

BOARD OF TRUSTEES
McHENRY COUNTY COLLEGE DISTRICT #528

Tuesday, February 18, 2020
5:00 p.m.



Board Room
8900 U.S. Highway 14
Crystal Lake, IL 60012

EVALUATION AND POLICY MEETING

AGENDA

1. Call to Order
2. Acceptance of Agenda
3. Open for Recognition of Visitors and Presentations
Three (3) minutes per person or less
4. Review of Policy Updates and Proposed Modifications:
 - A. 2.1.1: Investments
 - B. 2.15: Reimbursement of Travel, Meal and Lodging Expenses; Exhibit A-Permissible Travel Expenses
 - C. 3.1.2.1: Equal Opportunity and Non-Discrimination
 - D. 6.2.3: Discrimination, Harassment and/or Anti-Violence
 - E. 6.1.3: Drug Free Schools and Communities Act Policy
 - F. 6.1.4: Drug and Alcohol-Free Workplace
 - G. 6.1.5: Smoke and Tobacco-Free Campus
5. Items for Future Discussion
6. Adjournment



Michael Smith
Chair

The College suggests making changes to conform with Illinois Compiled state statutes *Public Funds Investment Act* (30 ILCS 235/) and *Illinois Sustainable Investing Act* (30 ILCS 238/).

Edits are being made to:

H. Authorization Investments, #4

Inserting new item:

N. Sustainable Investing

Renumbering item:

N. Amendment to O. Amendment

Current Policy with edits (Items added are in bold and items to be removed are in struck through)

2.1.1 INVESTMENTS

H. Authorized Investments

The College may invest its funds in any investments allowed by Section 2 of the *Public Funds Investment Act*, (30 ILCS 235/2) including, without limitation, the following:

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 as to principal and interest.
2. Bonds, notes, debentures or other similar obligations of the United States of America, its agencies, and its instrumentalities.
3. Interest bearing accounts, interest-bearing certificates of deposit or interest bearing time deposits or any other investments constituting direct obligations of any bank as defined by the *Illinois Banking Act*.
4. Obligations of corporations organized in the United States with assets exceeding \$500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest ~~general short term~~ classifications established by at least 2 standard rating services and is on the approved list of the College's contracted SEC registered Investment Advisor and which mature not later than 3 years from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations and (iii) no more than one-third of the College's funds may be invested in short term obligations of corporations.
5. Interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality or county or held under a custodial agreement at a bank. The bonds shall be rated at the time of purchase within the 3 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.
6. Money market mutual funds registered under the *Investment Company Act of 1940*, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.
7. Mutual funds that invest primarily in corporate investment grade short term bonds. Purchases of mutual funds in short term bonds shall be limited to funds with assets of at least \$100 million and that have an average credit quality of at least a single A rating established by a recognized rating service. No more than 25% of the College's funds may be invested in these mutual funds.
8. Investment options offered by the Illinois Trust, IIIT Class
9. Investment options offered by the Treasurer of the State of Illinois (i.e. Illinois Funds).
10. Investment options offered by the Illinois School District Liquid Asset Fund Plus.

Any percentage limits, rating requirements, or other investment parameters identified throughout this investment policy will be calculated and/ or evaluated based on the original cost of each investment at the time of purchase, based on settlement date, of the security in determining compliance with the investment policy.

N. ~~Amendment~~ **Sustainable Investing**

The College will regularly consider any material, relevant, and decision-useful sustainability factors within the bounds of financial and fiduciary prudence, in evaluating investment decisions. Such factors include, but are not limited to: (i) corporate governance and leadership factors; (ii) environmental factors; (iii) social capital factors; (iv) human capital factors; and (v) business model and innovation factors, as provided under the Illinois Sustainable Investing Act.

~~N.~~ **O. Amendment**

This Policy will be reviewed annually, during the quarter after fiscal year end, and revised upon approval of the Board of Trustees.

Proposed Policy

2.1.1 INVESTMENTS

H. Authorized Investments

The College may invest its funds in any investments allowed by Section 2 of the *Public Funds Investment Act*, (30 ILCS 235/2) including, without limitation, the following:

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 as to principal and interest.
2. Bonds, notes, debentures or other similar obligations of the United States of America, its agencies, and its instrumentalities.
3. Interest bearing accounts, interest-bearing certificates of deposit or interest bearing time deposits or any other investments constituting direct obligations of any bank as defined by the *Illinois Banking Act*.
4. Obligations of corporations organized in the United States with assets exceeding \$500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and is on the approved list of the College's contracted SEC registered Investment Advisor and which mature not later than 3 years from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations and (iii) no more than one-third of the College's funds may be invested in short term obligations of corporations.
5. Interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality or county or held under a custodial agreement at a bank. The bonds shall be rated at the time of purchase within the 3 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.
6. Money market mutual funds registered under the *Investment Company Act of 1940*, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.
7. Mutual funds that invest primarily in corporate investment grade short term bonds. Purchases of mutual funds in short term bonds shall be limited to funds with assets of at least \$100 million and that have an average credit quality of at least a single A rating

8. established by a recognized rating service. No more than 25% of the College's funds may be invested in these mutual funds.
9. Investment options offered by the Illinois Trust, IIIT Class
10. Investment options offered by the Treasurer of the State of Illinois (i.e. Illinois Funds).
11. Investment options offered by the Illinois School District Liquid Asset Fund Plus.

Any percentage limits, rating requirements, or other investment parameters identified throughout this investment policy will be calculated and/ or evaluated based on the original cost of each investment at the time of purchase, based on settlement date, of the security in determining compliance with the investment policy.

N. Sustainable Investing

The College will regularly consider any material, relevant, and decision-useful sustainability factors, within the bounds of financial and fiduciary prudence, in evaluating investment decisions. Such factors include, but are not limited to: (i) corporate governance and leadership factors; (ii) environmental factors; (iii) social capital factors; (iv) human capital factors; and (v) business model and innovation factors, as provided under the Illinois Sustainable Investing Act.

O. Amendment

This Policy will be reviewed annually, during the quarter after fiscal year end, and revised upon approval of the Board of Trustees.

The College suggests making minor changes to Exhibit A of Policy 2.15 to reflect a more realistic rate for both hotel and meal expenses locally and nationally.

Proposed changes (Items added are in bold and items to be removed are struck through)

2.15 REIMBURSEMENT OF TRAVEL, MEAL AND LODGING EXPENSES

EXHIBIT A – PERMISSIBLE TRAVEL EXPENSES

Maximum Reimbursable Rates for Transportation	
Air Travel	Lowest reasonable rate (coach)
Auto	As adopted and published by the IRS Standard Mileage Rate at time of travel.
Rental Car	Lowest reasonable rate (midsize)
Rail or Bus	Lowest reasonable rate and cost shall not exceed Air Travel
Taxi, Shuttle, Rideshare, or Public Transportation	Actual reasonable rate

Maximum Reimbursable Rates for Meals Including Tax and Tip	
Breakfast	\$17.00 \$18.00
Lunch	\$18.00 \$19.00
Dinner	\$34.00

Maximum Reimbursable Rates for Lodging Excluding Taxes	
Chicago and Suburban Cook County	\$269.00 \$309.00 / night
DuPage, Kane, Lake, McHenry and Will Counties	\$189.00 / night
All other Illinois Counties	\$189.00 / night
Outside of Illinois	\$269.00 \$309.00 / night or as approved by the Board

Proposed Policy

2.15 REIMBURSEMENT OF TRAVEL, MEAL AND LODGING EXPENSES

EXHIBIT A – PERMISSIBLE TRAVEL EXPENSES

Maximum Reimbursable Rates for Transportation	
Air Travel	Lowest reasonable rate (coach)
Auto	As adopted and published by the IRS Standard Mileage Rate at time of travel.
Rental Car	Lowest reasonable rate (midsize)
Rail or Bus	Lowest reasonable rate and cost shall not exceed Air Travel
Taxi, Shuttle, Rideshare, or Public Transportation	Actual reasonable rate

Maximum Reimbursable Rates for Meals Including Tax and Tip	
Breakfast	\$18.00
Lunch	\$19.00
Dinner	\$34.00

Maximum Reimbursable Rates for Lodging Excluding Taxes	
Chicago and Suburban Cook County	\$309.00 / night
DuPage, Kane, Lake, McHenry and Will Counties	\$189.00 / night
All other Illinois Counties	\$189.00 / night
Outside of Illinois	\$309.00/ night or as approved by the Board

College administration suggests that the College revise two (2) Board policies within the Employment and Campus Safety sections of the Board Policy Manual to bring consistency between the two policies and to reflect the College's commitment to providing a safe and respectful environment to students, potential students, employees, potential employees, and outside parties including visitors and vendors. Revised policies include:

3.1.2.1 Equal Opportunity and Non-Discrimination (Revised 7/22/10, 8/25/16)

6.2.3 Discrimination, Harassment and/or Anti-Violence (Previously 1.10, Revised 11/24/14, 2/22/18)

Current Policy with Edits

3.1.2.1 EQUAL OPPORTUNITY AND NON-DISCRIMINATION (Revised 7/22/10, 8/25/16, and 02/27/20)

McHenry County College declares and reaffirms a policy of equal opportunity and non-discrimination. The College will make all decisions regarding ~~recruitment, employment, hiring, promotions, and all other terms and conditions of employment~~ without discrimination on grounds of race, color, ~~ancestry~~, creed or religion, sex, national origin, ~~ancestry~~, age, ~~order of protection status~~, marital status, ~~pregnancy~~, physical or mental disabilities, ~~military status~~, sexual orientation, gender-related identity, ~~pregnancy, order of protection status, veteran status~~, unfavorable discharge from military service, or ~~any~~ other factors ~~prohibited by law. Decisions regarding employment include hiring, promotion, termination, wages or salaries, benefits, and other terms and conditions of employment, which cannot lawfully be the basis for an employment decision.~~

Proposed Policy

3.1.2.1 EQUAL OPPORTUNITY AND NON-DISCRIMINATION (Revised 7/22/10, 8/25/16, and 02/27/20)

McHenry County College declares and reaffirms a policy of equal opportunity and non-discrimination. The College will make all decisions regarding employment without discrimination on grounds of race, color, creed or religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disabilities, military status, sexual orientation, gender-related identity, pregnancy, unfavorable discharge from military service, or other factors prohibited by law. Decisions regarding employment include hiring, promotion, termination, wages or salaries, benefits, and other terms and conditions of employment.

Current Policy with Edits

6.2.3 DISCRIMINATION, HARASSMENT AND/OR ANTI-VIOLENCE (Previously 1.10, Revised 11/20/14, 2/22/18, and 02/27/20)

The College is committed to providing a safe and respectful environment and will not tolerate acts or threats of violence including, but not limited to, aggression, hate crimes, bullying, cyber bullying, cyber intimidation, domestic violence, stalking, intimidation or harassment, from students, employees, or outside parties including visitors and vendors.

Discrimination and/or harassment based on ~~sex~~, race, ~~color, ethnicity, creed or~~ religion, ~~sex, national origin, ancestry,~~ age, ~~order of protection status, marital status, physical or mental disabilities,~~ ~~military status, national origin,~~ sexual orientation, gender-related identity, ~~color, marital status, military status,~~ pregnancy, or unfavorable military discharge is prohibited by law.

Employees and students engaging in such conduct will be subject to disciplinary action up to and including termination or expulsion from the College as determined by such administrative or Board

action as is required by law, Board policy, and procedure, and/or applicable collective bargaining agreements.

Proposed Policy

6.2.3 DISCRIMINATION, HARASSMENT AND/OR ANTI-VIOLENCE (Previously 1.10, Revised 11/20/14, 2/22/18, and 2/27/20)

The College is committed to providing a safe and respectful environment and will not tolerate acts or threats of violence including, but not limited to, aggression, hate crimes, bullying, cyber bullying, cyber intimidation, domestic violence, stalking, intimidation, or harassment from students, employees, or outside parties including visitors and vendors.

Discrimination and/or harassment based on race, color, creed or religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disabilities, military status, sexual orientation, gender-related identity, pregnancy, or unfavorable military discharge is prohibited by law.

Employees and students engaging in such conduct will be subject to disciplinary action up to and including termination or expulsion from the College as determined by such administrative or Board action as is required by law, Board policy, and procedure, and/or applicable collective bargaining agreements.

College administration suggests that the College revise three (3) Board policies within the Campus Health and Safety section of the Board Policy Manual to address the new Illinois Cannabis Regulation and Tax Act legislation in effect January 1, 2020. These revisions address controlled substances, illegal drugs, and alcohol on College premises or any other locations used for College-sponsored activities. Specifically, cannabis is addressed within the policies as a “controlled substance” and while the State of Illinois has implemented legislation allowing the sale and consumption of recreational cannabis, Federal law still considers it a controlled substance and not legal. As the College receives Federal funding, it is necessary to revise the policies to reflect continued prohibition. Revised policies include:

6.1.3 Drug-Free Schools and Communities Act Policy (Previously 4.3.1, Revised 11/20/14 and 8/25/16)

6.1.4 Drug and Alcohol-Free Workplace (Previously 3.1.5, Revised 11/20/14)

6.1.5 Smoke and Tobacco-Free Campus (Previously 2.4.7, Revised 11/20/14)

Current Policy with Edits

6.1.3 DRUG-FREE SCHOOLS AND COMMUNITIES ACT POLICY (Previously 4.3.1, Revised 11/20/14, ~~and 8/25/16, and 2/27/20~~)

In accordance with the ~~Federal Drug and Alcohol Abuse Prevention~~*Drug-Free Schools and Communities Act Amendments of 1989* and implementing regulations ~~laws~~ (20 U.S.C. § 1011i, 34 C.F.R. Part 86), the College will develop and implement a program and maintain procedures to prevent the ~~unlawful~~ possession, use, or distribution of controlled substances, illegal drugs, or alcohol and illicit drugs, and the abuse of alcohol or drugs by students and employees. The College prohibits students or others from using, possessing, dispensing, distributing, or manufacturing any controlled substances, illegal drugs, or alcohol on College property premises or any other locations used for College-sponsored activities.

Exceptions may be made for alcoholic beverages served during a College function approved by the Board of Trustees, or alcoholic beverages served in connection with the instructional curriculum (for example, as part of culinary arts program activities) as permitted by law.

Any employee or student who violates any of the College's drug and alcohol policies will be subject to disciplinary action up to and including termination of employment or expulsion from the institution, as well as any other applicable consequences for violation of state or federal laws.

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in federal or state controlled substance acts.

Proposed Policy

6.1.3 DRUG-FREE SCHOOLS AND COMMUNITIES ACT POLICY (Previously 4.3.1, Revised 11/20/14, 8/25/16, and 2/27/20)

In accordance with the *Drug-Free Schools and Communities Act Amendments of 1989* and implementing regulations (20 U.S.C. § 1011i, 34 C.F.R. Part 86), the College will develop and implement a program and maintain procedures to prevent the possession, use, or distribution of controlled substances, illegal drugs, or alcohol, and the abuse of alcohol or drugs by students and employees. The College prohibits students or others from using, possessing, dispensing, distributing, or manufacturing any controlled substances, illegal drugs, or alcohol on College premises or any other locations used for College-sponsored activities.

Exceptions may be made for alcoholic beverages served during a College function approved by the Board of Trustees, or alcoholic beverages served in connection with the instructional curriculum (for example, as part of culinary arts program activities) as permitted by law.

Any employee or student who violates any of the College's drug and alcohol policies will be subject to disciplinary action up to and including termination of employment or expulsion from the institution, as well as any other applicable consequences for violation of state or federal laws.

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in federal or state controlled substance acts.

Current Policy with Edits

6.1.4 DRUG AND ALCOHOL-FREE WORKPLACE (Previously 3.1.5, Revised 11/20/14 and 02/27/20)

McHenry County College will comply with *Drug-Free Workplace Act of 1988*, 41 U.S.C. § 81038101 et seq. The College prohibits the ~~unlawful~~ possession, use, manufacture, dispensation or distribution of illegal drugs, controlled substances/legal drugs, and/or alcohol by employees on ~~its property~~ College premises or as part of its activities.

Exceptions may be made when approved by the Board of Trustees for serving alcohol during a College function, or in connection with the instructional curriculum (for example, as part of culinary arts program activities), as permitted by law.

Employees are prohibited from ~~working-being~~ under the influence of illegal drugs, controlled substances, and/or alcohol while on call or while working for the College, regardless of when and/or where the drug or alcohol use occurred. Employees who are being disciplined for being impaired by or under the influence of cannabis while working or while on call will be provided a reasonable opportunity to contest the basis of the College's determination on all college-utilized property, including any worksite designated for the performance of work, or at college-sponsored activities.

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in federal or state controlled substance acts.

Employees employed on a grant provided by a state or federal agency and convicted of a violation of a criminal drug statute are required to notify the Associate Vice President of Human Resources of this fact within five (5) days of their conviction. The College must notify the granting agency within ten (10) days of receiving notice from the employee, or otherwise receiving actual notice of such conviction. The College shall impose appropriate sanctions within thirty (30) days following notification of conviction.

Proposed Policy

6.1.4 DRUG AND ALCOHOL-FREE WORKPLACE (Previously 3.1.5, Revised 11/20/14 and 02/27/2020)

McHenry County College will comply with *Drug-Free Workplace Act of 1988*, 41 U.S.C. § 8101 et seq.). The College prohibits the possession, use, manufacture, dispensation or distribution of illegal drugs, controlled substances, and/or alcohol by employees on College premises or as part of its activities.

Exceptions may be made when approved by the Board of Trustees for serving alcohol during a College function, or in connection with the instructional curriculum (for example, as part of culinary arts program activities), as permitted by law.

Employees are prohibited from being under the influence of illegal drugs, controlled substances, and/or alcohol while on call or while working for the College, regardless of when and/or where the drug or alcohol use occurred. Employees who are being disciplined for being impaired by or under the influence of cannabis while working or while on call will be provided a reasonable opportunity to contest the basis of the College's determination.

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable;
2. Being used in a manner different than prescribed;
3. Legally obtainable, but has not been legally obtained; or
4. Referenced in federal or state controlled substance acts.

Employees employed on a grant provided by a state or federal agency and convicted of a violation of a criminal drug statute are required to notify the Associate Vice President of Human Resources of this fact within five (5) days of their conviction. The College must notify the granting agency within ten (10) days of receiving notice from the employee, or otherwise receiving actual notice of such conviction. The College shall impose appropriate sanctions within thirty (30) days following notification of conviction.

Current Policy with Edits

6.1.5 SMOKE AND TOBACCO-FREE CAMPUS (Previously 2.4.7, Revised 11/20/14 and 02/27/20)

To promote a safe, clean and healthy learning environment, and in compliance with the ~~Illinois~~-*Smoke-Free Campus Act* (110 ILCS 64/1, et seq.), McHenry County College prohibits the use of tobacco and cannabis products inside College facilities, College vehicles, and on all College ~~property~~premises. This includes the burning of any type of cigar, cigarette, pipe, joint, blunt, electronic cigarette, or any other smoking equipment. The use of smokeless/chewing tobacco and consumable cannabis products is also prohibited.

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

Proposed Policy

6.1.5 SMOKE AND TOBACCO-FREE CAMPUS (Previously 2.4.7, Revised 11/20/14 and 02/27/20)

To promote a safe, clean and healthy learning environment, and in compliance with the *Smoke-Free Campus Act* (110 ILCS 64/1, et seq.), McHenry County College prohibits the use of tobacco and cannabis products inside College facilities, College vehicles, and on all College premises. This includes the burning of any type of cigar, cigarette, pipe, joint, blunt, electronic cigarette, or any other smoking equipment. The use of smokeless/chewing tobacco and consumable cannabis products is also prohibited.

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