy violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Policy rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF McHENRY COUNTY COLLEGE AS FOLLOWS:

SECTION 1: The Board Policy of McHenry County College is hereby amended by the addition of the following provisions:

ARTICLE 1 - DEFINITIONS

Section 1-1. For purposes of this Policy, the following terms shall be given these definitions:

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

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

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the *Illinois Public Labor Relations Act* (5 ILCS 315/3).

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

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

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

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

"Employer" means McHenry County College.

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

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

"Officer" means a person who holds, by election or appointment, an office created by statute or Policy, regardless of whether the officer is compensated for service in his or her official capacity.

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

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

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution
 - (a) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off). Participating in any recount or challenge to the outcome of any election. "Prohibited source" means any person or entity who: is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee; does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee; conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.
 - (b) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
 - (c) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Policy.
 - (d) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10 - GIFT BAN

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

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

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code, or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
- (8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

- (10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
- (11) Bequests, inheritances, and other transfers at death
- (12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100. Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

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

ARTICLE 25 -PENALTIES

Section 25-1. Penalties.

- (a) A person who intentionally violates any provision of Article 5 of this Policy may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (b) A person who intentionally violates any provision of Article 10 of this Policy is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- (c) Any person who intentionally makes a false report alleging a violation of any provision of this Policy to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- (d) A violation of Article 5 of this Policy shall be prosecuted as a criminal offense by an attorney for McHenry County College by filing in the circuit court any information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt. A violation of Article 10 of this Policy may be prosecuted as a quasi-criminal offense by an attorney for McHenry County College, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.
- (e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Policy is subject to discipline or discharge.

SECTION 2: This Policy shall be in effect upon its passage and approval as provided by law.

The Board designates the Assistant Vice President for Human Resources as the College's Ethics Officer. The Ethics Officer will perform such duties as provided in law and applicable regulations.

1.13
Adopted
4/22/04

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)
COMPLIANCE POLICY

It is the policy of McHenry County College to comply with all applicable provisions of the *Health Insurance Portability and Accountability Act of 1996* (“HIPAA”). The College is subject to the HIPAA Privacy Rule requirements as both a health plan, based on the College’s flexible benefits spending plan, and as a plan sponsor based on the College’s other health plans.

The College has always valued and has always preserved the confidentiality of employee health information. It remains the policy of the College that an employee’s health information will not be used or disclosed for employment-related actions or decisions affecting the benefits of an individual employee.

With respect to the College’s flexible benefits spending plan, the College designates the Office of Human Resources as the sole healthcare component of a hybrid entity in accordance with HIPAA. The College’s Office of Human Resources shall comply with all HIPAA obligations applicable to a health plan. The remainder of the College is designated as a non-healthcare component of the hybrid entity and not subject to the requirements of a health plan as defined under HIPAA. The College as a whole shall comply with all of its obligation under HIPAA which are applicable to a plan sponsor as defined under HIPAA.

Further, the College shall adopt such administrative procedures as are necessary to comply with the obligations of the hybrid entity status of the Office of Human Resources as well as the College’s general obligations as a plan sponsor. **Also see 4.8.2.1 Privacy and Security of Students Records.**

1.14
Adopted
5/27/04

COPYRIGHT POLICY

The College will maintain current procedures and guidelines to ensure that all staff and students comply with applicable copyright laws and other intellectual property protection laws. (*See Procedures Section.*)

2.0 COLLEGE OPERATIONS

2.1 MANAGEMENT OF COLLEGE FUNDS

2.1.1 INVESTMENTS

Rev'd 11/2/05

A. Scope of Policy

This Investment Policy applies to the investment activities of all funds under the jurisdiction of the College. This Investment Policy will also apply to any new or temporary funds placed within the jurisdiction of the College. This Investment Policy will be administered consistent with applicable state and federal laws

B. Objectives

The purpose of this Investment Policy is to establish cash management and investment guidelines for the stewardship of public funds under the jurisdiction of the College. The specific objectives of the policy will be as follows:

1. Safety – The security of monies, whether on hand or invested, shall be the primary concern of the Treasurer in selecting depositories or investments.
2. Liquidity - The investment portfolio shall remain sufficiently liquid to meet all operating requirements, which might be reasonably anticipated.
3. Return -The Treasurer shall seek to attain a market average or better rate of return throughout budgetary and economic cycles, taking into account risk, constraints, cash flow, and legal restrictions on investment.

C. Investment Guidelines

To assist in attaining the stated objectives, the following guidelines shall be observed:

1. Investments shall be undertaken in a manner that seeks to insure preservation of capital in the overall portfolio. To avoid unreasonable risks diversification of investments is required.
2. The portfolio should remain sufficiently liquid to meet operating requirements, which may be reasonably anticipated. Cash flows shall be reviewed periodically.
3. To maximize earnings, all funds shall be deposited/invested within two working days at prevailing rates or better.
4. All investments shall be selected on the basis of competitive bids

D. Diversification

McHenry County College will diversify its investments to the best of its ability based on the type of funds invested and the cash flow needs of those funds. Diversification can be by type of investment, number of institutions invested in, and length of maturity.

E. Responsibility

The Board delegates the investment of funds to the Treasurer. The Treasurer shall be responsible for all transactions and shall establish a system of controls for all authorized subordinates who are directly involved in the assistance of such investment activities.

F. Performance Measures

The Treasurer will seek to earn a rate of return appropriate for the type of investments being managed given the portfolio objectives and will strive to earn an average rate of return equal to or greater than the Illinois Funds Rate.

G. Periodic Review

The Treasurer should establish annual independent review for internal control, which assures compliance within the investment policy. This will be accomplished with external auditors.

H. Reporting

The Treasurer will report all investment activities monthly to the Board of Trustees. The report will detail College fund, financial institution, investment amount, interest rate, maturity date and other pertinent information deemed necessary.

I. Authorized Investments

The College shall invest in instruments as allowed by the *Public Funds Investment Act*, 30 ILCS 235/2. A summary of authorized investments follows:

1. Notes, bonds, certificates of indebtedness, treasury bills, or other securities, which are guaranteed by the full faith and credit of the United States of America.
2. Bonds, notes, debentures or other similar obligations of the United States of America or its agencies.
3. Interest bearing accounts, certificates of deposit or interest bearing time deposits or any other investment constituting direct obligations of any bank as defined by the *Illinois Banking Act*.
4. Investment options offered by the Treasurer of the State of Illinois. (i.e. Illinois Funds)
5. Investment options offered by the Illinois School District Liquid Asset Fund Plus.

J. Financial Institutions

Financial institutions, either located in the College district or having a branch office in the District, upon meeting the requirements of the Illinois Compiled Statutes and of this policy, may request to become a depository for the College funds. The College will take into consideration security, size, location, financial condition, service, fees, competitiveness, and community relations involvement of the financial institution when choosing depositories. Funds also may be deposited with Investment options offered by the Treasurer of the State of Illinois (i.e. Illinois Funds).

K. Collateralization

1. It is the policy of the College to require that time deposits in excess of federally insured limits be secured by collateral (110%) or private insurance to protect public deposits in a single financial institution if it were to default.
2. Eligible collateral instruments are any investment instruments acceptable under the *Illinois Public Funds Investment Act*. The collateral must be placed in safekeeping at or before the time the College buys the investments so that it is

evident that the purchase of the investment is predicated on the securing of collateral.

3. Maturity of acceptable collateral shall not exceed 120 months.
4. The ratio of fair market value of collateral to the amount of funds secured shall be reviewed monthly and additional collateral will be requested when the ratio declines below the level required.
5. Safekeeping of Collateral
Third party safekeeping is required for all collateral. To accomplish this, the securities will be held at a safekeeping depository as approved from time to time by the Treasurer.

Safekeeping will be documented by an approved written agreement. Substitution, exchange or release of securities held in safekeeping may be done upon two (2) days prior written notice to the Treasurer.

L. Safekeeping of Securities

Securities, unless held physically by the College, require third party safekeeping. The College will have the sole responsibility for selecting safekeeping agents. Safekeeping will be documented by an approved written agreement.

M. Prudent Person Standard

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the possible income to be derived.

In maintaining its investment portfolio, the Treasurer shall avoid any transaction that might impair public confidence in McHenry County College.

The above standards are established as standards for professional responsibility and shall be applied in the context of managing the portfolio.

The Treasurer and employees of the College acting in accordance with this Investment Policy and procedures as have been or may be established and exercising due diligence shall be relieved of personal liability for an individual security's credit risk or market changes.

1. Internal Controls
2. Only the Treasurer is authorized to establish financial accounts and investments for the College. Authorized signatories are NOT permitted to reconcile the bank accounts at any time.

N. Ethics and Conflicts of Interest

No person involved in the investment process shall make any investment decision based upon personal or political gain or consequence. This Policy will be administered consistent with Federal and State laws pertaining to public funds investments.

O. Amendment

This policy may be reviewed from time to time and revised upon the approval of the Board of Trustees.

2.1.2 BORROWING

2.1.2.1 INTERFUND LOANS

The Treasurer is authorized to make interfund loans from any fund over which the Board has control to any other fund maintained by the College and to make the necessary transfer thereof, but each such loan must be repaid and retransferred to the proper fund within the time limits provided by statute. The Board will be kept informed of these transfers.

2.1.2.2 TAX ANTICIPATION WARRANTS

When insufficient monies are available to defray the necessary expenses of the College, the Board, upon approval of an appropriate resolution, may issue warrants drawn against and in anticipation of 75% of the total amount of the last known tax extensions as determined by the county clerk(s). The warrants shall show upon their face that they are payable in the numerical order of their issuance solely from such taxes when collected.

2.1.3 BONDING INSURANCE

Upon affirmative Board action, the College shall provide bonding insurance for employees as prescribed by law and good business practice.

2.1.4 PURCHASING

The College, through a program of centralized purchasing, is committed to obtaining maximum value for funds expended. Likewise, appropriate business procedures and practices shall be established to insure the efficient processing of supply and equipment requests in accordance with statutes.

2.1.4.1 PURCHASING AUTHORITY

Recognizing the ultimate authority of the Board in all matters relating to financial expenditures, a concern for efficiency of college operations necessitates that sufficient discretionary authority for purchasing be vested in the administrative staff. The Administration shall establish and maintain regulations and guidelines to facilitate this Policy.

2.1.4.1.1 RECYCLED PRODUCT PROCUREMENT

Adopted 9/26/02

The College is committed to establishing and maintaining a sustainable and environmentally responsible mode of operation, within the context of its educational mission, sensitive to budget constraints and its responsibilities to students, faculty, staff, alumni, and local community. The College's commitment serves to educate the College community about environmental issues and to promote waste reduction alternatives. This policy shall apply to the purchase of goods and services whenever

practicable and will not discriminate against items with recycled content.

2.1.4.2 QUOTATIONS AND BIDDING; PURCHASING OFFICER'S AUTHORITY

Adopted 3/28/03

The Purchasing Officer shall make all purchases of necessary items, in accordance with applicable provisions of the *Illinois Public Community College Act*. (***See MCC Employee Handbook of Purchasing and Payment Policies and Procedures.***)

2.1.4.3 NOTICE

The Purchasing Officer shall ensure that appropriate, timely and sufficient notice, in the manner and form required by the prevailing statute, is given for the award of contracts for necessary items. (***See Procedures Section.***)

2.1.4.4 COOPERATIVE PURCHASING

To the extent permitted by the prevailing statute, the College shall participate in joint purchases by governmental units, when it is determined by the Purchasing Officer to be in the College's best interest, the prevailing statute currently being Section 3-27.2 of the *Act*, 805 ILCS 3-27.2.

2.1.4.5 IMPREST ACCOUNT

The Imprest Account is established for the purpose of processing certain expenditures prior to Board approval, such as travel reimbursement, tuition and fee refunds, prepaid purchase orders, utilities, insurance premiums, postage claims, certain expendable supplies, and other unscheduled expenditures.

2.1.4.6 EMERGENCY CHANGE ORDERS FOR CONSTRUCTION PROJECTS

Adopted 8/23/07

Policy: The President, or in his/her absence, the Vice President for Administrative Services, along with the Board Chair, or in his/her absence, the Vice Chair, shall have authority to approve change orders for the emergency purchase of materials and authorization of work which have been awarded to the lowest responsible bidder after due advertisement up to One Hundred Thousand Dollars (\$100,000). This amount is an individual aggregate amount for each Change Order. The emergency authorization of the purchase of materials or work must be due to unforeseen conditions or events, not the fault of the contractor. An emergency change order to an existing contract for materials and labor shall not be in excess of 10% of the contract price.

An emergency arises when (1) the safety and welfare of any person or damage to valuable real or personal property is actual or imminent; (2) the operation or the educational program of the District is disrupted or may be imminent unless immediate action is taken; and/or (3) the failure to take prompt action may trigger delay and additional unnecessary expense to the District.

The President, or in his/her absence, the Vice President for Administrative Services, along with the Board Chair, or in his/her absence, the Vice Chair, may exercise such authority in order to mitigate damages to person, property,

or expenditures of College revenues after they have visited the site and confirmed the emergency.

Procedure: Staff shall prepare and submit a Change Order for each approved emergency work or acquisition of materials authorized, and a summary of all Change Orders, on a monthly basis, for ratification by the Board of Trustees. Each Change Order shall be submitted with a certification detailing the Emergency, and that (1) the circumstances necessitating the Change Order were not reasonably foreseeable; and /or (2) the change is germane to the original contract and/or (3) the change is in the best interest of the College District. Upon certification as outlined above, the Board of Trustees shall ratify the Change Order.

2.1.5 TYPES OF FUNDS

To enable the efficient and timely conduct of College business the Board of Trustees has established and will maintain the following funds. Said funds will be established and maintained in accordance with the *Illinois Public Community College Act*.

2.1.6 BASIS OF ACCOUNTING

The accounting procedures and financial records of the College shall be established and maintained on a basis consistent with the requirements of the Illinois Community College Board Fiscal Management Manual.

2.1.7 PREPARATION OF AN ANNUAL BUDGET

The President of the College is authorized to prepare a budget for the College for the fiscal year beginning July 1 and ending June 30 each year. Prior to acceptance of the budget by the Board, a tentative budget shall be placed on examination for at least thirty (30) days in accordance with the *Illinois Public Community College Act*.

2.1.8 PUBLICATION OF AN ANNUAL FINANCIAL STATEMENT

An annual financial statement shall be published at least once in a newspaper of general circulation in the College District as prescribed by statute.

2.1.9 PREPARATION OF AN ANNUAL AUDIT

Rev'd 11/2/05

The Board shall, as of the end of each fiscal year, cause an audit to be made by an accountant licensed to practice public accounting in Illinois. (***See Procedures Section.***)

2.1.10 SALE OF STOCKS

The Board hereby designates the Treasurer of the College to control the sale of stocks, which may be received by the College, for the necessary management of funding. The Treasurer shall notify the Board before such action is taken.

2.1.11 COLLEGE USE OF CHECKING ACCOUNTS

The College shall establish and utilize the minimum number of checking accounts necessary to comply with sound business and fiscal practices as determined by the President, the Board Finance Committee, and the auditors for the College. Every effort shall be made to ensure that checking accounts which consistently have substantial daily balances earn interest consistent with current

bank practices.

2.2 COMPREHENSIVE INSURANCE

Comprehensive insurance coverage shall be proved. (*See Procedures Section.*)

2.3 TUITION AND FEES

2.3.1 TUITION AND RATES

2.3.1.1 CREDIT AND NON-CREDIT – IN GENERAL

The Board of Trustees is empowered to set and establish tuition rates for all courses offered through the College consistent with Section 6-4 of the *Illinois Public Community College Act*. Such rates may be changed upon affirmative Board action, but may not exceed state statute limits.

2.3.1.2 NON-CREDIT IN-PLANT

If in-plant classes are conducted on a non-credit basis, the industry or association shall be charged all direct and indirect program costs.

2.3.1.3 CREDIT IN-PLANT

If in-plant classes are conducted on a credit basis, they shall be handled on the same basis as other credit courses; that is, the then prevailing tuition rate and fees will be charged.

2.3.1.4 SENIOR CITIZENS TUITION REDUCTION/WAIVER

Senior citizens (ages 60 thru 64) may take credit courses at the College by paying four-fifths (4/5) of the regular tuition rate, plus all fees charged for those courses.

Senior citizens (ages 65 or older) may take credit courses at the College by paying only the fees charged for those courses, but no tuition.

Senior citizen (ages 60 or older) may take non-credit courses at the College by paying four-fifths (4/5) of the fees charged for those classes and seminars. All trips are excluded from this discount. (*See Procedures Section.*)

2.3.2 FEES

The administration of the College, in order to help defray extraordinary costs associated with specialized courses, is authorized to establish and maintain an appropriate course fee structure for such classes with Board approval.

2.3.3 REFUNDS

Upon following proper withdrawal procedures, students shall receive tuition refunds according to the then prevailing refund schedule in use at the College.

2.4

USE OF FACILITIES

2.4.1

PERMIT FOR NON-COLLEGE USE OF THE COLLEGE FACILITIES

The Board may grant the use of the College's buildings, assembly halls, classrooms and grounds (collectively, "facilities") for evening schools, literary societies, religious and such other meetings, public lectures, concerts, other educational, recreational and social interests, and provide for the conducting of recreational, social and civic activities, subject to the provisions set forth below. The individual, group or organization, including a campus based group or organization, seeking to use a facility or part hereof, shall apply to the Office of Campus Facilities.

2.4.1.1

PRELIMINARY SCREENING GUIDELINES FOR USE OF COLLEGE FACILITIES

Upon application for the use of College facilities, the Office of Campus Facilities shall undertake an initial screening procedure to determine whether such request warrants further consideration. (*See Procedures Section.*)

2.4.1.2

APPROVAL OF AN APPLICATION FOR USE OF COLLEGE FACILITIES

If, upon completion of the foregoing screening procedure, the Office of Campus Facilities deems that the requestor meets the above preliminary requirements, it will submit the request to the President for consideration. If the President approves the request the President will make a recommendation to the Board. If the Board approves the recommendation, the President will be directed to complete negotiations with the requestor to ensure that the College's interests and legal mandates are protected. (*See Procedures Section.*)

2.4.1.3

DENIAL OF APPLICATION FOR USE OF COLLEGE FACILITIES

To the extent permitted by law, the College may deny an application for use of College Facilities. If the application is denied, the grounds for denial will be communicated along with, if feasible, measures to cure the defects in the application. (*See Procedures Section.*)

2.4.2

RENTAL OF OFF-CAMPUS FACILITIES

It is within the responsibility and authority of the College staff to secure off-campus rental facilities to serve the direct needs of the instructional program and College-sponsored activities, subject to the approval of the President. All facilities leased full-time for College programs and activities will be subject to prior Board consideration and approval.

2.4.3

Rev'd 4/28/08

USE OF CAMPUS FACILITIES AFTER BUSINESS HOURS

It may be necessary, on occasion, for students to have access to College facilities and equipment for educational related purposes at times other than when the College is normally open for business. Such usage is permitted, provided an individual employed by the College is on hand in the location of

the work being performed for supervisory purposes. Furthermore, when a public meeting of the Board of Trustees is in progress, either in open or closed session, the public may remain on campus *or may enter and leave the building in proximity to the location of the meeting after normal business hours until the adjournment of the meeting.*

2.4.4 USE OF CAMPUS GROUNDS AFTER BUSINESS HOURS

In the interests of safety and campus security, no unauthorized cars or persons will be permitted on campus when the College is closed. Furthermore, any member of the administration is empowered to sign a legal complaint against anyone doing vandalism in the buildings or on the grounds.

2.4.5 CAMPAIGNING AND SOLICITATIONS ON CAMPUS

The College affirms the right of free speech, subject to reasonable regulations as to time, place and manner of that exercise as are necessary and appropriate within the context of the orderly and reasonably unimpeded conduct of the College's public educational programs. (*See Procedures Section.*)

2.4.6 CHILDREN ON CAMPUS

It is recognized that the College must be concerned with maintaining a safe and orderly collegiate environment for the benefit of all students. To fulfill this broad responsibility, it is McHenry County College Board policy to:

- A. Require that no children (e.g., less than 16 years of age) be permitted on campus unattended by a parent/guardian, except when they are attending classes or receiving services offered by the College for children.
- B. Require that no children (e.g., less than 16 years of age) be allowed into a classroom/laboratory environment solely for the purpose of a parent/guardian providing direct supervision of his/her child.

2.4.7 SMOKING ON CAMPUS

The College respects the rights of smokers and non-smokers. (*See Procedures Section.*)

2.4.8 RESPONSIBLE USE OF INFORMATION TECHNOLOGY

Adopted 7/27/95

In pursuit of the College mission, the Board provides access to information technology facilities and resources for students, faculty members, staff members, and other authorized users within institutional priorities and financial capabilities.

Access to the College's information technology facilities and resources is a privilege granted to the College students, faculty members, staff members and other authorized users. The College reserves the right to extend, limit, restrict, or deny computing privileges and access to its information resources. College information technology facilities and resources are to be used for the College-related activities for which they are intended and authorized. College information technology facilities and resources are not to be used for commercial purposes or non-College related activities without written authorization from the College.

The Administration shall adopt and maintain responsible use regulations and guidelines for students and faculty members, staff and other authorized users.
(See Procedures Section.)

2.5 **THIRD PARTY COMMUNICATION WITH STUDENTS ON CAMPUS**
Businesses and entities (including governmental entities) providing services to students and/or seeking to recruit students for programs or for service who wish to appear on College property are required to provide notice to the Vice President for Learning and Student Support Services before appearing on College property. The Vice President for Learning and Support Services may impose reasonable limits on such appearances as may be necessary to ensure order and prevent disruption of educational activities.
(See Procedures Section.)

2.6 **BEST MANAGEMENT PRACTICES – GROUNDWATER RESOURCES MANAGEMENT**
Adopted 10/25/07
Policy: McHenry County College is committed to managing its land to enhance the quality and quantity of surface water that recharges groundwater. The following guiding principles are established as we endeavor to achieve these goals.

Guidelines:

1. Safely reduce the use of chloride-based products applied to pavements.
2. Safely reduce the use of phosphorous fertilizer on maintained grounds.
3. Reduce the use of pesticides and herbicides when possible.
4. Continue to incorporate native vegetation in campus landscaping.
5. Proactively strive to provide sustainable water management systems.

2.7 **MAINTAINING A HEALTHY COLLEGE ENVIRONMENT**
Adopted 7/24/08
McHenry County College is committed to maintaining a healthy College environment. Proactive and preventative procedures and programs, as well as appropriately reactive responses, will be developed to support a healthy environment for our students and employees.

2.8 **WHISTLEBLOWER POLICY**
Adopted 11/19/09
McHenry County College is committed to the highest ethical standards and conducting its operations in compliance with federal and state laws and regulations. To ensure that this standard of performance is achieved and maintained, this policy is intended to provide an avenue for employees to report allegations of internal wrongdoing and to provide assurance that they will be protected from retaliation for such reporting in good faith, in accordance with the Illinois Whistleblower Act, 740 ILCS 174/1 et seq., and other applicable state and federal laws.

Wrongdoing may include, but is not limited to:

- Crimes, or violations of the law or governmental regulations;
- Fraud or financial irregularity;
- Improper use of College funds, property or assets;
- Corruption, bribery or blackmail;
- Endangering the health or safety of an individual;
- Harming College property;

- Abuse of students, staff, patrons, College guests, or visitors; and
- Other unethical conduct.

At a minimum, the College President will provide the Board with a quarterly update of any complaint received and action taken, although the Board may ask for reports at any time.

Confidential Reporting

To ensure maximum confidentiality in making a complaint under this policy, the College will maintain a relationship with an outside independent reporting service to receive and review complaints of wrongdoing as defined under this Policy. The reporting service will provide twenty four hour online and phone access for employees to make confidential complaints.

Through this service, employees will be asked to provide detailed information about the incident(s) as possible in order to facilitate an efficient and thorough investigation, including:

- Who: persons engaged in the incident, including titles;
- What: what specifically occurred;
- Where: the location of the incident; and
- When: the time and duration of the incident.

The College's administration will disseminate information to the College community on accessing the independent service for the receipt of complaints.

Investigation of Reports

Complaints made to the independent service will be confidentially reported to the College's designated ombudsman. The College President will designate the ombudsman. The ombudsman, in consultation with the President, will review complaints reported by the independent service for appropriate follow up, including investigation and recommended action. The ombudsman will timely report the disposition of complaints to the Board of Trustees. If the President is the subject of a complaint, the ombudsman will not consult with the President and will report directly to the Board Chair. If the ombudsman is the subject of the complaint, the report will be directed to the Board Chair by the independent agency.

Confidentiality

Reports and investigations will be kept confidential to the extent possible and consistent with the need to conduct an adequate investigation and consistent with College policies and applicable federal, state and local laws. Disclosure of reports of wrongdoing to individuals not involved in the investigation is a serious offense and may result in discipline.

The alleged wrongdoer's name may be disclosed only upon completion of the investigation and if found guilty. If the wrongdoer is found guilty, appropriate legal and/or personnel action will be taken.

Protection Against Retaliation

The College will not tolerate any harassment or victimization of reporters and will take appropriate action to protect reporters, including their anonymity (if name is known),

who raise concerns in good faith.

Any employee who believes he or she has been subjected to or affected by retaliatory conduct for reporting suspected wrongdoing or for refusing to engage in activity that would result in a violation of the law, should report such conduct to the appropriate supervisory personnel or the College's designated ombudsman. Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, must advise the College's designated ombudsman for appropriate follow-up, including investigation and recommended action. Retaliatory conduct is a serious offense and may result in discipline.

Sanctions for a False Report

Employees shall not intentionally misuse this policy. Intentional misuse includes, but is not limited to:

- Lack of good faith in invoking this policy; or
- Any known, false, malicious or misleading statements made at any time under the procedures of this policy.

Intentional misuse of this policy is a serious offense and may result in discipline.

- 3.0 PERSONNEL – GENERAL
Personnel policies are designed to establish meaningful guidelines within which the College staff can function. (*See Procedures Section.*)
- 3.1 EMPLOYMENT
- 3.1.2 RECRUITMENT AND SELECTION
- 3.1.2.1 AFFIRMATIVE ACTION AND NON-DISCRIMINATION
(Revised 5/25/00) McHenry County College declares and reaffirms a policy of affirmative action and equal employment opportunity. The College will make all decisions regarding recruitment, hiring, promotions, and all other terms and conditions of employment without discrimination on grounds of race, color, creed or religion, sex, national origin, age, physical or mental disabilities, sexual orientation, veteran status, or other factors which cannot lawfully be the basis for an employment decision.
- 3.1.2.2 PROCEDURES
(Revised 5/25/00) The College Human Resources Office will formulate and publish appropriate procedures and plans to meet these Board policies.
- 3.1.2.3 APPOINTMENT
Appointment to full-time employment status for faculty, administrative, and professional staff at the College will require approval of the Board upon the recommendation of the College President. (*See Procedures Section.*)
- 3.1.3 REORGANIZATION
Approved 2/28/02 The College recognizes that in order to adapt to the demands of an ever-changing environment, it will occasionally become necessary to review the organizational structure of the College. Any reorganization changes that result in change of compensation will be brought to the Board of Trustees for approval. (*See Procedures Section.*)
- 3.1.4 EMPLOYEES WITH CHRONIC COMMUNICABLE DISEASES
The College shall respect the right to privacy of any employee who has a chronic communicable disease. The employee’s medical condition shall be disclosed only to the extent necessary to minimize the health risks to the employee and others. The Administration will establish and maintain regulations and guidelines to facilitate this policy. (*See Procedures Section.*)
- 3.1.5 *The entire Board Policy 3.1.5, Retirement Incentive Program, was deleted from Board Policy effective July 1, 2008.*
Deleted 7/1/08

3.1.5.1

Adopted 5/28/98
Revised 3/24/06

SICK DAYS FOR RETIREMENT OPTION

When a full-time College employee retires and has accumulated sick days that cannot be used for additional service credit for retirement purposes, these days will accumulate in a College pool administered by the Human Resources Department. (*See Procedures Section.*)

3.1.6

DRUG-FREE WORKPLACE

To conform with the federal *Drug-Free Workplace Act* of 1988 Public Law 100-690, Section 5151 et. seq., and to further the educational aims of the institution, the College hereby enacts this policy, the College seeks to improve the work environment by reducing and eliminating drugs in the workplace.

No employee shall unlawfully possess, use, dispense, distribute or manufacture any controlled substances or drugs in the workplace.

For purposes of this Policy the term “employee” shall mean full or part-time employees, employees under contract, independent contractors and their agents and employees, student workers and temporary workers. The term “workplace” shall mean the College’s buildings and grounds and off-campus sites leased or controlled by the College or sites used by the College in any sanctioned activity.

The term “controlled substance” is defined in Schedules I through V of Section 202 of the *Federal Controlled Substances Act* (21 U.S.C. 812). (*See Procedures Section.*)

3.1.7

ANTI-HARASSMENT POLICY

3.1.7.1

EMPLOYEE SEXUAL HARASSMENT POLICY STATEMENT

It is the policy of McHenry County College, in keeping with efforts to establish an environment in which the dignity and worth of all members of the College community are respected, that sexual harassment of employees at McHenry County College is unacceptable conduct and will not be tolerated. Disciplinary consequences for such conduct may include, but are not limited to, suspension or dismissal.

Sexual harassment involves the behavior of a person of either sex against a person of the opposite or same sex, when that behavior falls within the definition outlined below.

Sexual harassment of employees at McHenry County College is defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of sexual nature, when:

- A. Submission to such conduct is made whether explicitly or implicitly a term or condition of an individual’s employment;
- B. Submission to or rejection of such conduct is used as the basis for employment decisions affecting that individual;
- C. Such conduct has the purpose or effect of unreasonably interfering

with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

3.1.7.2 EMPLOYER GENERAL HARASSMENT POLICY

The College affirms the right of individuals to be protected from unlawful discrimination, intimidation, physical harm, and harassment. Behavior that denies civil rights or access to equal employment opportunities will not be tolerated. In addition to the College's prohibition of sexual harassment, the college prohibits harassment based on race, color, religion, national origin, ancestry, and on other unlawful reasons. Prohibited harassment occurs where such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The administration, in consultation with faculty, staff and student representatives, will develop and maintain complaint procedures which result in effective enforcement of this policy.

3.1.8 ASSIGNMENT

The supervising administrator, following consultation with the President of the College, will be responsible for developing an accurate role description and making the job assignment. In the case of faculty members, job assignments will be consistent with requirements and intent of the relevant section(s) contained in the Board-Faculty Association Agreement. In the case of professional support staff and hourly-classified staff, the job assignments will be consistent with the requirements and intent of the relevant sections contained in the Staff Council Agreement.

3.1.9 CAUSES FOR TERMINATION OF COLLEGE PERSONNEL

Termination of contract or hourly appointments of College personnel shall be made whenever just and sufficient cause exists. Among the causes for termination are:

- A. Retrenchment
- B. Physical or mental incapacity
- C. Unsatisfactory performance of contracted services
- D. Unprofessional conduct
- E. Falsification of credentials or employment application
- F. Conviction of a felony by a court of law for a criminal violation

3.1.10 EMERITUS PROGRAM

Adopted 9/23/99

Consideration for Emeritus status will be given to retirees who have served the College for five or more years and will be limited to Instructor Emeritus, President Emeritus, Vice President Emeritus, and Administrator Emeritus. (*See Procedures Section.*)

3.2 PERSONNEL—FULL-TIME ADMINISTRATIVE

3.2.1 ROLE DESCRIPTION OF THE COLLEGE PRESIDENT

The President will serve as the chief executive and administrative officer for the Board of Trustees. In addition to the powers and duties specifically imposed upon him/her by statute, all executive and administrative powers and duties in connection with the conduct of the College will be exercised by him/her. (*See Procedures Section.*)

3.2.2 COMPENSATION

Unless specified by exceptions approved by the Board, all full-time administrative staff are employed on a fiscal year contract basis. (*See Procedures Section.*)

3.2.3 REQUEST FOR GRIEVANCE REVIEW

A full-time administrative staff member may make a written request to the President for review of a College decision affecting that staff member. The President will provide a decision on such request within thirty (30) days after the request is received by the President. If the full-time administrative staff member is not satisfied with the President's decision, the staff member may make a written request to the Board for review. The Board will consider the written request and issue a decision within sixty (60) days after it is received by the Board for review.

3.3 FACULTY – FULL-TIME

Those items relating to conditions of employment which are contained within and specified within the Board-Faculty Association Agreement shall be the basis for College employment practices for all full-time faculty members. The Board of Trustees, however, retains the prerogative of adopting additional policies relating to faculty employment which are determined to be necessary for the effective operation of the College and which do not conflict with provisions contained within the Board-Faculty Association Agreement. These additional policies include:

3.3.1 FACULTY REMUNERATION

3.3.1.1 ACADEMIC YEAR AND SUMMER SESSION

Remuneration and full-time faculty for contracted services rendered during any regular academic year shall be consistent with the levels provided in the then current salary and benefits program outlined in Article XII of the Board-Faculty Association Agreement.

3.3.1.2 COMPENSATION FOR SELECTED ACTIVITY

Revised 5/28/98

SPONSORSHIPS/ADVISORS AND ORGANIZATION SPONSORSHIPS

Faculty/staff sponsorship of student clubs and organizations on campus is very important. Many such clubs and organizations relate directly to a sponsor's special interests and/or position in the College for which they are already being compensated. However, some activities and

organizations are integral to the College Mission and would be continued regardless of whether particular sponsors remained with them. These activities and organizations are College-wide in their focus and impact, affiliated with state, regional or national organizations and provide students with significant opportunities to enhance their learning. Such institutional value should be specifically reflected in compensation unless such sponsorship is a designated expectation of their existing position in the College. (*See Procedures Section.*)

3.3.2 OUTSIDE EMPLOYMENT OF FACULTY

Faculty members may accept professional consulting and other employment outside the College which contributes to their professional roles. The College President reserves the right to review such outside employment as it relates to fulfillment of the faculty member's responsibilities to the College and as it may conflict with the College's missions and objectives.

3.3.3 ENGLISH LANGUAGE PROFICIENCY FOR FACULTY

The College will, in its hiring practice, assess oral English proficiency of all potential instructors to insure that candidates can adequately communicate with their students. Failure to demonstrate such proficiency will result in a dismissal of a candidate's application. This Policy will be administered consistent with Section 3.1.2.1.

3.4 FACULTY – PART-TIME

3.4.1 RECRUITMENT, SELECTION AND APPOINTMENT

The use of part-time teaching faculty is fundamental to providing added breadth and expertise to the College's instructional program. Developing and maintaining a comprehensive list of prospective part-time instructors is a responsibility of the Human Resources Office.

In the hiring process, part-time faculty shall meet the same Minimum Qualifications for employment as those required of full-time faculty in terms of educational and experiential background, which is applied in the hiring of full-time faculty. Exceptions to this hiring practice will only be done in documented exceptional circumstances.

3.4.2 NOTIFICATION OF ASSIGNMENT

Members of the part-time faculty shall be employed for a prescribed purpose and specified period of time as expressed in a Notification of Assignment issued up by their respective divisions. (*See Procedures Section.*)

3.4.3 BENEFITS

Part-time members of the faculty shall have those benefits set forth in the Part-Time Faculty Handbook, and none other.

3.5 STAFF COUNCIL EMPLOYEES

The Staff Council Employees are defined in the collective bargaining agreement between the Board and the Staff Council.

3.5.1 CONDITIONS OF EMPLOYMENT

Those items relating to conditions of employment which are contained within and specified within the Board-Staff Council Agreement shall be the basis for College employment for all Staff Council employees. The Board of Trustees, however, retains the prerogative of adopting additional policies relating to Staff Council employment which are determined to be necessary for the effective operation of the College and which do not conflict with provisions contained within the Board-Staff Council Agreement.

3.6 CONTRACTED SERVICES PERSONNEL

The Board reserves the right to appoint individuals or organizations to perform very specialized services (e.g., Legal Counsel, Consultants, etc.) or temporary experimental program development services not to exceed two years in duration. (*See Procedures Section.*)

3.7 EMPLOYEE MILITARY RESERVISTS CALLED TO ACTIVE DUTY

Adopted 3/28/03
Revised 6/29/04

Full-time and part-time employees of the College who are members of any reserve component of the United States Armed Services, including the Illinois National Guard, should advise the College of their military status at the time of hire or on the date they become members of a reserve component, whichever date is earlier. The College will comply with the *Illinois Public Community College Act*; the *Federal Uniformed Services Employment and Reemployment Rights Act (USERRA)* (38 U.S.C. Sections 4301-4333); and the *Military Leave of Absence Act*, 5 ILCS 325/1 with respect to compensation, benefits and employment status.

4.0 STUDENTS

4.1 RESIDENCY

Student residency classification will be in accordance with the provisions of the *Illinois Community College Act* and the administrative rules of the Illinois Community College Board. McHenry County Community College will establish procedures in accordance with same to implement this policy. (*See Procedures Section.*)

4.2 STUDENT CLASSIFICATION

A full-time student at McHenry County College is one who is registered for a total of 12 or more semester hours of credit courses in any given semester. A part-time student is one who is registered for less than 12 semester hours of credit courses.

A freshman is a student who has earned fewer than 30 semester hours of college credit; a sophomore is a student who has earned 30 or more semester hours of college credit.

4.3 STUDENT BEHAVIOR

Students are responsible for complying with existing College rules and regulations regarding student behavior. The College expects that students will govern themselves in terms of appropriate behavior with emphasis on self-respect and respect for others. Sanctions for violations of College rules and regulations for conduct will be addressed by the College.

The College recognizes each student's right to fair procedures, including notice that specifies the alleged violation(s) of College rules and regulations for conduct, an opportunity to respond to the allegations, and an appeal process appropriate to the nature and potential consequences of the violation.

The College has established a Student Code of Conduct in order to maintain order on campus and to guarantee the broadest range of freedom for all who come to learn at the College. This Student Code of Conduct addresses the College's conduct rules and regulations and judicial procedures for conduct violations.

4.3.1 DRUG-FREE SCHOOLS AND COMMUNITIES ACT POLICY

In accordance with the *Federal Drug-Free Schools and Communities Act* of 1989 (920 U.S.C. sec. 5145), the College will develop and implement a program and maintain procedures to prevent the unlawful possession, use or distribution of illicit drugs and illicit alcohol by students. *See Procedures Section.*

4.3.2

STUDENT HARASSMENT/DISCRIMINATION

It is the policy of the McHenry County College to maintain an academic and work environment free of harassment and discrimination for students, faculty and staff. Harassment and discrimination are contrary to the standards of the MCC's community; it diminishes individual dignity and impedes equal employment and educational opportunities. In compliance with the MCC Affirmative Action Policy; *Executive Order 11246*; *Title IX of the Educational Amendments of 1972*; *Civil Rights Act of 1964*; *Section 504 of the Rehabilitation Act*; and *the Americans with Disabilities Act*; MCC prohibits discrimination and harassment based on sex, race, religion, age, disability, national origin or sexual orientation in its admissions, employment, educational programs, or activities. MCC seeks to provide academic and work environments that are free from intimidation, discrimination, and harassment based on any of these characteristics and the College specifically prohibits such intimidation, discrimination, and harassment, including sexual harassment.

Intimidation, discrimination and harassment can arise from a board range of physical or verbal behavior (by employees, students, outside contractors or other individuals). Sexual harassment includes any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made either a term or condition of an individual's employment or education programs and benefits;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decision affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work or learning environment.

These activities are offensive and are inappropriate at MCC. This is a serious issue not just for the College, but also for each individual. An employee or supervisor may be held individually liable as a harasser, subject to the same penalties which may be imposed upon employers under state and federal law, and will be subject to discipline, up to and including termination. Students may be subject to claims by fellow students or staff for their conduct, as well as subject to College discipline, including expulsion or suspension. This policy against discrimination and harassment applies throughout all College environments, whether on campus, at work assignments off campus, at College-sponsored social functions, or otherwise.

A full text, including complaint resolution procedures, of the Harassment/Discrimination policy can be found in the Student Code of Conduct.

4.4

STUDENTS WITH CHRONIC COMMUNICABLE DISEASES

Students with identified chronic communicable diseases may attend College whenever, through reasonable accommodation, the risk of transmission of the disease and/or the risk of further injury to the student is sufficiently remote in such setting so as to be outweighed by the detrimental effects resulting from the student's exclusion from College.

The College shall respect the right to privacy of any student who has a chronic communicable disease. The student's medical condition shall be disclosed only to the extent necessary to minimize the health risks to the student and others. The number of personnel aware of the student's condition will be kept at the minimum needed to assure proper care of the student and to detect situations in which the potential for transmission of the disease may increase.

The College has established administrative procedures for the implementation of this policy. The determination of whether a student with a chronic communicable disease may attend the College shall be made in accordance with these procedures. (*See Procedures Section.*)

4.5

STUDENT LIFE AND CAMPUS ACTIVITIES

McHenry College recognizes that a diverse and well-balanced program of co-curricular activities contributes to the goals of the College and to the educational growth and development of students. Accordingly, the College is committed to supporting the following:

1. An inter-collegiate athletic program designed for both men and women;
2. A diverse student activities program comprised of College-sponsored student clubs and organizations, intramural athletic activities, and an entertainment and cultural program designed to appeal to a wide variety of age and interest groups.
3. A responsive student life program.

The College strongly encourages student involvement in the planning and operation of student life programming. The Student Life Office is responsible for administering to and involving students in the planning and operation of the student life programming.

4.6

STUDENT PUBLICATIONS

The Board of Trustees affirms the desirability of quality student publications produced through the College. Such publications are provided for the benefit of students and are expected to follow the standards of professional journalism. The format for such publications may be a student newspaper, student literary magazine, and/or such other formats which will effectively communicate the ideas and views of students.

In all such cases, College-sponsored or authorized student publications shall be operated in an efficient, businesslike fashion. College sponsorship may take such forms as providing work space, total or partial funding support, and designations of an advisor. Authority for the planning, conduct, and scope of College-supported student publications is vested with the Dean of Students.

Partial or total funding for student publications comes from excess revenues over expenditures in the Auxiliary Enterprises Fund or from an Educational Fund transfer.

4.7 COLLEGE ALUMNI

The Board of Trustees values a strong and ongoing relationship with graduates and former students of the College. The College will regularly inform alumni about College programs, services and events. All areas of the College will be encouraged to consider the alumni a special constituency and will seek ways to involve and serve the alumni through the programs and services of their departments.

Responsibility for the coordination of alumni relations shall be a function of the Executive Director of the Foundation.

4.8 STUDENT SUPPORT SERVICES

As part of McHenry County College's commitment to meet the educational, financial, career and developmental needs of a diverse student body, the college will provide and support broad-based student services programs in a manner convenient and accessible to all students. (*See Procedures Section.*)

4.8.1 LIBRARY

The College shall provide comprehensive library facilities and services to students, faculty and residents of District No. 528. These facilities and services shall:

1. Establish, maintain, and promote quality information services and resources that support the College's mission and goals,
2. Facilitate academic success by combining new techniques and technologies with effective traditional resources,
3. Provides instruction-by professional librarians; that increases the information literacy skills of students so that that they will become critical thinkers and lifelong learners.

4.8.2 REGISTRATION AND RECORDS SERVICES

This College's Confidential Information Procedures Manual implements this policy.

4.8.2.1 PRIVACY AND SECURITY OF STUDENTS RECORDS

The Registration and Records Office shall be charged with the responsibility for insuring the integrity, privacy, and security of student records. In so doing, this office is responsible for implementing FERPA and providing training and direction to the college on the *Federal Educational Rights to Privacy Act (FERPA)*. This College's Confidential Information Procedures Manual implements this policy. **Also see 1.13 Health Insurance Portability and Accountability Act (HIPAA) Compliance Policy.**

4.8.2.2 STUDENT FINANCIAL OBLIGATIONS

The College may suspend all College services to students who have an outstanding financial obligation to the College until such obligation is cleared.

4.8.2.3 **STUDENTS CALLED TO ACTIVE MILITARY DUTY**
Students who withdraw or drop a course due to military duty are eligible for a refund or a charge adjustment to registration and student fees and tuition costs for the current term. Formal application for a refund must be made to the Office of Financial Aid on forms provided by that office.

4.8.3 **STUDENT PARKING**
All vehicles parked on the College campus must conform to College parking regulations. (*See Procedures Section.*)

4.8.4 **CAMPUS TRAFFIC CONTROL**
Students shall be expected to conform with College traffic-flow and speed regulations. The Director of Campus Safety and Security and City of Crystal Lake law enforcement officers shall be empowered to monitor campus traffic to promote pedestrian and driver safety and shall issue citations in the manner provided.

4.8.5 **STUDENT USE OF COLLEGE FACILITIES**
Student use of College facilities shall be governed by the provision enumerated in Section 2.4.1 of this policy manual.

4.9 **STUDENT TRUSTEE**
An election of a Student Trustee shall be held every year at the time and in the manner provided by the *Illinois Community College Act*, 110 ILCS 805/3-7.24 and Student Trustee election procedure. The Multicultural Programs and Student Leadership shall form an election committee to conduct the election. **Also see 1.2 Non-Voting Board Member.** (*See Procedures Section.*)

4.10 **SCHOLARSHIP PROGRAM**
The College in consultation with the Foundation will develop and administer a scholarship program to attract and retain students.

4.11 **RELIGIOUS OBSERVANCES**
Adopted 8/23/07
Policy: The College will reasonably accommodate the religious observance of individual students in regard to admissions, class attendance, and the scheduling of examinations and work requirements. A student who believes that he or she has been unreasonably denied an educational benefit due to his or her religious belief or practices may seek redress according to the Discrimination Grievance Process set for in the Student Code of Conduct.

Procedure: This policy is to be made known to faculty and students annually by inclusion in the institution's handbook, manual or other similar document regularly provided to faculty and students. For the purposes of this policy religious observance or religious practice includes all aspects of religious observance and practice, as well as belief.

- 5.0 INSTRUCTION
The fundamental mission of McHenry County College is to provide high quality, need-based educational and training opportunities to adult residents of the College district. Toward this end, a broad range of seminars, courses, and programs are provided; high quality faculty and support staff are employed; and appropriate facilities are utilized. Fulfillment of this mission within the scope of available resources shall continue to the instructional program.
- 5.1 DEGREES AWARDED
McHenry County College is authorized to award associate degrees as approved by the Illinois Community College Board. (*See Procedures Section.*)
- 5.2 OCCUPATIONAL CERTIFICATES
Certificate programs of varying length are authorized to provide up-to-date, employment-specific instruction. Such programs shall continue to be offered in a wide range of occupational areas and shall require fewer total credit hours for completion than do associate degree programs.
- 5.3 WAIVER AND SUBSTITUTION OF GRADUATION REQUIREMENTS
An individual graduation requirement may be waived at the discretion of the President and the Vice President for Learning and Student Support Services in accordance with the *Illinois Public Community College Act* and all applicable regulations. (*See Procedures Section.*)
- 5.4 AWARDING ADDITIONAL DEGREES
Revised 5/27/04
A graduate of McHenry County College may pursue and be awarded additional degrees at the College. To receive one or more additional degrees at the College, there are requirements to be met. (*See Procedures Section.*)
- 5.5 COLLEGE COMMITTEES
McHenry County College believes in a broad-based system of planning and governance. To assist in achieving this goal, a diverse committee system, involving all segments of the College community has been established for the purpose of providing input as a prelude to the making of decisions. (*See Procedures Section.*)
- 5.6 COOPERATIVE EDUCATIONAL AGREEMENTS
In accordance with the goals of the State Master Plan for Higher Education, McHenry County College seeks to actively extend high-quality educational opportunities to all interested residents. An important means for doing this is through the establishment of cooperative educational agreements with neighboring community colleges and institutions of higher education.

PROCEDURES ACCOMPANYING BOARD POLICIES

TABLE OF CONTENTS

1.0	BOARD OPERATION PROCEDURES	1
1.3	Role of the Governing Board	1
1.4	Trustee Responsibilities	1
1.7.2	Term	1
1.7.4.4	Trustee Emeritus Program	1
1.8.1	Formulation of Policy	2
1.8.3.1	Committee of the Whole	2
1.8.3.2	Standing Committees	2
1.8.3.3	Temporary Committees	2
1.8.3.4	Citizen Advisory Committees	2
1.8.4.1.1	Annual Organizational Meeting	2
1.8.4.1.3	Special Meetings	2
1.8.4.2	Agenda	3
1.8.4.4.1	Open Session for Visitors and Presentations	3
1.8.4.4.2	Closed Session	3
1.8.4.4.4	Order of Business	3
1.8.4.4.5	Telephonic Voting	3
1.8.6	Reimbursement for Expenses	4
1.8.11	College Master Planning	4
1.9	Freedom of Information Policy	4
1.10	Anti Violence	4
1.11	Gift Acceptance	5
1.14	Copyright Policy	5
2.0	COLLEGE OPERATION PROCEDURES	6
2.1.4.3	Notice	6
2.1.9	Preparation of an Annual Audit	6
2.2	Comprehensive Insurance	6
2.3.1.4	Senior Citizens Tuition Reduction/Waiver	6
2.4.1.1	Preliminary Screening Guidelines for Use of College Facilities	6
2.4.1.2	Approval of an Application for Use of College Facilities	7
2.4.1.3	Denial of Application for Use of College Facilities	7
2.4.5	Campaigning and Solicitations on Campus	8
2.4.7	Smoking on Campus	9
2.4.8	Responsible Use of Information Technology	10
2.5	Third Party Communication with Students on Campus	10
3.0	PERSONNEL – GENERAL PROCEDURES	11
3.1.2.3	Appointment	11
3.1.3	Reorganization	11
3.1.4	Employees with Chronic Communicable Diseases	11
3.1.5.1	Sick Days for Retirement Option	11

3.1.6	Drug-Free Workplace	11
3.1.10	Emeritus Program	11
3.2.1	Role Description of the College President.....	12
3.2.2	Compensation	13
3.3.1.2	Compensation for Selected Activity Sponsorships/Advisors and Organization Sponsorships	13
3.4.2	Notification of Assignment.....	13
3.6	Contracted Services Personnel.....	13
4.0	Student Procedures	14
4.1	Residency	14
4.3.1	Drug-Free Schools and Communities Act	14
4.4	Students with Chronic Communicable Diseases	15
4.8	Student Support Services	15
4.8.3	Student Parking.....	15
4.9	Student Trustee	16
5.0	Instruction Procedures	17
5.1	Degrees Awarded.....	17
5.3	Waiver and Substitution of Graduation Requirements	17
5.4	Awarding Additional Degrees	17
5.5	College Committees.....	17

1.0 BOARD OPERATION PROCEDURES

1.3 ROLE OF THE GOVERNING BOARD

The Board requires the President to obtain the facts, analyze all significant data, including the expressed opinions of College personnel, organize a complete presentation, and be prepared to make his/her own recommendations. Recommendations must be considered and acted upon in open session, by the Board as a whole, except in matters as provided by law.

Through this process conclusions can be drawn and decisions can be made which are based on the most complete information available. Ultimately, in considering any matter presented to it for action, the Board has three options: to accept, modify, or reject.

1.4 TRUSTEE RESPONSIBILITIES

As a member of the governing body, each Trustee will participate in policy-making, selection of competent professional leadership for the College, and the supervision of the College's finances. Likewise, each Trustee will endeavor to fulfill his/her responsibilities in an ethical, honest, straightforward, open and aboveboard manner. Regular attendance at meetings is expected.

In addition, each Trustee will consider the employment of necessary College personnel upon recommendation of the President, examine and approve an annual operating budget, and be authorized to hold membership in professional organizations which may benefit the College.

Remaining cognizant of potential conflict of interest problems which may arise, each Trustee is encouraged to identify such potential problem areas during discussion of related issues and take appropriate action during voting.

1.7.2 TERM

At least two positions are filled biannually through the election process. Student Trustee elections are held annually, with the student member serving a one-year term.

1.7.4.4 TRUSTEE EMERITUS PROGRAM

The privileges of Trustee Emeritus Status are as follows:

- a. The Trustee Emeritus will be granted tuition waiver for credit and non-credit classes.
- b. The Trustee Emeritus will receive College business cards indicating his/her status.
- c. The Trustee Emeritus will be invited to College functions and will be kept on the College mailing list.
- d. The Trustee Emeritus will receive a photograph taken with the President of the College.

1.8.1 FORMULATION OF POLICY

Any Board action passed with the notation "policy" automatically becomes a part of this document. Alterations and/or deletions may be suggested by any Board member or the administration at any regular Board meeting. Such suggested alterations and/or deletions will become effective when passed by the Board at the next regular Board meeting after the suggestion is first introduced. This waiting period can only be waived by the Board due to emergency circumstances.

1.8.3.1 COMMITTEE OF THE WHOLE

Consistent with the intent of the Open Meetings Act, official minutes of all such committee meetings will be kept and all such meetings shall be open to the public.

1.8.3.2 STANDING COMMITTEES

- a. Finance Committee
- b. Negotiations Committee
- c. Facilities Planning Committee
- d. Technology Committee
- e. Board Policy Committee
- f. Evaluation Committee

1.8.3.3 TEMPORARY COMMITTEES

The Chair of the Board shall be an ex officio, member of all such committees. Each temporary committee shall submit a report to the Board as directed by the Board. Such Committees shall be considered disbanded on acceptance of its final report by the Board of Trustees or when discharged by the Chair of the Board.

1.8.3.4 CITIZEN ADVISORY COMMITTEES

The President shall be instructed to solicit nominations from each Trustee and other members of the College community for Committee membership. Citizen Advisory Committees shall begin operation only upon the express approval of the Board.

Citizen Advisory Committees will be disbanded following Board acceptance of the final committee report or by such date as the Board may determine.

1.8.4.1.1 ANNUAL ORGANIZATIONAL MEETING

The Chair of the Board, or, in his or her absence, the President of the Community College or acting Chief Executive Officer of the College shall convene the new Board, and conduct the election for the Chair, Vice-Chair and Secretary. The agenda for this meeting shall include the election of officers and the fixing of time and place for regular business meetings to be held during the ensuing twelve months. (*Revised 1/28, 2008*)

1.8.4.1.3 SPECIAL MEETINGS

Special meetings of the Board may be called by the Board Chair or by any three (3) members of the Board by giving notice thereof in writing stating the time, place, and purpose of the meeting. Such notice may be served by mail 48 hours before the meeting or by personal service 24 hours before the meeting. Such notice shall also be provided by phone/fax to all area newspapers requesting such notice to the President of the College.

1.8.4.2 AGENDA

Any citizen may request that an item be placed on the tentative agenda by notifying the President at least seven (7) days prior to the scheduled meeting. Exceptions may be made at the discretion of the Board.

1.8.4.4.1 OPEN SESSION FOR VISITORS AND PRESENTATIONS

The Board Chair may limit the time for individual presentations to three minutes per person. The use of photography during the course of a Board meeting shall be permitted to the extent that it can be conducted without the use of a flash mechanism. The use of flash photography or any type of flash mechanism during the course of a Board meeting shall be prohibited. In addition, the Board Chair may limit an individual's ability to photograph any portion of the Board meeting if it is determined that the photography is interfering with the proceedings as they occur. *(Rev'd 1/28/08)*

1.8.4.4.2 CLOSED SESSION

No official action by the Board may be taken in Closed session.

Separate minutes of Closed Board sessions shall be kept by the Board Secretary or an alternate designated by the Board Chair. Minutes of Closed Board sessions shall be made available to the public only after the Board votes that it is no longer necessary to protect the public interest or privacy of an individual to keep them confidential.

1.8.4.4.4 ORDER OF BUSINESS

Following is the order of business for Board meetings:

- a. Call to Order
- b. Roll Call
- c. Pledge of Allegiance
- d. Approval of Agenda
- e. Approval of Minutes
- f. Open for Recognition of Visitors and Presentations
- g. Board Committee Reports
- h. ICCTA Report
- i. Friends of MCC Foundation Report
- j. President's Report
- k. Communications
 1. Faculty Report
 2. Staff Report
 3. Student Trustee Report
- l. Approval of Consent Agenda
- m. Information Reports
- n. Action on Items Removed from Consent Agenda
- o. Open for Board Members
- p. Closed Session
- q. Adjournment

1.8.4.4.5 TELEPHONIC PARTICIPATION

The Board Chair will call the meeting to order. The roll will be called of those physically present. Upon a quorum, a motion must be made and seconded to allow the Trustee attending by telephone to participate. The Trustee attending by telephone will be asked to confirm that the conversation will be kept confidential. If the Trustee so confirms, a vote on said motion to allow the Trustee to participate telephonically will be taken. If the motion passes, a second roll call will be taken including the Trustee participating by telephone and the meeting will continue.

1.8.6 REIMBURSEMENT FOR EXPENSES

Board members can submit reimbursement requests for travel from home to and from Board meetings during their period of service on the Board. Such requests should be made by January 31 and July 31 of each academic year. The rate paid for this travel reimbursement will be that currently in effect for the College at large. Failure to request this reimbursement on the required date shall constitute an irrevocable waiver of any reimbursement for that period.

1.8.11 COLLEGE MASTER PLANNING

Following are essential characteristics of the planning process:

- a. Planning will be co-equal with the major administrative-management functions in the College organizational structure.
- b. The planning process in effect at the College will be coordinated with the Illinois Community College Board's statewide master planning.
- c. Planning shall include consideration of cooperative agreements with other institutions and agencies to insure efficiency of operation and conservation of resources.
- d. Master planning is to be a continuing process at the College.

1.9 FREEDOM OF INFORMATION POLICY

Compliance with the *Act* shall be effected in accordance with this Policy, and regulations established by the Administration.

1.10 ANTI VIOLENCE

To ensure a safe environment for employees, students, visitors and vendors, the College prohibits anyone from wearing, transporting, storing, or possession of firearms or other weapons on College property (including College-owned vehicles and parking lots), at College-sponsored or College-related functions or events, and during times when acting as a representative of the College whether on or off College premises. Any employee or student who violates this policy may face disciplinary action, including termination and/or expulsion. Furthermore, individuals who commit such acts may be removed from College premises and/or subject to disciplinary action, criminal penalties, or both. All members of the College community are encouraged to report violations of this policy before such violations begin to compromise the health, safety, and efficiency of the College community. The Administration will implement and maintain regulations to facilitate this Policy.

“Weapons” includes but is not limited to firearms (including any gun, rifle, shotgun, pistol, BB or pellet gun, any firearm or device operated by gas or compressed air), knives (including any bowie knife, spring blade knife, dagger, switchblade knife), explosives, chemical or biological weapons, slingshot, metal knuckles, blackjack, any object which by use, design or definition may be used to inflict injury upon a person, and any object if used, attempted to be used, or threatened to be used to cause bodily harm. “Weapons” does not include mace or pepper spray type products designed and carried solely for the purpose of self-protection.

This policy does not apply to any certified law enforcement personnel engaged in official duties. Furthermore, this policy is not intended to eradicate or abridge the effect of other existing College policies regarding incidents of violence or weapons possession on College premises, at

College-sponsored or College-related functions or events, or during times when an individual is acting as a representative of the College.

1.11 GIFT ACCEPTANCE

The College welcomes gifts that can be put to use in furtherance of the College Mission and/or to assist students of the College. For the purpose of this policy and related procedures, gifts are defined as all donations, contributions and bequests, including, but not limited to: equipment or furniture to be used in instructional programs or College operations, real estate, print and non-print library materials, artwork, negotiable securities and cash. In compliance with IRS regulations, the donor must assume responsibility for appraisal of any gift or for assigning a value to a gift.

Gifts to the College must have a purpose consistent with those of the College district and must not:

1. Bring undue or hidden costs to the College.
2. Place restrictions on the College's educational programs.
3. Imply endorsement of any business or product.
4. Be in conflict with the College's policy or public law.

In cases where there is no legal or financial impediment and where the donor directs that the gift be made to the College, it will be received by the College through the Executive Director of the Friends of McHenry County College Foundation, subject to acceptance by the Board of Trustees. All donors will receive an appropriate acknowledgement in accordance with IRS regulations.

1.14 COPYRIGHT POLICY

The College will encourage staff and students to engage in the development of intellectual property and facilitate ownership protections with respect to such development of intellectual property. The College expects that staff and students will act responsibly and ethically in a manner consistent with all copyright laws and College copyright procedures and guidelines. The Administration will implement and maintain such procedures and guidelines necessary to ensure compliance with copyright laws and to facilitate ownership protection with respect to the development of intellectual property.

2.0 COLLEGE OPERATION PROCEDURES

2.1.4.3 NOTICE

To this end, advertisements shall be placed in one or more newspapers of general circulation in the College District No. 528 for bids with an expected cost in excess of the prevailing statutory advertised bidding rate.

2.1.9 PREPARATION OF AN ANNUAL AUDIT

Rotation of lead audit partners will occur every seven years, with a timeout of two years. The examination and report shall include a verification of student enrollments and any other bases upon which claims are filed with the State.

The audit report shall also include a statement of the scope and findings of the audit and a professional opinion signed by the auditor.

2.2 COMPREHENSIVE INSURANCE

Items “a.” thru “d.” shall be competitively bid every three (3) to four (4) years in accordance with the Board bidding policy and all applicable state laws.

- a. A fire, extended coverage, vandalism, and malicious mischief policy for the equipment and furniture contained within College facilities.
- b. A comprehensive general liability policy and an “umbrella” liability policy.
- c. A workman’s compensation policy.
- d. A burglary policy.
- e. An unemployment insurance compensation program.

2.3.1.4 SENIOR CITIZENS TUITION REDUCTION/WAIVER

The age requirement for the tuition reduction or waiver will be the person’s age as of the beginning date of the semester of record for the course(s).

2.4.1.1 PRELIMINARY SCREENING GUIDELINES FOR USE OF COLLEGE FACILITIES

Pursuant to such screening procedure, the College shall inquire, and shall require the requestor to present such documentary evidence as the College may deem satisfactory to determine whether:

- a. The proposal (defined with specificity with adequate documentation to clearly establish the scope of the relationship and the proposed involvement of the College) is consistent with educational purposes and objectives of the College.
- b. The requestor is sufficiently solvent and has adequate financial resources to start the project and to diligently see it through to completion within a time frame acceptable to the College.
- c. The requestor has adequate insurance coverage to protect both the requestor and the College against all liability and damages which they may incur arising from the project.
- d. The requestor employs sufficient and competent personnel to undertake, complete and manage the project in a professional manner.

2.4.1.2 APPROVAL OF AN APPLICATION FOR USE OF COLLEGE FACILITIES

The Requestor will be required to provide the following:

- a. A certificate of insurance issued by an insurer authorized to do business in the State of Illinois, insuring the applicant and the College against liability for injury to the person and property of their persons, and also insuring the applicant against liability for injury to the person and property of the College, its students, agents and employees, each coverage to be with limits of \$1 million per person and \$5 million per occurrence.
- b. A fee, based upon a uniform fee schedule, payable by collectible funds to the College.

2.4.1.3 DENIAL OF APPLICATION FOR USE OF COLLEGE FACILITIES

The College may deny an application for any of the following reasons:

- a. The use is for a profit-making purpose except:
 1. Sales and goods of services that are not in competition with the sale of goods and services sold by the College to its student, employees and the public.
 2. Sales of goods and services that are secondary or incidental to the main purpose of the use of the facility
 3. Charges for the admission to the intended activity.
- b. The application is not fully completed;
- c. The applicant or entity in whose behalf the application is made has not submitted the insurance certificate;
- d. The application contains a material falsehood or misrepresentation;
- e. The applicant is legally incompetent to sue and be sued;
- f. The applicant on prior occasions has damaged College property and has not paid in full for such damage or has other outstanding and unpaid debts to the College.
- g. A fully executed prior third person application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the same facility or part thereof at the same time.
- h. The use would conflict with previously planned programs organized and conducted by the College and previously scheduled for the same time and place;
- i. The use or activity is prohibited by or inconsistent with the normal function and purpose of the requested facility;
- j. The use or activity would present an unreasonable danger to the health or safety of the applicant, students and/or employees;
- k. The use or activity is otherwise prohibited by law, or by any other policies of the College;
- l. The applicant has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits.

The applicant may file a written appeal to the President of the College no later than seven (7) days after the denial and the President must act on the appeal no later than seven (7) days after the appeal is filed. If the President affirms the denial, the applicant may request that the President's decision be reviewed by the Board. The Board will review the decision of the President and issue a decision affirming or reversing the President's decision within thirty (30) days after it is presented to the Board.

2.4.5 CAMPAIGNING AND SOLICITATIONS ON CAMPUS

The following regulations apply to political and other constitutionally protected speech activities taking place on the College campus and its facilities:

- a. The activity must comply with the College's Ethics Ordinance as adopted at Board Policy Section 1.12.
- b. If the activity is one that requires the issuance of a permit pursuant to Section 2.4.1, such permit must be issued before the activity may take place;
- c. Campaigning, advertising, surveying, petitioning or solicitation (collectivity, "campaigning") for commercial purposes is prohibited on the campus, and on or in any building, other facility and grounds on the campus;
- d. Campaigning for any non-commercial purpose is prohibited in the classrooms, other special purpose rooms, laboratories, offices, dining areas and building infrastructure areas of the College buildings (because of the unique design and use of those facilities for their intended purposes and the necessity to provide an environment conducive to their proper function), except to the extent that a permit has been issued pursuant to Section 2.4.1, to use any such area for the purpose that the campaigning, advertising, petitioning or solicitation addresses;
- e. Non-commercial campaigning is permitted during the hours that the campus grounds and buildings are open, in and on the walkways, parking areas and other open grounds on the campus and in the vestibules, hallways and other areas of the building not prohibited by subsection (c) above;
- f. Any individual, groups or organization seeking to engage in campaigning of any kind shall first file a signed statement with the Coordinator of Campus Facilities that identifies the name, post office and street address, and telephone and fax numbers of the involved individual, group or organization and the nature of purpose and intended location of the campaigning;
- g. No permitted non-commercial campaigning shall be conducted in such manner as to disrupt the orderly operation of the College, its educational programs and facilities and the comings and goings of the students, faculty, staff and other agents and employees of the College, of guests and visitors to the College, and other persons who are lawfully at the College;
- h. Posting of materials relevant to the permitted campaigning may only be located in those places and on those components authorized by the Coordinator of Student Life and Campus Activities Coordinator, except that those places and components shall be reasonably open to public view and sight;
- i. Materials that are littered about or that otherwise cause or could cause damage to the College facilities may be removed by College personnel;
- j. College employees may not, during their work hours, engage in any permitted campaigning, but during non-working hours may engage in permitted campaigning, subject to the provisions of Section 1.12 and this Section 2.4.5;
- k. Any person, group or organization who contends to have been aggrieved by any decision or action of the Facilities Coordinator in enforcing this Section 2.4.5 may engage in the appeal process set forth in Section 2.4.1.
- l. The following procedures will be used when dealing with solicitation on campus:
 - i. A representative from the organization must submit the "Vendor Responsibilities at McHenry County College" form and the Facilities Request Contract and appropriate payment to the Coordinator of Campus Facilities & Conference Center at least seven (7)

working days prior to the reserved date. Submittal of these forms constitutes vendor agreement to adhere to responsibilities listed.

- ii. McHenry County College reserves the right to prohibit the sales of products or services that are contradictory to its mission.
 - Vendors may not enter into contractual agreements or set-up personal accounts while on campus.
 - All items sold must be licensed manufactured items.
 - No illegal reproductions of items may be sold.
 - McHenry County College reserves the right to deny any vendor without cause.
 - McHenry County College does not endorse the products provided by the vendors.
- iii. No refunds will be given in the event of a cancellation or no-show on the part of the Vendor. If the College must cancel due to unforeseen circumstances a full refund will be given.
- iv. Vendors are expected to conduct themselves in a professional manner while on campus. Representatives from organizations may not approach students or staff nor may they detain students or staff from their class or work responsibilities while on campus.
- v. McHenry County College reserves the right to inspect and approve quality and selection of merchandise.

2.4.7 SMOKING ON CAMPUS – Rev'd 1/28/10

To promote a safe, clean and healthy environment McHenry County College (“MCC” or the “College”) prohibits smoking inside all College facilities, inside all College vehicles, and at all entranceways to College facilities.

Smoking is defined as the burning of tobacco or any other material in any type of smoking equipment including but not restricted to cigarettes, cigars or pipes. Faculty, staff and students who wish to smoke must do so in designated outdoor smoking areas with proper ash receptacles. Smokers must properly dispose of cigarette/cigar remains in designated ash receptacles which are strategically placed throughout campus so that a clean and visually attractive campus is maintained.

The following procedures, which will be reviewed and updated from time to time, are designed to achieve the goal of a smoke-free public environment in compliance with the Smoke Free Illinois Act, *410 ILCS 82*:

- Smoking is prohibited indoors in all campus owned and leased facilities at all locations, including campus owned or leased vehicles.
- Smoking is prohibited in outdoor areas where seating is provided, such as, but not limited to, athletic events, concerts and other types of entertainment and productions.
- Smoking is prohibited in outdoor areas within fifteen (15) feet of building entrances, exits, windows that open and ventilation intakes.
- Smoking shall be permitted in the following designated areas:
 - The pond area
 - Outside of building E near the circle drive
 - 15 feet away from the entrance of building A adjacent to parking lot C

A map of designated outdoor smoking areas can be found at www.mchenry.edu/policy. Additionally, signage is posted to assist in communication of the College smoking procedure.

It is the responsibility of all faculty, staff, students and visitors to comply with this procedure. Refusal to comply with this procedure shall be met with increasingly severe penalties.

All violators shall be issued citations by the Department of Campus Public Safety and are required to pay fines as follows:

- First offense – \$50.00
- Second and subsequent offenses – Fines up to \$250.00

All fines are to be paid within seven days of the date the citation was issued. Payment is to be made at the Registration Office. Failure to pay fines will result in an Academic Restriction placed on student's record.

Repeat student violators of this procedure will be referred to the Dean of Students. Repeated violations of this procedure are a violation of the Student Code of Conduct and are subject to administrative actions which may include required attendance at smoking cessation session(s). Smoking cessation education is available through MCC's Health and Wellness Programs.

Repeat employee violators of this procedure will be referred to their immediate supervisor and Human Resources. Violation of this procedure is a violation of the Board Policy and is punishable by disciplinary action.

All other violators may be escorted off College property and, if they refuse, may be subject to arrest for trespassing.

2.4.8 RESPONSIBLE USE OF INFORMATION TECHNOLOGY

Authorized users and system administrators will respect the privacy of person-to-person communications in all forms, including voice (telephone), text (electronic mail and file transfer), and image (graphics and television). For faculty members, the principle of academic freedom will apply to public communications in all these forms. In accordance with guidelines in procedure, the College reserves the right to monitor individual usage of any information technology facilities and resources if a specific violation is brought to the College's attention. Access to information technology facilities and resources without proper authorization from the data owner(s), unauthorized use of College computing facilities, and intentional or negligent corruption or misuse of information technology facilities and resources are direct violations of the College's standards for conduct.

2.5 THIRD PARTY COMMUNICATION WITH STUDENTS ON CAMPUS POLICY

Such notice is to be provided in writing at least three (3) business days before the appearance. This policy will be administered in conjunction with Section 2.4.1 when appropriate.

3.0 PERSONNEL – GENERAL PROCEDURES

Within the context of its statutory authority, the Board will employ College staff to fulfill specific roles on either a full-time or part-time basis as administrators, faculty members, professional support, or hourly-classified staff upon the recommendation of the College President. All such staff functions must be justified within the philosophy and objectives of the College and be fiscally affordable.

3.1.2.3 APPOINTMENT

All other appointments will be reported to and approved by the Board through the monthly voucher system.

3.1.3 REORGANIZATION

This may involve the revision of positions. When reorganization would result in a new title and/or revised job description for a position, but retain a majority of the responsibilities already assigned to that position, the College will have the options to make the changes to title or job description without posting it as a new position, retaining the incumbent in the revised position.

3.1.4 EMPLOYEES WITH CHRONIC COMMUNICABLE DISEASES

Employment decisions will be made by utilizing the general legal standard in conjunction with current, available medical information concerning the particular disease in question. Individual cases will not be prejudged; rather, decisions will be made based upon the facts of the particular case. The determination of an employee's continued employment status will be made in accordance with procedures implemented by the College. This policy shall not abridge any rights provided faculty members in the collective bargaining agreement between the Faculty Association and the Board of Trustees.

3.1.6 DRUG-FREE WORKPLACE

The College administration shall establish procedures for implementing this policy and shall make all employees aware, in writing, of this policy and the related procedures.

The College will institute and maintain a drug awareness program to inform employees about:

1. The dangers of drug abuse in the workplace;
2. The College's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation and employee assistance programs; and
4. The penalties that may be imposed on employees for drug abuse violations.

3.1.10 EMERITUS PROGRAM

The Privileges of Emeritus Status are as follows:

- a. Emeritus personnel will qualify for tuition waiver for credit and non-credit classes. The spouse and dependent children of Emeritus personnel will qualify for tuition reimbursement for credit classes that are successfully completed. (Successful completion is defined as a grade of C or above.)
- b. Emeritus personnel will receive MCC business cards indicating their status.

- c. Emeritus personnel will be invited to College functions and will be kept on the College mailing list.

3.2.1 ROLE DESCRIPTION OF THE COLLEGE PRESIDENT

In addition to the powers and duties specifically imposed upon him/her by statute, the College President will also take care of the following:

- a. Direct the overall operation and general administration of the College in conformity with the Board of Trustees' policies and procedures.
- b. Exercise broad discretionary power within the framework of policy established by the Board of Trustees.
- c. Formulate and recommend to the Board of Trustees new or revised policies and procedures for the operation of the District requiring approval by the Board of Trustees.
- d. Implement new or revised policies and procedures of Board of Trustees when approved.
- e. Attend all meetings of the Board of Trustees except when his/her own salary or contract is being considered or when temporary absence is requested.
- f. Submit to the Board of Trustees for study and recommend the annual budget. Administer the budget when approved.
- g. Recommend the organizational structure for the District, the staffing complement, the classification of positions, and the compensation for positions. Implement these actions when approved by the Board of Trustees.
- h. Establish and maintain programs for the effective recruitment, selection, orientation, development, and retention of highly competent personnel for the District.
- i. Review the educational program of the College on a continuing basis and recommend to the board of Trustees modifications which will improve the scope and quality of the College offerings and related services.
- j. Recommend to the Board of Trustees for employment all administrators, full-time faculty, and professional staff of the District.
- k. Assign employees to all positions and direct, coordinate, and supervise their work in accordance with the policies and regulations established by State law and the Board of Trustees.
- l. Establish and maintain a systematic program for filling emergency vacancies with competent substitutes or temporary employees.
- m. Establish and maintain an effective program of public information.
- n. Represent, in cooperation with the board of Trustees, the College in the community by interpreting the community college educational program to the public, to parents, to organizations, the press and other community agencies.
- o. Authorize the establishment of all faculty committees of the College and approve appointments to them except for committees and membership designated in Board policies and procedures.
- p. Recommend on all matters relating to facility acquisition and development, including buildings and equipment necessary to provide for the educational program of the College. Implement such acquisitions and developments when approved.
- q. Establish and maintain accurate and complete records required by State law and regulations of the Illinois Community College Board, including the proper accounting of any and all funds that come under the control of the Board of Trustees and the proper account of student attendance.

- r. Prepare such reports as are required by the Board of Trustees and State and local offices and file such reports on or before the dates they are due.
- s. Direct the preparation of such manuals, guides, and other publications, as he/she considers necessary to the effective administration of the District.
- t. Develop and administer Civilian Defense measures and a system to prevent and suppress fire or other peril, and, for these purposes, conduct periodic inspections to assure the adequacy of equipment and readiness of personnel to meet any emergency.
- u. Delegate to members of his/her staff powers and duties, as he/she deems appropriate in the administration of the College.
- v. Represent the College in its relationships with governmental agencies and professional associations.
- w. Perform and other duties assigned or delegated by the Board of Trustees.
- x. Directly engage in private fund raising, working closely with the Friends of Foundation Board of Directors.

3.2.2 COMPENSATION

Compensation for members of the administrative staff will be set annually by the Board and will be based on performance, market conditions, and recommendations submitted by the College President.

3.3.1.2 COMPENSATION FOR SELECTED ACTIVITY SPONSORSHIPS/ADVISORS AND ORGANIZATION SPONSORSHIPS

This compensation shall be twenty percent reassigned time (or overload equivalent) per semester, excluding summer, for each activity or organization deemed to qualify.

3.4.2 NOTIFICATION OF ASSIGNMENT

It is understood that the College, by issuing such Notifications of Assignment, makes or implies no assurances for employment beyond those specified in the Notification of Assignment. Any such appointee is an appointee at will, and his/her appointment may be terminated at any time, without cause, anything to the contrary in this Board Policy Manual, the Notification of Assignment or the Part-Time Faculty Handbook to the contrary notwithstanding. If the appointee has served more that one day prior to termination, a pro rated portion of the total stipend shall be paid to him/her, but all other benefits shall be immediately terminated.

3.6 CONTRACTED SERVICES PERSONNEL

Contracted services appointments will be compensated on the basis of specific negotiated fees and period of appointment. The negotiated fee for such services will be inclusive and does not guarantee additional College benefits beyond the fee to be paid. Those who are appointed to perform very specialized services will be reviewed by the Board every two years.

4.0 STUDENT PROCEDURES

4.1 RESIDENCY

Determination of residency serves as the basis for calculating tuition rates for students enrolled at the College. Evidence of residency must be submitted by the student with the admission application or at the time of registration.

IN-DISTRICT

To qualify as an in-district resident, the student must meet one of the following criteria:

- a. Be a minor, who has at least one parent or guardian, who is a resident within the legal boundaries of Community College District No. 528.
- b. Be an emancipated minor or an adult resident within the legal boundaries of Community College District No. 528 in a capacity other than for the purposes of being a full-time student.
- c. Student must be employed for at least 35 hours per week by an entity located in the district or is enrolled in a course that is being provided under terms of a contract for services between the employing entity and the College.

OUT-OF-DISTRICT

Students enrolled at the College who reside within the State of Illinois but outside the legal boundaries of Community College District No. 528 are considered out-of-district for tuition purposes.

OUT-OF-STATE

Students enrolled at the College who reside outside the State of Illinois are considered out-of-state for tuition purposes.

4.3.1 DRUG-FREE SCHOOLS AND COMMUNITIES ACT

a. Definitions

1. The term “student” is defined as any person who is taking one or more classes for any type of academic credit regardless of the length of the student’s program of study, except for students taking continuing education classes. The College will apply this policy to any student or group who uses a College facility for an educational purpose.
2. The term “illicit drugs”, controlled substances” or “drugs” is defined in Scheduled I-V of Section 202 of the federal Controlled Substances Act (21 U.S.C. Section 812).
3. The term “College property” shall include the College’s owned buildings and grounds and off-campus sites leased or controlled by the College.
4. The term “College activities” shall include all on-camps functions and College-sponsored, off-campus functions such as officially sanctioned field trips, social activities and professional meetings attended by students.
5. The term “illicit alcohol” is defined as alcohol, which is possessed, used or distributed in violation of federal, state or local law.

b. Standards of Conduct

No student shall possess, use or distribute illicit drugs or alcohol on College property or as part of any College activity.

c. Statement of Sanctions to be Imposed on Students

Students: Discipline for violating the standards of conduct set out in Section B above will be governed by the College’s student disciplinary policies and rules. Consistent with local, state

and federal law, the College will impose sanctions on students who violate the standards of conduct, up to and including, expulsion and referral for prosecution.

d. Distribution of Information

Students who are prosecuted and convicted of drug or alcohol related offenses are subject to the sanctions under federal law for drug related offenses and the sanctions under state law for alcohol related offenses.

e. Distribution of Information

Each year the College will prepare and distribute to every student a brochure containing the College's standards of conduct, the College's statement of sanctions, a description of the possible legal sanctions for violation of drug and alcohol statutes, a description of the health risks associated with drug and alcohol use and abuse, and information on available local drug and alcohol rehabilitation programs. The brochure shall also notify students and employees that compliance with the College's drug and alcohol policy is mandatory.

f. Biennial Review

The College will conduct a biennial review of its Drug-Free Schools and Communities Act policy to (a) determine its effectiveness and implement changes to the policy or program if they are needed; and (b) insure that the sanctions required under the policy and rules are consistently enforced.

4.4 STUDENTS WITH CHRONIC COMMUNICABLE DISEASES

Placement decisions will be made by using this standard in conjunction with current, available medical information concerning the particular disease in question. Individual cases will not be prejudiced; rather, decisions will be made based upon the facts of the particular case. The determination of whether a student with a chronic communicable disease may attend College shall be made in accordance with procedures implemented by the College.

Persons deemed to have "a direct need to know" will be provided with the appropriate information; however, these persons shall not further disclose such information.

4.8 STUDENT SUPPORT SERVICES

Student Support Services programs include, but are not limited to:

1. A comprehensive and organized program of academic advising and counseling;
2. A financial aid program, which provides students with information about and access to available financial support;
3. Resources to help students with resume development, job search strategies, and interviewing skills;
4. Reasonable support for qualified students with disabilities so that they have the same opportunities as other students to succeed in college; and
5. Tutorial and other academic assistance to all MCC students in a wide range of subject areas.

4.8.3 STUDENT PARKING

College parking regulations apply to cars, vans, trucks, motorcycles, buses, mopeds, and bicycles. In addition to general parking, reserved parking spaces for handicapped students shall

be provided close to building entrances. Parking in the spaces reserved for handicapped students shall be by special permit only.

4.9 STUDENT TRUSTEE

The Student Trustee election shall be conducted by an election committee formed by the Multicultural Programs and Student Leadership.

Each year, a student member of the Board of Trustees shall be elected by plurality vote in a campus-wide election. The Student Trustee shall serve a term of one (1) year beginning on April 15 of each year in accordance with the *Illinois Public Community College Act*. **Also see 1.2 Non-Voting Board Member.**

To be eligible to serve as a Student Trustee, a student must possess the following qualifications on the date of filing for candidacy, on the date of election, and during the term of office:

1. Be in academic good standing with at least a 2.5 cumulative grade point average;
2. Be enrolled during each fall and spring semester for a minimum of nine (9) credit hours in each semester (Evidence of such registration must be placed on file with the Board Secretary by the tenth day of each semester);
3. Reside in District No. 528

The Student Trustee shall be responsible for voicing student body and community concerns and opinions.

The Student Trustee shall:

1. Maintain a close working relationship with designated administrators and all duly organized and recognized student groups at the College;
2. Conform and uphold all Board policies and ethical procedures;
3. Have all of the privileges of membership, including the right to make and second motions and to attend executive sessions, other than the right to vote; and
4. Cast a recorded advisory vote on any action requiring a vote by the Board.

If the Student Trustee leaves the office for any reason, including no longer meeting the qualifications of a Student Trustee, the Board of Trustees will either appoint a Replacement or call for a special election by Student Government to take place within thirty (30) days.

5.0 INSTRUCTION PROCEDURES

5.1 DEGREES AWARDED

The College is authorized to award the following associate degrees to students successfully meeting the respective degree requirements:

- a. Associate in Arts Degree
- b. Associate in Fine Arts Degree
- c. Associate in Science Degree
- d. Associate in Engineering Science Degree
- e. Associate in Applied Science Degree
- f. Associate in General Education Degree

5.3 WAIVER AND SUBSTITUTION OF GRADUATION REQUIREMENTS

The Vice President for Academic and Student Affairs or his/her designee shall be authorized to allow course substitutions in certificate and degree programs when such substitutions are determined to be of benefit to the student and consistent with the purposes of the College.

5.4 AWARDING ADDITIONAL DEGREES

The following requirements must be met to receive one or more additional degrees at the College:

- a. All degree requirements associated with the particular degree being sought must be met.
- b. For each additional degree sought, twelve (12) credit hours of additional credit must be earned at McHenry County College and not applied to prior degree(s).
- c. Minimum of a 2.0 cumulative grade point average on a 4.0 scale.

5.5 COLLEGE COMMITTEES STANDING COMMITTEES

College standing committees are designed to investigate issues, conduct studies, analyze proposals, and otherwise make recommendations aimed at the continued betterment of McHenry County College. Such recommendations are to be made to the appropriate administrator for study and consideration.

The focus of the standing committees is implicit in their titles. Membership shall include faculty and staff. Standing committee appointments are made by the President, based upon recommendations received from the Faculty Association and Staff Council.

SPECIAL PURPOSE COMMITTEES

From time-to-time particular matters for study which may not fall within the charge of existing standing committees arise. In such cases, temporary, or special-purpose committees may be established by the President. Such committees shall be dissolved upon submission of their final report.

PROGRAM ADVISORY COMMITTEES

Critical to the effective planning and conduct of the College's occupational programs is accurate information concerning the employment needs, employment opportunities, and employee skills which exist in the community. The Office of Academic and Student Affairs is charged with

establishing and appropriate group of program advisory committees to provide the College with such information.

Serving in an advisory capacity, program advisory committees are designed to study present or proposed program course offerings, assess the appropriateness of program structure or learning sequence, and otherwise provide expert input which will contribute to the marketability of the College's occupational programs.