

*Northeast Alabama Community College*

2023-24

**EMPLOYEE  
HANDBOOK**



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# General Information

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## Welcome

The *Employee Handbook* is compiled and maintained by the Office of Human Resources with the cooperation and assistance of each administrative, curricular, and educational support office. We hope you find the Handbook a useful source of information. Questions, comments, and suggestions are welcome.

Policies and procedures are regularly reviewed and revised. The College reserves the right to change any statement, policy, or procedure herein as well as to establish new policies and procedures without prior notice. Such changes become effective as of the date of their enactment unless otherwise specified within the action itself. Any changes in federal or state law, Alabama Community College System policy, or Northeast Alabama Community College policy and procedures affecting the contents of this publication will automatically supersede or otherwise modify the contents herein. The *Employee Handbook* does not establish contractual relationships.

Efforts have been made to present information, policies, and procedures accurate at the time of publication. No responsibility is assumed for typographical, editorial, printing, or online posting errors. Individuals or entities outside the realm of Northeast Alabama Community College who wish to use material from this publication may submit a request to the Human Resources Director.

Dr. David Campbell, President

## Nondiscrimination Policy

It is the official policy of the Alabama Community College System Board of Trustees and entities under its direction and control, including Northeast Alabama Community College, that no person shall be discriminated against on the basis of any impermissible criterion or characteristic, including, without limitation, race, color, national origin, religion, marital status, disability, sex, age, or any other protected class as defined by federal and state law. (Sources: ACCS Board of Trustees Policies 601.02 – 4/13/16 and 800.00 – 5/10/17) Updated: 12/13/2017

Contact persons designated by the President of Northeast Alabama Community College for various concerns are as follows:

**Title VI of the Civil Rights Act of 1964 (race, color, national origin):**

Lynde Wheeler, 116 Charles Pendley Administration Building

**Title IX of the Educational Amendments of 1972 (gender equity, sexual harassment):**

Lynde Wheeler, 116 Charles Pendley Administration Building

**Titles I and V of the Americans with Disabilities Act of 1990:**

Riley Holland, 109 Student Center

## Equal Employment Opportunity Policy

The Alabama Community College System Board of Trustees and the entities under its direction and control are equal opportunity employers. It is their policy to provide equal opportunity for employment and advancement to all applicants and employees as required by appropriate federal and state law.

## Accreditations and Institutional Memberships

Northeast Alabama Community College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award the Associate degree. Northeast Alabama Community College also may offer credentials such as certificates and diplomas at approved degree levels. Questions about the accreditation



of Northeast Alabama Community College may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).

The Associate Degree and Practical Nursing Programs are accredited by the Accreditation Commission for Education in Nursing (ACEN) (3343 Peachtree Road NE, Suite 850, Atlanta, GA 30326; 404-975-5000, Fax 404-975-5020; [www.acenursing.org](http://www.acenursing.org)). View the public information disclosed by the ACEN regarding this program at <https://www.acenursing.org/search-programs/>.

The nursing programs are also approved by the Alabama Board of Nursing (P.O. Box 303900 Montgomery, Alabama 36130-900; Phone 1-800-656-5318). Information from these programs may be obtained at <http://www.abn.alabama.gov>.

The EMS Community Training Center is accredited by the American Heart Association (7272 Greenville Avenue, Dallas, Texas 75231; 800-242-8721).

The Paramedic Program is accredited by the Commission on Accreditation of Allied Health Education Programs ([www.caahep.org](http://www.caahep.org)) upon the recommendation of the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP). (Commission on Accreditation of Allied Health Education Programs, CAAHEP: 25400 U.S. Highway 19 North, Suite 158, Clearwater, FL 33763, (Phone: 727-210-2350, [www.caahep.org](http://www.caahep.org)). (CoAEMSP: 8301 Lakeview Parkway, Suite 111-312, Rowlett, TX 75088, Phone: 214-703-8445, [www.coaemsp.org](http://www.coaemsp.org)).

The Medical Assisting Technology Program is approved by the American Medical Technologists (AMT) (10700 West Higgins, Suite 150, Rosemont, IL 60018; 800-275-1268).

The Industrial Electronics program is approved by Electronics Technicians Association International (ETA International) (5 Depot Street, Greencastle, IN 46135; 800-288-3824).

Northeast Alabama Community College is a member of the following:

- Southern Association of Colleges and Schools Commission on Colleges
- American Association of Community Colleges
- Alabama Community College Association
- National Association for Developmental Education
- National League for Nursing
- League for Innovation in the Community College
- National Career Development Association
- NACADA Global Community for Academic Advising

## Section I: Introduction

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### NACC Today

Northeast Alabama Community College (NACC) is a public community college strategically located near Rainsville, Alabama, on the Jackson-DeKalb County line. The college began classes in September 1965 with 380 freshmen. The Fall 2022 semester saw 2,590 students enrolled in credit courses. The institution's third president, Dr. David Campbell, was appointed in July 2001.

The college mission – “to provide accessible quality educational opportunities, promote economic growth, and enhance the quality of life for the people of Alabama” – is consistent with that of the Alabama Community College System. Offerings include general education transfer courses, career and technical education, customized business and industry training, workforce development, and adult education. NACC offers the Associate in Art, Associate in Science, and Associate in Applied Science degrees as well as certificate programs.

The campus currently consists of 18 buildings situated on 117 acres. The newest facility is the Mathematics, Science, and Engineering Technology Center, which opened for classes in Summer 2014. The Center includes space for classrooms, laboratories, and faculty offices. In addition to the main campus, NACC offers a Salon and Spa Management Program at the NACC Salon Institute in Scottsboro.

In Fall 2022, the College offered dual enrollment/dual credit classes at 18 area high schools, including courses at the DeKalb County Technology Center, the Ernest Pruet Center of Technology, and the Marshall County Technical Center.

NACC has a strong academic transfer program. *Alabama Transfers* coordinates transfer among two- and four-year public colleges and universities in Alabama. *Alabama Transfers* enhances advising to ensure a successful transfer experience for students. NACC transfer students consistently achieve success at their transfer institutions. Approximately 60% of degree students are enrolled in transfer programs.

The Workforce Development Division is well respected in the business and industry community and across the state. Local companies have partnered with NACC to help provide for their workforce needs and to develop existing talent. The college offers Associate in Applied Science (AAS) degrees, certificates, and short-term certificates in a variety of disciplines, including healthcare, manufacturing, industrial, service industry, and business-related.

The Skills Training Division and Northeast Alabama Workforce Solutions work with the Alabama Technology Network (ATN) Center on campus to provide education, training, workshops, and customized on-site technical assistance and problem solving for area businesses and industry. ATN is a cooperative program of the Alabama Community College System, the University of Alabama System, Auburn University, and the Economic Development Partnership of Alabama.

The Northeast Alabama Adult Education Program is operated, managed, and headquartered at NACC and provides training at locations throughout DeKalb, Jackson, and Marshall Counties. Academic instruction from basic skills to college-level coursework is provided at no charge to anyone age 17 or older and not enrolled in a K-12 school. Areas of instruction include reading, writing, math, social studies, science, GED, Accuplacer, ACT prep, college brush-up, and English as a Second Language.

Campus and community life are enhanced by a variety of cultural activities, including the widely acclaimed theatre program, playing to approximately 15,000 patrons each season; the Latino Festival; Music on the Mountain; the Arts & Humanities Speaker's Forum; and a partnership with the Alabama Ballet. The NACC Health Lecture Series provides valuable health-related information to both the NACC community and the public at large. An inviting walking and nature trail, open to the public, encircles a four-acre lake on the north end of campus and includes an outdoor classroom and picnic area. Wireless internet service is available throughout the entire campus, with access available to the public, and the Learning Resources Center provides community library services.

## History of the Institution

Northeast Alabama Community College (NACC) was created as one of 12 junior colleges by the Alabama State Legislature during the first administration of Governor George C. Wallace (Act No. 93, approved May 3, 1963). The College was named Northeast Alabama State Junior College.

Numerous individuals and organizations were instrumental in locating the College on the DeKalb-Jackson County line. The DeKalb County Board of Commissioners and the Jackson County Board of Revenue collectively donated a 60-acre site for the College, 30 acres from each county. An additional 35 acres were purchased in 1969, 5.54 in 1982, 2.7 in 1991, 10 in 1996, and 3.76 in 2008. Additionally, 1.7 acres were donated in 1996. The NACC campus now consists of more than 117 acres and 18 buildings, with a credit enrollment of approximately 2,590 (Fall 2022). In addition to the main campus, NACC offers a Salon and Spa Management Program at the NACC Salon Institute in Scottsboro.

Dr. Ernest Rudder Knox was appointed on April 17, 1964, to work with the Alabama State Board of Education in planning the junior college program. He was appointed the first president of Northeast Alabama State Junior College on October 9, 1964, serving the College for 18 years.

Dr. Charles M. Pendley was appointed second president of Northeast Alabama State Junior College on July 1, 1982. Under his leadership, the E. R. Knox Science Laboratory Building, Tom Beville Lyceum, and Beville Administration Building (renamed Charles M. Pendley Administration Building in 2002) were added to the campus. Dr. Pendley served the College for 36 years. Upon Dr. Pendley's death in March 2001, Dr. William Osborn served as interim president. On July 10, 2001, by a unanimous vote of the Alabama State Board of Education, Dr. David Campbell was named the third president of Northeast Alabama Community College. Dr. Campbell has overseen the completion of the Technology Center (DDT and ILT facilities); construction of the Health Education and Workforce Development Center and the NACC walking trail; the opening of the NACC Salon Institute; establishment of an English instruction

and writing center; establishment of the College and Career Planning Center; completion of the Industrial Systems Technology building and the Mathematics, Science, and Engineering Technology Center; expansion of the campus; and numerous other improvements to campus, including extensive landscaping projects.

The College began operation on the quarter system (fall, winter, spring, and summer). The first classes began September 30, 1965, with an enrollment of 380 students. Beginning fall 1998, Northeast converted to the semester system (fall, spring and summer). NACC provides traditional day and evening classes as well as online and dual enrollment classes.

NACC became a community college upon action of the State Board of Education on May 14, 1992. This action gave approval for the development of a technical division and changed the name to Northeast Alabama State Community College. On November 12, 1996, the name of the College was shortened to Northeast Alabama Community College.

## Section II: Institutional Mission and Effectiveness

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### The Alabama Community College System

The Alabama Community College System is governed by the Alabama Community College System Board of Trustees and is dedicated to excellence in delivering academic education, adult education, and workforce development. (Board Policy 101.01, 01/09/19)

### Northeast Alabama Community College Mission Statement

The mission of Northeast Alabama Community College is to provide accessible quality educational opportunities, promote economic growth, and enhance the quality of life for the people of Alabama.

#### Goals

To accomplish the mission, Northeast Alabama Community College has established the following goals or intended results:

1. An “open door” admission policy which ensures nondiscriminatory educational opportunities for individuals regardless of race, color, disability, sex, religion, creed, national origin, or age.
2. Available, accessible, and affordable courses that provide quality instruction in general education at the freshman and sophomore levels that lead to the attainment of specified learning outcomes, a certificate, associate degrees, and transfer to senior institutions.
3. Available, accessible, and affordable courses that provide quality instruction in career and technical programs that lead to the attainment of specified learning outcomes, certificates, associate degrees, or institutional awards, and employment in the field of study.
4. Developmental and adult basic education which assists individuals who need to improve their basic learning skills and supports individuals lacking college preparatory backgrounds.
5. Student services which assist individuals to formulate and achieve career, educational and personal goals through academic advisement services and provide opportunities to participate in social and cultural activities.
6. Recruitment and retention of qualified personnel who are afforded professional development opportunities and institutional support needed to provide quality postsecondary education.
7. Services and training specifically designed and delivered to meet the needs of local business, industry, community organizations, and governmental agencies.
8. Community services which support personal growth, cultural enrichment, and societal activities; provide access to college facilities for community activities; and promote community, social, and economic improvement.
9. Procurement and administration of financial resources in an effective manner.
10. Provision for and maintenance of a physical plant with instructional facilities and technology which provide a safe learning environment and are suitable for all the institution's programs and services.

# Institutional Effectiveness and the Institutional Management Plan

Northeast Alabama Community College engages in ongoing, comprehensive, and integrated research-based planning and evaluation processes. The processes focus on institutional quality and effectiveness and incorporate a systematic review of institutional goals and outcomes consistent with its mission. The basis of the process is the institutional mission statement. The Institutional Management and Planning Committee annually establishes directive goals based on the institutional mission statement. The Directive Goals are the Committee’s vision for enhancing the mission’s fulfillment over the next three years. Each curricular, administrative, and academic/student support unit then sets annual goals for itself within the mission statement and the established three-year directive goals. These planning activities align with the Alabama Community College System Board Policy 900 and its Chancellor’s Procedures and the Southern Association of Colleges and Schools Commission on Colleges Principles of Accreditation Section 7.1: Institutional Planning and Effectiveness.

The directive goal statements and the curricular, administrative, and academic/student support unit goals are brought together as part of the annual management plan developed by the Institutional Management and Planning Committee. Additionally, in the summer, each curricular, administrative, and academic/student support unit evaluates the accomplishment of its own annual goals, determines how results of the evaluation can be utilized to improve the functioning of the unit, and reports to the President.

The annually updated management plan spans three years. The intent of the management and planning process is to validate and enhance the fulfillment of the Northeast Alabama Community College mission in all aspects of college functioning and service.

The institutional research function within the Office of Institutional Planning and Assessment (OIPA) provides data and information to assist in assessing the extent to which the goals are met and how effective the College is in fulfilling its overall mission. This information is published annually in *Information on Fulfillment of the Mission*. OIPA also publishes the annual *NACC Fact Book*, a snapshot of NACC based on current and historical data.

Additional components in the effectiveness process include scheduled program reviews, reviews of general education and program learning outcomes, and student achievement data.

## Evaluation Process

Evaluation at Northeast Alabama Community College is one component of the ongoing, comprehensive, and integrated research-based planning and evaluation system based upon the institutional mission. The overall purpose of the process is to assess the College’s effectiveness in accomplishing its mission and to ensure continuing improvement of programs and services. The NACC evaluation process includes the evaluation of all personnel; the evaluation of student attainment of general education and program learning outcomes; the evaluation of programs; the evaluation of annual goals for all offices and academic divisions and programs; and the evaluation of college services and facilities. The personnel evaluation process is coordinated by the Human Resources Director, who reports to the President. All other evaluation processes are coordinated by the Director of Institutional Planning and Assessment, who reports to the President.

## Summary of Evaluation Procedures and Reporting of Results

### Summary of Evaluation Procedures and Reporting of Results

Mission Goal	Procedure	Results
Overall Mission Statement	Yearly review by the Institutional Management and Planning Committee and an extensive review conducted every two years to include input from faculty, staff, administration, and the College community	Provided to the Academic Divisions, the Administration, and the Purpose Review Committee (subcommittee of Institutional Management and Planning (IMP) Committee for 2nd year extensive review). Mission Statement revised upon recommendation of Purpose Review Committee and approval of IMP Committee
	Assessment of the annual goals of each curricular, administrative, and educational support unit of the College	Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results



An "open door" admission policy which insures nondiscriminatory educational opportunities for individuals regardless of race, color, disability, sex, religion, creed, national origin, or age.	Review of enrollment data based on age, race, ethnicity, and gender provided by the Office of Institutional Planning and Assessment	Provided to all NACC personnel through publication of the Fact Book and Information on Fulfillment of the Mission
	Analyses of enrollment	Provided to all NACC personnel through publication of the Fact Book and Information on the Fulfillment of the Mission
	Comparison of NACC tuition with that of other institutions	Provided to all NACC personnel through publication of the Information on the Fulfillment of the Mission
	Student Evaluation of Campus Services and Facilities	Provided to the Curricular Divisions, the Administration, and the Institutional Management and Planning Committee. Also published online
	Analysis of course schedules by the Office of Institutional Planning and Assessment	Reviewed by deans and division directors to inform both current and subsequent scheduling processes
Available, accessible, and affordable courses that provide quality instruction in general education at the freshman and sophomore levels that lead to the attainment of specified learning outcomes, a certificate, associate degrees, and transfer to senior institutions.	Proficiency Profile testing each spring by the Office of Institutional Planning and Assessment	Provided to the Curricular Divisions, the Administration, and the Institutional Management and Planning Committee. Provided to all other NACC personnel through publication online and Information on Fulfillment of the Mission

**Summary of Evaluation Procedures and Reporting of Results**

<b>Mission Goal</b>	<b>Procedure</b>	<b>Results</b>
Available, accessible, and affordable courses that provide quality instruction in general education at the freshman and sophomore levels that lead to the attainment of specified learning outcomes, a certificate, associate degrees, and transfer to senior institutions. (continued)	Review of programs to determine the extent to which specified general education and/or program learning outcomes (PLOs) are attained by students. Measurement of PLOs are performed by instructor and PLO summary reviews by division and program directors/coordinators	Provided to division and program personnel for the enhancement and/or improvement of course delivery methods and program outcomes
	Annual Summary Report: Student Attainment of General Education Outcomes	Provided to the Curriculum Committee, the Institutional Management and Planning Committee, and to all personnel through publication online and in Information on Fulfillment of the Mission
	Transfer rates (obtained from the National Student Clearing House)	Provided to all NACC personnel through publication of the Information on Fulfillment of the Mission
	Instructional program reviews conducted by division/program leaders	Provided to the Administration and the Curriculum Committee and published online
	Assessment of the annual goals of each curricular unit	Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results Unit Goals, Evaluation, Use of Results
	Student Evaluation of Academic Advising	Provided to individuals evaluated and to immediate supervisors; college-wide summary report published online
	Alumni Survey	Provided to the Institutional Management and Planning and Institutional Effectiveness Committees and published online
Available, accessible, and affordable courses that provide quality instruction in career and technical programs that lead to the attainment of specified learning outcomes, a certificate, associate degrees, or institutional awards, and employment in the field of study.	Analyses of enrollment	Provided to all NACC personnel through publication of the <i>NACC Fact Book and Information on Fulfillment of the Mission</i>
	Comparison of NACC tuition with that of other institutions	Provided to all NACC personnel through publication of the <i>Information on Fulfillment of the Mission</i>
	Student Evaluation of Campus Services and Facilities	Provided to the Curricular Divisions, the Administration, and the Institutional Management and Planning Committee. Also published online
	Analysis of course schedules by the Office of Institutional Planning and Assessment	Reviewed by deans and division directors to inform both current and subsequent scheduling processes

**Summary of Evaluation Procedures and Reporting of Results**

<b>Mission Goal</b>	<b>Procedure</b>	<b>Results</b>
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Available, accessible, and affordable courses that provide quality instruction in career and technical programs that lead to the attainment of specified learning outcomes, a certificate, associate degrees, or institutional awards, and employment in the field of study. (continued)	Instructional program reviews conducted by division/program leaders	Provided to the Administration and the Curriculum Committee and published online
	Review of programs to determine the extent to which specified general education and/or program learning outcomes (PLOs) are attained by students. Measurement of PLOs are performed by instructor and PLO summary reviews by division and program directors/coordinators	Provided to division and program personnel for the enhancement and/or improvement of course delivery methods and program outcomes
	Assessment of the annual goals of each curricular unit	Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results
	Student Evaluation of Academic Advising	Provided to individuals evaluated and to immediate supervisors; college-wide summary report published online
	Alumni Survey	Provided to the Institutional Management and Planning and Institutional Effectiveness Committees and published online
	Job placement rates compiled by the Office of the Dean of Workforce Development.	Published in the Information on the Fulfillment of the Mission
	Assessment of student retention and success in developmental courses	Provided to the Developmental Studies Committee, the Director of Developmental Studies, the Curricular Divisions, and the Administration. Provided to all NACC personnel through publication of Information on Fulfillment of the Mission
	Assessment of student progress in college-level courses attempted subsequent to developmental courses	Provided to the Developmental Studies Committee, the Director of Developmental Studies, the Curricular Divisions, and the Administration. Provided to all NACC personnel through publication of Information on Fulfillment of the Mission
	Assessment of the annual goals of the Developmental Studies and Adult Basic Education Programs	Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results
	Developmental and adult basic education which assists individuals who need to improve their basic learning skills and supports individuals lacking college preparatory backgrounds.	

**Summary of Evaluation Procedures and Reporting of Results**

<b>Mission Goal</b>	<b>Procedure</b>	<b>Results</b>
Student services which assist individuals to formulate and achieve career, educational and personal goals through academic advisement services and provide opportunities to participate in social and cultural activities.	Student Evaluation of Campus Services and Facilities	Provided to the Curricular Divisions, the Administration, and the Institutional Management and Planning Committee. Also published online
	Compilation of descriptions of student services provided at NACC	Provided to all NACC personnel through publication of Information on Fulfillment of the Mission
	Assessment of the annual goals of the Office of Student Services	Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results
	Community College Survey of Student Engagement (CCSSE) and Survey of Entering Student Engagement (SENSE)	Provided to the Curricular Divisions, the Administration, the Advising Committee, and the Institutional Management and Planning Committee. Also published online
Recruitment and retention of qualified personnel who are afforded professional development opportunities and institutional support needed to provide quality postsecondary education.	Faculty Self-Evaluation/Professional Development Plan	Provided to immediate supervisors and to the Office of Institutional Planning and Assessment
	Survey of personnel satisfaction with NACC in-service activities	Provided to the Professional Development Committee, Curricular Divisions, the Administration, and the Institutional Management and Planning Committee and published in Information on Fulfillment of the Mission
	Documentation of participation in professional development activities	Provided to all personnel through publication of Information on Fulfillment of the Mission
	Evaluation of personnel	Provided to individuals evaluated and immediate supervisors
Services and training specifically designed and delivered to meet the needs of local business, industry, community organizations, and governmental agencies.	Survey of businesses, industries, community organizations, and governmental agencies by the Office of Workforce Development and Skills Training	Provided to Curricular Divisions, the Administration, and the Institutional Management and Planning Committee
	Documentation of services and training opportunities	Provided to all NACC personnel through publication of Information on Fulfillment of the Mission
	Assessment of the annual goals of the Office of Workforce Development and Skills Training	Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results
Community services which support personal growth, cultural enrichment, and societal activities; provide	Documentation of NACC community service activities	Provided to all personnel through publication of Information on Fulfillment of the Mission

access to college facilities for community activities; and promote community, social, and economic improvement.

Assessment of the annual goals of the Office of High School Relations and Event Planning

Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results

**Summary of Evaluation Procedures and Reporting of Results**

**Mission Goal**

**Procedure**

**Results**

Procurement and administration of financial resources in an effective manner.

Assessment of the annual goals of the Office of Administrative Services

Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results

Analysis of the financial resources of the College

Provided to all NACC personnel through publication of the NACC Fact Book and Information on Fulfillment of the Mission

Assessment of extent to which the facilities and technology adequately support achievement of institutional goals

Provided to all personnel through publication of Information on Fulfillment of the Mission

Provision for and maintenance of a physical plant with instructional facilities and technology which provide a safe learning environment and are suitable for all the institution's programs and services.

Student Evaluation of Campus Services and Facilities

Provided to the Curricular Divisions, the Administration, and the Institutional Management and Planning Committee. Also published online

Assessment of the annual goals of the Director of the Physical Plant

Provided to all personnel through publication of Unit Goals, Evaluation, Use of Results

## Review of Mission Statement

A regular schedule for the review of the mission statement has been developed by the Institutional Management and Planning Committee. This committee reviews the mission statement yearly as a part of its planning process. Every other year a more extensive review is conducted (ACCS Board Policy 901.1, 7/11/18). This review contains input from faculty, administrators, staff, students, and community representatives.

## Vision: Institutional Directive Goals

The articulation of the vision, or institutional directive goals, for the upcoming three academic years takes place each summer or as directed by the President. A typical session for developing the directive goals may invite each member of the Institutional Management and Planning (IMP) Committee individually to list three to five key elements seen as directions or developments for the institution over the next three years. These lists are presented to the President, who considers the submissions in formulating the shared vision of the IMP Committee. All institutional directive goals must be supportive of the mission. The institutional directive goals are distributed to all personnel of the College and serve as a focus for planning by the various curricular, administrative, and academic/student support units.

## Division and Office Purpose

Each division, program, or office articulates a purpose for that unit. The unit purpose is a succinct statement showing the role of that division, program, or office within the institutional mission statement.

## Division and Office (Unit) Goals: Institutional Effectiveness Plans

To pursue high quality and effectiveness, each curricular, administrative, and academic/student support unit of the College establishes annual goals at the beginning of the fall semester. These goals fall within the unit purpose, linking the division, program, or office to the College Mission Statement. An annual statement of the annual goals and subsequent evaluation methods is submitted to the Director of Institutional Planning and Assessment.

Each curricular, administrative, and academic/student support unit evaluates its goals during the summer semester of each academic year. Information obtained from this review provides direction for improvement within the unit and documents the effectiveness of the curricular, administrative, and academic/student support unit in fulfilling the College mission as it relates to the various work units. Each unit submits a report to the Office of Institutional Planning

and Assessment by the end of the summer term annually. This report describes how the goals have been evaluated and how results of this evaluation either have been or will be used for curricular, administrative, and academic/student support unit improvement.

## Institutional Research

The institutional research function within the Office of Institutional Planning and Assessment assembles data and other information that may be needed by college personnel to fulfill the College mission. Requests are directed to the office as needed.

## Institutional Management Plan Compilation and Implementation

The Institutional Management Plan (IMP) addresses curriculum issues, student services, marketing and public relations, economic development, personnel, finance and accounting, management information services, physical plant, and institutional effectiveness.

The institutional directive goals and the unit goals are compiled by the Director of Institutional Planning and Assessment and the IMP Committee into the annual plan. The institutional management plan is completed each fall. The completed plan is made available to all personnel on the College website or in hard copy by request.

## Institutional Effectiveness, Planning, and Management Calendar

### Planning and Evaluation Processes Timeline

August	Administrative, curricular, and educational support unit goals set and reported to the Office of Institutional Planning and Assessment for inclusion in the Institutional Management Plan.
September	
August	Faculty complete a self-evaluation plan and set annual individual goals for professional development.
September	Survey of Entering Student Engagement (SENSE)
September	Compilation of institutional planning goals and curricular, administrative, and academic/student support unit goals into Institutional Management Plan, distributed to members of the IMP Committee and available online to all personnel, students, and the public.
October	
December	Evaluation of Campus Services & Facilities Part 1
December	Evaluation of instruction by students.
January	
February	Compilation of information about the College, its students, and the service-area population based upon current and historical data in NACC Fact Book
March	
March	Evaluation of academic advisement by students.
February	Administration of Proficiency Profile Assessment
March	Instructional Program Reviews completed and reported to Office of Institutional Planning and Assessment and Curriculum Committee.
March	Compilation of information concerning success and retention in distance education courses for the previous academic year.
March	Evaluation of developmental studies and math lab services by students.
April	Community College Survey of Student Engagement (CCSSE)
	Evaluation of Campus Services & Facilities Part 2
	Annual Evaluation of personnel by immediate supervisor.
April	
May	Alumni Survey available to degree and certificate program completers of the previous academic year [every other year in odd years].
June	Analysis of institutional success in fulfilling each of the stated goals of the College mission. Published in <i>Information on Fulfillment of the Mission</i> , distributed to members of the IMP Committee and available online to all personnel, students, and the public.

	Evaluation of extent to which division and unit goals have been attained through the year; evaluation and use of evaluation results reported to the President and the Office of Institutional Planning and Assessment. Published in <i>Unit Goals, Evaluation, Use of Results</i> , available both in print and online to all personnel, students, and the public.
July	IMP Committee meets to review <i>Information on Fulfillment of the Mission</i> and set Directive Goals for three-year period, which are distributed to all personnel for use in planning and setting annual unit goals. IMP Committee members begin work on annual update to the <i>Institutional Management Plan</i> . Every other year, constituency review of Mission coordinated by IMP Committee ( <i>ad hoc</i> Purpose Review Committee appointed by President).
August	Compilation of results of program learning outcomes and general education outcomes assessments, with results reported to the Office of Institutional Planning and Assessment.
September	

## Section III: Organizational Structure

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### Alabama Community College System Board of Trustees

The Alabama Community College System Board of Trustees plays a critical role in the education of hundreds of thousands of adults each year. The Trustees serve as guardians for the Alabama Community College System's missions and goals, with the Governor serving as chair of the Board by virtue of elected office. Remaining board members are appointed from eight districts, with one statewide member and an ex-officio liaison from the State Board of Education (ACCS Website, September 17, 2019).

Meeting quarterly, board member duties include

- designating rules and regulations for the government of community and technical colleges,
- prescribing the course of study to be offered and the conditions for granting certificates, diplomas and/or degrees,
- accepting gifts, donations, property, and devices for the benefit of community and technical colleges, and
- establishing a performance-based allocation process that is equitable and compatible with the services and programs offered by each individual campus.

Governed by the Alabama Community College System Board of Trustees, the Alabama Community College System consists of 23 comprehensive community colleges and technical colleges; Marion Military Institute, one of five junior military colleges in the nation; and the Alabama Technology Network, an extensive workforce development initiative.

The Alabama Community College System's commitment to access is characterized by statewide geographical locations, open enrollment, and low-cost tuition, as well as a variety of programs and services that remove barriers to college entrance, education pathways, and workforce training opportunities. In addition, thousands of citizens statewide enjoy access to our facilities for community activities and enrichment programs.

The Alabama Community College System is committed to providing a unified system of institutions delivering excellence in academic education, adult education, and workforce development.

The Alabama Community College System provides

- General education and other collegiate programs at the freshman and sophomore levels to prepare students for transfer to four-year institutions to complete baccalaureate degrees.
- Adult Education to focus on improving individuals' skills, productivity, and training with GED preparation and testing, basic skills, and English as a Second Language.
- Workforce development initiatives to provide customized, flexible, short-term training programs that are responsive to industry needs—from highly specialized training to programs that help prepare entry level employees to meet growing demands.

### Chancellor

For the purpose of assisting the Alabama Community College System Board of Trustees (Board) in carrying out its authority and responsibility for the community and technical colleges, the Board shall appoint a Chancellor who will also be Chief Executive Officer of the Alabama Community College System. The Chancellor shall serve at the



pleasure of the Board and perform such duties as are provided in Alabama law or otherwise as are assigned by the Board. The Board may enter into a contract with the Chancellor for his or her services for a period not to exceed four years. The Chancellor shall be a person of good moral character with academic and professional education equivalent to graduation from a regionally accredited university or college, who is knowledgeable in postsecondary institution administration, and has training and experience sufficient to qualify him or her to perform the duties of the office. A vacancy in the position of Chancellor shall be filled by the Board within 180 days after such a vacancy occurs. The Board may temporarily fill the position on an interim basis for not more than two six-month periods. Notice of a vacancy in the position of Chancellor shall be posted by the Board. The notice shall be posted on the Internet and in a conspicuous place at each postsecondary school campus and worksite, including all state and local Board of Education offices, at least 30 calendar days before the position is to be filled (Board Policy 102.01: Chancellor – Appointment, 4/13/2016).

The authority and responsibility for the operation, management, control, supervision, maintenance, regulation, improvement, and enlargement of community and technical colleges shall be vested in the Chancellor, subject to the approval of the Board (Board Policy 102.02: Chancellor: Responsibility for Operation of the Colleges, 4/13/2016).

Chancellor shall act as Chief Executive Officer of the Alabama Community College System and shall direct all matters involving the community and technical colleges within the policies of the Board (Board Policy 102.03: Chancellor: Powers and Duties, 4/13/2016).

Except where otherwise clearly indicated herein, the Board shall delegate to the Chancellor the authority to act and make decisions concerning the management and operation of the Alabama Community College System. The Presidents of the community and technical colleges shall be responsible to the Chancellor for the day-to-day operation of the colleges (Board Policy 102.04, Chancellor: Decision-making Authority, 4/13/2016).

## Organizational Charts

Organizational charts for the institution are updated each fall and as needed throughout the year. These are available on the College website and are printed annually in the *Institutional Management Plan*.

## Operational Procedures

Each administrative, curricular, and academic/student support unit shall maintain a current procedures manual, to include at a minimum the following:

- Unit Purpose
- Organization
- Responsibilities
- Detailed list of Operational Procedures, to include checklists for specific tasks or processes.

The supervisors of each unit should update the manual annually.

## Position Descriptions

Position descriptions for all positions are on file in the President's Office and within each personnel record. Questions regarding specific assignments directed to the Human Resources Director.

## Administrative and Curricular Units

NACC has the following administrative and curricular units, which are responsible for establishing annual goals to fulfill the College mission.

### **Administrative Support**

President

Dean of Instruction

Associate Dean of Instruction

Athletics

Financial Services (Business Office)

Development

Event Planning and Alumni Relations

High School Relations and Recruiting  
Human Resources  
Institutional Planning and Assessment and SACSCOC Accreditation Liaison  
Physical Plant  
Promotions and Marketing  
Security (Campus Police)  
Workforce Development and Skills Training

### ***Academic and Student Support***

Admissions  
Adult Education  
Advising  
Assistant Registrar  
College and Career Planning Center  
Developmental Studies/Center for College Success  
Distance Education  
Dual Enrollment  
Educational Technology  
Financial Aid  
Technology Learning Center

### ***Curricular***

Advanced Design and Manufacturing  
Building Construction  
Business and Computer Science Division  
Child Development Program  
Computer Information Systems (CIS) Program  
Criminal Justice Program  
Emergency Medical Services Program  
Engineering Technology Program  
English and Fine Arts Division  
Industrial Electronics (Mechatronics) Program  
Industrial Systems Technology Program—Electrical/Instrumentation & Multi-Skilled  
Industrial Systems Technology Program—Mechatronics  
Industrial Systems Technology Program—Welding Technology  
Library  
Mathematics Division  
Medical Assistant Program  
Natural Sciences Division  
Nursing—ADN  
Nursing—PN  
Office Administration Program  
Salon and Spa Management Program  
Social Sciences, Speech, and Foreign Languages Division

## **Committee Structure**

### **Purpose and Procedures**

The utilization of committees facilitates broad-based participation of College personnel in the governance and growth of the College. Committee recommendations or questions should be brought to the attention of the administrator responsible for the area of assignment. Adjunct instructors are welcome to serve on college committees although it is understood that their limited hours may preclude attendance at some meetings.

The individual designated as chair of a committee is responsible for calling meetings on a regular basis and for maintaining meeting minutes. Committee members who may be unable to attend a meeting should be included, along with attending members, in the distribution of the minutes. Additionally, copies of the minutes are to be filed with (1) the administrator responsible for the area of committee assignment, (2) the Dean of Instruction, and (3) the Office of Institutional Planning and Assessment.

### **Selection and Appointment**

Administrators and staff are appointed to committees upon hire, and these appointments are adjusted as deemed necessary by the President. At the beginning of the academic year, full-time faculty are given the opportunity to

complete the annual Faculty Committee Preferences Survey, which includes an option to indicate three committees to which they wish to be appointed. These preferences are taken into consideration in appointing or updating committee assignments for the year by the President or the President's designee.

When needed for accreditation review purposes, additional committees answering to the local SACSCOC Accreditation Leadership Team will be appointed. *Ad hoc* or additional standing committees may be established as needed by the President and/or persons designated by the President.

Membership on some committees, such as the Faculty Council and the Sick Leave Bank Committee, is established by set guidelines that include election by peers and appointment by the President. Otherwise, selection of individuals for placement on a committee is guided by the effort to have broad-based representation and the expertise to accomplish the committee work, as well as by indicated interest on the part of faculty members. Each individual is notified of committee assignments by administrative memorandum.

## Committee Descriptions

### **Admissions Committee**

The Admissions Committee reviews the qualifications of applicants who need further clarification for admission (non-accredited schools, appeals of suspension, etc.). The Admissions Committee meets periodically to review admission forms, standards, and procedures; additional meetings are called as needed. This committee is chaired by the Dean of Student Services.

### **Advising Committee**

The Advising Committee coordinates efforts to ensure that every academic advisor is knowledgeable, equipped, and available to most effectively assist students with setting and achieving their academic and career goals. The committee meets as needed.

### **Awards Committee**

The Awards Committee coordinates student awards and the presentation of awards. The committee meets as needed.

### **Campus Beautification Committee**

The Campus Beautification Committee develops and reviews plans to enhance the appearance of the campus. The committee meets as needed.

### **Campus Safety and Security Committee**

The purpose of the Campus Safety and Security Committee is as follows:

- To assure that appropriate health and safety standards are maintained
- To assure that appropriate federal and state statutes are observed
- To provide periodic review of the comprehensive campus safety plan and its implementation
- To maintain strategic plans for campus security

The committee meets as needed.

### **Curriculum Committee**

The Curriculum Committee works with the Dean of Instruction to maintain a curriculum that will meet student needs and comply with accreditation requirements, articulation guidelines, and relevant business and industry standards. The committee hears applications for course or program additions to or removals from the Curriculum and meets at least once each semester. The committee chair or the Dean of Instruction may call additional meetings as needed.

### **Developmental Studies**

The Developmental Studies Committee works with the Curriculum Committee and the Dean of Instruction to evaluate and strengthen developmental programs. The committee monitors and may recommend adjustments to the processes of student assessment and placement for developmental studies. The committee meets as needed.

**Discipline Committee**

The Discipline Committee establishes guidelines for discipline and considers discipline for students whose behavior is not conducive to an effective learning environment or is out of compliance with College rules or policies. The committee meets as needed. Due process procedures are followed in any case of disciplinary action.

**Distance Education Committee**

The Distance Education Committee formulates institutional policy regarding distance education and makes those policy recommendations to the President. The committee stays informed of the policies of the Alabama Community College Board of Trustees and SACSCOC requirements and suggests institutional distance education policy revisions to the President. The committee meets as needed.

**Diversity Committee**

The Diversity committee coordinates efforts to increase minority populations as identified through institutional effectiveness processes. The committee meets as needed.

**Drug-Free Schools and Communities Committee**

The Drug-Free Schools and Communities Committee monitors and promotes compliance with PL 101-226. The committee meets as needed.

**Enrollment Management Committee**

The Enrollment Management Committee seeks ways to strengthen student retention and student success. The committee meets as needed.

**Faculty Council**

The Faculty Council facilitates communication between the College faculty and administration, provides an orderly basis for conducting faculty business, and ascertains faculty viewpoints and recommendations on matters which involve or affect faculty members or instructional programs. Membership consists of nine elected members: five full-time faculty, two adjunct faculty, and two Division Directors. Faculty members (including Division Directors) are elected annually and serve for one year. The Faculty Council meets semiannually, during the fall and spring semesters, with additional meetings as needed, and follows established bylaws.

**Financial Aid Appeals Committee**

The Financial Aid Appeals Committee reviews financial aid appeals. The committee meets as needed.

**Flower Fund Committee**

The Flower Fund Committee arranges for floral remembrances or other memorials to be provided upon the death of an active or retired employee or a member of an active employee's immediate family on behalf of College personnel. The committee meets annually to assess the status of the fund and to advise personnel of needed contributions.

**Friends and Alumni Committee**

The purpose of the Friends and Alumni Committee is to develop an alumni organization and activities in order to recognize the accomplishments of Northeast alumni and to encourage and facilitate alumni efforts to enhance the resources, programs, and services of the College. The committee meets as needed.

**Graduation Ceremony Committee**

The Graduation Ceremony Committee directs graduation exercises and activities. The committee meets as needed.

**Institutional Effectiveness Committee**

The purpose of the Institutional Effectiveness Committee is to develop and review measures for assessing the effectiveness of Northeast Alabama Community College in the fulfillment of its stated mission. Chaired by the Director of Institutional Planning and Assessment and the SACSCOC Accreditation Liaison, the committee meets as needed and reports to the President.

**Institutional Management and Planning Committee**

The Institutional Management and Planning Committee works with the President to develop institutional plans in areas of program development and review, accreditation, instructional and learning resources, student services, public

relations, economic development, management information, personnel, physical plant care and development, resource allocation and financial management, administration, and institutional effectiveness. As part of the planning process, the committee reviews the College mission statement annually and conducts a more extensive review in alternating years. The President serves as chair; the Director of Institutional Planning and Assessment and SACSCOC Accreditation Liaison serves as coordinator. The committee meets at least once per year to effect institutional planning. Additional meetings may be called by the President.

### **Learning Resources Committee**

The purpose of the Learning Resources Committee is to ensure that the library and its facilities are available for maximum use by students, faculty, and administration. The committee develops and recommends to the Dean of Instruction guidelines for the operation of the Learning Resources Center, including hours of service and broad budgetary needs. The committee encourages instructors to request materials that fulfill the needs in the various disciplines and to encourage their use by students. The committee includes Learning Resources Center personnel and representation from the various curricular disciplines of the College. Implementation of the guidelines established by the committee is the responsibility of the Head Librarian. The Committee meets as needed.

### **President's Cup Committee**

The President's Cup Committee recommends three nominees to the President for final selection of the recipient of the President's Cup award, then selects one of the two runners up as the recipient of the James B. Allen Award. The committee meets as needed.

### **Professional Development Committee**

The Professional Development Committee makes suggestions for professional development and in-service workshops and plans such activities when appropriate, meeting as needed.

### **Quality Enhancement Plan Oversight Committee**

The Quality Enhancement Plan (QEP) Oversight Committee oversees the College's implementation of the current QEP and prepares the QEP Impact Report for SACSCOC's Fifth-Year Interim Report. The Committee meets as needed.

### **Recruitment Committee**

The Recruitment Committee coordinates recruiting efforts and seeks ways and means of strengthening those efforts. The committee meets as needed.

### **Registered Nursing/Licensed Practical Nursing Selection Committee**

The purpose of the Registered Nursing/Licensed Practical Nursing Selection Committee is two-fold: (1) to make recommendations to the President for approval of any institutional policy decisions in the selection process; (2) using selection criteria established by the Alabama Community College System Board of Trustees and, when appropriate, College policy, to yearly select students for the Registered Nursing and Licensed Practical Nursing programs.

### **Retirement Committee**

The Retirement Committee establishes guidelines for honoring retiring personnel, oversees the retirement fund, and plans and coordinates social events to honor retirees.

### **SACSCOC Accreditation Leadership Team**

The SACSCOC Accreditation Leadership Team monitors institutional compliance with the SACSCOC *Principles of Accreditation: Foundations for Quality Enhancement* and oversees the decennial reaffirmation process and the fifth-year interim review. Membership should, at a minimum, include the President, the Dean of Instruction, the Dean of Student Services, the accreditation liaison, and at least one faculty member. The committee meets as needed.

### **Scholarship Committee**

The Scholarship Committee recommends to the President the appropriate distribution and awards of all institutionally-controlled scholarship and financial aid resources. The committee also coordinates the selection of recipients for available scholarships to transfer institutions. The committee meets as needed.



### **Sick Leave Bank Committee**

The Sick Leave Bank Committee coordinates implementation of the guidelines of the Bank and reviews applications for the loan of sick leave. Membership is comprised of four participating members elected annually by participating members and one additional member, either the President or the President's designee. The Dean of Financial Services and the Human Resources Director serve as resource persons for the committee. The Sick Leave Bank Committee meets semiannually, during the fall and spring semesters, with additional meetings as needed.

### **Social Committee**

The Social Committee plans and coordinates social occasions for personnel. Participation in such occasions is voluntary. The committee meets as needed.

### **Strategic Analysis Team**

The Strategic Analysis Team recommends the manner in which the College utilizes Career and Technical Education Basic Grant funds.

### **Student Services Committee**

The Student Services Committee seeks enhancement of student services. Responsibilities include guidance and supervision of student entertainment functions. The Committee also makes recommendations concerning student organizations and student grievances as needed. The committee meets as needed.

### **Technology Application Committee**

The purpose of the Technology Application Committee is to coordinate efforts to prepare faculty for the integration of technology into the curriculum and to promote a student-learning environment that assists and encourages technological skills. The committee meets as needed.

### **Website and Social Media Committee**

The Website and Social Media Committee oversees College web page development and social media availability. The committee meets annually, with additional meetings as needed.

## **Advisory Groups**

### **Northeast Advisory Board**

The members of the College Advisory Board are appointed by the President. Members of this board aid the College by the following means:

- advising the President and other personnel on the educational needs of the community;
- alerting the President and other personnel to developments in the various technical fields; and
- maintaining open lines of communications with the community.

The Advisory Board convenes as determined by the President.

### **Strategic Analysis Team**

#### Purpose

The Strategic Analysis Team (SAT) provides planning and direction regarding the use of Perkins funds to meet performance objectives and actively participates in developing the College Plan for Career and Technical Education.

#### Membership

SAT membership consists of selected chairs of program advisory committees; college faculty and staff representatives; college advisory board members; local Workforce Investment Board representatives; and special populations advocates.

#### Responsibilities

The Strategic Analysis Team

- provides planning and direction regarding the use of Perkins funds; and
- participates in the development and modification of the College Plan for Career and Technical Education.

## Meetings

The Strategic Analysis Team meets as needed to fulfill its purpose.

# Program Advisory Committees

The College is required by Alabama Community College System policy to establish a Program Advisory Committee for each career and technical program. Program Advisory Committee membership include the following: President (*ex officio*), Dean of Instruction and/or Dean of Workforce Development and Skills Training, Program Coordinator/instructors, and, as appropriate, representatives from the community service sector, business and industry, economic development authorities, and chambers of commerce. Each member should be able to provide expertise to the program and employment assistance to graduates. Members of each committee must be approved by the President. Membership lists and meeting minutes must be made available upon request by the Chancellor.

## **Advanced Design and Manufacturing Advisory Committee**

### Purpose

The purpose of the Advanced Design and Manufacturing (ADM) Advisory Committee is to assist in attaining the goals and objectives of the drafting and design technology program.

### Membership

Membership consists of individuals from the service area of the College who have made their competencies and resources available to facilitate the efforts of the ADM program in meeting the needs of the community.

### Responsibilities

1. Assess the needs of the program as identified by the community.
2. Identify the goals of the ADM program within the community.
3. Promote and support the ADM program throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes, and/or redirection to meet community needs.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Building Construction Advisory Committee**

### Purpose

The Building Construction Advisory Committee provides a means through which local industry leaders may provide input into the development and evaluation of the program.

### Membership

Membership consists of local industry leaders.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.
2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

### Meetings

The committee meets at least once annually.

## **Business Advisory Committee**

### Purpose

The purpose of the Business Program Advisory Committee is to assist in attaining the goals and objectives of the business programs.

### Membership

Membership consists of individuals from the service area of the College who have made their competencies and resources available to facilitate the efforts of the business programs in meeting the needs of the community.

### Responsibilities

1. Assess the needs of the programs as identified by the community.
2. Identify the goals of the business programs within the community.
3. Promote and support the associate degree business programs throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes and/or redirection to meet community needs.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Child Development Advisory Committee**

### Purpose

The Child Development Program Advisory Committee provides a means through which childcare practitioners may invest in the development and evaluation of the child development program.

### Membership

Membership consists of individuals from the service area of the College who have made their expertise and resources available to facilitate the efforts of the program in meeting the needs of the community.

### Responsibilities

1. Assess curriculum to assure relevance within the childcare community.
2. Identify ways to improve the program.
3. Promote and support the program throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes and/or redirection to meet community needs.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Computer Science Advisory Committee**

### Purpose

The purpose of the Computer Science Advisory Committee is to assist in attaining the goals and objectives of the computer science program.

### Membership

Membership consists of individuals from the service area of the College who have made their competencies and resources available to facilitate the efforts of the computer science program in meeting the needs of the community.

### Responsibilities

1. Assess the needs of the programs as identified by the community.
2. Identify the goals of the computer science program within the community.
3. Promote and support the associate degree and certificate programs throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes and/or redirection to meet community needs.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Criminal Justice Advisory Committee**

### Purpose

The Criminal Justice Program Advisory Committee provides a means through which law enforcement practitioners may invest in the development and evaluation of the criminal justice program.

### Membership

Membership consists of individuals from the service area of the College who have made their expertise and resources available to facilitate the efforts of the program in meeting the needs of the community.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.
2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Emergency Medical Services Advisory Committee**

### Purpose

The purpose of the Emergency Medical Services (EMS) Advisory Committee is to provide a means of input by the local emergency services community into the development and evaluation of the EMS program.

### Membership

Membership consists of stakeholders in the area.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.
2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

### Meetings

The committee meets at least once annually.

## **Industrial Electronics Technology (Mechatronics) Advisory Committee**

### Purpose

The purpose of the Industrial Electronics Technology Advisory Committee is to assist in attaining the goals and objectives of the program.

### Membership

Membership consists of individuals from the service area of the College who have made their competencies and resources available to facilitate the efforts of the program in meeting the needs of the community.

### Responsibilities

1. Assess the needs of the program as identified by the community.
2. Identify the goals of the program within the community.
3. Promote and support the program throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes, and/or redirection to meet community needs.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Industrial Systems Technology Advisory Committee**

### Purpose

The Industrial Systems Technology Advisory Committee provides a means through which local industry leaders may provide input into the development and evaluation of the industrial systems technology program.

### Membership

Membership consists of local industry leaders.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.
2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

### Meetings

The committee meets at least once annually.

## **Machine Tool Technology Advisory Committee**

### Purpose

The Machine Tool Technology Advisory Committee provides a means through which local industry leaders may provide input into the development and evaluation of the program.

### Membership

Membership consists of local industry leaders in the machine tool trade.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.



2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

#### Meetings

The committee meets at least once annually.

### **Medical Assistant Advisory Committee**

#### Purpose

The purpose of the Medical Assistant Advisory Committee is to give ideas and suggestions to the medical assistant program to assist in attaining a program that meets the needs of the community.

#### Membership

The committee consists of individuals, including professionals, who have an interest in the medical community and can help facilitate the medical assistant program in meeting the needs of the area.

#### Responsibilities

1. Assess the needs of the program as identified by the community.
2. Identify the goals of the medical assistant program.
3. Make recommendations and suggestions for improvement or redirection to meet community needs.
4. Promote and support the medical assistant program throughout the community.
5. Suggest and make recommendations for community resources available to the program as preceptor sites for program.

#### Meetings

The committee meets annually, with additional meetings as needed.

### **Nursing Advisory Committee**

#### Purpose

The purpose of the Nursing Advisory Committee is to assist in attaining the goals and objectives of the Associate Degree and Practical Nursing programs.

#### Membership

Membership consists of individuals from the service area of the College who have made their competencies and resources available to facilitate the efforts of the nursing programs in meeting the needs of the community.

#### Responsibilities

1. Assess the needs of the programs as identified by the community.
2. Identify the goals of the nursing programs within the community.
3. Promote and support the Associate Degree Nursing program and Practical Nursing program throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes and/or redirection to meet community needs.

#### Meetings

The committee meets annually, with additional meetings as needed.

## **Office Administration Advisory Committee**

### Purpose

The purpose of the Office Administration (OAD) Advisory Committee is to assist in attaining the goals and objectives of the OAD programs.

### Membership

Membership consists of individuals from the service area of the College who have made their competencies and resources available to facilitate the efforts of the OAD programs in meeting the needs of the community.

### Responsibilities

1. Assess the needs of the programs as identified by the community.
2. Identify the goals of the OAD programs within the community.
3. Promote and support the associate degree OAD programs throughout the community and across the state.
4. Evaluate recommendations and innovative ideas for program improvement, changes and/or redirection to meet community needs.

### Meetings

The committee meets annually, with additional meetings as needed.

## **Salon & Spa Management Advisory Committee**

### Purpose

The Salon & Spa Management Advisory Committee provides a means through which stakeholders may provide input into the development and evaluation of the program.

### Membership

Membership consists of stakeholders in the area.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.
2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

### Meetings

The committee meets at least once annually.

## **Welding Advisory Committee**

### Purpose

The Welding Advisory Committee provides a means through which local industry leaders may provide input into the development and evaluation of the welding program.

### Membership

Membership consists of local industry leaders.

### Responsibilities

1. Assure the relevance of the program and curriculum to local industry.

2. Assure the quality of the educational program through external review.
3. Promote and support the program in the community.

#### Meetings

The committee meets at least once annually.

## **Section IV: Human Resources**

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### **Employment Practices, Policies, and Procedures**

#### **Equal Employment Opportunity**

The ACCS Board of Trustees and the entities under its direction and control, including Northeast Alabama Community College, are equal opportunity employers. It is their policy to provide equal opportunity for employment and advancement to all applicants and employees as required by appropriate federal and state law (Board Policy 601.01: Equal Employment Opportunity, 04/13/2016).

#### **Nondiscrimination**

It is the official policy of the ACCS Board of Trustees and the entities under its direction and control, including Northeast Alabama Community College, that no person shall be discriminated against on the basis of any impermissible criterion or characteristic, including, without limitation, race, color, national origin, religion, marital status, disability, gender, age, or any other protected class as defined by federal and state law (Sources: ACCS Board of Trustees Policies 601.02 – 4/13/16 and 800.00 – 5/10/17).

#### **Appointment and Assignment of Personnel**

The President of each institution shall appoint the faculty and staff of the institution and shall make assignments of faculty and staff at the local level. Faculty and staff will be appointed according to the qualifications and policies approved by the Alabama Community College System Board of Trustees and the credentials, experience, and/or demonstrated competencies determined by the President. Any appointment or assignment of personnel determined to be contrary to any statute, ACCS policy or procedure, or college policy may be reversed, and the Chancellor will be notified of any reversals of appointments or assignments resulting from this policy.

A full-time consenting employee may be transferred from one college to another college, from the Alabama Community College System office to a college, or from a college to the Alabama Community College System office with the agreement of both the transferring and receiving Presidents or Chancellor, and with the approval of the Chancellor. A full-time Alabama Community College System office employee seeking transfer to an institution must submit a written request for transfer and receive written approval from the receiving President and Chancellor. A full-time institution employee seeking transfer to the System office must submit a written request for transfer and receive written approval from the transferring President and the Chancellor. (Board Policy 602.01, 1/13/2021)

#### **Offers of Employment**

The President may offer employment for one semester, two semesters, a summer term, or a full calendar year as appropriate to librarians, counselors, instructors, and other employees provided there is sufficient enrollment and funds are available (Board Policy 603.01, 4/13/2016).

# Hiring Practices and Procedures

## **Full-Time Professional Positions (Schedules B, C, and D)**

Vacancies in full-time faculty, administrative, and other professional positions on Salary Schedules B, C, or D, shall be filled according to the procedures outlined in ACCS Board Policy 602.02: Posting and Hiring (11/10/2020). The employment process to fill a professional, full-time vacancy begins when the President prepares a job description and vacancy announcement. Position announcements are posted on the NACC website for at least seven days. Supervisory, managerial, or newly created positions are posted for at least 14 days. At the sole discretion of the President, the announcement may be emailed to local employment agencies, advertised in local newspapers, shared on social media, etc. The President may close a job search at any time prior to awarding the position.

Applicants must submit a completed NACC application form; separate transcripts of all college credit showing degrees received (unofficial copies are acceptable); a current résumé; three current letters of recommendation that must be signed and dated within one year of the application deadline (letterhead preferred), at least one of which is from the applicant's current or former employer, supervisor, or college instructor that confirms experience; and a position paper of five hundred words or less describing the applicant's understanding of the community college philosophy. Additional application requirements may be outlined within the job announcement.

The President has the right to appoint an advisory committee for job searches. Each committee will receive instructions and guidance from the President regarding (1) how to conduct the search and (2) outlining its responsibilities, which may include reviewing applications, interviewing qualified candidates, and/or providing feedback to the President. The committee is not responsible for recommending applicants to the President for final interviews and serves as an advisory council only, unless otherwise directed by the President. The size, composition, and membership of each committee are determined by the President. The President has the authority to appoint any single employee or group of employees to an advisory committee for any individual search.

An applicant's qualifications for the position, including education, minimum experience (if applicable), and certification (if applicable) must be verified before the applicant can be scheduled for an interview. Verification of educational requirements may be completed by reviewing copies of transcripts. Verification of minimum experience (employment) must be made through documentation provided by an employer or former employer (information from friends, relatives, pastors, co-workers, etc., will not suffice). Verification of certification may be done by reviewing copies of current licensure, certificates, etc.

All applicants will be considered without regard to race, color, disability, gender, religion, creed, national origin, age, or other unlawful reason. At the discretion of the President, the advisory committee will conduct interviews and/or provide information regarding applicant qualifications. The President is under no obligation to accept counsel, advice, or recommendations from the committee and has the right to interview any number of qualified applicants for the position. Alternatively, the President can choose to close and reopen the application and selection process. The President reserves the right to delegate initial interviews to the Human Resources Director or other college administrator. However, the President will conduct all final interviews before a hiring decision is made.

These procedures do not apply to temporary/interim positions, internal postings, transfers, reorganizations of existing personnel, or supplemental duties or chair responsibilities.

Internal job postings will be handled in accordance with Policy 602.02.

## **Full-Time Staff and Permanent Part-Time Positions (Schedules E and H)**

Vacancies in full-time staff positions (Schedule E) and permanent part-time positions (Schedule H) shall be filled according to the procedures outlined in ACCS Board Policy 602.02: Posting and Hiring (11/10/2020). The employment process to fill a full-time staff vacancy begins when the President prepares a job description and vacancy announcement. Position announcements are posted on the NACC website for at least seven days. At the sole discretion of the President, the announcement may be advertised on the ACCS website, emailed to all ACCS institutions, emailed to local employment agencies, advertised in local newspapers, etc. The President may close a job search at any time prior to awarding the position.

Applicants must submit a completed NACC application form; separate transcripts of all college credit showing degrees received (unofficial copies are acceptable); a current résumé; and two current letters of recommendation that must be signed and dated within one year of the application deadline (letterhead preferred), at least one of which is from the applicant's current or former employer, supervisor, or college instructor that confirms experience. Additional application requirements may be outlined within the job announcement.

The President appoints the Human Resources Director to determine which applications are complete. All applicants will be considered without regard to race, color, disability, gender, religion, creed, national origin, age, or other unlawful reason.

An applicant's qualifications for the position, including education, minimum experience (if applicable), and certification (if applicable) are verified by the President or his designee before an interview is scheduled. Verification of educational requirements may be completed by reviewing copies of transcripts. Verification of minimum experience (employment) must be made through documentation provided by an employer or former employer (information from friends, relatives, pastors, co-workers, etc., will not suffice). Verification of certification may be done by copies of current licensure, certificates, etc.

The President determines the number of applicants to interview. Alternatively, the President can choose to close and reopen the application and selection process. The President reserves the right to delegate initial interviews to the Human Resources Director or other college administrator. However, the President will conduct all final interviews before a hiring decision is made.

These procedures do not apply to transfers, reorganizations of existing personnel, or supplemental duties or chair responsibilities.

Internal job postings will be handled in accordance with Policy 602.02.

### **Part-Time Positions (Continuous and Non-Continuous)**

Vacancies in part-time positions shall be filled according to the procedures outlined in ACCS Board Policy 602.02: Posting and Hiring (11/10/2020). The employment process to fill a part-time vacancy begins when the President prepares a job description and vacancy announcement. The Position announcements are posted on the College's website. President may close a job search at any time prior to awarding the position.

For most adjunct instructors, clinical instructors, tutors, and part-time, on-call, or hourly employees, a continuous vacancy notice is on the College website. Continuous vacancy notices must be posted for at least seven days before being filled.

Applicants must submit a completed NACC application form; separate transcripts of all college credit showing degrees received (unofficial copies are acceptable; high school transcripts are required for some positions); and a current résumé. Additional or fewer application requirements may be outlined within a specific job announcement. If letters of recommendation are required, they must be signed and dated within one year of the application deadline (letterhead preferred). At least one must be from the applicant's current or former employer, supervisor, or college instructor that confirms experience.

The President determines the number of applicants to interview, and the President reserves the right to delegate interviews to the Human Resources Director or other college administrator. However, the final hiring decision is made only by the President. Alternatively, the President can choose to close and reopen the application and selection process.

Internal job postings will be handled in accordance with Board Policy 602.02: Posting and Hiring.

## **Faculty Credentials**

NACC follows the faculty qualifications requirements outlined in the Alabama Community College System's Board of Trustees Policy 605.02. The faculty member assigned teaching responsibility for each academic and technical course offered at NACC must document having the proper credentials and overall qualifications for the assigned discipline. The College President makes the final determination for appropriate faculty qualifications.

The institution uses the following guidelines and rationale when reviewing credentials, as published in the SACSCOC Faculty Credentials Guidelines (2018):

- a. Faculty teaching general education courses at the undergraduate level: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
- b. Faculty teaching associate degree courses designed for transfer to a baccalaureate degree: doctorate or master's degree in the teaching discipline or master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).



- c. Faculty teaching associate degree courses not designed for transfer to the baccalaureate degree: bachelor's degree in the teaching discipline, or associate degree and demonstrated competencies in the teaching discipline.
- d. Overall qualifications: The College President may determine that appropriate qualifications other than those listed above can qualify a potential faculty member. Examples of other types of qualifications are appropriately related work experiences in the field; professional licensure and certifications related to the teaching assignment; honors and awards; continuing professional development; relevant peer-reviewed publications; and/or continuous documented excellence in teaching.

The College President will request special approval from the ACCS Chancellor to hire a faculty member with alternative qualifications.

### **Faculty Definitions**

**Full-time Faculty:** Full-time faculty are appointed for a period of nine months (fall and spring semesters only) and can receive an additional appointment of three months if employed for the summer term. Some supervisory faculty are appointed for 12 months. Each full-time faculty works 35 hours per week and is assigned a credit load of 15-16 semester hours per term (12- 13 hours in summer term, when employed) or equivalent non-teaching assignments. The maximum contact hours per week for a full-time technical instructor may not exceed 30 hours. Full-time technical and academic faculty must maintain a weekly office schedule that includes five and ten hours per week, respectively, for student advisement and conferences. Full-time faculty are on duty for all instructional and faculty workdays, as indicated on the College calendar. Full-time faculty have the main responsibilities of instruction; assessing student performance and student learning outcomes; advising; and institutional assignments such as committee appointments and student organization sponsorships.

**Adjunct Faculty:** Adjunct faculty are employed on a part-time, per course basis for one semester at a time. The adjunct teaching load is no more than nine credit hours or 19 contact hours per semester. Adjunct faculty must either designate student conference time or offer arrangements for appointments, according to the needs of their students.

### **Faculty Credentials Review Procedures**

- a. Full-time faculty credentials are reviewed during the hiring process. A completed Credentials Review Form with official transcripts for each degree earned and any other documentation required or associated with the discipline that demonstrates experience or expertise (e.g. licensure, certification) must be in the faculty member's personnel file in order for the individual to teach as the instructor of record. Faculty personnel files are housed in the Office of the President for full-time faculty and adjunct faculty. This form and the documentation are typically completed during the hiring process but may be updated if teaching responsibilities change.
- b. Adjunct faculty credentials are required to meet the same credentialing standards as those for full-time faculty. These credentials are reviewed by the SACSCOC Accreditation Liaison and/or Human Resources Director before a Request for Employment of Adjunct Personnel can be submitted to the President. A completed Credentials Review Form with official transcripts for each degree earned and any other documentation required or associated with the discipline that demonstrates experience or expertise (e.g., licensure, certification) must be in the faculty member's personnel file in order for the individual to teach as the instructor of record. Faculty personnel files are housed in the Office of the President for full-time faculty and adjunct faculty. This form and the documentation are typically completed during the hiring process but may be updated if teaching responsibilities change.

## **Federal Work-Study Program and Student Workers**

Student help for clerical duties and instructor aid is available through the Federal Work-Study Program, administered by the NACC Financial Aid Office, and, in limited cases, through student employment supported by institutional funds. The assigned supervisor is obligated to supervise the student and report the hours worked each month. Time reports for Federal Work-Study Program employees are submitted to the Financial Aid Office as specified by that office. Time reports for institutional Student Workers are submitted to the Business Office as specified by that office.

## **Faculty Load Policy and Overloads**

Unless otherwise approved by the president due to non-teaching assignments, the instructor is expected to have, on the last day to register, a minimum of the following:

Semester	General Education Instructors	Technical Instructors
Fall	65 enrollments (195 CHP)	45 enrollments (135 CHP)
Spring	65 enrollments (195 CHP)	45 enrollments (135 CHP)
Summer	52 enrollments (156CHP)	35 enrollments (105 CHP)
Total	182 enrollments (546 CHP)	125 enrollments (375 CHP)

It should be recognized that some class sizes are limited due to lab equipment. For instance, MTT enrollments are capped at 15 to assure that each student has access to the appropriate piece of equipment. ENG 101 classes are capped at 25 students and an online HIS 101 might be capped at 35.

The president may assign equivalent credit hours or contact hours for non-teaching assignments and adjust credit hour production requirements to compensate for these non-teaching assignments.

Credit hours for instructors teaching clinical, internship, preceptorship, or cooperative education courses carry the same weight as any other course. The instructor is responsible for assuring that all requirements of the assigned course are met and that records documenting student work experience are maintained.

Independent study courses are not permitted.

### Faculty Overload Policy

The President is authorized to approve overloads for full-time faculty teaching credit or non-credit courses. If approved, an overload must be taught outside the normal work week of the instructor, and the pay must be at the prevailing part-time salary rate at the employing institution. No full-time faculty member can be required to teach an overload. Overloads are assigned at the discretion of the President and are based on faculty desire, preparations required, non-instructional duties, and other considerations (Board Policy 608.03, 11/13/17).

## Faculty Summer Employment Policy

A full-time instructor, counselor, or librarian on Salary Schedule D who is employed by virtue of an academic year letter of appointment (fall and spring semesters) at Northeast Alabama Community College shall have first option (over adjunct or temporary employees) for employment at the College in the summer term provided that (1) there is sufficient student enrollment (as determined by the President); (2) there is sufficient funding available; (3) the employee is qualified to provide the service scheduled; and (4) the employee meets the criteria of the College summer employment policy. An employee must be in line to be hired by a respective rotation system maintained by the division director or program coordinator. Instructors may be given priority for summer teaching only in those areas in which they taught on a regular basis during the preceding academic year.

Within these guidelines, instructors are chosen to teach summer classes with respect, first, to the curricular need for the course and, second, to rotation within the subject area. Initial placement on the rotation list is by seniority (employment time at the College and teaching in the respective subject area). After having been employed for a summer, the instructor is placed last on the rotational list. If the instructor chooses not to accept his or her term in the rotation, the instructor is placed last on the rotational list the same as if the offer to teach had been accepted.

A full-time instructor may be employed for less than a full teaching load for a summer term. In this case the instructor will be paid a pro rata amount of Schedule D compensation based on (1) qualifications and experience and (2) a full teaching load. A full teaching load for an academic instructor during the summer semester is 12 to 13 credit hours per term or the equivalent, as determined by the President. A full teaching load for a technical instructor during the summer semester is 30 contact hours per week or the equivalent, as determined by the President. This policy is in compliance with Board Policy 603.02 (11/13/2017).

## Salary Supplements

The President may designate supplements as established in the Board of Trustee's approved salary schedules for extra duty pay and may designate additional supplements based on unique and compelling circumstances, subject to the Chancellor's written approval. Additional supplements awarded without prior written approval from the Chancellor will be deemed invalid and subject to return.

The President may designate a chairperson of a department or division having three or more full-time faculty members, with the department chairperson being counted as one of the three. A monthly salary supplement shall be paid to division directors, based on the current amount indicated on the applicable salary schedule.

The President may designate one full-time professional staff member in the library as head librarian. Only one person may be designated as head librarian at any institution. A monthly salary supplement shall be paid to head librarians, based on the current amount indicated on the applicable salary schedule.

The President may designate one individual paid from Salary Schedule B to be in charge in the absence of the President. A salary supplement of two thousand dollars (\$2,000.00) annually shall be paid to that person (Board Policy 606.05, 04/10/2019).

Additional salary supplements may be awarded by the President due to unique and compelling circumstances, subject to approval by the Chancellor.

## Probationary and Non-Probationary Status for Full-Time Employees

All persons employed on a full-time basis by the President of Northeast Alabama Community College and whose salary is derived from Salary Schedules B, C, or E as established and adopted by the Alabama Community College System Board of Trustees regulations shall be deemed employed on a probationary status for a period of three years from the date of initial employment. Those employees whose salary is derived from Salary Schedule D as established and adopted by the Alabama Community College System Board of Trustees shall be deemed employed on a probationary status for a period of six consecutive fall and spring semesters from initial employment, excluding summer terms, at the institution. Non-probationary status cannot be attained by the chief executive officer, a chief school financial officer, as president, as vice-president, or in or by virtue of employment in temporary, part-time, occasional, seasonal, supplemental, irregular, or like forces of employment or in positions that are created to serve experimental, pilot, temporary, or like special programs, projects, or purposes, the funding and duration of which are finite (Students' First Act, 16-24C-4, 3b.).

During the probationary period, the employee's performance is evaluated. Full-time instructors shall attain non-probationary status upon the completion of six consecutive semesters, excluding summer terms, at the College unless the President issues notice of termination to the instructor on or before 15 days prior to the end of the sixth consecutive semester of employment, excluding summer terms. Only complete academic years of service (fall and spring semesters) may be credited toward the attainment of non-probationary status. An instructor must be hired by October 1 in order for that semester to count as part of a complete school year, provided he or she is also employed the following spring [Alabama Code §16-24C-4(1)]. Full-time classified employees shall attain non-probationary status upon the completion of 36 consecutive months of employment at the College unless the President issues notice of termination to the employee on or before 15 days prior to the end of the thirty-sixth month of employment.

If a non-probationary employee under contract is terminated within the period of an appointment, the employee is entitled to be given cause and the opportunity for due process under the procedures adopted by the Students First Act of 2011.

Upon completion by the employee of said probationary period, the employee shall be deemed employed on a non-probationary status, and the employee's employment shall, thereafter, not be terminated except for failure to perform his or her duties in a satisfactory manner, incompetency, neglect of duty, insubordination, immorality, justifiable decrease in jobs in the institution, or other good and just causes. The college complies with the Students First Act of 2011 in the termination of employees on non-probationary status.

## Appointment Periods

The annual college calendar is published in the College *Catalog* and lists beginning and ending dates of each semester, faculty duty days, holidays, final examination dates, and other relevant events.

Full-Time Faculty: Full-time faculty are normally employed on a nine-month appointment basis (fall and spring semesters), with exceptions approved by the President. Salaries are derived from the salary schedule in effect as approved by the ACCS Board of Trustees, based on experience and qualifications, as determined by the President.

The annual college calendar is published in the *College Catalog* and lists beginning and ending dates of each semester, faculty duty days, holidays, final examination dates, and other relevant events. Full-time faculty are on duty all instructional and faculty duty days as indicated on the annual college calendar.

*Adjunct Faculty:* The College employs additional faculty on a temporary, part-time (adjunct) basis to provide qualified personnel in all instructional areas, enrich the curriculum, increase student learning opportunities, and accommodate enrollment fluctuations. Salaries for adjunct employment are approved by the President, and the term of appointment ordinarily extends one semester at a time. Letters of appointment state the terms of employment. Per the needs of the institution, adjunct instructors will be appointed to teach courses that cannot be fulfilled by full-time instructors. Full-time faculty are given priority in scheduling above adjunct instructors. The pay for adjunct instructors is based on the local salary schedule for adjunct instructors as approved by the President. Adjunct faculty are on duty during their scheduled instructional times for the duration of the term of employment and until grades are submitted.

*Administrators, Professional, and Classified Staff:* Administrators and professional and classified staff are on duty year-round except for designated holidays and days the College is officially closed. Police, physical plant employees, and other staff are subject to special scheduling, including required work during holidays, certain weekends, and on days the College is closed to provide services as needed or to complete necessary work assignments.

*Adjunct Classified Staff:* Adjunct classified staff are appointed to accommodate the needs of the institution as deemed necessary by the President. Appointment periods are noted within the Letter of Appointment for each position.

## Criminal History Background Checks

Northeast Alabama Community College requires criminal background checks for all employees, employees of vendors regularly in contact with students, and volunteers. Any individual selected for employment or volunteer service will be required to submit full consent and personal identifying information to complete a criminal history background check. Any employment or volunteer service offer will be contingent upon an acceptable background check. A criminal background check may also be conducted for selected internal candidates or if the institution has reasonable suspicion that a current employee has been convicted of a felony or a crime involving moral turpitude. Because of undue financial hardship, the College will bear the cost of background checks for employees and volunteers.

Individuals convicted of a felony or crime involving moral turpitude will not be eligible for employment except with the Chancellor's approval. Each new hire or current employee convicted of a felony or crime involving moral turpitude must obtain a recommendation from the President that the new hire or current employee is suitable for the Chancellor's consideration and approval. Factors to be considered include, but are not limited to

- a. the proximity or remoteness in time of the conduct;
- b. the risk of harm to persons or property of the institution;
- c. the nature of the crime and likelihood of recurrence;
- d. the nature of the job; and
- e. any extenuating circumstances.

Within five (5) calendar days, an employee convicted of a felony or a crime involving moral turpitude must report the conviction to the President. An unreported conviction will be subject to disciplinary measures for failure to report.

The Human Resources Director is responsible for requesting criminal background checks for all employees. The Dean of Student Services is responsible for requesting background checks for volunteers. Criminal background check request forms can be obtained from the Human Resources Office, who will conduct all actual background checks that are requested through the current vendor selected by the Alabama Community College System.

The Dean of Financial Services is responsible for ensuring that selected vendors who have regular contact with students complete background checks for their employees assigned to work on college property.

## Salary Schedule Placement Guidelines

Initial placement on B, C, D, E, and H salary schedules shall give credit for all verified full-time work experience. Employees shall get credit for full-time work experience directly related to the position, as determined by the President, on a 1:1 ratio, meaning one year of credit for every year of full-time, related experience (*approved by Chancellor Jimmy Baker on 8/11/2023*).

Employees have 15 days from the date of accepting a position to supply requested documentation of previous work experience for consideration as applicable experience toward step placement, unless otherwise approved by the President. The President makes the final determination of which experience is applicable to the position for step credit.

## Salary Schedules and Payments

Current year salary schedules adopted by the ACCS Board of Trustees and Northeast Alabama Community College are accessible on the ACCS website and on the NACC Human Resources webpage. Salary payments are issued on the final workday of each month.

## Internal Employee Transfers

The President is responsible for all internal college transfers and for complying with the Alabama Students' First Act (Alabama Code §16-24C-7). The President has the authority to transfer or reassign any employee, at any time, as the needs of the College require, to any position or work location within the college, for which the employee is qualified. Transfers are appropriate as permitted under the Students First Act or when moving an existing college employee to a previously-existing college position. Internal posting rules are appropriate and may be used for transfers. Notice must be provided to affected employees as stated in the Students First Act (Board Policy 602.04, 01/10/2018). The President complies with the current Chancellor's procedures for internal employee transfers as published on the ACCS website.

## Temporary Assignments

The President may assign employees to temporary assignments which require them to be absent from their regular duties. Employees on temporary assignment will receive their regular salary and may be allowed remuneration for their expenses in accordance with institution and ACCS Board of Trustee policy. Temporary assignments may not be made for the purpose of earning college credit (Board Policy 602.03: Temporary Assignment, 04/13/2016).

## Reorganizations

Reorganizations are modifications to positions that both currently exist at the institution and have been filled previously through a regular search process. Reorganizations may involve shifting duties that currently exist within positions or adding new duties to a current position. The reorganization may include changes of title, salary schedule placement, job duties, or level of responsibility, but it cannot create a fundamentally new position or an entirely new set of duties or responsibilities (Board Policy 602.05, 01/10/2018).

Employees may be required to submit documentation to support the need for a reorganization, including, but not limited to, an approved professional development plan, a letter of recommendation from an employee's supervisor, job performance reviews, performance improvement plan results, etc. Incumbency in a position for three years is normally required for consideration of a reorganization, unless otherwise approved by the President. Reorganizations require written approval of the Chancellor before implementation.

## Reduction in Force

The College shall follow the Reduction in Force Operational Guidelines if a reduction in the number of personnel becomes necessary as a result of extraordinary circumstances including, but not limited to, lack of sufficient funds; a decline in the enrollment of a course, program, or discipline, where the continuation of such course, program, or discipline is or will likely become impractical or economically unreasonable; or a change in academic mission, administrative, or ministerial function that will require organizational changes. The Reduction in Force Operational Guidelines will be used only when the circumstances justify the implementation of these procedures and in accordance with Board Policy 624.01 (1/10/2018).

## Reduction in Force Operational Guidelines

Whereas, the Alabama Community College System (ACCS) Board of Trustees has directed that each Alabama Community College System institution develop and institute systematic and equitable guidelines for reducing the number of employees during situations where such reduction is made necessary by extraordinary circumstances;

Whereas, such extraordinary circumstances may include, but not be limited to, lack of sufficient funds, a decline in enrollment in a given course, program or discipline to the extent that continuation of the course, program, or discipline, is, or will likely become, impractical or economically unreasonable; or a change in academic mission, or administrative or ministerial function, of such a nature as to necessitate significant organizational changes;

Whereas, Northeast Alabama Community College (hereinafter, "NACC"), in fulfillment of the ACCS Board of Trustees directive, has developed the following Reduction in Force Guidelines, utilizing input from a committee representative of its employees as well as information from a broad range of other appropriate sources;

Whereas, the Reduction in Force Guidelines (hereinafter, "Guidelines") here promulgated shall only be used when circumstances justify the implementation of the procedures set forth herein;

Whereas these Guidelines are intended and shall be construed to effectuate the fair and responsible implementation of any reductions in force;

THEREFORE, PREMISES CONSIDERED, the following Guidelines shall be and are hereby adopted as the Official Policy of NACC.

### ARTICLE I. DEFINITIONS.

When used in these Guidelines, the following terms shall have the meanings specified:

**1. Non-probationary:** The legal right, under State law and/or ACCS Board of Trustees rules, regulations, or policies, of a full-time employee of a State two-year college to retain his/her full-time employment status on a permanent basis until such time as the employee voluntarily terminates such employment or until such employment is terminated pursuant to the Students First Act (Alabama Code §16-24C) (1975), ACCS Board of Trustees rules, regulations, and/or policies.

**2. Employee Classification:** A designation by which a group of employees at a given institution having the same or substantially the same type of job duties and functions will be identified. (Examples: "clerk-typist," "secretary," "cafeteria worker," "accountant," "security guard," "counselor," "mathematics instructor," and "maintenance worker.")

**3. Full-Time:** Employment for the number of hours designated by the respective institution as being "full-time" for the position held by the respective employee. (Examples: Forty hours for an "accountant" or "secretary," or thirty-five hours for an English "instructor.")

**4. Part-Time:** Employment for fewer than the number of hours considered by the respective institution to be full-time. (Examples: Fewer than forty hours for a "maintenance worker" or fewer than thirty-five hours per week for an English "instructor.")

**5. Probationary:** That period of employment prior to the receipt of non-probationary status as defined by the Students First Act and/or ACCS Board of Trustees rules, regulations, and/or policies.

**6. Reduction-in-Force:** A reduction in the total number of full-time equivalent employees at a respective college made necessary by extraordinary circumstances such as, but not limited to, a lack of sufficient funds; declining enrollment in a given course or program to the extent that further offering of the course or program is, or will likely become, impractical or economically unreasonable; or a change in academic mission, or administrative or ministerial function, of such a nature as to necessitate significant organizational changes. Not every release of an employee shall be considered a "reduction-in-force." An isolated employee termination or non-renewal, particularly if done for just cause or as a result of a lack of satisfactory performance, shall not be considered a reduction-in-force for the purposes of this policy. Reduction decisions will be made without regard for the employee's race, color, sex, religion, national origin, age, or any other unlawful reason.

**7. ACCS Board of Trustees:** The Alabama Community College System Board of Trustees. *Code of Alabama* (1925), Sec. 16-60-111.

**8. Temporary Employee:** An employee hired to fill a position on a “temporary” basis for a period not to exceed one year. Temporary employment status is generally used to: (1) fulfill a personnel requirement of a non-renewable grant; (2) fill a vacant permanent position for the period during which a search for a “permanent” employee is being conducted; (3) temporarily fill a new position for the period during which it is determined whether or not the position should be made permanent; or (4) conduct a class, program, or project on a “one-time” basis.

## **ARTICLE II. PURPOSE.**

**9.** The purpose of these Guidelines is to provide equitable treatment for the layoff of NACC employees when reduction in force becomes necessary.

## **ARTICLE III. EMPLOYEE STATUS IDENTIFICATION.**

**10. Identification of Status.** Each employee of NACC shall be identified as follows: (1) name; (2) current address and telephone number; (3) job description including minimum qualifications required by the described job; (4) the employee's qualifications; (5) the employee's years in service; (6) the employee's classification (e.g., "clerk-typist," "secretary," "cafeteria worker," "accountant," "security guard," "counselor," "mathematics instructor," "maintenance worker," etc.); (7) the minimum number of hours such employee works per week; (8) whether the employee is considered full time, part time or a temporary employee by NACC; and (9) whether the employee is probationary or non-probationary as provided by the Students First Act or ACCS Board of Trustees rules, regulations and or policies.

**11.** The information compiled pursuant to the foregoing paragraph shall be kept permanently on record.

**12.** Each employee shall be provided with the information compiled pursuant to Paragraph 10 hereinabove that pertains to that employee.

## **ARTICLE IV. REDUCTION IN FORCE IMPLEMENTATION GUIDELINES.**

**13. Identification to Chancellor and President.** In the event of a proposed reduction-in-force, each organizational unit and each employee to be affected by the reduction-in-force shall be identified to both the Chancellor of the Alabama Community College System ("Chancellor") and the President of NACC ("President"). Further, the manner in which each unit and employee shall be so affected shall be described to both the Chancellor and President.

**14. Preference in Retention - Temporary and Non-Temporary Personnel.** In the event of an approved reduction-in-force action, temporary and/or part-time employee(s) performing the same duties as non-temporary full-time personnel shall be released prior to the release of any non-temporary, full-time employee(s).

**15. Preference in Retention - Non-Temporary Full-Time Personnel - Probationary and Non-Probationary Personnel.** In the event of an approved reduction-in-force action affecting non-temporary full-time personnel, a probationary employee performing the same duties as a respective non-probationary employee shall be released prior to the release of the non-probationary employee.

## **ARTICLE V. REDUCTION IN FORCE: FACTORS TO BE CONSIDERED WHEN A FULL-TIME, NON-PROBATIONARY EMPLOYEE IS AFFECTED.**

**16. Factors.** When an approved reduction-in-force affects or will affect full-time, non-probationary employees, the needs of NACC shall be considered, and the positions which are most vital to the affected organizational units in particular and NACC as a whole shall be determined. Then the following factors shall be taken into consideration when determining which, if any, full-time, non-probationary employees shall be so affected:

- 16.1 The requirements of any applicable court order or consent decree;
- 16.2 The employee's seniority at NACC in the employee's respective job classification taking into consideration minimum qualifications for that position;
- 16.3 The employee's seniority at NACC in the employee's respective organizational unit;
- 16.4 The employee's seniority in general at the respective college;
- 16.5 The employee's education level; and
- 16.6 The employee's relative skills, knowledge and productivity, determined by review of personnel files and performance appraisals.



16.7 The primary component of determining the performance of employees should be the most recent two annual overall Performance Evaluation Ratings (or their equivalent), unless the employee has been employed for one (1) year or less. Other components of determining performance are: (a) an active disciplinary action for either job performance or personal conduct; (b) documented performance difficulties communicated to the employee, but not rising to the level of disciplinary action; or (c) any other documented indicators of performance. These are not the only factors that may be considered in making reduction in force decisions.

**17. Procedures.** Upon consultation with the appropriate division directors, program coordinators, deans, and supervisors, the Vice President or President's designee will make a written request for approval of a proposed reduction in force involving specific employees to the President. This request must be approved before any reduction in force can be implemented. The written request must contain the following information: (1) the reason(s) for the reduction in force; (2) anticipated date of separation; (3) name(s) of the employee(s) to be separated and justification for the decision; (4) a listing of all vacant positions in the department which are the same or closely related; (5) what efforts the department has made within the department to avoid the reduction in force of the selected employee; (6) a brief explanation why action other than a reduction in force is not possible; (7) management contact information; and (8) current organizational chart of affected department.

**18. Information Provided to Affected Employees.** Before a reduction in force occurs, the President or such person or persons to whom he may delegate the task may provide, in writing, the following information to the employees being laid off:

1. The reason for the reduction in force.
2. The effective date of the reduction in force (as much notice as is possible).
3. Direction to contact Human Resources for information on the following:
  - a. The College's policy on priority re-employment;
  - b. Completion of necessary application forms;
  - c. The availability of aid, if any, in seeking other employment;
  - d. Eligibility to apply for unemployment or other benefits, if any;
  - e. The possibility of retraining, if any.

**19. Students First Act.** In the event that NACC terminates an employee to whom the procedures apply, there will be strict adherence to the procedures prescribed by the Students First Act.

**20. Exceptions from General Guidelines.** In the event that NACC must impose a reduction-in-force action, and the President determines that a full-time non-probationary employee who is not the senior person in a given job classification or occupational area possesses a certain license, certification, or job skill the loss of which would be severely detrimental to the operation of NACC, the President may request review and approval by the Chancellor of an exception to these general guidelines relating to the release, termination or other reduction in force of full-time personnel on continuing service status. The exception shall not be available for part-time, temporary, or probationary employees.

## **ARTICLE VI. PLACEMENT AND REHIRING OPPORTUNITY GUIDELINES.**

**21. Placement and Rehiring Opportunity Guidelines.** Priority reemployment consideration is provided to employees who have met service requirements and are separated: (1) for reasons other than just cause and (2) due to shortage of funds or work, abolishment of a position, or (3) due to changes in duties or organization. Employees must claim priority reemployment consideration by the date of separation by notifying Human Resources or priority is forfeited. Employees must also complete applications for employment by NACC. Employees separated through Reductions in Force will receive priority reemployment consideration for a reasonable amount of time from date of separation. Employees separated from permanent part-time positions have priority to part-time positions with the same number of hours only. The employee must possess at least the minimum education and experience requirements or their equivalent as set forth in classification specifications for the position for which they request priority.

## **ARTICLE VII. MISCELLANEOUS.**

**22.** The Guidelines shall be reviewed every three years or more often if necessary, and the Guidelines shall be amended or otherwise altered to reflect any changes made necessary by law, rule, policy, or obsolescence.

**23.** These Guidelines do not create any rights in any employee or any obligation on the part of NACC. Rather, the Guidelines are instructive and aspirational, and are intended for use only in the extraordinary circumstances that may

give rise to the necessity for a reduction in force. The Guidelines do not supplement, amend, obviate, alter or otherwise change any employee's employment status, the laws or statutes under which such employee may be hired, or retained, or otherwise employed, nor any right of NACC to terminate any employee.

## Resignations

All personnel shall give written notice of resignation at least 14 calendar days prior to the effective day of resignation, unless the President approves a shorter notice period. Failure to do so may result in documentation being placed in the employee's personnel file about the failure to follow policy and may affect his or her ability to be rehired at any ACCS institution or the system office (Board Policy 617.01, 06/12/19). The letter of resignation should be addressed to the President, with a copy sent to the Human Resources Director.

## Employment of Teachers' Retirement System Retirees

Employees who have retired from the Teachers' Retirement System (TRS) of Alabama may be eligible for reemployment on a part-time basis after a 30-day break in service. All retirees from the TRS, regardless of position, who return to work with or perform a service for a TRS-participating agency must submit the Retiree Notice of Postretirement Employment form within 30 days of engaging in employment and annually thereafter. The form indicates the maximum amount of earnings allowed by the TRS for retirees. TRS retirees returning to work at NACC must contact one of the following to obtain the form:

- a. General staff members: Contact the Payroll Clerk in the Business Office.
- b. Academic adjunct instructors: Contact the Director of Extended Day/Distance Education Programs
- c. Workforce Development adjunct instructors and staff: Contact the Dean of Workforce Development and Skills Training.
- d. Adult Education faculty and staff: Contact the Adult Education Program Director

## Rehired Employees after a Break in Employment

The Alabama Department of Labor requires that an employee who returns to work after having a lapse in employment with their employer (NACC) of 60 days or more must be considered a re-hired employee. Please contact the payroll clerk to complete the needed documentation for re-hire. Employee data forms should be revised if any changes have occurred in position status, name, address, taxes and/or financial institution/banking (direct deposit).

## Conflict of Interest

Honesty and professional integrity are expected of all employees. It would be a serious violation of this trust if the interests of any institution under the direction and control of the ACCS Board of Trustees were to be disregarded in the course of performing professional duties. The use of official position and influence to further personal gain or that of families or associates is unacceptable behavior. An employee is prohibited from using his or her official position and influence for personal gain or that of his or her family or associates, or from engaging in a conflict of interest. Full-time employees may engage in outside employment provided that such activity: (a) does not interfere with the performance of other responsibilities as a System employee; and (b) does not require use of institutional resources or facilities.

All College employees have the right to acquire and retain status of a professional, personal, or economic nature. In a community as diverse and complex as the institutions that comprise the Alabama Community College System, there is always the possibility that the pursuit of individual interest may result in a conflict with those of the employing institution. This places an important responsibility on faculty and staff to recognize potential conflicts and prevent them. It is not expected that every employee will have a complete and current knowledge of the laws and regulations that apply to conflict of interest. However, all persons, particularly those with significant exposure to potential conflict of interest situations, should develop a sensitivity to this issue and seek guidance when appropriate. Employees who believe that a conflict of interest could possibly exist with activities in which they engage should immediately speak with the President to determine if such activities might interfere with their job performance or diminish the value or inhibit the operation of the institution (Board Policy 615.01, 04/13/16).

# Political Activity/Political Action Committees

All personnel are strongly encouraged to register and to exercise their right to vote. Personnel desiring to seek election to public office should report this information to the President by complying with the policy on outside employment.

According to the State of Alabama Chief Deputy Attorney General, the following statements are in compliance with Sections 17-1-7 and 36-26-38 of the Code of Alabama with respect to political activities by state employees and Sections 36-12-60 to 36-12-64 with respect to the use of state-owned property:

- A state employee may seek public office on his or her own time without being required to take a leave of absence from his or her employment.
- A state employee may endorse candidates and contribute to campaigns of his or her choice.
- A state employee may join political clubs and organizations and state or national political parties.
- A state employee may publicly support issues, referendums, and candidates.
- A state employee may not use state funds, property, or time while engaging in any political activities, including those activities listed above.
- A state employee while engaging in political activity must be on approved leave or on personal time before or after work or on holidays.
- Neither a state employee nor a state official may solicit campaign contributions from other employees who work for the employee or official in a subordinate capacity.
- Neither a state employee nor a state official may coerce or attempt to coerce any subordinate employee to work in any political campaign or cause.
- A state employee may not transport campaign literature in a state-owned vehicle or in a privately owned vehicle if mileage is paid by the state for the official business trip.
- A state employee may place bumper stickers expressing his or her political views on a private automobile.
- A state employee who must travel on official state business in his or her privately owned vehicle and claim mileage for such travel is not prohibited from placing a political bumper sticker on the private automobile.
- The federal Hatch Act may be applicable to those employees whose principal employment is in connection with an activity that is financed in whole or in part by federal loans or grants. Essentially, the Hatch Act prohibits those employees from being a candidate for public office in a partisan election (Memorandum: Political Activities by State Employees. Keith S. Miller, Chief Deputy Attorney General, State of Alabama, to General Counsel, State of Alabama. April 4, 2006).

No institution under the authority, direction, and control of the ACCS Board of Trustees shall organize, administer, operate, or participate in any political action committee or like organization. Employees shall not use the name of the College for any political action committee or like organization of institutional employees. Presidents and other administrators shall not intimidate, coerce, threaten, or in any manner attempt to persuade any employee to join and/or make contributions to any political action committee or like organization of institutional employees (Board Policy 216.01, 12/14/16).

# Outside Employment of Full-Time Personnel

Prior to becoming employed by any person or entity other than the College, including but not limited to consultative employment and self-employment, all full-time personnel will inform the President of such intentions and, if known, the working days and hours of such outside employment. Personnel shall not engage in any outside employment which would (1) disrupt or interfere with operations of the College, (2) directly compete with the College, (3) impose additional financial burden upon the College, (4) violate the Alabama Code of Ethics for public employees (as set forth in the Code of Alabama), or (5) be of a nature, character, or subject matter such that the outside employment, when considered in the light of the employee's position and duties with the College, would or would tend to decrease the effectiveness of the employee in performing his or her College employment duties. Outside business should not be conducted during working hours or using College property.

Request for this information is not intended to be used to prohibit outside employment. It is recognized that outside employment may provide an additional level of professional development and experience to an employee that benefits the College. This information is utilized to monitor the potential effect of outside employment on the employee's job, to determine if any conflict of interest issues exist, and to assure the effective and efficient management and operation of the College. Personnel should contact the Human Resources Director for the notification form. This policy applies to employees seeking political office as well.

# Employment of Part-Time Personnel with Other ACCS Institutions

Adjunct employees must report outside employment with other Alabama Community College System institutions through submission of the *Employment Information of Adjunct Employees working in Other Alabama Community College System Positions* form prior to employment each semester and/or as the outside employment occurs. This form can be obtained from the Human Resources Director or downloaded from the Forms page on the NACC website.

Request for this information is not intended to be used to prohibit outside employment. It is recognized that outside employment may provide an additional level of professional development and experience to an employee that benefits the College. This information is utilized to monitor the potential effect of outside employment on the employee's job, to determine if conflict of interest issues exist, to assure the effective and efficient management and operation of the College, and to make certain that the college is in compliance with mandates established by the Alabama Community College System. Adjunct instructors may teach no more than 12 credit hours or 29 contact hours amongst all ACCS institutions. Adjunct staff may work no more than 29 hours amongst all ACCS institutions.

## Employment in Multiple Positions at NACC

At the President's discretion, a full-time employee may be hired to work a separate part-time position. The work schedule for the part-time position should be separate from that of the full-time position. Part-time employees may also be employed in a separate part-time position. However, the total time worked each week should comply with the Chancellor's mandate regarding total work hours allowed for part-time staff and adjunct faculty.

## Identification Badge

All personnel shall obtain an official college identification (ID) badge, available free of charge in the Admissions Office. Badges should be acquired upon employment and updated every two years. Dual enrollment instructors who teach only on high school campuses are exempt from this policy.

## Letters of Appointment

Letters of Appointment are distributed as follows:

- Full-time classified staff and administrators receive letters of appointment annually in September.
- Full-time faculty receive letters of appointment in August for nine-month or 12-month appointments and in May for summer appointments. Overload letters of appointment are received each semester.
- Part-time staff receive letters of appointment upon hire or annually in September if a pay change is necessary.
- Part-time faculty receive letters of appointment each semester they are employed.

Letters of appointment should be reviewed for accuracy, signed, dated, and submitted to the office named at the bottom of the letter within five days of receipt. Errors should be reported immediately to the Human Resources Director.

## Job Descriptions

Job descriptions are compiled for each position by the President and are issued to the employee upon hire. The Human Resources Office coordinates the annual job description review process. All personnel are required to file a *current* job description annually by September 1 or as changes necessitate. The job description is a part of the employee's requirement of employment issued by the President and must include the following items:

- position title and essential function statement;
- duties and responsibilities of the position;
- required knowledge, skills, and abilities (physical requirements, as appropriate);

- minimum required education, training, and/or experience (required licensure and/or certification, as appropriate); and
- an indication of any supervisory responsibility required of the position.

The essential functions statement must include that the employee should, “comply with all policies of the Alabama Community College System Board of Trustees, the Alabama Community College System, and Northeast Alabama Community College.” The job description must be signed and dated by the employee, the immediate supervisor, and a dean (when appropriate), and must be approved by the President.

All full-time employees should review their job descriptions annually with their immediate supervisors to determine whether updates should be requested. These updates would include new responsibilities and assignments that are a major part of the position. To request an update, the employee should attach a note to the submitted job description indicating the updates and why they are necessary. All updates must be approved by the President. No employee should add or take away from a job description without approval of the President. Additionally, title additions or changes are not allowable except when given written approval by the President. The Human Resources Director can assist employees with questions regarding the job description approval process.

Part-time instructors are required to submit a job description at the beginning of the first semester of employment during the academic year. These job descriptions are first reviewed by the part-time instructors’ respective dean or director and then approved by the President.

## Job Titles

Personnel are not allowed to alter or add to job titles without written permission from the President. All usage of job titles in office materials and correspondence should match the approved job title upon hire or reorganization.

## Work Schedule

All employees must file a work schedule with the Office of the President and update the schedule annually or when changes necessitate (on a semester basis for faculty). The approved work schedule for faculty is in effect through the final faculty duty day of each semester. The President has the authority to determine work schedules and workdays for all employees (Board Policy 608.02, 04/13/2016). Full-time employees are expected to work five days per week, unless special approval is granted by the President, and must include a lunch period.

Full-time instructors, counselors, and librarians (Salary Schedule D): The normal work week of a full-time instructor, librarian, or counselor shall be a minimum of 35 clock hours, exclusive of lunch and other regularly scheduled breaks. This does not mean that each instructor is to be on duty seven hours per day, but it does mean that each instructor is to have a regular schedule of instruction, office hours, advising, planning, and institutional duties. Full-time instructors, librarians, and counselors employed on an academic year contract (fall and spring semesters) shall work the equivalent of 175 days or 1,225 hours. Full-time instructors, librarians, and counselors employed on a twelve-month contract shall work the equivalent of 229 days or 1,603 hours. Those employed full-time for the summer shall work the equivalent of 54 days or 378 hours (Chancellor’s Procedures for Policy 608.02, 04/13/2016). Faculty with overloads must account for the additional time on the submitted work schedule.

Adjunct faculty: Adjunct faculty work schedules are submitted each semester to the respective dean for review and then to the President for approval. Schedules must indicate classes and provisions for out-of-class assistance.

Full-time, non-instructional administrators and staff schedules (Salary Schedules B, C, and E): Full-time administrators and staff should include the normal work week of 40 hours exclusive of lunch on their work schedules. These employees can be required to work additional hours when needed. Days that the institution is officially open are duty days for full-time, non-instructional employees of each institution (Chancellor’s Procedures for Policy 608.02, 4/13/16).

## Remote Work

In certain circumstances including public health, institutional, or personal emergencies/illnesses or as necessary to meet responsibilities of the institution, the President may approve remote work for a specified period. To request this type of change to a normal work schedule, a supervisor must send a request to the Human Resources Director, who will relay the information and respond according to the decision made by the President. The request should specify the reason(s) why it is necessary for the employee to work remotely and indicate the period being requested. Remote work approvals typically will apply only to emergency situations. In most circumstances, sick, personal, or annual leave would need to be used instead.

## In-Service and Other Personnel Meetings

The college provides important training and informational updates through regular in-service days and other personnel meetings. Topics regularly include advising; updates on college procedures, offices, events; retirement; insurance; emergency procedures; software; etc. Employees are expected to attend applicable in-service activities and training sessions unless otherwise approved by the President and/or their immediate supervisor. Personnel who are aware of a matter that should be presented at a meeting should contact the respective dean or the President.

All adjunct instructional employees, including academic, workforce development, and dual enrollment instructors, are expected to attend meetings called by their respective division directors, program coordinators, or deans, and they are also welcome at in-service programs, division meetings, and general meetings of the faculty and staff.

## Employee Training

The college requires all full-time and part-time employees to participate in professional development through specific training sessions. All personnel must participate in mandatory annual Campus Save Act/VAWA and sexual harassment prevention training (Board Policy 601.04, 11/10/2020). Instructions on how to access the training and specific completion deadlines are issued to employees by the President.

Upon hire, new employees are required to complete ethics training through the Alabama Ethics Commission website and present a certificate of completion for inclusion in their personnel file. Occasionally, the President may require all employees to complete ethics training as a refresher.

Employees designated as Campus Security Authorities (CSA) are required to complete CSA training annually. Additionally, the College offers a variety of training sessions during fall, spring, and summer in-service. As needed, the President or Chancellor may assign specific groups or individuals to complete other types of training throughout the year. Training sessions are held periodically across the state on software implementation and topics and issues important to certain positions. Employees are expected to attend these when possible.

## Professional Appearance

Each employee should dress in a manner appropriate to his or her position at the College and is expected to represent the College in a positive manner, being well-groomed at all times. While “business casual” is typically the accepted standard of dress for offices, employees should consult with their immediate supervisors for exceptions. Shoes and conventional dress must be worn by employees. Some labs, shops, and workplace settings have specific dress requirements intended to enhance the safety of the employee. For example, steel-toed shoes and fire-resistant clothing may be required in some instances. In others, employees may be asked not to wear loose clothing, long-sleeved shirts, or jewelry. Regardless, all dress is expected to be clean, neat, professional, and appropriate for the employee's position.

## Public Appearances Representing the College

Occasionally, NACC personnel have the opportunity to represent the College through public appearances and should request permission from the President. When approved for such activities by the President, employees should do so with the utmost professionalism. All personnel are cautioned to qualify opinions offered as their own and to clarify that the ideas expressed are solely the responsibility of the speaker. Only the President or a specific designee on any given occasion is authorized to speak on behalf of the College.

# Professional Development Plan/Professional Growth Plan for Advancement

The College commends employees who seek opportunities for professional growth and development.

*Staff:* Employees who seek to improve their skills and knowledge through job-related professional development, such as through additional education, should document these plans prior to their occurrence by completing the Professional Development Plan form. This plan should be approved by the appropriate administrators and must receive final approval from the President. Employees should see the Human Resources Director for more information on how to submit this form and other required documentation prior to commencement of the professional growth/professional development plan, unless otherwise approved by the President.

Advancement within a level for a position shall be based on several components. Individuals seeking advancement must provide the following:

1. a written request to the President from the employee desiring advancement;
2. a written recommendation(s) from the employee's supervisor with any applicable documentation;
3. the past three employee evaluations, if available, with the individual showing no major weaknesses, liabilities, or problems noted by the supervisor;
4. incumbency in the position at the current salary grade for at least three years, absent unusual and extenuating circumstances documented by the supervisor or with approval by the President; and
5. adherence to a written, approved professional development plan, which must include the following: (a) addition to the position of higher order compensable factors, including but not limited to addition to the position of increased supervisory responsibility; (b) attainment of appropriate education and/or professional development which is job related and which increases the individual's knowledge or skills germane to the position, resulting in the individual becoming more valuable in helping the organization to meet stated goals or objectives; and (c) attainment of increased technical competence through certification, licensing, or training which is job related and which expands the ability of the individual to perform critical job functions.

In addition to the above requirements, for individuals seeking advancement the President may also consider the following factors:

1. market conditions in the area served by the institution; and
2. existence of unique circumstances or situations at individual institutions, justifying advancement, including demonstration of ingenuity, creativity, etc.

All decisions regarding advancements are subject to the review and approval of the President. Additionally, the President has the authority to initiate advancements when appropriate. Employees should consult with the Human Resources Director for more information on how to submit a professional growth plan.

*Faculty:* Faculty who intend to further their education must submit a Professional Growth Plan (PGP) form as well as a course of study, signed by his or her advisor, for consideration and approval by the President. A PGP is the official notification to the college of a desire to pursue additional credentials for advancement in faculty rank. A new plan must be submitted when an instructor desires to advance to any rank not covered by a previously approved plan or if a change of major or course of study becomes necessary or desired. If an instructor's plan is for the purpose of rank advancement, the plan must be approved by the President in advance of the instructor commencing the course of study included in the plan. Only the President can approve professional growth plans for salary or rank advancement. The President also has the discretion to deny professional growth plans for salary and rank advancement when the additional credential(s), education, or professional development is not needed, necessary, or desired to meet the academic, fiscal, or other needs of the institution.

Instructors in Groups B and C who wish to use corporate or other external training as a graduate semester hour equivalency to meet the in-field requirement must include the plan for obtaining the corporate and/or external training in the PGP. To determine the graduate semester hour equivalency of corporate or other external formal training, the College follows the federal definition of a credit hour as given in 34 CFR 600.2 and affirmed in the SACSCOC Credit Hours Policy Statement as the amount of work represented in intended learning outcomes that reasonably approximates at least one hour of direct instruction and two hours of out-of-class student work each week for fifteen weeks for one semester. Based on this federal definition, 30 semester credit hours includes at least 450 hours of direct instruction. Specifics of how corporate or other external formal training meets these guidelines must be indicated within the PGP. Examples of corporate or other external training include but are not limited to Society of Manufacturing Engineers (SME) courses, NAM's Manufacturing Institute courses, International Code Council Learning Center

courses, American Culinary Federation training, Association for Advancing Automation (A3) training, etc. The corporate and external formal training needs to be completed outside of the scope of the instructor's normal workday and work responsibilities.

Additionally, some advancements involve a work requirement including the successful completion of an occupational examination or certificate program. Such exams or certificates must be approved by the President and include, but are not limited to, the NOCTI, NIMS credentials, AWS, etc. The exams or certificates must be widely accepted as legitimate indicators of learned skills and experience.

Employees should see the Dean of Instruction for more information on how to submit this form and other required information *prior* to commencement of the professional growth plan. A copy of the approved Professional Growth Plan and regular updates regarding the completion of the plan should be shared with the Human Resources Director. Approved instructor rank changes may only occur once per year, and all official documentation for proof of earned credentials or completion of professional development plans must be submitted to the Dean of Instruction no later than August 15. Professional development plans must be completed by the timeline indicated in the PGP unless otherwise approved by the President.

## Drug-Free Workplace

In compliance with the drug- free workplace requirements of Public Law 100- 690 for recipients of Federal contracts and grants and Board Policy 613.01 (04/13/2016), the following policy is in effect for Northeast Alabama Community College.

1. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited by Northeast Alabama Community College on any property owned, leased, or controlled by Northeast Alabama Community College or during any activity conducted, sponsored, or authorized by or on behalf of Northeast Alabama Community College. A "controlled substance" shall include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802 or in the Alabama Uniform Controlled Substance Act (Code of Alabama, Section 20- 2- 1, et seq).
2. Northeast Alabama Community College has and shall maintain a drug- free awareness program to inform employees about the following:
  - a. the dangers of drug abuse in the workplace;
  - b. Northeast Alabama Community College's policy of maintaining a drug- free workplace;
  - c. any available drug counseling, rehabilitation, and employee assistance program; and
  - d. the penalties that may be imposed upon employees for drug abuse violations.
3. All employees of Northeast Alabama Community College shall comply with paragraph 1 above.
4. Any employee who is convicted by any Federal or State Court of an offense which constitutes a violation of paragraph 1 above shall notify the President of Northeast Alabama Community College in writing of said conviction within five (5) days after the conviction occurs. Conviction, as Updated October 2016 84 defined in P.L. 100- 690, shall mean "a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both."
5. In the event of a report of a conviction pursuant to paragraph 4 above where the employee is working in a project or a program funded through a Federal contract or grant, Northeast Alabama Community College shall notify in writing within ten (10) days any Federal agency to whom such notification by Northeast Alabama Community College is required under P.L. 100- 690.
6. In the event an employee violates paragraph 1 above or receives a conviction as described in paragraph 4 above, the respective employee shall be subject to appropriate disciplinary action which may include, but is not limited to, termination of employment. Northeast Alabama Community College shall also reserve the right to require said employee, as a condition of continued employment, to satisfactorily complete a drug treatment or rehabilitation program of a reasonable duration and nature.
7. Northeast Alabama Community College shall make a good faith effort to ensure that paragraphs 1- 6 above are followed.
8. Each employee of Northeast Alabama Community College shall receive a copy of this policy.

New employees receive a copy of the *Drug and Alcohol Abuse Prevention Program* during orientation. This program provides information on the policy; standards of conduct and enforcement; campus prevention; legal sanctions; health risks; and where to get assistance.



# Drug and Alcohol Abuse Prevention Program

## I. Introduction

It is the policy of Northeast Alabama Community College that each year the following information will be distributed to each student and employee of Northeast Alabama Community College. It is further the policy of Northeast Alabama Community College that every other year a committee assigned by the President of Northeast Alabama Community College shall review its Drug and Alcohol Abuse Prevention Program and shall:

1. determine the effectiveness of its program and report to the President any revisions needed by the program to make it more effective; and
2. ensure that the standards of conduct described in Part II hereof are fairly and consistently enforced; and
3. submit a written report to the President stating all findings and recommendations of the Committee. The President shall implement such of the Committee's recommended revisions as he/she shall deem appropriate and reasonable.

## II. Standards of Conduct and Enforcement Thereof

Northeast Alabama Community College is a public education institution of the State of Alabama and, as such, shall not permit on its premises, or at any activity which it sponsors, the possession, use, or distribution of any alcoholic beverage or any illicit drug by any student, employee, or visitor. In the event of the confirmation of such prohibited possession, use, or distribution by a student or employee, Northeast Alabama Community College shall, within the scope of applicable Federal and State due process requirements, take such administrative or disciplinary action as is appropriate. For a student, disciplinary action may include, but shall not be limited to, suspension or expulsion. For an employee, such administrative or disciplinary action may include, but shall not be limited to, reprimand, or suspension, or termination of employment, or requirement that the employee participate in and/or successfully complete an appropriate rehabilitation program. Any visitor engaging in any act prohibited by this policy shall be called upon to immediately desist from such behavior.

Smoking or the use of tobacco products shall be prohibited in any enclosed, indoor area of any building or other educational facility owned or operated by the institution, and no area therein may be designated for smoking or the use of tobacco products.

If any employee, student, or visitor shall engage in any behavior prohibited by this policy which is a violation of Federal, State, or local law or ordinance, including State underage drinking laws, that employee, student, or visitor shall be subject to referral to law enforcement officials for arrest and prosecution.

## III. Campus Prevention

Northeast Alabama Community College is committed to maintaining a campus free from drug and alcohol abuse. To encourage students and employees to avoid the negative effects of such abuses, the college offers the following activities, training, and services as part of its drug and alcohol awareness program.

Students:

- New Student Orientation: Students receive information during orientation regarding the prohibition of drug and alcohol use on campus.
- Online Alcohol and Drug Prevention Program: The Dean of Student Services sends an email each semester to all students encouraging them to participate in free online training for the prevention and awareness of drug and alcohol abuse, etc. The program addresses standards of conduct and policy; legal sanctions, including campus disciplinary actions and state and federal sentences for offenses; health risks of drug and alcohol use; and where to seek assistance.
- [TimelyCare](#): The college has partnered with TimelyCare to provide virtual mental health support for all NACC students at no cost to them. Students log into TimelyCare with their NACC email address and MyNACC password. TimelyCare is available through Canvas, the TimelyCare app, or [timelycare.com/nacc](https://www.timelycare.com/nacc) and provides the following free services:
  - TalkNow- 24/7 access to chat with a mental health professional.
  - Scheduled Counseling- Meet virtually with a licensed mental health professional.
  - Self-Care Content- View information about managing stress, healthy relationships, healthy eating habits, etc.
  - Basic Needs Support - Get connected to low or reduced-cost community resources.
- Mocktail Activity: Each year the Student Activities Director invites all student organizations to participate in a "mocktail" party on campus. Participating organizations compete by providing alcohol-free drinks to students in support of the theme to prevent dangerous alcohol-related activities such as drinking and driving. Students vote on the winning "mocktail" and are provided with educational information on the negative effects of alcohol.

- Mustang Community Resource Fair: This activity is a free on-campus event where local agencies come together to share helpful information with students, faculty, staff and community members. This event promotes awareness of the many services that are available in the community including food services, clothing resources, housing and shelter, childcare, healthcare, counseling services, substance abuse resources, senior care, crisis and emergency services, transportation, education and employment. Tables are set up outside on the quad, and agency representatives share information with attendees that stop by. The Fair is a biannual event that takes place each Fall and Spring semester.

#### Employees:

- Orientation: The Human Resources Director provides new employees with a copy of the Drug-Free Workplace Policy and asks them to review it during their orientation. Additionally, employees receive a copy of the Drug and Alcohol Abuse Prevention Program upon hire.
- Practitioners of Youth Safety Summit: The Criminal Justice program holds an annual training event on drug abuse awareness, current drug trends, and drug-induced medical emergencies. The training event is offered to local law enforcement, social workers, counselors, school administration/staff, and other professions that work to safeguard the youth. The Campus Police and Criminal Justice program faculty utilize the training, and it is tuition-free for all NACC faculty and staff.
- [TimelyCare](#): In addition to students, all employees may access free mental health services through [TimelyCare](#).

## IV. Legal Sanctions Regarding Unlawful Use, Possession, or Distribution of Alcoholic Beverages and Illicit Drugs

### A. [State Offenses](#)

The State Legislature for the State Board of Health is authorized to determine and classify substances by current medical usage, the potential for abuse, scientific evidence and knowledge of effects, risk to public health, etc. Controlled substances (CS) are regulated by the federal Controlled Substances Act (CSA), which divides CS into five categories called schedules. The Alabama Department of Public Health provides the following descriptions:

- Schedule I drugs have a high potential for abuse and currently have no accepted medical use. They are the only schedule of drugs that cannot be prescribed such as heroin.
- Schedule II drugs may lead to severe psychological or physical dependence. Examples include morphine, methamphetamine, cocaine, hydrocodone, and fentanyl.
- Schedule III drugs may lead to moderate or low physical dependence or high psychological dependence. Examples include anabolic steroids, codeine products with aspirin or Tylenol®, and certain barbiturates.
- Schedule IV may lead to limited physical dependence or psychological dependence compared with Schedule III drugs. Examples include Klonopin®, Valium® and Xanax®.
- Schedule V drugs have the lowest potential for abuse. They may lead to limited physical dependence or psychological dependence compared with Schedule IV drugs. Cough medicines with codeine are one example.

Schedule standards and listings may be found in the 2004 Code of Alabama, 20-2-20, et seq.

Activities that violate Alabama laws concerning illicit possession, use, and distribution of alcoholic beverages and drugs, along with first-offense convictions, include, but are not limited to, the following:

1. Public intoxication is punishable by a fine up to \$200 and up to thirty (30) days in the county jail (Code of Alabama of 1975, 13A-11-10).
2. Possession, consumption, or transportation of an alcoholic beverage by a person of less than 21 years of age is punishable by a fine of \$25-\$100 and up to a thirty (30) day jail term or thirty (30) day term in a juvenile detention facility (Code, 28-1-5), and mandatory loss of driver license for three (3) to six (6) months (Code, 28-3A-25).
3. Possession or distribution of an alcoholic beverage in a dry county is punishable by a fine of \$50-\$500 and a jail sentence or hard labor of up to six (6) months (Code, 28-4-20).
4. Possession of an alcoholic beverage illegally manufactured or illegally brought into the State of Alabama is punishable by a fine of \$100-\$1,000 and a jail sentence of up to six (6) months (Code, 28-1-1).
5. Transportation of five (5) gallons or more of any such liquor or beverage is a felony punishable by a sentence of not less than one (1) year nor more than five (5) years in the State penitentiary (Code, 28-4-115).
6. Driving or being in actual physical control of a vehicle while there is 0.08 percent or more by weight of alcohol in the blood; while there is 0.02 percent or more by weight of alcohol in the blood of a person under the age of 21 years; while under the influence of alcohol, a controlled substance, or the combined influence of alcohol and a controlled substance which renders a person incapable of safely driving; while under the influence of any substance which impairs the mental or physical faculties of such person to a degree which renders a person incapable of safely driving is punishable upon first conviction by a fine of \$600-\$2,100, up to one (1) year in jail,

suspension of drivers' license for ninety (90) days, and a completion of a DUI/substance abuse court referral program. Those under age 21 years are punishable upon first conviction by above mentioned fines and referral with a suspension of driver's license for thirty (30) days (Code, 32-5A-191).

7. Possession of marijuana for personal use is punishable by fine of up to \$2,000 and a jail sentence of up to one (1) year (Code, 13A-12-214), and mandatory loss of driver license for six (6) months (13A-12-291). Under the Darren Wesley "Ato" Hall Compassion Act (Medical Cannabis Act 2021-450), a registered qualified patient 19 years of age or older or registered caregiver is not subject to arrest or prosecution for unlawful possession of marijuana if he or she possesses no more than 70 daily dosages of medical cannabis and has a valid medical cannabis card (2022 Code of Alabama, 20-2A-7).
8. Possession of marijuana for other than personal use is punishable by a fine up to \$5,000 and a prison sentence of not less than one (1) year and one (1) day, and not more than ten (10) years (Code, 13A-12-213), and mandatory loss of driver license for six (6) months (13A-12-291).
9. Selling, furnishing, giving away, manufacturing, delivery, or distribution of a controlled substance listed in Schedules I-V of the Alabama Uniform Controlled Substances Act is punishable by a fine of up to \$10,000 and a prison term of not less than two (2) years and not more than twenty (20) years (Code, 13A-12-211), and mandatory loss of driver license for six (6) months (13A-12-291).
10. Selling, furnishing or giving by a person 18 years or older to a person under the age of 18 years, of any controlled substance listed in Schedule I-V of the Alabama Uniform Controlled Substances is punishable by a fine of up to \$20,000 and a prison term of not less than ten (10) years and up to life or ninety-nine (99) years and mandatory loss of driver license for six (6) months (13A-12-291). No suspended sentence shall be imposed nor shall probations be granted (Code, 13A-12-215).
11. Possession of a controlled substance enumerated in Schedule I-V is punishable by a fine of not more than \$5,000 and a prison term of not less than a year and a day and not more than (10) years (Code, 13A-12-212), and mandatory loss of driver license for six (6) months (13A-12-291).
12. Conviction for an unlawful sale of a controlled substance within a three (3) mile radius of an education institution brings with it an additional penalty of five (5) years imprisonment, with no provision for probation (Code, 13A-12-250).
13. Use or possession with intent to use drug paraphernalia is punishable by a fine of up to \$2,000 and a jail term of not more than one (1) year (Code, 13A-19-260).
14. Sale, delivery of, or possession with intent to sell or deliver drug paraphernalia is punishable by not more than one (1) year in prison and a fine of up to \$2,000. The delivery or sale to any person under 18 years of age is punishable by a prison term of not less two (2) years and not more than twenty (20) years and a fine of up to \$10,000 (Code, 13A-12-260).
15. Manufacture, distribution, or possession with intent to distribute or sell an imitation controlled substance is punishable for a Class A misdemeanor under Title 13A. Distribution or sale of an imitation controlled substance to a person under 18 years of age is punishable for a Class C felony under Title 13A. Use or possession with intent to use an imitation controlled substance is punishable for a Class C misdemeanor under Title 13A. Advertisement with the purpose to promote the distribution or sale of an imitation controlled substance is punishable for a Class B misdemeanor under Title 13A (Code, 20-2-143).
16. Purchase, use, possession, or transportation of tobacco, tobacco product, alternative nicotine product, or electronic nicotine delivery system, or presenting false proof of identification for such purposes by an individual under the age of 21 is punishable by citation, a fine of not less than \$10 nor more than \$50 each, and, in the case of a minor, notification of a parent, legal guardian, or legal custodian (Code, 28-11-13 and 28-11-14).
17. Selling, bartering, exchanging, or giving any minor any cigarettes, cigarette tobacco or cigarette paper, or any substitute for either of them is punishable by a fine of not less than \$10.00 nor more than \$50.00 and imprisonment in the county jail or hard labor for not more than thirty (30) days. (Code, 13A-12-3).
18. As addressed in Code 15A Alabama Clean Air Act, no person shall smoke in a public place or at a public meeting except as otherwise provided in Sections 22-15A-4 and 22-15A-7. Any person who violates Section 22-15A-4 commits a violation, punishable by a fine of twenty-five dollars (\$25) for each violation. Jurisdiction shall be with the appropriate district or municipal court. A charge of a violation shall be treated in the same manner as a traffic citation. Any law enforcement officer may issue a citation pursuant to this section (Code, 22-15A-9).
19. Possession of a prescription drug that was not lawfully dispensed is a misdemeanor punishable by not more than one (1) year in the county jail for hard labor and a fine of not more than \$1,000 (Code, 34-23-7).

Alabama Code classifies criminal offenses as follows:

TYPE	SENTENCE	FINE
Class A Felony	10 years to life	up to \$60,000
Class B Felony	2 years to 20 years	up to \$30,000
Class C Felony	366 days to 10 years	up to \$15,000
Class D Felony	366 days to 5 years	up to \$7,500
Class A Misdemeanor	up to 1 year	up to \$6,000
Class B Misdemeanor	up to 6 months	up to \$3,000
Class C Misdemeanor	up to 3 months	up to \$500
Violation	up to 30 days	up to \$200

Sentences and fines vary depending on the particular details and circumstances surrounding the criminal charge. Most subsequent violations of drug and alcohol related offenses are either elevated to a more severe offense or carry a more severe sentence by Statute, for example, DUI. Further, a special penalty is provided by the Code of Alabama, 13A-5-9 for individuals who have been convicted with 1, 2, and 3 or more prior felony offenses. An additional conviction's punishment is usually enhanced to higher classification, the minimum sentence is increased, and the discretion of the Court is drastically limited. Code of Alabama, 13A-5-6, provides additional sentencing enhancements for any offense in which a firearm or deadly weapon was used. For most drug or alcohol convictions, the court will require the successful completion of drug/alcohol treatment program, which can include inpatient or outpatient treatment as well as random drug/alcohol testing.

State legislation contained herein is not intended to represent the extent or complexity of violations and sentencing. Please consult local governing bodies and the Code of Alabama for the most recent, comprehensive information regarding criminal laws and penalties.

## **B. Federal Offenses**

According to 21 U.S. Code 841, it is a violation of Federal law (a) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (b) to create, distribute, or dispense, or possess with intent to distribute or dispense, or counterfeit substance. The U.S. Code establishes and authorizes the U.S. Attorney General to revise, as needed, classifications of controlled substances.

- Schedule I drugs have a high potential for abuse and currently have no accepted medical use. They are the only schedule of drugs that cannot be prescribed such as heroin.
- Schedule II drugs may lead to severe psychological or physical dependence. Examples include morphine, methamphetamine, cocaine, hydrocodone, and fentanyl.
- Schedule III drugs may lead to moderate or low physical dependence or high psychological dependence. Examples include anabolic steroids, codeine products with aspirin or Tylenol®, and certain barbiturates.
- Schedule IV may lead to limited physical dependence or psychological dependence compared with Schedule III drugs. Examples include Klonopin®, Valium® and Xanax®.
- Schedule V drugs have the lowest potential for abuse. They may lead to limited physical dependence or psychological dependence compared with Schedule IV drugs. Cough medicines with codeine are one example.

Sentencing and fines for activities that violate Federal laws concerning illicit possession, use, and distribution of alcoholic beverages and drugs, include, but are not limited to, the following:

- Violations involving a Schedule I or II substance carry a sentence of not more than 20 years of imprisonment and a fine of not more than \$1,000,000.
- Violations involving a Schedule III substance carry a sentence of not more than 10 years of imprisonment and a fine of not more than \$500,000.
- Violations involving a Schedule IV substance carry a sentence of not more than 5 years of imprisonment and a fine of not more than \$250,000.
- Violations involving a Schedule V substance carry a sentence of not more than 1 year of imprisonment and a fine of not more than \$100,000.
- Notwithstanding the above, the distribution of a small amount of marijuana for no remuneration is punishable by not more than 1 year of imprisonment and a minimum fine of \$1,000.
- Violations involving possession of minimum amounts of substances such as heroin, cocaine, ecgonine, phencyclidine (PCP), lysergic acid diethylamide (LSD), marijuana, and methamphetamine carry a sentence ranging from not less than 5 years of imprisonment to not more than life, and a fine of not less than \$5,000,000.
- Violations involving the intent to commit a crime of violence by distributing a controlled substance to an individual without that individual's knowledge carry a sentence of not more than 20 years of imprisonment and fines in accordance with 18 U.S. Code.
- Under 21 U.S. Code 843, it is unlawful to acquire or obtain possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge. Violations carry a sentence of not more than 4 years of imprisonment and fines in accordance with 18 U.S. Code.

Penalties for subsequent violations of these provisions are progressively more severe than for initial convictions. Federal legislation contained herein is not intended to represent the extent or complexity of violations and sentencing. Please consult national governing bodies and the U.S. Code for the most recent, comprehensive information regarding criminal laws and penalties.

## **C. Local Ordinances**

Local authorities uphold State and Federal laws regarding unlawful use, possession, or distribution of alcoholic beverages and illicit drugs. Violations are prosecuted in DeKalb and Jackson Counties by the District Attorney's Office on behalf of the State of Alabama. Misdemeanor offenses and violations occurring within town limits are prosecuted by the city prosecutor on behalf of the Town of Powell.

## **V. Health Risks of Drug and Alcohol Use and Abuse**

The following is a list of some of the health risks and symptoms associated with various categories of substances. It is not intended to be the final word on such health risks, since the scientific and medical communities will continue their research into and discoveries concerning the abusive use of drugs and alcohol.

### **Cannabis**

Forms: Cannabis includes marijuana, hashish, hashish oil, and tetrahydrocannabinol (THC).

Risks: Regularly observed physical effects of cannabis are a substantial increase in the heart rate, bloodshot eyes, a dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are "high." Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco. Long-term users of cannabis may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of user's life.

### **Cocaine**

Forms: Cocaine includes powder form and "crack" in crystalline or pellet form.

Risks: Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Injecting cocaine with unsterile equipment can transmit AIDS, hepatitis, and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive, and its effects are felt within 10 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucination, paranoia, and seizures. The use of cocaine can cause death by disrupting the brain's control of the heart and respiration.

### **Other Stimulants, including amphetamines and methamphetamines**

Forms: The stimulant methamphetamine is commonly known as "speed," "meth," and "chalk" in its powdered form and "ice," "crystal," "crank," "glass," and "batu" in its smoked form. Crystal methamphetamine can be smoked, snorted, orally ingested, or injected. The crystalline form is very high in purity (90-100%) and effects can last 6 to 24 hours while the powdered form varies in purity and the effects can last 2 to 4 hours. Other forms of stimulants include amphetamines; phenmetrazine (Preludin); methylphenidate (Ritalin); and "anorectic" (appetite suppressant) drugs such as Adipex, Fastin, Didrex, Pre-Sate, etc.

Risks: Stimulants, including methamphetamine, are addictive substances that affect the central nervous system. Immediate/short term effects include dilated pupils, extreme elevations of heart rate, blood pressure and body temperature; a sense of exhilaration or an intense rush followed by superabundant energy, hyperactivity, extended wakefulness, and loss of appetite. Additional short-term effects include increased alertness, a sense of well-being, paranoia, hallucinations, aggressive behavior, convulsions, uncontrollable repetitive behavior (known as "tweaking"), twitching, "jitteriness", jaw clenching or teeth grinding, violent behavior, insomnia, dry, itchy skin, acne, and sores. Long-term effects include fatal kidney, liver, and lung damage or disorders, possible brain damage, permanent psychological problems, severe depression, hallucinations, poor coping abilities, violent and aggressive behavior, loss of pleasure, weight loss, malnutrition, loss of teeth, insomnia, lowered resistance to illnesses, stroke, even suicide and death. While withdrawal symptoms are less pronounced than those of alcohol or opiates (such as heroin), they are nonetheless physiological in nature and could include seizures, narcolepsy, and stroke. Furthermore, the mental and social consequences of quitting can be severe and extremely difficult for the addict.

### **Depressants**



Forms: Depressants include such drugs as barbiturates, methaqualone (Quaaludes), and tranquilizers such as Valium, Librium, Equanil, Miltown, etc.

Risks: The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety to convulsions and death. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after they are born. Birth defects and behavioral problems also may result.

### **Narcotics**

Forms: Narcotics include such substances as heroin, morphine, opium, and codeine as well as methadone, meperidine (Demerol), hydromorphone (Dilaudid), and such drugs as Percocet, Percodan, Darvon, Talwin, etc.

Risks: Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users also may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possibly death. Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may result in diseases such as AIDS, endocarditis, and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

### **Hallucinogens**

Forms: Hallucinogens include phencyclidine (PCP), lysergic acid diethylamide (“Acid”/LSD), peyote, mescaline, and psilocybin.

Risks: Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries. The effects of PCP vary, but users frequently report a sense of distance and estrangement. Time and body movements are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic users of PCP report persistent memory problems and speech difficulties. Some of these effects may last 6 months to a year following prolonged daily use. Mood disorders – depression, anxiety, and violent behavior – also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, heart and lung failure, or ruptured blood vessels in the brain. Lysergic acid (LSD), peyote, mescaline, and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. Sensations and feelings may change rapidly. It is common to have a negative psychological reaction to LSD, peyote, mescaline, or psilocybin. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even after use has ceased.

### **Inhalants**

Forms: Inhalants include such substances as nitrous oxide (“laughing gas”), amyl nitrite, butyl nitrite, chlorohydrocarbons (used in aerosol sprays), and hydrocarbons (found in gasoline, glue, and paint thinner).

Risks: Immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgement. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain hemorrhage. Deeply inhaling the vapors or using large amounts over a short period of time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops. Long-term use can cause weight loss, fatigue, electrolyte imbalance, and muscle fatigue. Repeated sniffing of concentrated vapors over time can permanently damage the nervous system.

### **Designer Drugs/Club Drugs**

Forms: Designer drugs include analogs of fentanyl and analogs of meperidine (synthetic heroin), analogs of amphetamines and methamphetamines (such as MDMA/Ecstasy), analogs of tetrahydrocannabinol (THC), and analogs of phencyclidine. Other drugs included are gamma-hydroxybutyrate or GHB, ketamine, and Rohypnol

(“Roofies”) known as the “date rape” drug. Illegal drugs are defined in terms of their chemical formulas. Underground chemists modify the molecular structure of certain illegal drugs to produce analogs known as designer drugs. These drugs can be several hundred times stronger than the drugs they are designed to imitate.

Risks: The narcotic analogs can cause symptoms such as those seen in Parkinson’s disease – uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills, sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations, and impaired perception.

### **Alcohol**

Forms: Ethyl alcohol, a natural substance formed by the fermentation that occurs when sugar reacts with yeast, is the major active ingredient in wine, beer, and distilled spirits. Other types of alcohol such as isopropyl, ethyl, methyl, and acetone are found in common household items like mouthwash, cough syrup, flavored extracts, and rubbing alcohol. These are not intended to be consumed.

Risks: Ethyl alcohol can produce feelings of well-being, sedation, intoxication, unconsciousness, or death, depending on how much is consumed and how fast it is consumed. Ingesting types of alcohol like those found in household items is more likely to lead to alcohol poisoning because of the higher potency. Alcohol is a “psychoactive,” or mind-altering, drug as are narcotics and tranquilizers. It can alter moods, cause changes in the body, and become habit-forming. Alcohol depresses the central nervous system and too much can cause slowed reactions, slurred speech, and unconsciousness. Chronic use of alcohol has been associated with such diseases as alcoholism, and cancers of the liver, stomach, colon, larynx, esophagus, and breast. Alcohol abuse can also lead to damage to the brain, pancreas, and kidneys; high blood pressure, heart attacks, and strokes; hepatitis and cirrhosis of the liver; stomach and duodenal ulcers; colitis; impotence and infertility; and premature aging. Abuse of alcohol has been linked to birth defects and Fetal Alcohol Syndrome.

### **Nicotine, including e-cigarettes and vaping devices**

Forms: Nicotine is found in cigarettes, vaping devices, e-cigarettes, cigars, and hookahs, as well as smokeless forms like snuff, spit tobacco, and chew. Nicotine is commonly smoked, snorted, chewed, or vaporized.

Risks: Nicotine, a highly addictive drug, is absorbed readily from tobacco smoke in the lungs as well as oral mucosa when it is chewed. E-cigarettes and vaping devices are used to vaporize a synthetic liquid containing nicotine, flavoring, THC, stimulants, synthetic drugs, and even chemicals. The health risks associated with “vaping” these alternate products can be found in the corresponding sections above. Nicotine acts by stimulating and sedating the central nervous system. The initial ingestion results in a “kick” followed by fatigue and depression. This “letdown” causes the abuser to seek more nicotine. With repetitive use of tobacco, levels of nicotine accumulate in the body. Addiction to nicotine results in withdrawal symptoms when the person tries to stop. They may include anger, hostility, and extreme cravings for the drug as with other abuse drugs. Dozens of harmful gases and tar are found in cigarette smoke. The Environmental Protection Agency concludes that secondhand smoke causes lung cancer and greatly increases the risk of chronic respiratory problems in children. Women that smoke and take oral contraceptives are more prone to heart attacks and strokes than other smokers. Other problems include emphysema, chronic bronchitis, and cancers of the lips, mouth, and throat. Additionally, vaping exposes lungs to metallic vapors created by the device’s heating coils. Some vaping products are mixed with dangerous chemical fillers like vitamin E acetate. Heating components and batteries in e-cigarettes can pose other health risks in the event of malfunction or misuse.

## **VI. Exposure/Contamination**

Immediately report any suspicious or unknown substances to Campus Police. Do not touch, or allow others to touch, any suspicious or unknown substances. Exposure to some drugs can be dangerous and even fatal.

Fentanyl, similar to morphine and heroin but 50-100 times more potent, acts quickly to depress the central nervous system and respiratory function. Exposure can occur through inhalation, ingestion, absorption into the skin, or by touching the eyes, nose, or mouth with contaminated hands.

Report all potential exposures and wash hands thoroughly (no hand sanitizer or any alcohol based cleaner) if suspected of potential contamination.

## **VII. Where to Get Assistance**

The resources and assistance organizations listed below are available to students and employees seeking information about or help with drug or alcohol addiction.

## A. **Campus Resources**

Van McAlpin, NACC Police Chief  
Student Center 101  
256-638-4418/256-228-6001 ext. 2249  
mcalpinv@nacc.edu

Jeff Hawes, Dean of Student Services  
Student Center 115  
256-638-4418/256-228-6001 ext. 2278  
hawesj@nacc.edu

TimelyCare

Available through Canvas, the TimelyCare app, or [timelycare.com/nacc](https://www.timelycare.com/nacc). Login with NACC email address and MyNACC password. Virtual Mental Health Platform includes:

- TalkNow
- Scheduled Counseling
- Self-Care Content
- Basic Needs Support 1-833-4-TIMELY

## B. **Community Resources**

DeKalb County CED Mental Health Center  
301 14th Street NW  
Fort Payne, Alabama 35967  
256-845-4571  
24 Hour Assistance: 256-492-7800  
Website: [cedmentalhealth.org](https://cedmentalhealth.org)

Mountain Lakes Behavioral Healthcare  
Jackson County Location:  
508 Gregory Street  
Scottsboro, Alabama 35768  
256-259-1774  
Website: <https://www.mlbhcwebpage.com/>

DeKalb County Sheriff's Office – Narcotics and Interdiction Unit  
2801 Jordan Road SW  
Fort Payne, AL 35968  
24 Hours (Non-Emergency)/Crime Tips: 256-845-3801  
Investigations Office: 256-845-8562  
Website: <https://www.dekalbcountysheriff.org/>

Jackson County Sheriff's Office – Narcotics Division  
102 East Laurel Street  
Scottsboro, Alabama 35768  
24 Hours (Non-Emergency)/Crime Tips Hotline: 256-574-2610  
Website: <https://www.jacksoncountysheriffal.org>

## C. **State/National Toll-Free Helplines and Treatment Resources**

The Council on Substance Abuse-NCADD (COSA-NCADD)  
Recovery Support Services: 334-262-7477  
Website: [www.cosancadd.org](https://www.cosancadd.org)

Substance Abuse and Mental Health Services Administration (SAMHSA)  
National Helpline: 1-800-662-HELP  
Website: [www.samhsa.gov](https://www.samhsa.gov); [www.findtreatment.gov](https://www.findtreatment.gov)

VAPEFREEAL: Text-to-Quit Vaping Service sponsored by the Alabama Department of Public Health  
Youth and young adults who want to quit vaping can text VAPEFREEAL to 88709 to sign up for a totally free, anonymous texting service that provides 24/7 support, daily tips, and motivation.



Alabama Tobacco Quitline  
Helpline: 1-800-QUITNOW  
Website: [quitnowalabama.com](http://quitnowalabama.com)

#### D. Additional Online Resources

Alabama Department of Public Health: <http://www.alabamapublichealth.gov/tobacco/index.html>

American Addiction Centers: <https://www.alcohol.org/>; <http://www.drugabuse.com>

National Institute on Drug Abuse: [www.drugabuse.gov](http://www.drugabuse.gov)

National Library of Medicine: <https://medlineplus.gov/substanceabuseproblems.html>

SAMHSA: [www.samhsa.gov](http://www.samhsa.gov); [www.findtreatment.gov](http://www.findtreatment.gov)

## Fair Labor Standards Act Compliance

The College complies with the guidelines of the Fair Labor Standards Act (Board Policy 614.01, 4/13/2016)

### Time Record Procedures (FLSA Non-Exempt Positions)

The work week for FLSA non-exempt employees begins and ends at 12 midnight each Friday. Employees are required to work forty hours each week and must adhere to the work schedule approved by the President at the beginning of each appointment year.

To ensure that accurate time records are maintained, the College requires that non-exempt employees (1) use the designated software to record their work time and (2) communicate directly with the Human Resources Director regarding time recording issues or questions. The time software should be used to clock-in and clock-out when an employee arrives to work, begins a lunch break, resumes work after lunch, and leaves work. A non-exempt employee is not allowed to work when he or she is clocked out.

When unable to clock in or clock out, immediate completion of a manual time form is required. Each employee is expected to accurately record his or her time to the minute. After completing a manual time form, an employee must immediately notify the Human Resources Office of the need to make a manual adjustment to his or her time. This notification should be made initially by phone call, text, or email, and the manual form should be approved by the immediate supervisor and submitted to the Human Resources Office by noon of the next workday. The notification and manual form submission must be made directly to the Human Resources Office by the employee or his or her immediate supervisor. Once the approved manual adjustment is recorded and noted as being entered on the manual time form, it will be returned to the employee. The employee should attach the manual time form to the weekly time report when it is received the following week.

At the beginning of each week, the Human Resources Office will produce the previous week's time record for review and approval by each non-exempt employee's supervisor and the employee. Each employee should carefully review his or her time report and contact the Human Resources Office to discuss errors as soon as possible. Supervisors must carefully review the reports to ensure accuracy. After review and approval, each employee and supervisor will attest to the accuracy of the report by signing at the bottom. Time reports should be returned by each employee directly to the Human Resources Office by Friday at noon of the same week in which they are received.

Requests for compensatory time may be approved in rare circumstances by the President. A non-exempt employee must have the specific, prior approval of the President before working past his or her normal 40-hour work week. If approved, compensatory time will be granted at one-and-one-half (1 ½) the time worked over the normal 40-hour work week. For example, an employee working 42 hours during a week would receive three hours of compensatory time. Frequent or repeated overtime without prior approval may lead to disciplinary action. To request compensatory time, an employee should submit the Adjustment to Work Schedule Request form, available online on the Forms page, to the President as soon as the need for compensatory time is anticipated.

An employee who has been approved for compensatory time must request use of the accrued time within two months and should request to use available compensatory time before requesting to use annual, personal, or sick leaves for absences. The requested use cannot unduly disrupt the operations of the College. Compensatory time may not be used during periods such as in-service, graduation, or other key timeframes and events that are a part of the College's operation. If approved, an employee should request to use his or her compensatory time by completing an *Employee Leave Request* and noting on the request that he or she would like to use compensatory time. A copy of the approved *Adjustment to Work Schedule Request* form should be attached.

An employee who has accrued compensatory time shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than (a) the average regular rate of pay for such employee during the last three years of employment or (b) the final regular rate of pay received by such employee, whichever is higher.

## Americans with Disabilities Act (ADA) Policy

The Americans with Disabilities Act of 1990 (the ADA) is a Federal statute which prohibits a covered employer from discriminating "against a qualified individual with a disability because of the disability of such individual in regard to job application procedure, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions and privileges of employment."

### Definitions

#### ***Individual with a Disability***

1. An "individual with a disability" is considered a person who: has a physical or mental impairment that substantially limits one or more major life activities; and/or
2. has a record of such impairment; and/or
3. is regarded as having such an impairment.

#### ***Major Life Activity***

A "major life activity" is defined as a function such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

#### ***Qualified Individual***

A "qualified individual" is a person with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or desires.

#### ***Reasonable Accommodation***

Northeast Alabama Community College endeavors to ensure that employees with disabilities and job applicants with disabilities receive the consideration that they are due under the ADA. With regards to employees, the term "reasonable accommodation" has been defined to include, but not necessarily limited to

1. making existing facilities used by employees readily accessible to and usable by persons with disabilities;
2. job restructuring, part-time or modified work schedules, or reassignment to a vacant position;
3. acquisition or modification of equipment or devices;
4. adjustment or modification of examinations, training materials, or policies; or
5. provision of qualified readers or interpreters.

The ADA does not require the College to make any modification, adjustment, or change in a job description or policy that would fundamentally alter the essential functions of the job at issue. Nor does the ADA require that the College provide an accommodation when the College is not aware of the employee's disability.

#### ***Applying for an Accommodation***

If an employee with a disability seeks an accommodation under the ADA, the employee should contact the Office of Human Resources and make application for the accommodation with the Human Resources Director, who will provide the application to the President. The President shall have the right to request documentation of the employee's limitation from a licensed physician, psychologist, counselor, or other appropriate professional. The documentation need not reveal the underlying physical or mental condition but must state with particularity the limitation(s), such as the inability to stand more than a stated period of time; the inability to work in the presence of certain odors, chemicals, or substances; the inability to hear certain sounds or levels of sounds, etc.

The accommodation that will be made will be determined with the input of the employee and such knowledgeable parties as may be consulted by the President. However, the College shall determine the ultimate decision as to what accommodation or accommodations will be made available.

The form for requesting ADA accommodations can be obtained by making an email request to the Human Resources Director.

See Section VIII, Students with Disabilities, for handling student requests for accommodation.

### **Undue Hardship**

The ADA does not require the College to make an accommodation where the accommodation would impose an undue hardship upon the College in the form of a significant undue financial cost or a significant adverse impact on the College operations or upon other College employees to conduct their duties.

In a situation where an employee believes that he or she is not receiving the full consideration and services due under the ADA, the employee may file a grievance under the College's grievance procedure.

## **Bullying**

In an effort to provide a working environment free of harassment, Northeast Alabama Community College does not tolerate bullying of employees or students. Bullying is defined as behavior directed at another individual that is meant to hurt them either physically or emotionally to elicit a reaction to pain, hurt feelings, fear, segregation, or humiliation caused by one attempting to wield power and/or control over them. Bullying can include aggressive communication, acts and behaviors aimed at humiliation, and manipulation. Some examples include ridiculing; teasing; mocking; staring; gossiping; making demeaning or threatening comments; cyberbullying; offensive remarks; and invasion or personal space. The college encourages its employees to be mindful of the tone and content of their verbal and written communications with others while at work and when attending college-sponsored events. Employees who believe that they are being bullied can report this behavior by following the procedures for reporting Employee Complaints.

## **Complaints and Grievances**

### **Employee Complaints**

Employee complaints are defined as those complaints related to discrimination, harassment, hostile work environment, ethical concerns, and other legal-related matters against any person associated with the College. This policy does not cover general workplace grievances, conduct, or professionalism, which are addressed in the Employee Grievances section. This policy does not apply and cannot be used against the President.

Any employee who believes he or she has been subjected to or observed:

- discrimination based on race, color, national origin, religion, marital status, disability, sex, age or any other protected class as defined by federal and state law;
- sexual harassment;
- harassment in forms other than sexual;
- hostile work environment;
- ethical violations or similar concerns;
- criminal acts;
- ACCS, College, or Chancellor policy or procedure violations; or
- other legal-related issues

by any person associated with College (other than a President), shall report the action immediately, and in no event more than ten (10) calendar days following the event, to the Human Resources Director/Title IX Coordinator or President. In conjunction with the report, the employee shall provide a written statement, as well as any evidence the employee believes substantiates the complaint, and shall be required to assist in an appropriate investigation. The appropriate form to use is the Employee Complaint Form and can be found on the Forms page on the NACC website.

The College shall designate an appropriate person to review and investigate the matter and may engage legal counsel for this purpose, as determined by the President. This review and investigation shall be conducted promptly and within 45 calendar days if practical, but not later than 60 days, unless this period is extended by agreement of the

complaining and responding parties. Once the review and investigation has been completed, the President or designee shall issue a written response to the reporting employee within 15 calendar days if practical, but not later than 30 days unless this period is extended by agreement of the complaining and responding parties, and this written response shall be final.

An employee who brings a good faith complaint under this policy shall not be retaliated against in any manner. Any employee who retaliates against an employee for making a good faith complaint under this policy will be disciplined.

Title IX harassment, physical assault, or discrimination complaints lodged by students against employees are subject to the procedures outlined in the Student Handbook section of the *Catalog*. (Board Policy 620.02, 11/10/2020)

### **Employee Grievances**

Employee grievances are between and amongst employees of the College about general workplace issues, conduct, or professionalism. This policy does not apply and cannot be used against the President. This policy is not intended to cover complaints regarding discrimination, harassment, hostile work environment, ethical concerns, or other legal-related matters, which are covered in the *Employee Complaints* section.

Any employee who claims a grievance (or who is reporting an observed grievance) must file a written statement within 10 calendar days from the date of the alleged incident. Otherwise, the grievance will not be reviewed under this policy. Oral grievances do not comply with this policy. The written statement must be filed with the complaining employee's direct supervisor, unless the direct supervisor is the person about whom the grievance is lodged. In such cases, the employee must file the statement with the next supervisor in line. Employees should use the Employee Grievance Form, available on the Forms page of the NACC website, to make the written report. The supervisor (or other person receiving a written grievance) will notify the Human Resources Director and President.

The supervisor, or other person appointed to address the grievance, must review the written statement and conduct an investigation of the claims within 45 calendar days (or as otherwise agreed), and then make a written report of findings with recommendations within 60 calendar days of receipt of the grievance. The report must be given to the President, Human Resources Director, the complaining employee, and the person about whom the grievance is lodged. The complaining employee or the person about whom the grievance is lodged has five calendar days from receipt of the written report to provide specific written objections to the report of findings with recommendations to the President, which will be considered by the President or designee before issuing a final decision. This decision shall be final. Only the President can take disciplinary action against an employee.

An employee who brings a good faith grievance under this policy shall not be retaliated against in any manner. Any employee who retaliates against an employee for making a good faith grievance under this policy will be disciplined. The President's decision will be final.

NOTE: If the last day for filing a notice of appeal falls on a Saturday, Sunday, or a legal holiday, the appealing party will have until 5:00 p.m. the first working day following to file. (Board Policy 620.01, 4/10/2019)

## **Title IX Coordinator**

The Title IX Coordinator is the first point of contact for discrimination or harassment based on sex or sexual assault complaints. The current Title IX Coordinator is Lynde Wheeler, Human Resources Director, Office 116, Pendley Administration Building, ext. 2230; [wheelerl@nacc.edu](mailto:wheelerl@nacc.edu).

# Northeast Alabama Community College Complaint Processes for Title IX Violations; Violations of the College's Anti-Harassment, Physical Assault, and Anti-Discrimination Policy; Violations of the College's Code of Conduct; and General Complaints

## Introduction

[NACC has adopted policies regarding violations of Title IX, violations of NACC's anti-harassment, physical assault, and anti-discrimination policies, and violations of NACC's Code of Conduct. Those policies govern all members of the NACC community and are available to any member who believes that he or she has been the victim of a violation of those policies. Each policy is described in summary form, with the policies in entirety following.](#)

## Anti-Harassment, Physical Assault, and Anti-Discrimination Policies

NACC's Anti-Harassment, Physical Assault, and Anti-Discrimination policies prohibit harassment and or discrimination on the basis of an individual's race, color, national origin, religion, marital status, disability, gender, age, or other protected class as defined by federal and state law. Discrimination on the basis of race, color, religion, sex, sexual orientation, and national origin is illegal under Title VII of the Civil Rights Act of 1964. Discrimination on the basis of sex is illegal under Title IX of the Educational Amendments of 1972. Discrimination on the basis of age is illegal under the Age Discrimination Act of 1975. Violations related to non-sexual harassment or physical assault should be reported to the Dean of Student Services. Violations related to sexual harassment, sexual discrimination, or sexual assault should be reported to the Title IX Coordinator.

## Code of Conduct

NACC has adopted a Code of Conduct that governs the conduct of NACC students and student organizations. The Code of Conduct is intended to ensure that NACC students conduct themselves in a manner compatible with the educational objectives of NACC. The Code of Conduct applies to all students and student organizations. By enrollment and affiliation with NACC, a student or organization neither relinquishes the right nor escapes responsibilities of local, state, or federal laws and regulations. NACC is committed to maintaining an environment that contributes to its educational mission, as well as the safety, health, and well-being of all students and other persons on campus. Therefore, students and organizations are obligated to abide by the rules and policies established by NACC. Violations of NACC's Code of Conduct should be reported to the Dean of Student Services (or other appointed administrator).

## General Complaint Policy

NACC has general complaint policies for employees to file complaints against students and for students to file complaints against employees or the College in general for reasons that are not covered under the Title IX Sexual Harassment Policy or Anti-Harassment, Physical Assault, or Anti-Discrimination Policy.

## Title IX Sexual Harassment Policy

NACC has adopted a Title IX Sexual Harassment Policy. Pursuant to Title IX of the Educational Amendments of 1972, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. Acts that constitute violations of NACC's Title IX Sexual Harassment Policy are described in detail within the policy and should be reported to the Title IX Coordinator immediately.

# Anti-Harassment, Physical Assault, and Anti-Discrimination Policy

Northeast Alabama Community College (NACC) is committed to providing both employment and educational environments free of harassment, physical assault, or discrimination related to an individual's race, color, national origin, religion, marital status, disability, gender, age, sex, sexual orientation, or other protected class as defined by federal and state law. Such harassment, discrimination, and assault are violations of NACC and the Alabama Community College System policies. Discrimination on the basis of race, color, religion, sex, sexual orientation, and

national origin is illegal under Title VII of the Civil Rights Act of 1964. Discrimination on the basis of sex is illegal under Title IX of the Educational Amendments of 1972. Discrimination on the basis of age is illegal under the Age Discrimination Act of 1975.

A nondiscriminatory environment is essential to the mission of the College. Any practice or behavior that constitutes harassment, physical assault, or discrimination shall not be tolerated on campus, at any off-campus site, or in any division or department by any employee, student, agent, or non-employee on the institution's property and while engaged in any institutionally-sponsored activities. It is within this commitment of providing a harassment-free environment and in keeping with the efforts to establish an employment and educational environment in which the dignity and worth of members of the college community are respected that harassment, physical assault, and discrimination of students and employees is unacceptable conduct and shall not be tolerated at the College.

For these purposes, the term "harassment" includes, but is not necessarily limited to, the following: slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, religion, creed, sex, gender identity, transgender status, pregnancy, national origin, disability, sexual orientation, military or veteran's status, genetic information, age or any other characteristic that is protected by applicable state or federal law or the Alabama Community College System policies. Harassment also includes Sexual Harassment, which is forbidden by the NACC Code of Conduct and the College's Title IX Sexual Harassment Policy. Complaints of Title IX sexual harassment can be made according to the procedures outlined in the College's Title IX Sexual Harassment Policy. Complaints for harassment that fall outside the purview of Title IX sexual harassment will be governed by the Code of Conduct and general complaint policies.

Employees and students of the College shall strive to promote an environment that fosters personal integrity where the worth and dignity of each human being is realized, where democratic principles are promoted, and where efforts are made to assist colleagues and students to realize their full potential as worthy and effective members of society. Administrators, professional staff, faculty, and support staff shall adhere to the highest ethical standards to ensure a professional environment and to guarantee equal educational opportunities for all students.

The employees of the College determine the ethical and moral tone for the College through both their personal conduct and their job performance. Therefore, each employee must be dedicated to the ideals of honor and integrity in all public and personal relationships. Relationships between College personnel of different ranks, including that of instructors and students, which involve partiality, preferential treatment, or the improper use of position shall be avoided. Further, such relationships may have the effect of undermining the atmosphere of trust on which the educational process depends. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students or employees there is always an element of power. It is incumbent on those with authority not to abuse the power with which they are entrusted.

All personnel shall be aware that any romantic relationship (consensual or otherwise) or any other inappropriate involvement with another employee or student makes them liable for formal action against them if a complaint is initiated by the aggrieved party in the relationship. Even when both parties have consented to the development of such a relationship, it is the supervisor in a supervisor-employee relationship, the faculty member in a faculty-student relationship, or the employee in an employee-student relationship who shall be held accountable for unprofessional behavior.

Harassment of employees or students by non-employees on the institution's property and while engaged in any institutionally-sponsored activities is also a violation of this policy. Any employee or student who becomes aware of any such harassment shall report the incident(s) to the Dean of Student Services, Campus Police, or Title IX Coordinator. Intimidation and retaliation against complainants, respondents, and witnesses are forbidden under this policy, Title IX, and by the College's Code of Conduct.

## NACC Code of Conduct

NACC'S Code of Conduct is intended to ensure that NACC students conduct themselves in a manner compatible with the educational objectives of NACC. The Code of Conduct applies to all students and student organizations. By enrollment and affiliation with NACC, a student or organization neither relinquishes the right nor escapes responsibilities of local, state, or federal laws and regulations. NACC is committed to maintaining an environment that contributes to its educational mission, as well as the safety, health, and well-being of all students and other persons on campus. Therefore, students and organizations are obligated to abide by the rules and policies established by NACC. It is assumed that students enrolling in NACC are mature and have a desire for constructive learning. Common courtesy and cooperation are expected of all students. Interference, injury, or the intentional attempt to injure or interfere with the personal or property rights of any person - whether a student, visitor, faculty or staff member or NACC itself is strictly prohibited. NACC does not permit in any way the consumption or possession of alcoholic beverages,

narcotics, and/or other hallucinogenic drugs on campus or at college-sponsored functions. Possession of firearms is prohibited. Littering is also prohibited. Students who are observed littering on campus will be fined \$10.00 per incident. Students on probation due to a violation of the Code of Conduct may not represent the school in interscholastic contests.

Other specific forms of prohibited conduct include but are not limited to:

1. Dishonesty, including cheating, plagiarism, or furnishing incomplete or false information to the College. Any student found guilty of cheating may be dropped from the course with a grade of "F."
2. Destruction or theft of property;
3. Failure to comply with directions of College officials acting in the performance of their duties;
4. Forgery, alteration, or misuse of College documents, exams, records, or identification;
5. Disorderly or disruptive conduct, including classroom disruptions, reckless endangerment, harassment, assault, bullying, cyberbullying, and discrimination;
6. Obstruction or disruption of the College's academic program or operations;
7. Unauthorized entry to College facilities;
8. Unauthorized possession of a key to College facilities;
9. Violation of traffic regulations;
10. Violation of library regulations; and/or
11. Violation of any federal, state, or local law or ordinance.

Any practice or behavior that constitutes harassment, physical assault, or discrimination shall not be tolerated on campus, at any off-campus site, or in any division or department by any employee, student, agent, or non-employee on the institution's property and while engaged in any institutionally-sponsored activities. Examples of sexually harassing verbal or physical conduct prohibited by NACC's Conduct policies, include, but are not limited to, the following:

1. Direct propositions of a sexual nature;
2. Subtle pressure for sexual activity;
3. Repeated conduct intended to cause discomfort or humiliation, or both, that includes one or more of the following:
  1. comments of a sexual nature; or
  2. sexually explicit statements, questions, jokes, or anecdotes;
4. Repeated conduct that would cause discomfort and/or humiliate a reasonable person toward whom the conduct was directed that includes one or more of the following:
  1. Touching, patting, pinching, hugging, or brushing against another's body;
  2. Commentary of a sexual nature about an individual's body or clothing;
  3. Remarks about sexual activity or speculations about previous sexual experience(s);
5. Intimidating or demeaning comments to persons of a particular sex, whether sexual or not;
6. Displaying objects or pictures which are sexual in nature that would create a hostile or offensive employment or educational environment, and serve no educational purpose related to the subject matter being addressed; and/or
7. Gender stereotyping.

Violation of the College's Code of Conduct may lead to disciplinary action up to and including suspension, expulsion, and arrest for any criminal acts.

Any student or employee who feels that he or she has been the victim of a violation of the Code of Conduct can make a report to the Dean of Student Services (reports of non-sexual harassment or physical assault) or the Title IX Coordinator (reports of sexual harassment, sexual discrimination, or sexual assault), who will attempt to find a prompt and equitable resolution.

## General Complaint Policy

Any student who feels that he or she has been the victim of a violation of college policies can make a report to the Dean of Student Services, or other appointed administrator, including reports of non-sexual harassment or physical assault. (For reports of sexual harassment or sexual assault, see the Title IX Sexual Harassment Policy). If the Dean of Student Services (or other appointed administrator) is not available, the matter may be brought to the attention of any division director, dean, director, supervisor, advisor, or Campus Police Officer. Employees who believe that they have been the victim of a violation of this policy can make a report to the Human Resources Director. Employees and students who are found in violation of College policy shall be disciplined as deemed appropriate to the severity of the

offense, with final approval by the President. If the allegations against a student are sufficiently grave, the President or designee has the authority and responsibility to suspend the student at any time pending further disciplinary proceedings.

### **General Complaint Policy (Against Students for Reasons not Related to Title IX Sexual Harassment/Sexual Assault)**

A general complaint can be lodged against any student by any affected party (student or employee) or any party with information or knowledge concerning the subject of the complaint. General complaints for reasons other than sexual harassment, sexual discrimination, or sexual assault should be reported to the Dean of Student Services (or other appointed administrator). All records of the proceedings will be kept confidential, unless it is deemed necessary to release information for the safety of the campus and/or community.

### **Procedures for Filing a General Informal Complaint Against a Student**

1. The complainant shall meet with the Dean of Student Services (or other appointed administrator) to lodge an informal complaint.
2. After receiving a complaint, the College shall make every reasonable effort to attain an informal resolution. The informal complaint investigation record may include informal statements from the complainant, the respondent, witnesses, and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. The investigation will afford the respondent a full opportunity to respond to the allegations.
3. If an informal resolution of the complaint is accepted by the complainant, and he or she desires no further action against the respondent, the complainant will sign a statement requesting that no further action be taken and that the informal resolution is accepted by him or her. The respondent will sign a statement attesting to his or her acceptance of the informal resolution.

### **Procedures for Filing a General Formal Complaint Against a Student**

1. If the complainant does not accept the informal resolution to the complaint or desires to make an immediate formal complaint, he or she may file a formal, written complaint with the Dean of Student Services (or other appointed administrator). The complainant must provide a written statement that clearly and specifically states the alleged violations, names the person(s) whom the complaint is against and provides the date of the alleged violation. The complainant is advised to keep a copy of all written statements.
2. The Dean of Student Services (or other appointed administrator) will immediately notify the President of receipt of the complaint.
3. The Dean of Student Services (or other appointed administrator) shall investigate the complaint and make a preliminary decision. If the Dean of Student Services (or other appointed administrator) finds that there is no probable cause for the complaint, the Dean of Student Services (or other appointed administrator) shall take no further action and will notify the respondent and complainant of the findings. If there is probable cause to believe that the complaint is well-founded, the Dean of Student Services (or other appointed administrator) will compose a written complaint, submit the written complaint to the Disciplinary Committee, and notify the complainant that the complaint has been filed with the Disciplinary Committee. The Disciplinary Committee is composed of faculty and staff members appointed by the President.
4. Upon receipt of a written complaint from the Dean of Student Services (or other appointed administrator), the Disciplinary Committee shall convene a hearing and shall give reasonable notice of the date, time, and place of the hearing, together with a copy of the written complaint, to the respondent and the complainant. Before the hearing, the Dean of Student Services (or other appointed administrator) and the respondent may provide supporting documentation and the names of witnesses to the Disciplinary Committee to aid in the hearing.
5. The hearing shall consist of informal fact finding by the Committee. The respondent may present facts and may also present witnesses; the Dean of Student Services (or other appointed administrator) shall present facts and witnesses. Those present at the hearing may only consist of the respondent, complainant, witnesses, Dean of Student Services (or other appointed administrator), and Committee members. After the hearing, the Disciplinary Committee, by majority vote, shall make a written recommendation to the President if the Committee finds that the complaint is supported by the facts. The Disciplinary Committee shall recommend an appropriate sanction in its written findings, if appropriate. If the Disciplinary Committee finds that the complaint is not supported by the facts, the Disciplinary Committee will take no further action and will notify the respondent, the complainant, the Dean of Student Services (or other appointed administrator), and the President of the findings.
6. The President of the institution shall approve or disapprove the suggested sanction, or the President may further alter or amend the suggested sanction.
7. The President shall, within ten (10) business days after receipt of the Disciplinary Committee's finding, notify the respondent, complainant, and the Dean of Student Services (or other appointed administrator) in writing of the sanction(s) to be imposed.
8. If the complainant and/or respondent is not satisfied with the decision of the President, he or she may file a written appeal with the President specifically stating the objections to the decision within five (5) business days after receipt of the notice of sanction. Copies of the appeal must be provided to the Dean of Student Services (or



other appointed administrator). The appeal will be reviewed by an Appeals Committee made up of college administrators appointed by the President. The Appeals Committee will review the appeal solely on the following grounds, and none other:

- a. to determine if there was substantial evidence to support the decision;
  - b. to determine if the student had a fair and impartial hearing; and
  - c. to determine if there is new evidence which would affect either the guilt or innocence of the student or the degree of sanctions.
9. The findings of the Appeals Committee are presented to the President for approval and notification of the results are provided to the respondent, complainant, and Dean of Student Services (or other appointed administrator).
10. If, after exhausting all available institutional processes, a student complaint remains unresolved, the complainant may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (<https://www.accs.edu/student-complaints/>). Students may submit completed complaint forms by electronically submitting the form or printing the form, signing it, and then either (1) scanning it and e-mailing it to [complaints@accs.edu](mailto:complaints@accs.edu) or (2) mailing it to:

Alabama Community College System  
Montgomery, AL 36130-2130  
Attention: Division of Academic and Student Affairs  
P.O. Box 302130

The Division of Academic and Student Affairs will investigate the complaint. The institution which is the subject of the complaint has 15 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action. The decision made by the Alabama Community College System is final and cannot be appealed.

Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. However, these procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or to the institution when the initial complaint was filed. The investigation will afford the respondent a full opportunity to respond to the allegations.

### **General Complaint Policy (Against Employees for Reasons not Related to Title IX or Sexual Harassment/ Sexual Assault)**

A student who has a difference or dispute with a college employee with respect to the application of the rules, policies, procedures, and regulations of the College which has affected the student may file a complaint. These processes do not apply to the contesting of disciplinary decisions, ADA concerns, or Title IX sexual harassment complaints since separate complaint processes exist to address these issues. The purpose of the general complaint policy is to provide fair and orderly processes to resolve these issues. Procedures for complaints made by students against college employees will be based on the procedures as set forth in Alabama Community College System Board of Trustees Policy 620.01 for employee-related complaints.

### **Procedures for Filing an Informal General Complaint Against an Employee**

1. The complainant shall meet with the College employee who would be best able to handle the complaint (i.e., the person with whom the student has a difference or a dispute) to lodge an informal complaint. The employee will evaluate the complaint and let the complainant know if an informal resolution can be achieved.
2. The complainant can appeal to the employee's immediate supervisor if the complainant is not satisfied with the informal resolution. The supervisor will determine if another informal resolution can or cannot be achieved.
3. If the complainant is not satisfied with the determination and/or informal resolution of the supervisor of the employee involved, he or she may appeal to the appropriate dean who will make a final determination regarding the original complaint and any proposed informal resolutions.

After receiving a complaint, the College shall make every reasonable effort to attain an informal resolution. The informal complaint investigation record may include informal statements from the complainant, the person or subject of the complaint, witnesses, and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. The investigation will afford the respondent a full opportunity to respond to the allegations. If an informal resolution of the complaint is accepted by the complainant, and he or she desires no further action against

the person or subject of the complaint, the complainant will sign a statement requesting that no further action be taken and that the informal resolution is accepted by him or her. The respondent will sign a statement attesting to his or her acceptance of the informal resolution.

### **Procedures for Filing a Formal General Complaint Against an Employee**

If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint. All formal general complaints should be reported to the College employee's immediate supervisor. Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. However, these procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or the institution when the initial complaint was filed. The investigation will afford the respondent a full opportunity to respond to the allegations.

1. Students should make every effort to pursue an informal resolution before filing a formal complaint. If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint stating the objections and requesting a meeting with the immediate supervisor of the employee involved within five (5) business days of receipt of the decision of the informal resolution. Within five (5) business days of the supervisor's receipt of the formal complaint from the complainant, the supervisor shall notify the employee involved in the complaint. The supervisor shall also set a date for a meeting and notify the complainant where and when the meeting shall take place. The meeting date shall not be later than 14 business days after the supervisor's receipt of the formal complaint. At this point, the College employee involved may respond in writing to the complaint. The supervisor must make a written report of findings/decisions and provide it to the parties involved within 10 business days of the meeting date.
2. If the complainant is not satisfied with the decision by the supervisor of the employee involved, he or she may file a written appeal specifically stating the objections to the decision and request a meeting with the appropriate dean(s), if applicable, within five (5) business days after the receipt of the decision of the employee's immediate supervisor. If the employee does not answer to a dean, the complainant will file the appeal with the president. The dean (or president) will render a decision to address the complaint or if, in the administrator's judgment, the appeal and record of previous actions have addressed the complaint or do not warrant further action, no further action will occur. The involved administrator must make a written report of findings/decisions and provide it to the complainant, employee, and supervisor within 14 business days after receipt of the appeal of the decision.
3. If the complainant is not satisfied with the decisions by the dean(s) involved, he or she may file a written appeal specifically stating objections to the decision and request a meeting with the president within five (5) business days after receipt of the decision of the dean. If in the president's judgment the appeal and record of previous actions have addressed the complaint or do not warrant further action, the president shall notify the complainant, employee, supervisor, and dean(s) within 10 business days after receipt of the appeal. If the president grants the appeal, the president may either hear the appeal or appoint a hearing committee to hear the appeal. Such hearing committee will include student representation. The president will notify the complainant, employee, supervisor and dean(s) of this decision within ten (10) business days after the conclusion of the meeting. If the hearing committee is to hear the appeal, the chairman shall within five (5) business days after the appointment of the committee set a time and place for the hearing and notify the complainant, the employee, the employee's supervisor, the appropriate dean (if applicable), and the president. The committee shall review the appeal and determine the facts. The committee may also choose to meet with the complainant, witnesses and the employee. The committee will communicate its recommendation in writing to the president within five (5) business days after the hearing is completed. Within 14 business days of the president's receipt of the recommendation, the president shall make the decision and notify the complainant, the employee involved, the employee's supervisor, and the appropriate dean (if applicable). If the president hears the appeal, the president will make his decision and notify the complainant, the employee involved, the employee's supervisor, and the appropriate dean (if applicable) within 14 business days of receipt of the appeal. The decision of the president shall be final under the provision of this complaint process.
4. If, after exhausting all available institutional processes, a student complaint remains unresolved, the complainant may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (<https://www.accs.edu/student-complaints/>). Students may submit completed complaint forms by electronically submitting the form or printing the form, signing it, and then either (1) scanning it and e-mailing it to [complaints@accs.edu](mailto:complaints@accs.edu) or (2) mailing it to:

Alabama Community College System  
Montgomery, AL 36130-2130  
Attention: Division of Academic and Student Affairs  
P.O. Box 302130

The Division of Academic and Student Affairs will investigate the complaint. The institution which is the subject of the complaint has 15 days to provide a written response to questions and/or concerns raised during the

investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action. The decision made by the Alabama Community College System is final and cannot be appealed.

### **General Complaint Policy (Against the College in General for Reasons not Related to Title IX or Sexual Harassment/Sexual Assault)**

A student who has a difference or dispute with the College with respect to the application of the rules, policies, procedures, and regulations of the College which has affected the student may file a complaint. These processes do not apply to general complaints against a student or employee, to the contesting of disciplinary decisions, ADA concerns, or Title IX sexual harassment complaints since separate complaint processes exist to address these issues.

### **Procedures for Filing an Informal General Complaint Against the College**

1. The complainant shall meet with the Dean of Instruction to lodge an informal complaint. The Dean will evaluate the complaint and let the complainant know if an informal resolution can be achieved.
2. The complainant can appeal to the President if the complainant is not satisfied with the informal resolution. The President will make a final determination regarding the original complaint and any proposed informal resolutions.

After receiving a complaint, the College shall make every reasonable effort to attain an informal resolution. The informal complaint investigation record may include informal statements from the complainant, witnesses, and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. If an informal resolution of the complaint is accepted by the complainant, and he or she desires no further action, the complainant will sign a statement requesting that no further action be taken and that the informal resolution is accepted by him or her.

### **Procedures for Filing a Formal General Complaint Against the College**

If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint with the Dean of Instruction. Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. However, these procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or the institution when the initial complaint was filed.

1. Students should make every effort to pursue an informal resolution before filing a formal complaint. If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint stating the objections and requesting a meeting with the Dean of Instruction within five (5) business days of receipt of the decision of the informal resolution. Within five (5) business days of the Dean of Instruction's receipt of the formal complaint from the complainant, the Dean shall notify parties involved in the complaint (if necessary), set a date for a meeting, and notify the complainant and any involved College personnel where and when the meeting shall take place. The meeting date shall not be later than 14 business days after the Dean's receipt of the formal complaint. At this point, the College employee(s) (if any) involved may respond in writing to the complaint. The Dean of Instruction must make a written report of findings/decisions and provide it to the parties involved within 10 business days of the meeting date.
2. If the complainant is not satisfied with the decision by the Dean, he or she may file a written appeal specifically stating objections to the decision and request a meeting with the president within five (5) business days after receipt of the decision of the Dean. If in the president's judgment the record of previous actions have addressed the complaint or do not warrant further action, the president shall notify the complainant, dean(s), and any other appropriate College personnel within 10 business days after receipt of the appeal that the decision stands. If the president grants the appeal, the president may either hear the appeal or appoint a hearing committee to hear the appeal. Such hearing committee will include student representation. The president will notify the complainant, dean, and other appropriate College personnel of this decision within ten (10) business days after the conclusion of the meeting. If the hearing committee is to hear the appeal, the chairperson shall within five (5) business days after the appointment of the committee set a time and place for the hearing and notify the complainant, the dean, other appropriate College personnel, and the president. The committee shall review the appeal and determine the facts. The committee may also choose to meet with the complainant, witnesses, and appropriate College personnel. The committee will communicate its recommendation in writing to the president within five (5) business days after the hearing is completed. Within 14 business days of the president's receipt of the

recommendation, the president shall review the committee's recommendation, make the final decision, and notify the complainant, the dean, and any other appropriate College personnel. The decision of the president shall be final under the provision of this complaint process.

3. If, after exhausting all available institutional processes, a student complaint remains unresolved, the complainant may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (<https://www.accs.edu/student-complaints/>). Students may submit completed complaint forms by electronically submitting the form or printing the form, signing it, and then either (1) scanning it and e-mailing it to [complaints@accs.edu](mailto:complaints@accs.edu) or (2) mailing it to:

Alabama Community College System  
Montgomery, AL 36130-2130  
Attention: Division of Academic and Student Affairs  
P.O. Box 302130

The Division of Academic and Student Affairs will investigate the complaint. The institution which is the subject of the complaint has 15 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action. The decision made by the Alabama Community College System is final and cannot be appealed.

## Title IX Sexual Harassment Policy and Complaint Process

- I. [Title IX Sexual Harassment Policy Introduction](#)
- II. **Title IX Sexual Harassment Policy**
- III. **Sexual Harassment Complaints Against a Student – Complaint Process**
- IV. **Student Sexual Harassment Complaints Against an Employee – Complaint Process**
- V. **General Provisions for Sexual Harassment Complaints**

### I. Title IX Sexual Harassment Policy Introduction

The Title IX Sexual Harassment Policy applies to any student; student organization; employee; individual seeking employment or admissions; or individual participating in or attempting to participate in the educational programs or activities of the College. Northeast Alabama Community College is committed to providing a workplace and campus community free of sexual misconduct and harassment. As required by Title IX of the Education Amendments of 1972, the College does not discriminate on the basis of sex in its education programs and activities. This includes discrimination affecting employees of the College and applicants for employment; students and applicants for admission; or members of the public. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others, whether on College premises or at any College-owned off campus location and while participating in an educational program or activity of the College.

Sexual harassment, which includes sexual misconduct and sexual assault, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972 and the Violence Against Women Act. This policy is intended to reaffirm the College's commitment to address sexual harassment and take steps to prevent its reoccurrence and preserve or restore equal access to the College's education programs and activities. Dating violence, domestic violence, and stalking may also be considered forms of sexual discrimination. Due to the seriousness of these offenses, the College has adopted specific policies and procedures, outlined in the student and employee handbooks, both published on the College website, to address alleged instances of sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, and stalking. The College believes that no person should bear the effects of sexual harassment alone. When such conduct occurs, the College's paramount concern is for the safety and well-being of those impacted. To support and assist students and employees, the College has partnerships with local advocacy organizations who can provide counseling and assistance.

Under Title IX, individuals reporting allegations related to sexual harassment and/or sexual violence, have the right to

- a resolution of their complaint;
- have the College conduct a prompt, thorough, and impartial investigation; and
- receive supportive measures to ensure the safety and wellbeing of the individuals involved and the College community.

When allegations of sexual harassment and/or violence in any form are brought to the attention of the Title IX Coordinator, and if a responding party is found to have violated this policy, serious sanctions will be used to prevent its recurrence. Northeast Alabama Community College does not tolerate or condone retaliation. Individuals wishing to report sexual harassment and/or sexual violence and/or to make inquiries concerning the application of Title IX at the College may contact:

Lynde Wheeler, Human Resources Director/Title IX Coordinator  
P.O. Box 159  
Rainsville, AL 35986  
Telephone: 256.228.6001/256.638.4418, ext. 2230  
Email: [wheelerl@nacc.edu](mailto:wheelerl@nacc.edu)  
Office: PA 116

and/or

Assistant Secretary  
U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington, DC 2002-1100  
Telephone: 800.421.3481  
Fax: 202.453.6012; TDD: 800.877.8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Information regarding the Title IX Coordinator and this role is made available to all faculty, staff, students, applicants for admission, and applicants for employment on the College website under the Title IX webpage. (Search Title IX Coordinator)

## **II. Title IX Sexual Harassment Policy**

The U.S. Department of Education's Office of Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

This policy encourages any student; employee; individual seeking employment or admissions; or individual participating in or attempting to participate in the educational programs or activities of the College who believes that he or she has been the victims of sexual harassment to contact the Title IX Coordinator. Complaints may also be lodged by these parties if they have knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned or controlled by the College. Complaints should be reported to the Title IX Coordinator. Title IX sexual harassment complaints are generally investigated by the Dean of Student Services (for complaints against students) and the Senior Personnel Officer (for complaints against employees). However, other investigators may be assigned by the President. Sexual harassment that does not fit the definition under this section may be punishable as a violation of the College's Code of Conduct or other College policies.

Definitions relating to terms used throughout this policy are defined as follows:

- A. **Educational Program/Activity:** The educational programs and activities of the College include, but are not limited to, locations, events or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes buildings owned or controlled by a student organization that is officially recognized by the College.
- B. **Actual knowledge:** The notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College shall be deemed actual knowledge on the part of the College.
- C. **Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment. For the purposes of this procedure, a complainant may be an individual applying for admission or employment; an employee; or a student or an individual otherwise participating in or attempting to participate in the College's educational programs and activities.
- D. **Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.



- E. Formal Complaint: A written document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. The document must include the names of the complainant(s) and respondent(s), the approximate date(s) of the incident(s), facts of the incident(s), and contact information for the person submitting the complaint. Note: At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an educational program or activity at the College.
- F. Consent: Consent is informed, voluntary, and mutual agreement to sexual activity and can be withdrawn at any time. Consent is not present in situations where there is force – expressed or implied – or when coercion, intimidation, threats, or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing, future consent with that person or consent to the same sexual activity with another person.
- G. Incapacitation: An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation includes sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntary consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not able to give consent to sexual contact.
- H. Sexual Misconduct: The act of committing sexual abuse, sexual assault, sexual harassment, sexual exploitation, or statutory rape, as defined in this policy or under Alabama State Law. [Sexual harassment includes acts of sexual misconduct.](#)
- I. Harassment: The striking, shoving, kicking, or otherwise touching or making physical contact in regards to another for the purpose of harassing, annoying, or alarming; and/or directing abusive or obscene language or making an obscene gesture toward someone for the purpose of harassing, annoying, or alarming. Example: Making or using persistent derogatory comments, epithets, or slurs that place a person in a hostile or fearful environment or where the person's safety is in jeopardy.

The following actions and behaviors constitute Sexual Harassment as defined in Title IX, 34 C.F.R. §106.30(a):

- A. Unwelcome conduct, on the basis of sex, that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.
- B. Behavior by employees that constitutes quid pro quo harassment, defined as unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature, when perceived by the recipient that submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational opportunities, or as the basis for employment or academic decisions affecting that individual, or as a condition of any aid, benefit, or service to the individual.
- C. Sexual assault, defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. It is an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting systems of the Federal Bureau of Investigation 20 U.S.C. 1092 (f)(6)(A)(v).
- D. Dating violence, defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship [34 U.S.C. 12291(1)(10)]. In Alabama, dating violence is covered under Alabama Code Section 13A, Article 7 Domestic Violence in 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Degrees.
- E. Domestic violence, defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or who has cohabitated with the victims as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction [34 U.S.C. 12291(1)(8)]. In Alabama, domestic violence includes felony and misdemeanor crimes of violence committed by a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant (Alabama Code Section 13A, Article 7 Domestic Violence in 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Degrees).
- F. Stalking, defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress [34 u.s.D. 12291(a)(30)]. In Alabama, stalking is when a person intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm (13A-6-90: Stalking in the First Degree) or a person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional

health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct (Section 13A-6-91: Stalking in the Second Degree).

### III. Sexual Harassment Complaints Against a Student - Complaint Process

A complaint for sexual harassment under Title IX can be lodged against any student by any affected party or by the NACC Title IX Coordinator. If the NACC Title IX Coordinator is not available, the matter may be brought to the attention of any division director, dean, director, supervisor, advisor, Campus Police, or Campus Security Authority. All complaints for sexual harassment or discrimination should be reported to the NACC Title IX Coordinator for prompt and equitable investigation and resolution, but only complaints for Sexual Harassment under Title IX will be subject to the procedures in this section.

#### A. Filing an Informal Title IX Sexual Harassment Complaint Against a Student

1. The complainant shall contact the NACC Title IX Coordinator to lodge an informal, written complaint. The Title IX Coordinator will provide Title IX Sexual Harassment complaints and concerns to the Dean of Student Services (or other appointed administrator), who will conduct an informal review into the matter unless more formal action is deemed necessary by the Title IX Coordinator.
2. Upon initiation of an informal complaint, the NACC Title IX Coordinator will discuss with the complainant the availability of supportive measures with or without the filing of a formal complaint; will consider the complainant's wishes regarding supportive and other corrective measures; will explain the process for filing a formal complaint; and will explain the processes for reaching informal resolutions and formal resolutions.
3. After receiving a complaint, the College shall make every reasonable effort to attain a resolution by working with the complainant and respondent if appropriate under the circumstances. No investigation or imposition of sanctions on the respondent may take place until the filing of a formal complaint.

#### B. Filing a Formal Title IX Sexual Harassment Complaint Against a Student

1. If the complainant does not accept the informal resolution to the complaint or desires to make an immediate formal complaint, he or she may meet with the Title IX Coordinator to file a formal, written complaint. The complainant must provide a written statement that clearly and specifically states the alleged violations, names the person(s) whom the complaint is against, provides the date(s) of the alleged violation, and lists requests for supportive and corrective measures. If the complainant needs assistance in writing a complaint, he or she may also request such assistance from the Title IX Coordinator.
2. The Title IX Coordinator will immediately notify the NACC President of receipt of the complaint. Any Title IX complaints will be provided to the NACC Dean of Student Services (or other appointed Title IX investigator) within ten (10) business days following the date the formal complaint was filed. All Title IX investigators have received annual investigator training.
3. Within five (5) business days of receipt of the formal complaint, the Dean of Student Services (or other appointed administrator) will notify both the complainant and the respondent of its receipt and the intent to investigate in order to provide sufficient time for the party to prepare to participate in the investigation. The investigation will commence within ten (10) business days of receipt of the formal complaint by the Dean of Student Services (or other appointed administrator).

This notice will include the following information about the complaint:

- i. the identities of the parties involved in the incident, if known;
- ii. the conduct allegedly constituting sexual harassment under Title IX;
- iii. the date(s) and location of the alleged incident, if known;
- iv. the supportive measures that may be available to both parties; and
- v. a list of individuals intended to be interviewed, if known.

This notice will describe the College's policies and procedures for responding to complaints, including the following:

- i. A description of interim supportive measures available to the parties;
- ii. A description of the College's formal complaint and resolution procedures, including time frames;
- iii. A description of any optional voluntary informal resolution process, if the College determines that an informal resolution process may be appropriate;
- iv. A statement that a determination regarding responsibility is made at the conclusion of the complaint process, and that the College will presume the respondent not responsible for the alleged conduct;
- v. The right of parties to have an advisor of their choice, who may be, but is not required to be, an attorney, and the College's responsibility to provide an advisor to either party and how the student can request such an advisor;
- vi. Any restrictions regarding the extent to which an advisor may participate in proceedings;
- vii. The right of both parties to present evidence and witnesses;
- viii. The right of parties to inspect and review evidence collected in the investigation, subject to applicable privacy laws;
- ix. The College's use of a "preponderance of the evidence" standard of evidence in Title IX investigations;
- x. A description of the range of remedies and disciplinary sanctions available;

- xi. A reminder that dishonesty and providing false information are forbidden by the College's Code of Conduct and employment policy;
  - xii. A reminder that intimidation and retaliation against complainants, respondents, and witnesses are forbidden under Title IX and by the College's Code of Conduct.
4. The NACC Dean of Student Services (or other appointed administrator) shall investigate the complaint by gathering and objectively evaluating all relevant evidence and make a preliminary decision. The investigation will be factual and all applicable statutes, regulations, and/or policies will be researched. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties. The Dean of Student Services (or other appointed administrator) must provide written notice at least five (5) business days in advance of any interviews or meetings to any party expected or invited to attend. Such notice will also be provided to the party's advisor, if any, and must allow adequate time to prepare. The notice will include the participants, date, place, purpose, and time of the interview or meeting. Either party may identify and present other witnesses, including fact and expert witnesses, with relevant information for interview or other evidence for review by the investigator. Additionally, either party may present other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

Prior to the completion of the investigative report, the Dean of Student Services (or other appointed Title IX investigator) will submit all reviewed evidence to the Title IX Coordinator, who will in turn make the evidence available to the complainant, respondent, and their advisors for additional review. The College will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The parties will have five (5) business days to review the evidence and to respond in writing to the Title IX Coordinator. These responses will be forwarded to the Dean of Student Services (or other appointed Title IX investigator). The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

If the Dean of Student Services (or other appointed Title IX investigator) finds that there is no probable cause for the complaint, the Dean of Student Services (or other appointed administrator) shall dismiss the complaint and will provide written notice to the respondent, complainant and the Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal. If there is probable cause to believe that the complaint is well-founded, but that the matter is not Sexual Harassment under Title IX, the Dean of Student Services (or other appointed administrator) will dismiss the formal complaint, treat the matter as a violation of the College's Code of Conduct, and provide written notice to the respondent, complainant, and the Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal.

If there is probable cause to believe that the complaint is well-founded and that the matter is under the purview of Title IX, the Dean of Student Services (or other appointed administrator) will compose a written investigative report that lists and summarizes relevant evidence, including supporting documentation and the names of witnesses, submit the written investigative report to the Title IX Investigative Committee (hereafter referred to as the Hearing Decision Makers) and to both parties and their advisors, if any, and the Title IX Coordinator and will notify the parties that the investigative report has been filed with the Hearing Decision Makers. [The Hearing Decision Makers are composed of faculty and staff members appointed each fall by the President and have received annual decision maker training.](#)

5. At least ten (10) business days after the receipt of an investigative report from the Dean of Student Services (or other appointed Title IX investigator), the Primary Decision Makers (chair of the Disciplinary Committee) shall convene a live hearing and shall give the parties; their advisors, if any; the Title IX Coordinator; the Title IX investigator; and witnesses reasonable notice of the date, time, and place of the hearing, together with a copy of the written complaint. The live hearing date must provide the complainant, respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence. The Primary Decision Maker will also request a listing of proposed questions from the parties involved prior to the hearing.

The hearing shall be live and attended by the Hearing Decision Makers; the complainant and respondent; and their advisors, if any, in person or via teleconference. [The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity. The Title IX investigator, Title IX Coordinator, complainant, respondent, and witnesses will be called to provide testimony if requested by the Hearing Decision Makers, parties, or their](#)



respective advisors. All parties must be able to see and hear the party or witness answering questions in real time. The hearing shall be recorded by either a court reporter or on audio, video, or other electronic recording medium. Additionally, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

If the complainant or respondent do not have an advisor present at the live hearing, the College shall provide, without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney. Neither party may dismiss a College-appointed advisor.

Each party and advisor will have the opportunity to present evidence and to present witnesses, if any such witnesses are willing participants in the proceedings. The Hearing Decision Makers and advisors will have the opportunity to cross examine the complainant, respondent, and any witnesses. No witness shall be required to participate in the proceedings. Before any party or witness is required to answer a question under cross-examination, the Primary Decision Maker must determine whether the question is relevant and must explain on the record the basis for excluding any question. Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are deemed not relevant and will not be permitted. Only the Hearing Decision Makers and advisors, whether selected or appointed, are allowed to conduct cross-examination. Complainants and respondents cannot conduct cross-examination.

The hearing process, overseen by the Primary Decision Maker, will consist of the following:

- a. An opening statement;
- b. A review of hearing procedures, the formal complaint, and the notice of allegations;
- c. A review of potential hearing outcomes and recommended sanctions;
- d. The complainant(s) testimony;
- e. Cross-examination of the complainant by the respondent's advisor;
- f. Testimony of complainant witnesses;
- g. Cross-examination of complainant witnesses by respondent's advisor;
- h. The respondent(s) testimony;
- i. Cross-examination of the respondent by the complainant's advisor;
- j. Testimony of respondent witnesses;
- k. Cross-examination of the respondent witnesses by complainant's advisor;
- l. Decision Maker questions;
- m. A review of the appeal process;
- n. Closing statement by the Primary Decision Maker;
- o. Dismissal of the parties; and
- p. Decision Maker deliberations.

At the hearing, the Primary Decision Maker shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Primary Decision Maker concludes opening statements, the complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to the complainant testimony, the respondent's advisor may conduct cross-examination. The Decision Maker(s) may question the complainant after the cross-examination.

The complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The respondent's advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

The respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the respondent defense against the formal complaint. Subsequent to the respondent testimony, the complainant advisor may conduct cross-examination. The Decision Maker(s) may question the respondent after the cross-examination.

The respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The complainant advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

Only relevant cross-examination or other questions may be asked of a party or witnesses. During cross-examination, the advisor will pose each question orally to the Hearing Decision Maker(s). The Primary Decision Maker will determine if the complainant, respondent, or witnesses may respond to the question. If the Primary Decision Maker determines that the question is not relevant, he or she will explain the rationale for dismissing the question. Rape shield protection is provided for complainants. Therefore, questions and evidence about a complainant's behavior are

considered irrelevant unless offered to prove that someone other than the respondent committed the alleged misconduct or concern specific incidents of a complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The Hearing Decision Makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Upon conclusion of the presentation of the evidence and cross-examination, the Primary Decision Maker will read the appeal process and closing statements. The complainant, respondent, their respective advisors, Title IX investigator, Title IX Coordinator and all witnesses shall be dismissed.

The Hearing Decision Makers will deliberate to determine if the respondent is deemed responsible and submit a written hearing report which contains the following:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties; interviews with parties and witnesses; site visits; methods used to gather other evidence; and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the College's Code of Conduct to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any recommended disciplinary sanctions the College may impose on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be recommended by the Hearing Decision Makers to the President; and
- f. The College's procedures and permissible bases for the complainant and respondent appeal.

The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity.

6. Within ten (10) business days after the hearing, the Hearing Decision Makers, by majority vote, shall issue a written determination of responsibility simultaneously to the complainant, respondent, any advisor to either party, the President, the Dean of Student Services (or other appointed Title IX investigator), and the Title IX Coordinator. If the Hearing Decision Makers finds that the complaint is supported by the facts, it will decide in favor of the complainant and will recommend appropriate sanctions in its written findings.
7. The President will determine if such sanctions will be imposed based on the written report and recommendations of the Hearing Decision Makers and will issue written notice simultaneously to the respondent, complainant, any advisor to either party, the Dean of Student Services (or other appointed Title IX investigator), and the Title IX Coordinator of the determination within ten (10) business days of receipt of the Hearing Decision Makers' recommendations. This notification will also include the appeal procedure.
8. Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds:
  - a. Procedural irregularity that affected the outcome of the matter;
  - b. New evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made which could affect the outcome; and/or
  - c. The Title IX Coordinator, Investigator, or a Hearing Decision Maker had a conflict of interest or bias that affected the outcome.

Based on these reasons, the complainant and/or respondent may file a written appeal with the Title IX Coordinator specifically stating the objections to the decision within five (5) business days after receipt of the notice of responsibility and sanctions from the President. Copies of the appeal must be provided by the Title IX Coordinator to the other party, any advisor to either party, the Title IX Investigator, the Primary Decision Maker, and the President.

The Title IX Appeals Committee will be the appeal authority in upholding, rejecting, or modifying the recommendations of the Hearing Decision Makers and President. The Title IX Appeals Committee shall not be bound in any manner by the recommendation(s) of the Hearing Decision Makers or President, but shall take it (them) into consideration in rendering a decision. The Title IX Appeals Committee is made up of college administrators appointed by the President who receive annual training. The Appeals Committee will review the appeal solely on the following grounds, and none other:

- a. to determine if there was substantial evidence to support the decision;
- b. to determine if the student had a fair and impartial hearing;
- c. to determine if there is new evidence which would affect either the guilt or innocence of the student or the degree of sanctions; and
- d. to determine if procedural irregularities affected the outcome.

Regarding appeals, the College will ensure the following:

- a. The other party is notified in writing when an appeal is filed and implement appeal procedures equally for both parties;
- b. The Appeals Committee members do not also serve on the Hearing Decision Maker panel and are not the Title IX Coordinator or Title IX Investigator;
- c. The Appeals Committee members comply with the standards set for in 34 C.F.R. § 106.45(b)(iii);
- d. Both parties are given a reasonable, equal opportunity to submit a written statement in support of or in challenge to the outcome;
- e. A written decision describing the results of the appeal and the rationale for the result is issued to the President within 30 calendar days of the initiation of the appeals process. The time for decisions may be extended for exigent circumstances or as may be otherwise agreed to by both parties.

If the complainant is an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 calendar days of the alleged discriminatory act.

The findings of the Title IX Appeals Committee are presented to the President, who will issue simultaneous notification of the Committee's determination to the respondent, complainant, any advisor to either party, Title IX Coordinator, Title IX investigator, and Primary Decision Maker.

9. If, after exhausting all available institutional processes, a complaint remains unresolved, the complainant or the respondent may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (<https://www.accs.edu/student-complaints/>). The form should be completed by printing the form, signing it, and then either (1) scanning it and e-mailing it to [complaints@accs.edu](mailto:complaints@accs.edu) or (2) mailing it to:

Alabama Community College System  
Attention: Division of Academic and Student Affairs  
P.O. Box 302130  
Montgomery, AL 36130-2130

The ACCS Division of Academic and Student Affairs will investigate the complaint within 30 days of receipt.

NACC has 30 days to provide a written response to questions and/or concerns raised during the ACCS Division of Academic and Student Affairs investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will judge the matter and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.

### **C. Withdrawal of Complaint**

Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. Complaints may be revised to address issues arising during the investigation which were not known to the complainant or to the institution when the initial complaint was filed.

### **D. Informal Resolution**

At any time prior to reaching a determination regarding responsibility, the College may initiate and facilitate a voluntary informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Informal resolution processes may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice. The College may not require the parties to participate in the informal resolution processes previously named and may not offer these processes unless a formal complaint is filed. The College may not require the waiver of the right to an investigation and adjudication of formal complaints as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right.

If the College determines that informal resolution process may be appropriate, it will provide written notice to both parties which includes the following:

1. The allegations;
2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records will be maintained or could be shared;

3. The range of possible sanctions that may be imposed on the respondent as part of an informal resolution, which may include expulsion.

Initiation of informal resolution process proceedings will require the written consent of each party. Informal resolutions, including sanctions, must be voluntarily agreed to by each party.

Voluntary informal resolutions to formal complaints may include, but are not limited to, no contact agreements; schedule changes; agreements to restrict participation in certain College activities or use of college facilities; agreement to engage in counseling, training, or education; or mutual agreement to engage in a restorative meeting.

At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the complaint process with respect to the formal complaint.

#### **IV. Sexual Harassment Complaints Against an Employee - Complaint Process**

A complaint for sexual harassment under Title IX can be lodged against any employee or individual seeking employment by any affected party or by the NACC Title IX Coordinator. If the NACC Title IX Coordinator is not available, the matter may be brought to the attention of any division director, dean, director, supervisor, advisor, Campus Police, or Campus Security Authority. All complaints for sexual harassment or discrimination should be reported to the NACC Title IX Coordinator for prompt and equitable investigation and resolution, but only complaints for sexual harassment under Title IX will be subject to the procedures in this section. All other grievances should follow the Employee Grievance and Complaint Policies as published in the Employee Handbook or the general complaint policies published, as deemed most appropriate to the complaint by the Title IX Coordinator. Title IX complaints of sexual harassment as defined in the NACC Title IX Sexual Harassment Policy will be considered formal complaints when filed against employees.

##### **A. Filing a Formal Title IX Sexual Harassment Complaint Against an Employee**

1. The complainant must meet with the Title IX Coordinator and provide a written statement that clearly and specifically states the alleged violations, names the person(s) whom the complaint is against and provides the date of the alleged violation. If the complainant needs assistance in writing a complaint, assistance may be requested from the Title IX Coordinator. The Title IX Coordinator will immediately notify the President and the Alabama Community College System Legal Division of receipt of the complaint. In an emergency situation, the College has the right to impose an emergency removal of the employee.
2. Any Title IX complaints against an employee will be provided to the Senior Personnel Officer (or other Title IX Investigator) within ten (10) business days following the date the formal, written complaint was filed. All Title IX investigators have received annual investigator training. Upon the filing of a formal complaint, and at any time during the complaint process, the College may place the respondent on administrative leave for the duration of the complaint process.

The Senior Personnel Officer (or other Title IX Investigator) will notify both the complainant and the respondent of the receipt of the complaint and intent to investigate within five (5) business days of receipt of the formal complaint to provide sufficient time for the party to prepare to participate in the investigation. The investigation will commence within 10 business days of receipt of the formal complaint by the Senior Personnel Officer (or other appointed Title IX Investigator).

This notice will include the following information about the complaint:

1. the identities of the parties involved in the incident, if known;
2. the conduct allegedly constituting sexual harassment under Title IX;
3. the date and location of the alleged incident, if known;
4. the supportive measures that may be available to both parties; and
5. a list of individuals intended to be interviewed, if known.

This notice will describe the College's policies and procedures for responding to complaints, including the following:

1. A description of interim supportive measures available to the parties;
2. A description of the College's formal complaint and resolution procedures, including time frames;
3. A statement that a determination regarding responsibility is made at the conclusion of the complaint process, and that the College will presume the respondent not responsible for the alleged conduct;
4. The right of parties to have an advisor of their choice, who may be, but is not required to be, an attorney, and the College's responsibility to provide an advisor to either party;
5. The right of both parties to present evidence and witnesses;

6. The right of parties to inspect and review evidence collected in the investigation, subject to applicable privacy laws;
  7. The College's use of a "preponderance of the evidence" standard of evidence in Title IX investigations;
  8. A description of the range of remedies and disciplinary sanctions available;
  9. A reminder that dishonesty and providing false information are forbidden by the College's Code of Conduct and policy within the Employee Handbook;
  10. A reminder that intimidation and retaliation against complainants, respondents, and witnesses are forbidden under Title IX and by the College's Code of Conduct and Anti-Harassment, Physical Assault, and Anti-Discrimination Policy.
4. The Senior Personnel Officer (or other Title IX Investigator) shall investigate the complaint by gathering and objectively evaluating all relevant evidence and make a preliminary decision. The investigation will be factual and all applicable statutes, regulations, and/or policies will be researched. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties. The Senior Personnel Officer (or other Title IX Investigator) must provide advance written notice of any interviews, meetings, or hearings to any party expected or invited to attend. Such notice will also be provided to the party's advisor, if any, and must allow adequate time to prepare. Either party may identify and present other witnesses, including fact and expert witnesses, with relevant information for interview or other evidence for review by the investigator. Additionally, either party may present other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

Prior to the completion of the investigative report, the Senior Personnel Officer (or other Title IX Investigator) will submit all reviewed evidence to the Title IX Coordinator, who will in turn make the evidence available to the complainant, respondent, and their advisors for additional review. The College will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The parties will have five (5) business days to review the evidence and to respond in writing to the Title IX Coordinator. These responses will be forwarded to the Senior Personnel Officer (or other Title IX Investigator). The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

If the Senior Personnel Officer (or other Title IX Investigator) finds that there is no probable cause for the complaint, the Senior Personnel Officer (or other Title IX Investigator) shall dismiss the complaint and will provide written notice to the respondent, complainant, and Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal. If there is probable cause to believe that the complaint is well-founded, but that the matter is not sexual harassment under Title IX, the Senior Personnel Officer (or other Title IX Investigator) will dismiss the formal complaint and provide written notice to the respondent, complainant, and Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal.

If there is probable cause to believe that the complaint is well-founded and that the matter is under the purview of Title IX, the Senior Personnel Officer (or other Title IX Investigator) will compose a written investigative report that lists and summarizes relevant evidence, including supporting documentation and the names of witnesses, submit the written investigative report to the Title IX Investigative Committee (hereafter referred to as the Hearing Decision Makers) and to both parties and their advisors, if any, and the Title IX Coordinator and will notify the parties that the investigative report has been filed with the Hearing Decision Makers. The Hearing Decision Makers are composed of faculty and staff members appointed each fall by the President and have received annual decision maker training.

At least ten (10) business days after the receipt of an investigative report from the Senior Personnel Officer (or other Title IX Investigator), the Primary Decision Maker (chair of the Title IX Investigative Committee) shall convene a live hearing and shall give the parties; their advisors, if any; the Title IX Coordinator; the Title IX investigator; and witnesses reasonable notice of the date, time, and place of the hearing, together with a copy of the written complaint. The live hearing date must provide the complainant, respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence.

5. The hearing shall be live and attended by the Hearing Decision Makers; the complainant and respondent; and their advisors, if any, in person or via teleconference. The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity. The Title IX investigator, Title IX Coordinator, and witnesses will be called to provide testimony if requested by the Hearing Decision Makers, parties, or their respective advisors. All parties must be able to see and hear the party or witness answering questions in real time. The hearing shall be recorded by either a court reporter or on audio, video, or other electronic recording medium. Additionally, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

If the complainant or respondent do not have an advisor present at the live hearing, the College shall provide, without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney. Neither party may dismiss a College-appointed advisor.

Each party and advisor will have the opportunity to present evidence and to present witnesses, if any such witnesses are willing participants in the proceedings. The Hearing Decision Makers and advisors will have the opportunity to cross examine the complainant, respondent, and any witnesses. No witness shall be required to participate in the proceedings. Before any party or witness is required to answer a question under cross-examination, the Primary Decision Maker must determine whether the question is relevant and must explain on the record the basis for excluding any question. Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are deemed not relevant and will not be permitted. Only the Hearing Decision Makers and advisors, whether selected or appointed, are allowed to conduct cross-examination. Complainants and respondents cannot conduct cross-examination.

The hearing process, overseen by the Primary Decision Maker, will consist of the following:

- a. An opening statement;
- b. A review of hearing procedures, the formal complaint, and the notice of allegations;
- c. A review of potential hearing outcomes and recommended sanctions;
- d. The complainant(s) testimony;
- e. Cross-examination of the complainant by the respondent's advisor;
- f. Testimony of complainant witnesses;
- g. Cross-examination of complainant witnesses by respondent's advisor;
- h. The respondent(s) testimony;
- i. Cross-examination of the respondent by the complainant's advisor;
- j. Testimony of respondent witnesses;
- k. Cross-examination of the respondent witnesses by complainant's advisor;
- l. Decision Maker questions;
- m. A review of the appeal process;
- n. Closing statement by the Primary Decision Maker;
- o. Dismissal of the parties; and
- p. Decision Maker deliberations.

At the hearing, the Primary Decision Maker shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Primary Decision Maker concludes opening statements, the complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to the complainant testimony, the respondent's advisor may conduct cross-examination. The Decision Maker(s) may question the complainant after the cross-examination.

The complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The respondent's advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

The respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the respondent defense against the formal complaint. Subsequent to the respondent testimony, the complainant advisor may conduct cross-examination. The Decision Maker(s) may question the respondent after the cross-examination.

The respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The complainant advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

Only relevant cross-examination or other questions may be asked of a party or witnesses. During cross-examination, the advisor will pose each question orally to the Hearing Decision Maker(s). The Primary Decision Maker will determine if the complainant, respondent, or witnesses may respond to the question. If the Primary Decision Maker

determines that the question is not relevant, he or she will explain the rationale for dismissing the question. Rape shield protection is provided for complainants. Therefore, questions and evidence about a complainant's behavior are considered irrelevant unless offered to prove that someone other than the respondent committed the alleged misconduct or concern specific incidents of a complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The Hearing Decision Makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Upon conclusion of the presentation of the evidence and cross-examination, the Primary Decision Maker will read the appeal process and closing statements. The complainant, respondent, their respective advisors, Title IX Investigator, Title IX Coordinator, and all witnesses shall be dismissed.

The Hearing Decision Makers will deliberate to determine if the respondent is deemed responsible and submit a written hearing report which contains the following:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties; interviews with parties and witnesses; site visits; methods used to gather other evidence; and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the College's Code of Conduct to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any recommended disciplinary sanctions the College may impose on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be recommended by the Hearing Decision Makers to the President; and
- f. The College's procedures and permissible bases for the complainant and respondent appeal.

The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity.

6. Within ten (10) business days after the hearing, the Hearing Decision Makers, by majority vote, shall issue a written determination of responsibility simultaneously to the complainant, respondent, any advisor to either party, the President, the Senior Personnel Officer (or other Title IX Investigator), and the Title IX Coordinator. If the Hearing Decision Makers finds that the complaint is supported by the facts, it will decide in favor of the complainant and will recommend appropriate sanctions in its written findings. If the Hearing Decision Makers find that the complaint is not supported by the facts, the Primary Decision Maker will take no further action and will notify the respondent, the complainant, Title IX Investigator, Title IX Coordinator, and the President of the findings.
7. The President will determine if such sanctions will be imposed based on the written report and recommendations of the Hearing Decision Makers and will issue written notice simultaneously to the respondent, complainant, any advisor to either party, the Senior Personnel Officer (or other Title IX Investigator), and the Title IX Coordinator of the determination within ten (10) business days of receipt of the Hearing Decision Makers' recommendations. This notification will also include the appeal procedure.
8. Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds:
  - a. Procedural irregularity that affected the outcome of the matter;
  - b. New evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made which could affect the outcome; and/or
  - c. The Title IX Coordinator, Investigator, or a Hearing Decision Maker had a conflict of interest or bias that affected the outcome.

Based on these reasons, the complainant and/or respondent may file a written appeal with the Title IX Coordinator specifically stating the objections to the decision within five (5) business days after receipt of the notice of responsibility and sanctions. Copies of the appeal must be provided by the Title IX Coordinator to the other party, any advisor to either party, the Title IX Investigator, the Primary Decision Maker, and the President.

The Title IX Appeals Committee will be the appeal authority in upholding, rejecting, or modifying the recommendations of the Hearing Decision Makers and President. The Title IX Appeals Committee shall not be bound in any manner by the recommendation(s) of the Hearing Decision Makers or President, but shall take it (them) into consideration in rendering a decision. The Title IX Appeals Committee is made up of college administrators appointed by the President. The Appeals Committee will review the appeal solely on the following grounds, and none other:

- a. to determine if there was substantial evidence to support the decision;

- b. to determine if the student or employee had a fair and impartial hearing;
- c. to determine if there is new evidence which would affect either the guilt or innocence of the student or employee or the degree of sanctions; and
- d. to determine if procedural irregularities affected the outcome.

Regarding appeals, the College will ensure the following:

- a. The other party is notified in writing when an appeal is filed and implement appeal procedures equally for both parties;
- b. The Appeals Committee members do not also serve on the Hearing Decision Maker panel and are not the Title IX Coordinator or Title IX Investigator;
- c. The Appeals Committee members comply with the standards set for in 34 C.F.R. § 106.45(b)(iii);
- d. Both parties are given a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome;
- e. A written decision describing the results of the appeal and the rationale for the result is issued to the President within 30 calendar days of the initiation of the appeals process. The time for decisions may be extended for exigent circumstances or as may be otherwise agreed to by both parties.

If the complainant is also an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 days of the alleged discriminatory act.

The findings of the Title IX Appeals Committee are presented to the President, who will issue simultaneous notification of the Committee's determination to the respondent, complainant, any advisor to either party, Title IX Coordinator, Title IX investigator, and Primary Decision Maker.

- 9. If, after exhausting all available institutional processes, a complaint remains unresolved, the complainant or the respondent may appeal to the Alabama Community College System (ACCS) using the System's official Complaint Form, which is available on the ACCS website (<https://www.accs.edu/student-complaints/>) or from the Title IX Coordinator. The form should be completed and either (1) scanned and e-mailed to [complaints@accs.edu](mailto:complaints@accs.edu) or (2) mailed to:  
Alabama Community College System  
Attention: Division of Academic and Student Affairs  
P.O. Box 302130  
Montgomery, AL 36130-2130

The ACCS Division of Academic and Student Affairs will investigate the complaint within 30 days of receipt.

- 10. NACC has 30 days to provide a written response to questions and/or concerns raised during the ACCS Division of Academic and Student Affairs investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will judge the matter and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.

## **B. Withdrawal of Complaint**

Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. Complaints may be revised to address issues arising during the investigation which were not known to the complainant or to the institution when the initial complaint was filed.

## **C. Informal Resolution**

At any time prior to reaching a determination regarding responsibility, the College may initiate and facilitate a voluntary informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Informal resolution processes may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice. The College may not require the parties to participate in the informal resolution processes previously named and may not offer these processes unless a formal complaint is filed. The College may not require the waiver of the right to an investigation and adjudication of formal complaints as a condition of enrollment or continuing enrollment, employment or continuing employment, or enjoyment of any other right.

If the College determines that informal resolution process may be appropriate, it will provide written notice to both parties which includes the following:

- 1. The allegations;



2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records will be maintained or could be shared;
3. The range of possible sanctions that may be imposed on the respondent as part of an informal resolution, which may include restitution, suspension, or termination, upon approval of the President.

Initiation of informal resolution process proceedings will require the written consent of each party. Informal resolutions, including sanctions, must be voluntarily agreed to by each party.

Voluntary informal resolutions to formal complaints may include, but are not limited to, no contact agreements, schedule changes, agreements to restrict participation in certain College activities or use of college facilities, agreement to engage in counseling, training, or education, mutual agreement to engage in a restorative meeting.

At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the complaint process with respect to the formal complaint.

## **V. General Provisions for Title IX Sexual Harassment Complaints**

*Advisors:* Complainants and respondents shall have the right to retain an advisor who may be but is not required to be a licensed attorney, at any level of the complaint process, at the respective party's own expense. Complainants and respondents who do not retain their own advisor will be assigned an advisor by the College. Advisors may be present and participate in any meetings, interviews, or hearings in which the advised party participates. Only advisors may conduct cross examinations of parties and witnesses. Additional guidance will be provided to complainants and respondent about the scope of advisor responsibilities by the Dean of Student Services, the Senior Personnel Officer, or other appointed administrator. Advisors appointed by the College receive annual training.

*Party-Designated Advisor:* Both parties shall have the right to designate one personal advisor. This party-designated advisor can be legal counsel or other type of personal representative (i.e., pastor, family member, AEA Representative, friend) and shall be retained at the respective party's own cost. Other persons may be selected by the party as additional advisors to attend meetings and hearings, but additional advisors are not permitted to speak or otherwise participate.

*College-Designated Advisor:* In the event that either party does not or cannot designate their own advisor, that party shall have the right to request one advisor to be provided by the College by making a request in writing to the Title IX Coordinator and declaring that the party has not selected another advisor. An advisor will be appointed for the party at the discretion of the College. Once requested, a party may not dismiss a College-designated advisor unless that party elects to retain legal counsel. A College-designated advisor will be released by the College if a party subsequently designates legal counsel as its advisor.

Either the party or the party's designated advisor (not both) may conduct cross-examination during the live hearing.

A party is never required to obtain an advisor.

At no time may any party have more than one designated advisor. A designated advisor may speak on the party's behalf when appropriate.

Amendments: The College may amend the policy or procedures periodically. Nothing in the policy or procedures shall affect the inherent authority of the College to take actions such as it deems appropriate to further the educational mission or to protect the safety or well-being of the campus community.

Complaints Made Against Parties other than Students and Employees: While this policy is intended to address complaints against students or employees, Title IX sexual harassment complaints can be made against other parties who are involved in the educational programs or activities of the institution by following the process of complaints made against students. For more information, please see the Title IX Coordinator.

Complaint files: Records of Title IX formal and informal complaints shall be maintained by the Title IX Coordinator. These shall include at minimum the following: the name of the complainant; the date of complaint filing; the specified allegation made in the complaint and any corrective action requested; the name(s) of the respondent(s); the levels of processing and resolution; the date and hearing officer(s) at each level; any audio or video recording or transcript; a summary of major points, facts, and evidence presented by each party to the complaint; a statement of the final resolution and the nature and date of any corrective action taken or disciplinary sanctions imposed; a record of any appeal and the results of that appeal; record of any informal resolution and the results of that informal resolution, and records of any supportive measures taken in response to a complaint, or records that document why no supportive

measures were required; and the basis for a conclusion that the College's response was not deliberately indifferent. Such records shall be maintained on a confidential basis except that they must be provided to the complainant and the respondent upon request.

Constitutional rights: The complaint process shall not be construed as to restrain employees and/or students in their exercise of constitutional rights.

Dismissal of Formal Complaint: The College may dismiss a formal complaint or allegation therein if (1) the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein; (2) the respondent is no longer enrolled or employed by the College; or (3) specific circumstances prevent the College from gathering sufficient evidence to reach a determination. The College must dismiss a formal complaint or allegation therein if (1) the allegations do not meet the definition of sexual harassment, (2) the alleged conduct did not occur in the United States, or (3) the alleged conduct did not occur within a College-sponsored program or activity. If the College determines that the formal complaint or allegations therein will be dismissed, the Dean of Student Services, Senior Personnel Officer, or other appointed administrator will provide written notice to both parties of the dismissal of allegations, the reason for dismissal, and the complainant's right to appeal, if applicable. This notification must be made within five (5) business days of the decision to dismiss the complaint.

Failure to appeal within time: If there is no written mutual agreement to extend the time limit(s) set herein, and if a decision at any step is not appealed to the next step of the process within the stated time, the complaint shall be deemed settled on the basis of the last decision rendered, provided the decision is within the authority of the parties.

Failure to respond within time limit: Failure at any level of the complaint process to notify the parties of the reviewer's decision within the specified time limit shall permit an appeal at the next step of the process within the time which would have been allotted had the decision been communicated by the final day.

Harassment and physical assault prevention programs: The College requires all employees and invites all students to participate in a web-based harassment and physical assault awareness and prevention training program, which includes information required by the Campus SaVe Act. Additionally, the College coordinates ongoing educational programs for employees and students to promote awareness and prevention of harassment and physical assault, including, but not limited to, rape, acquaintance rape, domestic violence, dating violence, sexual assault, consent, and stalking.

Identification: All written complaints and appeals shall include the name of the complainant, the name of the respondent(s), a statement of the nature of the complaint, and the corrective action sought by the complainant.

Informal discussion: Nothing contained herein shall be construed as limiting the right of the student having a complaint to discuss the matter informally with any appropriate member of the College and having the complaint informally resolved nor the right of the College to manage normal business operations.

Notification of law enforcement: Victims of sexual harassment and physical assault needing immediate assistance from law enforcement can notify Campus Police or local law enforcement offices. Additionally, Campus Police can assist a victim with contacting local law enforcement, at the discretion of the victim. Individuals should dial 9-1-1 in emergencies.

Preservation of evidence: Victims of sexual harassment and physical assault should make every effort to preserve evidence that could be necessary to prove that the violation occurred or to obtain a protection order. Victims of assault are encouraged to seek a thorough medical examination. Rape victims should not bathe, smoke, use the toilet, or change clothes before they are examined. Stalking victims should preserve gifts and letters received and should also document phone calls, social media posts, and any other contact they have had with the alleged stalker. Domestic violence victims can document injuries by seeking medical attention or by taking photos of bruises, cuts, or other injuries. Likewise, parties accused of sexual assault should make every effort to preserve evidence that could be necessary to prove the violation did not occur.

Protection: In an effort to provide a harassment-free campus environment, the College is committed to the protection of employees and students. Anyone who has a legal order of protection, no contact order, restraining order, or similar lawful order against another individual is encouraged to provide a copy of the order to Campus Police.

Protective measures: Persons who have experienced harassment, physical assault, or discrimination may be able to change academic or working situations if accommodations are reasonably available even if the student chooses not to report the crime to Campus Police or law enforcement.

**Public complaint file:** For purposes of the dissemination of Title IX complaint precedents, separate file records shall be kept by the Title IX Coordinator which indicate only the subject matter of each complaint, the resolution of each complaint, and the date of the resolution. These records shall not refer to any specific individuals, and they shall not be considered confidential.

**Retaliation prohibited:** No College employee or any person involved in these complaint processes may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted under this policy. Complaints alleging retaliation may be filed according to the Code of Conduct (Student Handbook) or Employee Complaint (Employee Handbook) procedures. The College shall keep confidential the identify of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as may be permitted by FERPA statute, 20 U.S.C. 1232g or FERPA regulations, 34 CFR, part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

**Sanctions:** Possible sanctions for students may include but are not limited to warnings, restrictions from specific areas of campus, restitution, suspension, or expulsion. Possible sanctions for employees may include but are not limited to restitution, suspension, or termination. The College will follow the guidelines of the Students First Act in all cases where sanctions are recommended for employees. For individuals other than employees or students, sanctions could include a no-trespass order and or a no-contact order issued for individuals who have been accused of and/or found in violation of sexual harassment.

**Standard of evidence:** During resolution proceedings, the College shall use a preponderance of evidence to determine if a violation of policy has been made. The preponderance of evidence will consist of such evidence as, when considered and compared with that opposed to it, has more convincing force and produces in the mind's belief that what is sought to be proved is more likely true than not true.

**Student:** A student is defined as one who is or who has been duly and legally registered as either a full-time or part-time enrollee at Northeast.

**Supportive measures:** Supportive measures are defined as non-disciplinary, non-punitive individualized services that are designed to restore or preserve equal access to the education for the complainant and respondent without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment or to deter sexual harassment. These measures are without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. The range of possible supportive measures includes, but is not limited to, referral to counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or housing locations; leaves of absence; increased security and monitoring of certain areas of the campus; and other similar measures. The College will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

**Timelines:** It is the intent of the College to address complaints as quickly as possible. Every effort shall be made to expedite the process and to stay within the timeline parameters of these procedures. However, there may be individual cases where the timelines involved may need to be adjusted to allow the institution to thoroughly investigate the issues. Timeline extensions will be made by mutual, written agreement between all parties involved.

**Victims Option to Report:** Students and employees who are victims of crime including rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking, are encouraged by the College to report but do have the option not to report the incident to campus law enforcement or local law enforcement. In those cases, the victim may still seek assistance confidentially from the Title IX Coordinator or any other victim service agency of their choosing.

**Witnesses:** Both the complainant and the respondent shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the complaint. No witness shall be required to participate in the proceedings.

## Responsible Employees

Under Title IX of the Education Amendments of 1972, "responsible employees" are defined as those who

- have the authority to take action to redress harassment;
- have the duty to report sexual harassment or any other misconduct by students or employees to appropriate school officials; or
- who a student could reasonably believe has this authority or responsibility.

All NACC employees are considered responsible employees and should immediately report information regarding sexual assault, harassment, or misconduct to the Human Resources Director/Title IX Coordinator. In an emergency situation, employees should call 9-1-1 or contact campus police (ext. 2249;256.609.8394 or 256.609.1060).

An employee should make known his or her obligation to disclose information to appropriate campus authorities before a student shares information. If the student chooses to discuss information, listen carefully to the information presented, and do not make judgments or try to mediate the situation. Assure the student that the college wants to maintain an educational environment free from sexual harassment and misconduct. Gently encourage the student to seek medical attention, if necessary, and let him or her know of the advocacy services available (see following chart). Record relevant information, including the names of those involved; the nature of the misconduct; what occurred; and the date, time, and location of the incident. Encourage but do not pressure the student to report the incident to the Title IX Coordinator. After the student leaves, immediately report the information that you have recorded to the Title IX Coordinator or Campus Police. All information should be maintained confidentially.

#### Advocacy Services

##### Organization

Crisis Services of North Alabama (Sexual Assault, Domestic Violence)

Family Services of North Alabama (Sexual Assault, Domestic Violence)

Domestic Violence Crisis Services

Victim Connect Hotline (Stalking)

##### Contact Information

Jackson County: 256.574.5826 CSNA/Hope Place: 256.716.1000  
Office: 256.878.9159

Crisisline: 855.878.9159  
Office: 256.979.1202

Crisisline: 256.891.0019  
855.484.2846

## Campus Security Authorities

Campus security authorities are those individuals, who by virtue of their responsibilities and under the Clery Act, are designated to receive and report criminal incidents so that they may be included and published in the College's Annual Security Report. Students who wish to report information regarding alleged campus crimes should contact Campus Police or a Campus Security Authority (CSA). Reports can be made confidentially to a CSA, who is not a Campus Police Officer, if so desired by the student. However, in instances where a danger exists to the campus community, confidential reporting cannot be guaranteed.

Annual training is offered to CSAs regarding their role in reporting alleged criminal activity on campus. A complete listing of CSAs is available on the NACC Title IX webpage, in the Annual Security Report, and posted around campus. For more information, contact the Human Resources Director.

## Emergency Procedures

The college publishes a *Crisis Management Plan* to outline procedures and action plans in cases of emergency or dangerous situations. This plan is available on the College website. Employees are responsible for reviewing and understanding the materials outlined within the *Crisis Management Plan* and for following established procedures.

## Firearms on Campus

Firearms are prohibited on campus or on any other facility operated by the institution. Exceptions to this policy are: (1) Law enforcement officers legally authorized to carry such weapons who are officially enrolled in classes or are acting in the performance of their duties or an instructional program in which firearms are required equipment. (2) Individuals not otherwise prohibited from possession of a firearm by state or federal law may possess a firearm and ammunition for that firearm in the individual's privately owned motor vehicle while parked or operated on the grounds of the institution; provided, that the individual satisfies all of the following conditions: (a) If the firearm is a pistol, the individual is not generally prohibited from possession of a pistol by state or federal law. (b) If the firearm is any firearm legal for use for hunting in Alabama other than a pistol: (1) The individual possesses a valid Alabama hunting license. (2) The firearm is unloaded at all times while on the grounds of the institution. (3) It is during a season in which hunting is

permitted by Alabama law or regulation. (4) The individual has never been convicted of any crime of violence. (5) The individual has no documented prior incidents on the grounds of the institution involving the threat of physical injury or which resulted in physical injury to another. (c) The motor vehicle is operated or parked in a location where it is otherwise permitted to be. (d) The firearm is either of the following: (1) In a motor vehicle attended by the individual and kept from ordinary observation within the individual's motor vehicle. (2) In a motor vehicle unattended by the individual, kept from ordinary observation and locked within a compartment, container, or in the interior of the individual's privately owned motor vehicle or in a compartment or container securely affixed to the motor vehicle. II. If the institution believes that an individual presents a risk of harm to himself, herself, or to others, the institution may inquire as to whether the individual possesses a firearm in his or her private motor vehicle. If the individual does possess a firearm in his or her private motor vehicle on the property of the institution, the institution may make any inquiry necessary to establish that the individual is in compliance with section (2) above. (1) If the individual is not in compliance with section (2), the institution may take adverse action against the individual, at the discretion of the institution. (Board Policy 511.01, 12/14/22).

## Use of Tobacco

Smoking, e-cigarettes, or the use of tobacco related products shall be prohibited in any enclosed, indoor area of any building or other educational facility owned or operated by the institution, and no area therein may be designated for smoking, e-cigarettes, or the use of tobacco related products (Board Policy 514.01, 04/13/16).

## Personnel Information Updates

Employees who have a change of name, address, phone number, emergency contact, marital status, etc., should contact the Human Resources Director as soon as possible to ensure that this information is updated in College records. Employees can update a mailing address within the Banner SSB, if preferred. This information should also be updated with the Retirement Systems of Alabama in the Member Services Portal.

## Proper Signification of Earned and Honorary Degrees

To assure that all references to the academic credentials of administrators, faculty, staff, and students properly reflect and represent credit and degrees earned at and granted by duly accredited institutions, no department, division, or office shall publish any prefix, suffix, or other reference associating an academic degree with any person, other than the following:

- an earned degree, granted such person by a duly accredited institution; or
- an honorary degree that is clearly designated as such by immediate juxtaposition of the word "Honorary" with any prefix, suffix, or other reference to such honorary degree (Board Policy 221.01, 12/14/16).

## Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law designed to protect the privacy of education records and to establish the right of students to inspect and review their educational records. In essence, school officials may not disclose personally identifiable information about students nor permit inspection of their records without written permission unless such action is covered by certain exceptions permitted by the act.

Directory information can be disclosed to outside organizations or agencies upon request unless the student specifies otherwise. Directory information may include the following: name, home address, telephone number, date and place of birth, major field of study, enrollment status (e.g., full-time or part-time), honors, degrees, and awards received, most recent educational institution attended, and dates of attendance. Employees should consult with the Dean of Student Services or the Registrar's Office if in doubt about what information is allowed to be shared.

## Release of Information on Personnel

Information classified as directory information may be released by the College unless an employee specifically informs the College in writing that his or her Directory Information should not be released. Directory Information may include the following:

- Name
- Position
- Degrees earned
- Photograph
- Campus telephone and voicemail extension numbers
- Campus email address
- Campus office location
- Teaching assignments, including times and locations (via the class schedule)
- Awards, honors, other news
- Activity sponsorships
- Public service activities

Release of financial information on current or former employees to outside companies (e.g., mortgage lenders) requires the express written consent of the employee/former employee.

## Campus Police – Retention of Badge and/or Pistol

Campus police shall retain badge and/or pistol in accordance with Alabama State law upon retirement, disability, or death, without cost (Board Policy 606.07, 04/13/2016).

## Leave Policies

### Abandonment of Position

All absences from work shall be approved in accordance with established institutional leave request procedures. An employee who is absent from work without approved leave or without appropriate notification to his or her supervisor shall forfeit compensation and shall be subject to disciplinary action. Any employee who is absent from work for three consecutive workdays without approval shall be considered to have abandoned the position and to have resigned from the College (Board Policy 618.01, 04/13/16).

### Official Holidays

The College is open Monday through Friday of each week, and on such other days and at such other times as deemed necessary by the President. Employees are allowed the following official holidays, on which days the College is closed:

- New Year's Day
- Dr. M.L. King Day
- National Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve
- Christmas Day

In addition, the annual official College calendar indicates five other days on which the institution is to be closed. Holidays are listed on the official NACC calendar as published in the *Catalog*. Holidays which fall within the instructional schedule are observed by faculty as well as staff. In terms of classes, holidays begin at the end of the class day preceding the holiday and end at the beginning of the regular day following the holiday (Board Policy 608.02, 04/13/16).

## Institutional Leave Policy

1. Only the President can grant leave, but the President designates the implementation of stated guidelines regarding leave to the immediate supervisor of any individual requesting leave. The immediate supervisor will tentatively approve leave in accordance with the guidelines; the President will approve leave thus granted, provided it is within the guidelines and does not hinder the operations of the institution.
2. The guidelines are, collectively, board policies and memoranda from the President regarding specific situations.
3. Leave request forms are to be executed and approved in advance whenever possible. Any leave that is not formally requested prior to its occurrence is considered unanticipated unless otherwise determined by the President. The leave request form should be submitted immediately upon return to work in these cases.
4. Leave is allocated by the hour. The minimum possible leave request is one hour.
5. Employees who are absent for an entire week should submit leave requests totaling the amount of hours that they are scheduled to work during the week (i.e., 35 hours for faculty and 40 hours for administrators or staff).  
*Note: The only exception includes D3 adult education teachers who work 40 hours per week but should request only 35 hours of leave for a full week of absence per guidance from the Alabama Community College System.*
6. Employees must be in paid status for a minimum of one-half of the workdays in the month of employment to accrue a day of annual and/or sick leave, except those absent for Family and Medical Leave purposes as designated by the President.
7. In cases of unanticipated leave, including being late to work, an employee must immediately notify his or her supervisor. This should be done prior to the beginning of the employee's shift. If the immediate supervisor cannot be reached, the next available line supervisor must be notified, or the employee should contact the President. In any case, proper arrangements must be made for the responsibilities of the absent individual. During periods of incapacitation, a designee, to include an immediate family member or a person having unusually strong personal ties to the employee, may request leave on the employee's behalf.
8. Personnel on approved unpaid (non-FMLA) leave cannot earn pay for holidays.
9. Employee leave requests should be submitted by the employee and then must be approved by the immediate supervisor and by the President. A copy of the form is provided to the immediate supervisor and to the individual who requested the leave, and the original form becomes a part of the employee's leave file within the Office of Human Resources Office. In cases of college business leave requests, the Human Resources Director makes a copy of the form and sends both the original and yellow copies to the employee. The employee should attach the original copy to his or her travel reimbursement form (if reimbursement for expenses is requested).
10. Once approval is given by the President, the employee must report annual, sick, or personal through MyNACC SSB before the reporting deadline. Supervisors must verify the leave report was approved and submit it for processing through his or her MyNACC SSB before the reporting deadline.
11. Requests for paid college business leave must include an itemized cost estimate, the specific reason for the request, the destination of the event, and a copy of the agenda/itinerary of the travel. Immediate supervisors indicate by their signatures that the travel is necessary to meet the goals and objectives of the division or office and that funds are available within the respective division or office budget. For out-of-state travel, both a Request for Out-of-State Travel form and an Employee Leave Request form must be submitted prior to the date of the anticipated travel. Personnel will not be reimbursed for any travel that is not approved by the President prior to the travel, unless an exception is granted by the President (see *College Business Leave* for more information).
12. An injury incurred during the performance of duties must be reported to the President or Human Resources Director within 24 hours of its occurrence by completing the Job-Related Injury form, available from the Office of Human Resources. Employees should make these reports regardless of whether they intend to seek medical attention. Incidents that occur during rest breaks or lunch periods, accidents resulting from carelessness or violation of published safety rules, and injuries caused by the behavior of fellow employees are subject to judgment of the President as to whether they are job related. Only the President has the right to determine whether leave or continued benefits are to be granted in cases of reported job-related injuries. Board Policy 610.02 and the accompanying guidelines outline information for absences relating to on-the-job injuries.
13. Failure to comply with the institutional leave policies and procedures could result in disciplinary action including, but not limited to, suspension with or without pay and/or termination.

# Leave Year

A leave year for earning, accrual, and use of leave by college employees is September 1 through August 31.

## Annual Leave

Full-time, non-instructional employees (salary schedules A, B, C, and E) and permanent, part-time employees (salary schedule H) are eligible to accrue annual leave. Permanent, part-time employees earn annual leave on a prorated basis. Full-time personnel earn annual leave monthly at the following rates:

Years of Experience	Annual Leave Earned By Full-Time Employees Per Month
0-4 years	8 hours
5-9 years	10 hours
10-14 years	12 hours
15-19 years	14 hours
20 or more years	16 hours

Personnel must be in paid status for a minimum of one-half of the workdays in the month of employment to accrue annual leave, except those absent for Family and Medical Leave purposes as designated by the President. Leave accrual rate changes will only take effect upon the beginning of the new leave year, September 1. In order to move to the next year of service for annual leave accrual purposes, an employee must have worked at least nine months of the leave accrual year. A “year of service” as it applies to annual leave shall be a completed year of service at the current employing entity, not based on experience or service at other employers. All new hires of NACC will begin accrual of annual leave at zero years of service with one exception: The President, upon request of a new employee within the first 90 days of employment, may award additional years of service for annual leave accrual purposes to an employee who has been hired directly from one ACCS college or the ACCS system office to NACC with no time lapse between dates of employment. The years of service awarded under this exception cannot be more than the number of years that the employee was employed at the ACCS system office or prior ACCS institution. This policy is not applicable to employees hired from other locations or entities, and the President is under no obligation to award the additional years of service.

Earned annual leave may be taken at appropriate times as approved in advance by the President or designee. Annual leave shall be requested and approved prior to its occurrence and may be denied if it is not timely requested or hampers the routine operations of the College.

A maximum of 60 days (480 hours) of annual leave may be carried forward into each new leave year. Accrued annual leave may exceed 60 days (480 hours) during a year; however, annual leave exceeding 60 days (480 hours) earned but not taken before September 1 is forfeited.

A maximum of 60 days (480 hours) of annual leave is payable upon separation from service.

Salary Schedule H employees shall receive monthly annual leave under the same terms and conditions as other eligible employees, four hours for employees working 20-24 hours, five hours for employees working 25-29 hours, six hours for employees working 30-34 hours, and seven hours for employees working 35-39 hours.

Any employee who leaves employment will be paid for the actual number of annual leave days earned and unused up to a maximum of 60 days (480 hours). Payment of annual leave will be based on the employee’s salary in effect at the time of separation.

## Guidelines Regarding Annual Leave Accrual Determination

1. The initial date of employment for individuals hired on a temporary, part-time schedule, working 20-39 hours per week will be considered in determining the employee’s annual leave accrual step, albeit actual leave benefits begin four months following the initial date of employment.
2. Annual leave accrual increases will be effective September 1 for all eligible employees, regardless of the initial month of employment. An employee must have worked at least nine months during the current leave year to qualify for an accrual increase.
3. All references to an employee’s leave anniversary month and year within college records apply only to the date that the employee was granted leave benefits. This date does not necessarily coincide with the date upon which an employee is scheduled for an annual leave accrual increase. Accrual increases go into effect as of September 1.



4. The President has final authority concerning annual leave accrual issues.

## Personal Leave

Up to 35 hours of personal leave with pay will be granted to all full-time faculty members (Schedule D personnel) during each leave year. Employees paid from Salary Schedules B, C, and E will be granted up to 16 hours of personal leave with pay during each leave year. Salary Schedule H employees shall receive personal leave under the same terms and conditions as other eligible employees, except that a day of earned personal leave shall be as follows: four (4) hours for employees working 20-24 hours, five (5) hours for employees working 25-29 hours, six (6) hours for employees working 30-34 hours, and seven (7) hours for employees working 35-39 hours. Personal leave is non-cumulative and will not be paid upon separation.

Personal leave for new employees beginning employment after September 1 will be prorated based upon the number of working days in the appointment. A reason for personal leave is not required; however, personal leave with pay shall be requested prior to its occurrence through the approved request process. Personal leave may be denied if it is not timely requested or hampers the routine operations of the College. Unused personal leave will be converted at the end of the leave year to sick leave.

## Sick Leave

Full-time employees on Salary Schedule D shall earn sick leave at a rate of seven hours per month of qualifying employment to a maximum of 63 hours during the academic year (fall and spring semesters) and up to a maximum of 21 hours during the summer term, depending on faculty load. For any full-time Schedule D employee working less than full-time (35 hours per week) during any semester or term, sick leave earned will be prorated (See ACCS Fiscal Procedures Manual). Employees on D Salary Schedules will be required to request 35 hours of sick leave for absences totaling an entire work week. Each full-time employee on Salary Schedule B, C, and E shall earn sick leave at a rate of eight hours per month and up to a maximum of 96 hours per leave year.

Salary Schedule H employees shall receive sick leave under the same terms and conditions as other eligible employees, except that monthly-earned sick leave will be as follows: four hours for employees working 20-24 hours, five hours for employees working 25-29 hours, six hours for employees working 30-34 hours, and seven hours for employees working 35-39 hours.

An employee must be in paid status for one-half of the workdays in the month of employment to accrue a day of sick leave, except those absent for Family and Medical Leave purposes, as designed by the President.

Unused sick leave is carried forward at the end of each leave year. There is currently no maximum on the number of sick leave days that may be accrued. Sick leave is not paid upon separation of employment. For purposes of applying accrued sick leave as credit for retirement purposes, an employee is limited to the amount allowed by law and the Teachers' Retirement System guidelines. Sick leave may be utilized during the employment period. However, sick leave may not be utilized to extend the employment period.

Sick leave is defined as the absence from duty by an employee as a result of any of the following:

- a. personal illness or doctor's quarantine;
- b. pregnancy or maternity leave;
- c. medical examinations and appointments;
- d. personal injury which incapacitates the employee;
- e. attendance upon an ill member of the employee's immediate family (parent, spouse, child, foster child currently in the care and custody of the employee, sibling, or an individual with a close personal tie);
- f. death in the family of the employee (parent, spouse, child, sibling, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, grandchild, grandparent, uncle, or aunt); or
- g. death, injury, or sickness of another person who has unusually strong personal ties to the employee, limited to a person standing *in loco parentis*, where unusually strong personal ties exist due to an employee's having been supported or educated by a person; father-in-law; mother-in-law; son-in-law; daughter-in-law; brother-in-law; sister-in-law; nephew; niece; grandchild; grandparents; aunt; or uncle.

Sick leave earned while employed by an Alabama public school system, higher education public institution in Alabama, or the Alabama Community College System may be transferred for use at NACC in accordance with Alabama Code Section 16-1-18.1.

The President or the immediate supervisor of an employee may ask that the employee provide a medical certification by a licensed healthcare provider at the expense of the employee. After three consecutive absences due to illness or after five occurrences due to illness within a 30 calendar-day period, the President or designee may require that an employee furnish a medical certificate by a licensed healthcare provider. This is to be done at the expense of the employee. The designee or a supervisor must consult with the President or Human Resources Director before requesting medical certifications from an employee. When medical certifications are required, requests for sick leave may be denied if the medical certification is not provided.

The Teachers' Retirement System (TRS) allows accrued, unused sick leave at the time an employee retires to be applied toward retirement credit. However, the number of sick leave days applied to retirement credit cannot exceed the number of months the employee has worked. See the *Teachers' Retirement System Member Handbook* published on the TRS website for conversion information.

Upon the death of an employee in active service, 100 percent of the member's accrued and unused sick leave will be paid to the beneficiary or estate (Act # 98-385, Section 13. Effective Date, October 1, 1998). The Business Office should be contacted in these instances for instructions on how to request this benefit.

## Family and Medical Leave Act

The College complies with the Family and Medical Leave Act (FMLA), which allows eligible employees to take up to 12 weeks of unpaid, job-protected leave in a twelve-month period for specified family and medical reasons. The FMLA also includes special provisions for military family leave entitlements. Employee rights and responsibilities under the FMLA are established by the U.S. Department of Labor. This information is posted on the NACC website, in the mailroom lobby, on the employment bulletin board in the Wallace Administration Building, and in each building on campus.

Employees who plan to be absent due to a potentially qualifying reason under the FMLA must alert the Human Resources Director. The Human Resources Director will send information on FMLA rights and responsibilities to the employee. Generally, a 30-day notice is required for FMLA leave requests whenever the absence is anticipated and notice is possible. Otherwise, the employee should alert the Human Resources Director as soon as possible. Additionally, employees should identify that the reason for absence is or is not for a reason that could be FMLA qualifying on the Employee Leave Request form. Supervisors must immediately report to the Human Resources Director all leave requests or absences for reasons that could possibly be covered by the FMLA.

Employees requesting leave for reasons that could be covered under this law must comply with any requests for information regarding their reasons for absence in order for the President to make the final determination as to whether the reason is or is not covered by the FMLA. The information must be submitted by indicated deadlines. All leave approved as being for a covered reason under the FMLA will be designated as part of the employee's 12-week allotment for the 12-month period that begins on the first day of the employee's annual appointment. Employees will be required to use paid leaves, if available, during their FMLA leave period, including sick, annual, and personal leaves. Employees who choose not to submit the required documentation requested by the College should note that their leave may still be designated as FMLA leave without the documentation at the sole discretion of the President.

To be eligible for FMLA benefits, an employee must have been employed by the institution for a total of 12 months from the date on which any FMLA leave is to begin and must have worked at least 1,250 hours over the previous 12-month period. These guidelines generally do not cover temporary employees. However, if a temporary employee is extended beyond one (1) year, the employee would be covered if the employee had worked at least 1,250 hours during the previous 12-month period.

Pertinent definitions to the FMLA are as follows:

1. **Parent.** A biological or adoptive parent or an individual who stood in loco parentis (a person who is in the position or place of a parent) to an employee when the employee was a child.
2. **Child.** A son or daughter under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of mental or physical disability who is: a biological child; an adopted child; a foster child (one for whom the employee performs the duties of a parent as if it were the employee's child); a stepchild (a child of the employee's current spouse from a former marriage); a legal ward (a minor child placed by the court under the care of a guardian); a child of an employee standing in loco parentis.
3. **Spouse.** A husband or wife.
4. **Serious Health Condition.** An illness, injury, impairment, or physical or mental condition that involves either any period of incapacity or treatment connected with inpatient care (an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such

inpatient care; or continuing treatment by a health care provider which includes any period of incapacity (inability to work, attend school, or perform other regular daily activities) due to: (a) a health condition lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition that also includes treatment two or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen or treatment; or (b) pregnancy or prenatal care; or (c) a chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity; or (d) a permanent or long-term condition for which treatment may not be effective; or (e) any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated.

5. **Health Care Provider.** Doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice; or podiatrists, dentists, clinical psychologists, optometrists, and chiropractors authorized to practice, and performing within the scope of their practice under state law; or nurse practitioners, nurse-midwives, and clinical social workers authorized to practice, and performing within the scope of their practice as defined under state law; or Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; or any health care provider recognized by the institution or the institution's group health plan benefits manager.
6. **Workweek.** The number of hours an employee is generally scheduled to work each week.

Eligible employees can be granted up to a total of 12 workweeks of unpaid leave during a 12-month period for

- the birth and care of the newborn child of the employee, provided the leave is taken within twelve (12) months following birth;
- the placement with the employee of a son or daughter for adoption or foster care, provided the leave is taken within twelve (12) months following placement;
- to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- to take medical leave when the employee is unable to work because of a serious health condition.

Group health insurance coverage for an employee on FMLA leave will be maintained whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, the College will notify the employee taking FMLA leave that the employee is responsible for making all monthly health insurance premium payments in order to maintain health insurance coverage and benefits. The institution will also notify the employee of how and through which designated office the arrangements and payment must be made. Employees should direct all questions regarding their rights and responsibilities under the FMLA to the Human Resources Director.

## Sick Leave Bank

### I. Purpose and Management

- A. The purpose of the Northeast Alabama Community College (NACC) Sick Leave Bank shall be to provide a loan of sick leave days for its participating members or catastrophic leave after a member's accrued and compensatory leave has been exhausted, if warranted as determined by a Sick Leave Bank Committee.
- B. The bank shall be operated, managed, and governed by a Sick Leave Bank Committee subject to the guidelines pursuant to Alabama Code § 16-22-9 and any procedures established by the Chancellor of the Alabama Community College System.
- C. The Sick Leave Bank shall allow full-time and part-time employees to deposit an equal number of days (not to exceed five days) of his or her earned leave into the sick leave bank.
- D. The deposited days shall be available for loan to any participating member of the NACC Sick Leave Bank whose accrued or compensatory leave has been exhausted and who has met loan qualifications as outlined within these guidelines.
- E. The Office of Human Resources shall maintain records of all member contributions to the bank, withdrawals from the bank, and the status of the bank. Reports shall be provided on a timely basis at the request of the Committee, the President, or the Chancellor.
- F. Questions regarding SLB guidelines should be directed to the Chair of the Sick Leave Bank.

### II. Sick Leave Bank Committee

- A. The Sick Leave Bank Committee (hereinafter referred to as the "Committee") shall consist of five members. One member shall be the President or designee. Four members shall represent the participating members of the Sick Leave Bank and be elected by secret ballot vote of the Sick Leave Bank members at the beginning of each leave year.
- B. The election shall be conducted by the President's Office.

- C. Members will serve terms of one year, with no member serving longer than five consecutive years.
- D. The term of office for these four Committee members shall be one year. See Ala. Code 16-22-9(c). No representative on the Committee shall serve longer than five (5) consecutive years. See Ala. Code 16-22-9(f). If a vacancy occurs during the one-year term which needs to be filled, the remaining Committee members (inclusive of the President) shall vote on a person to fill the vacancy and whoever receives the most votes may fill the seat.
- E. A quorum shall consist of 2/3 of the total membership of the Committee.
- F. The President or President's designee shall be appointed as the Chair of the Committee. The President shall appoint one of the other Committee members to take minutes of meetings and all Committee action.
- G. In the event of any election tie, the President or his designee has the authority to break the tie.
- H. Committee meetings may be scheduled as determined by the Committee, or as set by the President, or by the written request of three consenting Committee members to the President.

### **III. Duties of the Committee**

- A. The Committee shall establish procedures providing for the uniform administration of the sick leave bank. [Ala. Code 16-22-9(d)(f).]
- B. The Committee shall develop guidelines for the operation of the sick leave bank. [Ala. Code 16-22-9(d)(f)]. The guidelines shall be approved by a secret ballot vote of the participating members of the sick leave bank. Ala. Code 16-22-9(f).
- C. The Committee shall develop all necessary forms for the orderly operation and administration of the sick leave bank. [Ala. Code 16-22-9(d)(g)(2)].
- D. The Committee shall maintain copies of its guidelines, administrative procedures, and forms and immediately provide those upon adoption to the President's Office.
- E. The Committee shall review all applications for loans from the sick leave bank and make appropriate decisions on request for approval of such loans. The Committee has the discretion to deny an application for a loan or approve fewer days than requested. Factors to be considered include, but are not limited to need, circumstances of the illness or disability, years of service to the institution, availability of days in the bank, the ability of the applicant to repay the loan (if applicable), and prior awards obtained from the sick leave bank.
- F. Nonsynchronistic meetings will be conducted using the following criteria:
  - 1. The chair of the Committee shall serve as the presiding officer of electronic meetings.
  - 2. A proposed timeline for discussion and/or voting shall be established by the chair at the beginning of the meetings.
  - 3. Upon completion of an e-meeting, the secretary shall distribute copies of all transactions to every member of the committee.
- G. It is the exclusive responsibility of the Committee to modify and to oversee the administrative processes of the guidelines as established by the SLB.
  - 1. All guideline and procedure changes and/or additions must be approved by the membership through a secret ballot vote and receive a 2/3 majority approval of the membership.
  - 2. Such guideline and procedure changes/additions must be filed with the President's Office within 15 calendar days after their adoption.
  - 3. The President must approve guideline changes prior to implementation.
- H. The Committee shall authorize and distribute forms for use in contributing to the SLB, applying for loans from the SLB, and resigning from participation in the SLB. These forms may be obtained by contacting the Office of Human Resources.
  - I. Original records and transactions pertaining to the SLB shall be maintained by the Committee Chair, with copies provided to the business office and the Office of Human Resources.
- J. The Committee shall have the authority to require an additional deposit of days from existing members in order to maintain membership in the bank and/or take any other actions consistent with these guidelines and/or ACCS Board Policy deemed necessary for the effective and efficient operation of the SLB.
- K. The Committee shall maintain accurate records of contributors eligible to participate in the bank.
- L. At the beginning of each leave year, the Committee will invite all eligible employees to join the sick leave bank. All forms pertaining to the SLB may be obtained at any time on the NACC website.
- M. NACC Sick Leave Bank Guidelines and decisions of the Committee shall adhere to the ACCS Board of Trustees Guidelines for Policy 610.01: Leaves With Pay.
- N. Alleged abuse of the bank shall be investigated by the Committee and, on a finding of wrongdoing, the violator shall repay all of the sick leave credits drawn from the SLB and possibly be subject to appropriate disciplinary action as determined by the President.
- O. An employee who receives a loan must follow the institutional procedures for requesting the leave. Only the President can approve leave. The Sick Leave Bank Committee has no authority to grant leave.

### **IV. Eligibility and Participation**

- A. Membership in the SLB is voluntary.
- B. To be eligible for participation in the SLB, an employee must meet the following criteria.

- i. Be a full-time or part-time employee of the College (Salary schedules A, B, C, D, E, and H)
  - ii. Contribute five days to the Sick Leave Bank
  - iii. Complete an *Application for Participation in the Sick Leave Bank* form
- C. Days contributed to the Sick Leave Bank are counted toward the maximum cumulative total of days allowable under law (Section 16-1-18.1).
- D. At the beginning of each leave year, or upon employment of a new employee, the appropriate number of sick leave days shall, upon application of the employee, be credited to the employee's account, in order to enable the employee to join the Sick Leave Bank if the employee does not have the minimum number of sick leave days to enable the employee to join. Ala Code 16-22-9(g)(9). This type of application must be approved by the Sick Leave Bank Committee
- E. Only those employees participating in the Sick Leave Bank are eligible to make an application for a loan of sick leave days and/or contribute days to be used as catastrophic sick leave. Contribution of days for membership in the Sick Leave Bank must have been authorized prior to requesting a loan and/or donating days to be used as catastrophic sick leave.

## V. Guidelines: Loans, Loan Repayment, Appeal Procedures

- A. Loan
  - 1. Members of the Sick Leave Bank are responsible for reviewing and understanding the guidelines for loans and loan repayment.
  - 2. It is the eligible member's responsibility to make loan requests when he/she deems it necessary. No loan requests shall be initiated by the Committee.
  - 3. Any member borrowing from the SLB must agree to comply with all rules and regulations of the ACCS Board of Trustees and the rules promulgated by the Committee regarding sick leave loans.
  - 4. Only members of the Sick Leave Bank who have exhausted all accrued and compensatory leave in his/her personal account may complete the form *Application for Loan* to request a loan from the SLB. The form is to be submitted to the SLB Chair.
  - 5. In cases where the member has been incapacitated, his or her agent or representative (designated as such in writing) may apply to the Committee on behalf of the member. In case of mental incapacity of a member, the designated agent or representative must be a person who, by law, may serve in such capacity.
  - 6. No employee shall be allowed to have an outstanding balance of over 15 days during a leave year, unless more than fifty percent of the membership votes in favor of a loan extension. No more than a five-day loan extension shall be granted by the membership.
  - 7. If an employee has met the 15 day maximum limit of days loaned through the sick bank, a request for a loan extension of five or fewer days must be made in addition to the initial loan application. The employee or, if incapacitated, his/her agent/representative, must make his/her request in writing, noting in detail why the extension is necessary. The Committee will inform the membership of the loan extension request and survey each member for approval/disapproval of the loan extension. Over 50% of the members must approve the loan extension.
  - 8. After an *Application for Loan* has been received by the Committee Chair, he/she will convene a meeting of the Committee. The Committee will review the application, make a decision to approve or disapprove the loan request, and determine the number of days to be loaned based on, but not limited to the following factors: (1) the applicant's need; (2) the circumstances of the illness or disability; (3) years of service to the College; (4) the availability of days on deposit in the bank; (5) the applicant's ability to repay the loan; and (6) prior awarded loans.
  - 9. At the discretion of the Committee, and upon the request of the applicant, a loan may be granted retroactively to the fifteenth day of the absence.
  - 10. The Committee may require a statement from the applicant's physician certifying the circumstances of the illness or disability as a prerequisite for awarding a loan. If the Committee wishes to receive this statement, the Committee Chair will contact the employee or his/her representative. The employee or his/her representative must submit the requested information to the Chair within ten days.
  - 11. If an employee is able to return to work before using all days borrowed from the SLB, only those days used must be repaid. Any remaining days loaned by the bank will be cancelled.
  - 12. If a member borrowing sick leave later qualifies to receive catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the SLB to the credit of the affected member.
- B. Loan Repayment
  - 1. Sick leave days borrowed from the Sick Leave Bank shall be repaid monthly as re-earned by the borrowing member.
  - 2. A *Loan Repayment Schedule* must be completed by the SLB Chair, agreed to by the borrowing member, and approved by the Sick Leave Bank Committee. The Committee Chair will submit copies of the repayment schedule to the Business Office and to the Office of Human Resources.
  - 3. The loan repayment schedule will be effective at the time of the loan approval.
  - 4. If the loan cannot be repaid as scheduled, the Sick Leave Bank Committee will determine if the repayment schedule may be modified upon written request by the borrowing member.

5. Upon the resignation, transfer, or termination of an employee who has an outstanding loan of sick leave days, the value of the loan shall be deducted from the final paycheck at the employee's prevailing rate of pay. If portions of the loan remain outstanding after separation, the employee is responsible for paying the remaining value to the institution. [Ala. Code 16-22-9(g)(3)].

C. Appeal Procedures

1. Any applicant who disagrees with the decision(s) made regarding his/her loan application, loan repayment schedule, etc., may appeal the decision(s) by submitting an appeal request in writing to the President.
2. The President shall have the authority to affirm, reverse, modify, or remand such decisions made by the Committee, and shall provide a written, dated report of his/her findings to the Committee members within fifteen days of his/her receipt of the appeal.
3. The President's decision is final.
4. The Committee will provide a copy of the President's findings to the appealing member.

## VI. Catastrophic Sick Leave

- A. To meet qualifications for receiving catastrophic sick leave, an employee must be suffering from a catastrophic illness which is defined as any illness, injury, or pregnancy or medical condition related to childbirth, certified by a licensed physician, which causes the employee to be absent from work for an extended period of time. Catastrophic leave cannot be used to extend maternity leave or payback a loan for maternity leave unless there is a documented medical reason.
- B. Beginning January 1, 2019, no employee may be awarded more than forty-five (45) work days of catastrophic leave during any five-year period of employment.
- C. An employee must apply for catastrophic leave in the form required by the Committee and is subject to all applicable procedures and guidelines adopted by ACCS and the Committee. In order to apply for Catastrophic Leave: (a) an employee must be a member of the sick leave bank at the time the catastrophic event occurs in order to be considered for catastrophic leave, (b) an employee must have exhausted all accrued and compensatory leave available, (c) the employee must provide certified evidence by a licensed physician of an illness (defined as an unhealthy condition of the body or the mind, a sickness, or disease), or of an injury (defined as physical harm to a person), or of a medical condition related to childbirth that causes the employee to be absent from work for a period greater than fifteen (15) work days, and (d) the employee must have applied, borrowed, and used the maximum number of sick leave days loaned by the Committee.
- D. The Committee determines whether a request for catastrophic leave will be approved or denied and, if approved, for how many days up to the maximum. Factors to be considered in making these decisions include, but are not limited to need, circumstances of the illness of disability, years of service to the institution, availability of days donated, whether it is a personal event to the employee, and prior awards of loans or catastrophic leave.
- E. Employees must be a member of the sick leave bank to donate or receive catastrophic leave.
- F. A donating employee shall not be required to donate a minimum number of catastrophic days to the sick leave bank.
- G. If catastrophic leave is approved by the Committee, the Committee shall notify members of the applying employee's request and approval for catastrophic leave one time. The Committee has no further obligation to continue requesting donations on the applying employee's behalf. The Committee may but is not required, no more than once per month, to communicate by email to the members to advise that the employee is approved for catastrophic leave and could use further donations.
- H. There is no guarantee that, if catastrophic leave requests are approved by the Committee, the sick leave bank members will donate any leave or sufficient leave to cover an employee's absence related to a catastrophic event.
  - I. Catastrophic leave is not available for on-the-job injuries.
- J. With regard to catastrophic sick leave, members of the SLB, at their discretion, may complete the form Donation of Sick Leave Days for a Catastrophic Illness to donate a specific number of days to the Sick Leave Bank to be designated for a specific employee for use against a catastrophic illness. The Committee Chair shall inform the donating employees in writing that the donated days are not to be recovered or returned to the donor unless they are not used by the recipient employee.
- K. Each member of the Sick Leave Bank may donate no more than 15 sick leave days to the Sick Leave Bank for the catastrophic sick leave of any one employee during a 12-month period, and no more than 30 sick leave days in total for the catastrophic sick leave of any one employee.
- L. Donated days shall become available for use by the recipient employee, as designated by the donating employee, who shall not be required to repay the days.
- M. The recipient employee may use catastrophic sick leave days for himself or herself or for other covered persons as provided in *Code of Alabama* 16-1-18.1.
- N. An employee who receives catastrophic sick leave donations must follow the institutional procedures for requesting the leave. Only the President can approve leave. The Sick Leave Bank Committee has no authority to grant leave.
- O. The Sick Leave Bank is authorized to donate sick leave days to another sick leave bank for use by a particular employee who is suffering a catastrophic illness. An employee must be a member of the Sick Leave Bank to

donate or receive catastrophic sick leave days. To ensure the orderly transfer and acceptance of catastrophic sick leave days from one sick leave bank to another, only a uniform form provided by the State Board of Education may be used.

#### **VII. Resignation from the Sick Leave Bank**

- A. A member may resign from the SLB at any time during a leave year.
- B. To resign from the SLB, a member must complete the form Notice of Resignation from the Sick Leave Bank. A copy of this form will be provided to the business office. If a member fails to officially resign from the Sick Leave Bank by completing the form, the employee's participation will be terminated upon his/her last working day at the College. The employee's sick leave days on deposit will be returned to his/her personal sick leave account.
- C. Upon retirement or transfer of a SLB member, days on deposit with the SLB shall be withdrawn and transferred with the employee or made accessible for retirement credit as applicable.
- D. Upon a member's resignation from the SLB, any outstanding debt or leave days must be repaid to the SLB. If the employee has no sick leave days or an insufficient number of sick leave days remaining in his/her account, then his/her final check shall be reduced in accordance with the prevailing rate for the number of days owed to the bank after all accrued days are taken into account. Monies collected from former members of the bank by the College shall be used to replace the number of days borrowed from the bank. The "prevailing rate" is the current salary rate of the member owing the sick leave. (See Opinion of Attorney General to Honorable Roy Johnson, October 24, 1985.) If portions of the loan remain outstanding after separation, the employee is responsible for paying the remaining value to the institution. [Ala. Code 16-22-9(g)(3)].
- E. In the event of the death of a member of the Sick Leave Bank who shall have died owing a number of sick days beyond that which he/she shall have accrued, the Committee may, by a 2/3 majority vote of the membership, forgive the indebtedness, with final approval by the President.

#### **VIII. Sick Leave Donations for Retiring Employees**

- A. Members of the Sick Leave Bank retiring from the institution may donate unused sick leave to the Sick Leave Bank.
- B. Donated days may be granted only to those individuals seeking catastrophic sick leave.
- C. The use of days donated from retirees must receive the majority approval of the Committee.
- D. No individual may receive more than five days from the retiree donations to use for catastrophic sick leave.

## **Maternity Leave**

A full-time or permanent, part-time (Salary Schedule H) employee can be granted up to a maximum of six consecutive calendar months of maternity leave without pay for the birth or adoption of a child. The six-month maximum designation is intended to apply exclusively to unpaid maternity leave. Therefore, any paid leave taken by an employee for maternity purposes will not reduce the maximum amount of six months of unpaid maternity leave. All accrued leave including compensatory time (unless in FMLA status) must be exhausted before an employee is entitled to request unpaid maternity leave. A person who resigns instead of taking maternity leave cannot be paid for accumulated sick leave (Board Policy 611.01, 1/13/2021).

## **Military Leave**

All full-time and Salary Schedule H employees are eligible for paid military leave in accordance with applicable state and federal law per calendar year. During the period of paid military leave, the respective employee shall continue to accrue all employment benefits, including sick, annual, and personal leaves and paid medical insurance benefits. Once available paid military leave is exhausted, the employee may take available annual or personal leave and continue to receive all employment benefits. The College complies with the military family leave entitlements which are part of the Family Medical Leave Act.

Once the employee has exhausted all available paid leave, the employee may be considered on military leave without pay. Benefits will not be accrued, but the employee may choose to continue health insurance coverage by paying designated premiums. A copy of military orders must accompany a leave request for this period.

## Court Attendance

Full-time employees and Salary Schedule H employees who are required by a court to attend jury duty will be granted special leave with pay to attend. Any employee who is required by court order, valid subpoena, or by legal counsel representing ACCS or any of its entities to appear in his or her capacity as an employee will be expected to attend as part of their normal work duties. A copy of the summons or other documentation must be included with the Employee Leave Request form submitted for these absences. This does not apply to employees who are engaged in suit or charges against the ACCS or any of its entities, to include hearings, trials, depositions, meetings with lawyers, mediations, EEOC hearings, ethics commission interviews, meetings, or hearings, etc. as deemed a personal matter for which appropriate accrued leave must be taken.

Any employee expected to attend court for a personal matter or for matters unrelated to their employment within ACCS (except for jury duty) will not receive paid leave and must request and utilize other forms of accrued leave, if applicable. If the employee does not have leave, leave without pay must be requested and approved prior to occurrence.

Any employee receiving leave under the court attendance policy who has been released is required to return to work immediately once the event has concluded.

## Unpaid Leave

Only in certain rare circumstances or under the reasons listed in Board Policy 611.01: Leaves without Pay will the President consider granting unpaid leave. To make a request, the employee should send a written request to the President to the Office of Human Resources. The Human Resources Director will bring the request to the President for a decision. If approved by the President, a request will be sent to the Chancellor for final review. Only upon approval of the Chancellor will an employee be granted unpaid leave. Employees who are in an approved leave without pay status are not eligible to continue to receive leave accruals or benefits, unless covered by the Family Medical Leave Act (FMLA) or military leave. All employees are required to monitor their leave balances to ensure that they do not enter into an unauthorized unpaid leave status. Time spent on unpaid leave will not count in computing the amount of time worked during a given academic year. Time spent on unpaid leave will not be counted in computing tenure or non-probationary status. If granted, unpaid leave will be deducted using the employee's hourly rate. Being in unauthorized, unpaid employment status is a violation of Board Policy 611.01 and may result in disciplinary action, including termination

## Unpaid Personal Leave

Only The Chancellor may grant up to six (6) consecutive calendar months of personal leave without pay to a full-time employee or a Salary Schedule H employee on the written request of the President to the Chancellor based on special circumstances. All accrued leave and compensatory time must be exhausted before an employee is entitled to request unpaid personal leave. Time spent on unpaid leave will not be counted in computing tenure or non-probationary status. Employees who are in approved leave without pay status are not eligible to continue to receive leave accruals or benefits, unless covered by the Family and Medical Leave Act. It is an employee's responsibility to monitor his or her own leave accounts and approvals to ensure he or she is not in an unauthorized, unpaid employment status. To request consideration of a granting unpaid personal leave, employees must provide to the Office of Human Resources a written request to the President.

## Absences of Adjunct Faculty

Adjunct faculty members are not covered by the leave policies for full-time faculty. Absences during the term of employment should not be necessary except in cases of emergency.

The following procedure is to be followed by an adjunct instructor who must miss work:

- E-mail a request for approval to the relevant dean and the division or program director. The request should include a brief description of the reason for the absence and an explanation of assignments made to students to complete in the employee's absence.
- Consult the division director or program coordinator in advance concerning such instructional matters as the appropriateness of proposed alternative assignments or qualifications of a proposed substitute speaker or proctor. Substitutes must be approved by the immediate supervisor and must be qualified to teach the class. Any payments required of substitutes are the responsibility of the instructor not the College.



- Email all affected students with notification and instructions for assignments.
- In cases where class must be missed due to an emergency or illness, instructors should contact the Dean of Instruction; the Dean of Workforce Development and Skills Training; or the appropriate Division Director or Program Coordinator to ensure that students are given timely notification of the cancellation.

## Absences of Adjunct Staff

Adjunct staff are not covered by the same institutional leave policies that govern full-time employees. If a staff member must be absent, the employee should work with the immediate supervisor to make up for the hours missed during the same week whenever possible. For part-time staff paid on salary, if absences cannot be made up, the employee and supervisor should report the missed time to the Human Resources Director so that a pay adjustment can be made.

## Exceptions Regarding Absences

The President should be contacted concerning absences or leave not explicitly covered in the leave policies of the College.

## Accounting for Leave Balances

Employees who earn leave benefits may view their leave balances through the SSB link in MyNACC. Personnel are urged to regularly review their online statements and to report any concerns to the Human Resources Director immediately. Each employee is responsible for following all leave reporting directions from the Office of Human Resources to report monthly leave. Each supervisor is responsible for following all directions from the Office of Human Resources for submitting leave reports for processing. Both parties are responsible for providing timely responses to any auditing inquiries from the Human Resources Director, the Alabama State Auditors, or the President.

## Schedule Adjustments and Compensatory Time Policy

### Schedule Adjustments and Compensatory Time Policy for Employees in Fair Labor Standards Act Exempt Classifications

- **Schedule Adjustments**  
Employees in B, C, D, and FLSA Exempt E classifications may work with their immediate supervisor to adjust their schedules for any compensatory time of two hours or less. The supervisor and employee must maintain records for their files of the exact times in which the compensatory time was gained and the schedule adjustment for which it is being made.
- **Compensatory Time**  
An employee in B, C, D, and FLSA Exempt E classifications may request compensatory time when he or she has physically worked over 45 hours in one week. This time may be granted at the President's discretion. Physical hours do not include those awarded for paid leave. If permitted by the President, exempt full-time employees may be awarded straight compensatory time, meaning for every one hour physically worked over 45 hours, the employee may receive one hour in compensatory time. To request compensatory time, an employee should submit the Adjustment of Work Schedule Request form available on the Forms page on the NACC website. The employee must receive approval from the President before this compensatory time will be granted.

The supervisor of the exempt full-time employee must keep track of all compensatory time earned, and the exempt employee must use the time with supervisor approval within sixty days of it being accrued, or it is considered forfeited. An employee should request to use this leave by submitting an Employee Leave Request and noting on the request that he or she would like to use compensatory time, attaching a copy of the approved Adjustment to Work Schedule Request form. Compensatory time may not be used during and is not granted for such periods as final examinations, in-service, graduation, or other key timeframes and events that are a part of the College's operation. It is not granted to extend an employee's vacation time between semesters. An employee who has available compensatory time should request to use it before requesting to use annual, personal, or sick leaves for absences.

When exempt full-time employees do not work 40 hours each week, they are required to take compensatory time

or appropriate accrued leave to make up for their failure to work 40 hours. Full-time exempt employees are required to work during the institution's regular business hours and according to their approved work schedules, unless the employee has express permission from the supervisor to work outside regular business hours. Compensatory time is not paid for exempt employees at the time of separation from the College.

Only the President is allowed to make exceptions to these policies.

### **Schedule Adjustments and Compensatory Time Policy for Fair Labor Standards Act Nonexempt Classifications**

- **Schedule Adjustments**

An employee may be asked to work at or prepare for College events during the evenings or on Saturdays or Sundays. At such times, an employee will work with his or her supervisor to adjust his or her schedule of that particular work week so that the total working hours will not exceed forty (40).

- **Compensatory Time**

Requests for compensatory time may be approved in rare circumstances by the President. A non-exempt employee must have the specific, prior approval of the President before working past his or her normal 40-hour work week. If approved, compensatory time will be granted at one-and-one-half (1 ½) the time worked over the normal 40-hour work week. For example, an employee working 42 hours during a week would receive three hours of compensatory time. Frequent or repeated overtime without prior approval may lead to disciplinary action. To request compensatory time, an employee should submit the Adjustment to Work Schedule Request form, available online on the Forms page, to the President as soon as the need for compensatory time is anticipated.

An employee who has been approved for compensatory time must request use of the accrued time within two months and should request to use available compensatory time before requesting to use annual, personal, or sick leaves for absences. The requested use cannot unduly disrupt the operations of the College. Compensatory time may not be used during periods as in-service, graduation, or other key timeframes and events that are a part of the College's operation. If approved, an employee should request to use his or her compensatory time by completing an Employee Leave Request and noting on the request that he or she would like to use compensatory time. A copy of the approved Adjustment to Work Schedule Request form should be attached.

An employee who has accrued compensatory time shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than (a) the average regular rate of pay for such employee during the last three years of employment or (b) the final regular rate of pay received by such employee, whichever is higher.

Only the President is allowed to make exceptions to these policies.

## **Job-Related Injury Absences/Reports**

An on-the-job injury is any accident or injury to the employee occurring during the performance of duties or when directed or requested by the employer to be on the property of the employer which prevents the employee from working or returning to his or her job. Incidents that occur during rest breaks or lunch periods; accidents resulting from carelessness or violation of published safety rules; and injuries caused by the behavior of fellow employees are subject to the judgment of the President as to whether they are job related. There must be clear and convincing evidence that the injury was job-related; was not a result of intentional harm, carelessness, intoxication, provocation, or other inappropriate behavior of the injured employee; and was not the result of a pre-existing condition for the President to determine an employee had an on-the-job injury. The NACC President is authorized to approve payment of salaries and fringe benefits for the equivalent of up to 90 working days for absences arising from on-the-job injuries to employees when the President has determined that an employee (1) has been injured on the job and (2) cannot return to work as a result of the injury. Accrued leave shall not be deducted from the employee's account if absence from work results from an on-the-job injury, as approved by the President, unless the absence exceeds 90 working days. The continuation of salary and fringe benefits for the appropriate amount of working days shall be consistent with the employee's injury and the subsequent absence from work resulting from the injury. Employees are not precluded from using accrued leave for an absence or absences resulting from an on-the-job injury, if they elect. Continuation of an employee's salary or wages paid shall be computed based on a daily rate and will be subject to the requirements outlined in Board Policy 610.02. This policy shall apply to temporary disability of the employee as applicable to the on-the-job injury.

A temporary disability is defined as a physical injury or malady necessitating absence from regularly scheduled duties but allowing for a reasonable expectation that the employee will return to duty. A permanent disability is an injury or malady of such severity that there is no reasonable expectation that the employee will return to duty.

The following requirements shall apply to review and approval of salary continuation due to on-the-job injuries:

1. An injury incurred during the performance of duties must be reported to the President or Human Resources Director within 24 hours of its occurrence by completing the Job-Related Injury form, available from the Office of Human Resources. If unavailable, the employee should report the injury to his or her direct supervisor who should then report the event to the Human Resources Director. Employees should make these reports regardless of whether they intend to seek medical attention. If the employee is not clinically able to submit notification, such notification may be made by an individual representing the employee or on behalf of the employee. Such an individual must be reasonably knowledgeable concerning the injury and the condition of the employee. Only the President has the right to determine whether leave or continued benefits are to be granted in cases of reported job-related injuries (Board Policy 610.02, 4/10/19).
2. The college must receive within 72 hours after the notification of an on-the-job injury satisfactory evidence that the injury was on-the-job in the form of a statement from one or more witnesses who saw the incident causing the injury, or a signed, notarized statement from the injured employee if there were no witnesses. In the event of an alleged stress-related injury, a sworn statement from the employee and a supporting statement from the employee's licensed healthcare provider shall be required.
3. In the event the employee incurs the third absence related to the on-the-job injury, the College or entity must receive certification from a licensed healthcare provider, obtained at the employee's expense, as to the injury's severity and prognosis. The college or entity must receive the certification within three work days from the third absence.

The employee must provide the College with notification from the licensed healthcare provider that the employee is released to return to regular duty. The college must receive the notification immediately upon release by the licensed healthcare provider. Upon the President's receipt of a licensed healthcare provider's certification that an on-the-job injury is the cause of partial or total *permanent* disability, the employee shall be informed promptly about his or her right to bring a claim before the Alabama State Board of Adjustment. Acceptance by an employee of salary and benefits continuation payments for a perceived temporary disability due to an on-the-job injury shall be upon the condition that the employee agrees to the deduction of the amount paid for temporary disability from any subsequent award by the Alabama State Board of Adjustment in the event the disability is subsequently determined to be permanent.

## Emergency Shelter Duty and Shelter Pay Provision

The Governor of Alabama will initially direct the emergency call for shelters and the Chancellor will dispense a directive to the select college Presidents to open an emergency shelter. Policies outlining NACC obligations during evacuations are published in the Crisis Management Plan, available online. The President or President's designee may assign employees to assist in managing and maintaining college facilities when such facilities are activated to provide shelter to disaster evacuees in accordance with applicable Federal Emergency Management Agency and Alabama Department of Emergency Management shelter regulations. Employees assigned to emergency shelter duty shall, upon certification by the president, be paid: • For non-exempt employees, the normal rate of pay up to 40 hours in the workweek and non-exempt employees shall be paid 1.5 times the normal rate of pay for time physically worked over 40 hours during the workweek when assigned to duty at an emergency shelter. • For exempt employees, the normal rate of pay up to 45 hours during the workweek, and exempt employees (except Presidents and those on Salary Schedule B ) shall be awarded hour for hour compensatory time for physically working over 45 hours during the workweek when assigned to duty at an emergency shelter (Board Policy 606.08, 4/10/2019)

## Travel: Classifications, Requests, Expenses, and Reimbursement

*Classifications:* There are two classifications of business leave in ACCS Policy 610.01 (4/10/19). They are Institutional Support Leave and Professional Development Leave. The final classification of business leave is determined by the President or designee. Approved activities sponsored by the ACCS or by the College are part of the employee's regularly assigned duties and are not considered institutional support or professional development leave.

Institutional Support Leave may be approved by the President for any full-time employee based on the availability of funds and if the absence will not hamper the normal routine operations of the College. Institutional support leave is

related to the employee's expertise and/or position of employment. This type of leave directly benefits the College and the employee's participation is requested by the College. General examples include business and industry partnerships; grant-specified training; community partnerships; and accreditation activities related to the College. Any activity requiring more than five regularly scheduled workdays of Institutional Support Leave during the leave year will require the Chancellor's written approval.

Professional Development Leave with pay may be granted to any full-time employee when approved by the President based on the availability of funds, that the absence will not hamper the normal routine operations of the College, and that the event is directly tied to the employee's current or anticipated job duties. A maximum of ten workdays per leave year may be approved locally, but more than ten days shall only be granted upon written approval of the Chancellor. If an employee who was granted professional development leave separates from the College within one year of the professional development event, the employee is required to reimburse the College for any funds expended on behalf of the employee. The College may deduct these amounts from an employee's paycheck. The President may elect not to require reimbursement due to special circumstances, such as separations due to medical reasons or layoffs.

Employees and immediate supervisors must carefully review each request for business leave and ensure that the employee will not surpass the maximums allowed under Policy 610.01 for Institutional Support or Professional Development. If upon review it is determined that the request will put the employee over the maximum allowed days for the leave year, the employee must complete the form Request for Approval of Additional Institutional Support or Professional Development Leave available on the Forms page of the NACC website. This request form should be forwarded to the Human Resources Director no later than three weeks before the event/meeting. The Human Resources Director will submit it to the President for consideration. If approved by the President, a written request will be submitted to the Chancellor, on the employee's behalf, by the President to seek approval for exceeding the maximum allowed days under the policy. Once notification of a decision has been received by the President, the Human Resources Director will inform the employee.

*Requests:* Business travel must be requested by submitting an Employee Leave Request form. If traveling out of the state the employee must also submit the Request for Out-of-State Travel form. Both of these forms can be acquired in the mail room of the Wallace Administration building. Employees must have prior approval of both the immediate supervisor and the President to take leave. An estimate of all expenses to be incurred, the purpose of the travel, and the destination must be indicated on the leave request form. An agenda or itinerary of the event should be attached, if available at the time of the leave request. The Chancellor's approval is required for all foreign travel. Therefore, Employee Leave Request forms for out-of-state travel must be submitted at least four weeks prior to the date of the anticipated foreign travel in order to secure the approval of the Chancellor and the President as required by Board Policy 316.01 (4/13/2016).

Note: Any travel that is subsequently cancelled should be reported to the Office of Human Resources.

*Reimbursement:* Travel Forms, available on the Forms page of the NACC website, should be submitted promptly for budgetary reasons and no later than 90 days from the conclusion of travel or October 1<sup>st</sup> of the current fiscal year, whichever comes first. Any questions regarding reimbursement forms should be directed to the Business Office.

#### **In-State Travel (Not sponsored by an organization to which dues are paid)**

Upon return, an employee submits to their immediate supervisor the following documentation:

- a. In-State Travel Reimbursement form;
- b. approved Employee Leave Request form;
- c. a copy of the event agenda/itinerary; and
- d. a map of the route traveled showing mileage (if personal vehicle was used) or [receipts for any fuel purchased or maintenance performed if a College owned vehicle was used.](#)

Reimbursement for in-state travel is based upon *per diem* rates as established by the Alabama Community College System and upon the current Internal Revenue Service mileage rate. All rates are subject to change and can be found on the In-state Travel Reimbursement form. Receipts are not required for meals or lodging for this type of in-state travel. Tips will not be reimbursed unless unusual in nature and explained.

#### **In-State Dues Paying Travel (Sponsored by an organization to which dues are paid)**

If the travel is for an event sponsored by an organization to which an employee or the College pays annual dues, the employee submits to their immediate supervisor the following documentation:

- a. In-State Travel Reimbursement Form for Dues-Paying Event form;
- b. approved Employee Leave Request form;

- c. a copy of the event agenda/itinerary
- d. a map of the route traveled showing mileage (if personal vehicle was used) or receipts for any fuel purchased or maintenance performed if a College-owned vehicle was used or commercial transportation (For trips less than 8 hours of travel time, economy or tourist class rates should be used), vehicle rental, parking fees, tolls paid, and fuel purchased;
- e. receipts for hotel accommodations (food and recreation items must be deducted);
- f. documentation from the GSA.gov website showing the meal per diem rate for the event city (or the nearest available city); OR receipts for actual meal expense and incidentals
- g. receipts for any registration fees paid for by the employee;
- h. receipts for any applicable miscellaneous expenses (must be itemized)

Note: Meal receipts are not required if meals are reimbursed at the approved *per diem* rate for the event location or the nearest city. Deduct from the GSA per diem rate any meals furnished by the sponsor of the event. The traveler may elect to be reimbursed for the actual expenses associated with meals and incidental expenses. If this option is chosen then all receipts are required for these costs.

[Travel that is cancelled should be reported to the Human Resources Director.](#)

### **Out-of-State Travel**

The President is authorized to approve out-of-state travel for employees or students traveling on institution-related activities. Reimbursement shall be made in accordance with applicable state laws.

Upon return from out-of-state travel, an employee submits to their immediate supervisor the following documentation:

- a. Out-of-State Travel Reimbursement form;
- b. approved Employee Leave Request form;
- c. approved Request for Out-of-State Travel form;
- d. a copy of the event agenda/itinerary (if available);
- e. a map of the route traveled showing mileage (if personal vehicle was used); or receipts for any fuel purchased or maintenance performed if a College owned vehicle was used or receipts for commercial transportation (For trips less than 8 hours of travel time, economy or tourist class rates should be used), vehicle rental, parking fees, tolls paid and fuel purchased;
- f. receipts for hotel accommodations (food and recreation items should be deducted);
- g. documentation from approved the GSA.gov website showing the meal per diem rate for the event city (or the nearest available city);
- h. receipts for any registration fees paid for by the employee;
- i. receipts for any applicable miscellaneous expenses (must be itemized)

Note: Meal receipts are not required since meals are reimbursed at the approved *per diem* rate for the event location or the nearest city. Deduct from the GSA per diem rate any meals furnished by the sponsor of the event.

Travel that is cancelled should be reported to the Human Resources Director.

### **Additional Information regarding Travel Reimbursement:**

The reimbursement request must be approved by the supervisor, the Dean of Financial Services, and the President. Personnel will not be reimbursed for any travel that is not approved by the President prior to the travel.

If the meal expenditures are above the approved *per diem* rate and reimbursement is requested, a written statement should be provided to the President indicating a valid reason why the expenditures were more than allowed. The President must approve this reason before reimbursement can be made for the additional amount.

Reimbursement for travel in private vehicles is made at the current Internal Revenue Service mileage rate. If travel involves more than one city, the route taken must be indicated (for example, NACC – Montgomery – Tuscaloosa - NACC). All vicinity mileage is to be recorded as such, and if it exceeds twenty miles on any day, the major points of travel should be indicated. **The shortest route should be taken to the destination.** If a different route is taken, the reason must be explained. It is important to note that when starting or ending from your home you must choose the shorter distance of NACC or your home location.

The hour of departure from base and the hour of return to base must be entered, since the number of hours away from the official base will determine the number of *per diem* units allowed.

Where, for travelers' personal convenience or through the taking of leave, there is interruption of travel or deviation from the direct route, the *per diem* in lieu of subsistence allowed will not exceed that which would have been incurred on uninterrupted travel by the most economical, usually traveled route.

Under no circumstances will *per diem* be allowed an employee at the official station or base.

Where the payment of cash is necessary for miscellaneous expenditures, receipts where practicable to obtain them will be required as follows:

- a. operating expenses and repairs of state College owned automobiles, such as gasoline, and oil.
- b. postage in excess of \$1.00.
- c. shipments, freight or express, or drayage.
- d. tolls for tunnels and bridges.
- e. miscellaneous emergency expenditures.
- f. registration fees.

For clarification or more information regarding travel reimbursement, employees should contact the Business Office or the Human Resources Director.

## Use of College Vehicles

Personnel who wish to use a College-owned vehicle for College business travel must contact the President for permission. If permission is granted, certain documentation is required to be on file (for insurance purposes) with the Business Office before a vehicle can be driven. Any person driving or riding in a college vehicle shall have a duty to comply with Alabama's mandatory seatbelt law and other applicable driving laws.

## Health Insurance, Retirement, and Other Benefits

### Insurance Programs

All full-time employees and permanent part-time employees meeting certain requirements are eligible for individual health insurance under the Public Education Employees' Health Insurance Program (PEEHIP). The major portion of the premium is paid by state allocation, and the remainder is paid by the employee. Family coverage is also available, with the additional cost being the responsibility of the employee. An optional plan may be selected (vision, cancer, dental, and/or hospital indemnity) instead of or in addition to the comprehensive health coverage. If the optional coverage is selected in addition to the comprehensive, the additional cost is the responsibility of the employee.

Payroll deduction is the standard means of effecting employee payments to either insurance plan. The Payroll Clerk is the contact for questions concerning insurance programs.

### Flexible Spending Account

PEEHIP offers two flexible spending accounts (FSA) to all active employees: the health FSA and the Dependent Care Reimbursement Account (DCRA). The health FSA allows members to put aside pre-tax dollars to be used on co-pays, deductibles, and other covered services each plan year, while the DCRA allows funds to be used on dependent daycare expenses. For more information concerning these programs and the open-enrollment periods, please review the PEEHIP member handbook or contact the Payroll Clerk.

### Cafeteria Plan

College employees have established a cafeteria plan, which allows the costs of certain insurance coverage to be deducted from the taxable income prior to calculation of FICA and federal and state taxes. The net result is a reduction

in the amount of these taxes paid for those individuals participating in the respective insurance programs. Per IRS Regulations, a Salary Redirection Agreement must be signed when employment begins. AFLAC manages the cafeteria plan for NACC; therefore, an AFLAC agent must see each new employee to sign the document.

Insurances which are included are PEEHIP and other hospitalization and health (illness) policies, such as cancer coverage. Disability, life, and accident-only policies are excluded.

## Disability Insurance

A group insurance plan for disability coverage is in effect for employees who choose to participate. This plan is voluntary. Premiums are deducted automatically from the monthly earnings of enrolled employees. The Payroll Clerk is the contact for questions concerning how to participate in this plan.

## Other Insurance Plans

Payroll deduction to certain other insurance programs may be arranged with the Payroll Clerk. These include the following:

- American Family Life Assurance Company (AFLAC) (cancer, life, critical illness, short-term disability, others)
- Educator Benefits - AEA sponsored plans (life, disability, cancer, others)
- Metropolitan Life Insurance Company (life)

The Payroll Clerk is the contact for questions regarding how to participate in these programs.

## Teachers' Retirement System of Alabama

Full-time and permanent part-time community college faculty and staff are members of the Teachers' Retirement System of Alabama (TRS). Personnel should familiarize themselves with the TRS by reviewing the TRS homepage of the Retirement Systems of Alabama (RSA) website as well as the appropriate member handbook posted on the RSA website. Adjunct faculty who are already enrolled in TRS must notify the Payroll Clerk upon employment with the College.

Federal taxes are calculated on employee earnings *after* retirement contributions to TRS. Retirement benefits are taxable at the time of withdrawal.

## RSA-1 Deferred Compensation Plan

RSA-1 is an eligible deferred compensation plan as defined by Section 457 of the Internal Revenue Code of the United States and is authorized by §36-27A-1, et. seq., Code of Alabama 1975, as amended. There are no fees for participating in the RSA-1 Deferred Compensation Plan. An employee may elect to begin participation in RSA-1 during any month, with actual deferral of compensation becoming effective the following month. The amount being deferred may be changed upon appropriate notification to the Payroll Clerk. Additional information is available on request from the Payroll Clerk as well from the Retirement Systems of Alabama website.

## Payroll Deductions

- **Credit Unions and Banks**  
Employees may request that a portion of their earnings be sent automatically to First Educators Credit Union (FEC) (800-264-8031) or Redstone Federal Credit Union (256-259-0138) or any other approved (RDFI) Receiving Depository Financial Institution.
- **Deferred Compensation and Annuities Plans**  
Certain retirement options may be payroll deductible. These currently include Great West and VALIC.
- **United Givers Fund**  
Employees may request that a portion of their earnings be sent automatically to the United Givers Fund for DeKalb or Jackson Counties. These contributions are tax deductible and result in financial support to programs

delivering vitally needed services to the designated county. Donations to the United Givers Fund help support the American Red Cross, Boy/Girl Scouts of America, Easter Seals, Family Services Center, CASA, and other charitable organizations.

The Payroll Clerk is the contact for all payroll deductions.

## Tuition Assistance

Full-time employees, retirees, Salary Schedule H employees, and their dependents are eligible for tuition assistance for courses taught by community and technical colleges under the control of the Alabama Community College System Board of Trustees and, when applicable, Athens State University. Tuition assistance is available after Years 1 and 2 in amounts of 1/3 and 2/3 tuition, respectively, and after the third year of employment for a full tuition waiver.

To be eligible, an employee must have been employed by the Alabama Community College system college or entity or the ACCS office for the equivalent of one full academic year for faculty or at least 12 months for non-instructional employees, prior to the first scheduled day of classes for the term for which the employee is applying. Eligibility terminates if the employee discontinues full-time employment or becomes ineligible for benefits at the College for any reason. Approved tuition assistance waivers are honored through the completion of the current term only. A dependent is defined as the spouse of any eligible employee or retiree; the unmarried children of any eligible employee or retiree residing in the household of the employee or retiree, residing in the household of the employee or retiree's former spouse, or residing in temporary housing while enrolled in college such as college dormitories, apartments, or student houses; the unmarried stepchildren of any eligible employee or retiree residing in the household of the employee or retiree; or a legal ward when the guardian is a benefits-eligible employee or retiree.

Current definitions, eligibility requirements, and procedures for implementing such tuition assistance shall be set out in guidelines established by the Chancellor (Board Policy 612.02, 4/10/19) and available on the ACCS website. Tuition Waiver forms are available in the Financial Aid Office and on the Forms page on the College website. The application form should be completed prior to registration for classes and submitted to the Financial Aid Office for processing. A copy of the completed form must be maintained by the employing institution and the institution offering courses (if not the same).

## Personnel Evaluation

### Faculty Evaluation Procedures

#### **Faculty Evaluation Procedures**

Faculty evaluation at the College is conducted through a four-stage process, as follows:

- 1. Faculty Self-Evaluation/Professional Development Plan**

The faculty evaluation process appropriately ties individual faculty professional development plans to the enhancement of student learning outcomes. At the beginning of each academic year, faculty members individually consider the specified learning outcomes of the course(s) they will teach, evaluate their ability to facilitate these outcomes, and set goals professional development to promote student learning and enhance learning outcomes. Each instructor submits a professional development plan for the year. This plan must include specific professional development objectives, activities intended to achieve the objectives, and the methods by which the instructor will evaluate attainment of the objectives.

The Faculty Self-Evaluation/Professional Development Plan is submitted to the division director or program coordinator. The supervisor compiles the plans and submits copies to the Office of Institutional Planning and Assessment and includes appropriate goals from the plan within NEOED (for full-time faculty). The supervisor and instructor will discuss the instructor's accomplishment of the professional development objectives at the annual evaluation conference during the spring semester.

- 2. Evaluation of Academic Advising**



Each spring semester, students are given the opportunity to evaluate the quality of advisement they have received thus far. This evaluation is coordinated by the Office of Institutional Planning and Assessment, with deadlines to be set by that office. Results are sent to each advisor and to his or her immediate supervisor.

### **3. Evaluation of Instruction**

At the end of each fall and spring semester, students are given the opportunity to evaluate instruction for each course in which they are enrolled. Select courses are also evaluated during the summer semester. This evaluation is coordinated by the Office of Institutional Planning and Assessment, which establishes deadlines for completion. Results are sent to each instructor and to his or her immediate supervisor, with a copy to the Dean of Instruction and the Dean of Workforce Development.

### **4. Annual Performance Evaluation by Supervisor**

Immediate supervisors meet annually in the spring with each faculty member to discuss the Performance Evaluation, conducted online through the NEOED platform. Supervisors also discuss faculty self-evaluation plans, student evaluations of advisement (if applicable), student evaluations of instruction, and personal goals, along with the Performance Evaluation. Each faculty member is to acknowledge the evaluation form upon review of the evaluation and, if desired, may make a written response. The evaluator must respond in writing to a written response by the person evaluated to the effect that the evaluation either holds or has been changed in view of stated considerations. Any written responses become part of the evaluation. The supervisory evaluations of instructional personnel should be completed by the deadline indicated by the President. The evaluation process is coordinated by the Human Resources Director and all evaluations are maintained on the NEOED platform.

## **Adjunct Faculty Evaluation Procedures**

Steps 1 and 3 of Faculty Evaluation Procedures will be scheduled according to the adjunct's time of employment. Step 2, Evaluation of Academic Advising, will not apply to the typical adjunct faculty member. Step 4, the performance evaluation, will be conducted by the immediate supervisor annually in the Spring.

## **Administrative and Staff Evaluation Procedures**

All administrators and staff members are evaluated by their immediate supervisors in the Spring using the online NEOED software platform. The employee whose performance is being evaluated is to acknowledge the evaluation upon review of the evaluation and may make a written response if desired. The evaluator must respond in writing to any written response by the person evaluated to the effect that the evaluation either holds or is changed in view of stated considerations. The supervisory evaluations of personnel should be completed by the deadline indicated by the President. The evaluation process is coordinated by the Human Resources Director and all evaluations are maintained on the NEOED platform.

# **Section V: Financial Affairs**

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## **Budgets and Purchasing**

### **Accounting Procedures**

The Fiscal Procedures Manual for the Alabama Community College System (ACCS) shall be used to comply with generally accepted accounting procedures, good business practices, Board policy, and applicable laws. The Chancellor shall revise and maintain the manual as needed.

### **Financial Budgets**

In accordance with the purpose of NACC, primary consideration in budget planning is placed upon the needs of the instructional programs. The first items budgeted are the salaries of instructional and other professional personnel. Other costs that must be projected are the salaries of support personnel; instructional supplies and equipment; office supplies and equipment; travel; materials and fees for specialized testing; membership costs for institutional and program accreditation; and physical plant maintenance, utilities, and insurance.

The President calls meetings for budget planning during the spring and summer of each year. The current year's budget is analyzed to detect trends that may affect the projected budget year; enrollment projections are compared with actual enrollment; and revenue projections, particularly student revenues, are compared with actual revenues to date. Similar comparisons are made for expenditures for all segments of the budget.

Instructors and other staff members along with their supervisors provide input for the budget through estimating their expenditures for the projected budget year. These estimates address the amounts necessary to support all programs and functions of the institution in accordance with established purposes and policies. These estimates are compiled and prioritized by the budget supervisors and are balanced against the projected funds available. Funds may be shifted within each office or divisional category through re-budgeting authorized by the Dean of Financial Services and the President.

The budget is submitted as required to the System Office of the ACCS, for submission in turn to the ACCS Board of Trustees. Once the budget is approved by the Board, any major changes during the fiscal year must be submitted by the President for Board review and approval or disapproval.

### **Purchasing Procedures**

The Alabama Community College System Purchasing Manual shall be used to comply with ACCS Board policy, and applicable state laws associated with purchasing. Approved joint purchase agreements may be used if in the best interest of the College.

### **Purchase Orders**

NACC requires a Purchase Order for the purchasing of goods and services with institutional funds, including restricted grant funds.

No one other than the Dean of Financial Services and the President has the responsibility of obligating any funds under the name of the College. All purchases made will be authorized on the official purchase order which is issued upon the approval of requisitions submitted to the Business Office.

The person filling out the requisition must have access to the Banner SSB app located in MyNACC on the college website, [www.nacc.edu](http://www.nacc.edu).

The person making a request should specify the quantity, description, and price of each requested item. Choose the vendor if known. Note: New vendors must be established by the Business Office. The new vendor must submit a valid W9 prior to being setup in Banner.

The completed form will be submitted to the division director, program coordinator, Grant Administrator or other immediate supervisor in charge of that department's budget; upon their approval, the form is forwarded to the Dean of Financial Services and then to the President for final approval. Should funds not be available for the requisition, a Re-budget Request should be completed and sent for approval by the Dean of Financial Services and the President.

Once all approvals have been made the requisition is then converted into a purchase order.

Purchase orders will be issued by the institution each day the Business office is open, excluding special circumstances.

A copy of the purchase order is sent to the initiating person after the purchase order is processed. Purchases received should be checked carefully against the purchase order copy; any discrepancies must be reconciled. Upon receipt of invoice, the person who initiated the requisition and received the goods notes the date purchases were received and signs to authorize the payment. The invoice is then returned to the Business Office for payment. All invoices should bear the related purchase order number for reference.

### **Bidding**

Institutional contracts for labor, services, work, or for the purchase or lease of materials, equipment, supplies or other personal property is governed by the Alabama Bid Law, Title 41. The law is amended periodically, especially the value limit on purchases that do not require competitive bidding. Currently, the limit is \$50,000 for any item or group of like items purchased within a fiscal year. Items exceeding the limit are offered for competitive bidding. Any item, regardless of cost, may be offered for competitive bidding.

The construction, installation, repair, renovation, or maintenance of public buildings and structures are governed by Public Works, Title 39. These projects over a threshold of \$50,000 are required to be bid. This type of bid is subject to different requirements than the Title 41 type bids. The Business Office will establish which type of bid process should be used.

An invitation to bid (ITB) is constructed by the Business Office personnel using specifications based upon the needs of the individual or department submitting the request or specifications from previous bids from which the same item(s) was purchased. Vendors to receive the ITB are selected from the institutional vendor listing, the internet, or other identifiable source of vendors offering the item(s). Bids received in the Business Office by the deadline established in the ITB are considered valid bids. The bids are opened immediately after the deadline, and the sessions are open to the public. The individual requesting the item(s) are requested to be present and participate in the analysis of each bid response to select the lowest responsible bidder. The lowest responsible bidder is awarded the bid and a purchase order submitted to that bidder.

It should also be noted that personal property acquisitions estimated to exceed \$500,000 must have Board of Trustees approval prior to acquisition.

### **Inventory Control**

NACC maintains an inventory list of all items capitalized by the institution, according to federal guidelines for capitalizing items. Currently those items costing a total of at least \$5,000, including component costs, are capitalized and recorded in the institution's accounting system. All capitalized items are decaled and maintained on the institution's inventory control listing.

In addition to items costing \$5,000 or more, items purchased by federal grants that are considered to be of a "personal nature" and more liable to be stolen or misused are uniquely decaled and maintained on separate inventory control lists. These items are not capitalized but are subject to all control functions in place for capitalized items. The inventory control of these items is the responsibility of the campus unit for which the grant was awarded.

An annual inventory of capitalized items is conducted by Business Office personnel to locate and identify each item on the list. The inventory shall show the complete description, manufacturer's serial number, acquisition cost, date of purchase, location, responsible individual, and the college property control number. Each building on campus has an individual responsible for supervision of the building and its contents. This individual is responsible for locating the decaled items on the inventory control list and reporting its location to the Business Office personnel. Any time a decaled item is moved from its inventory control list location, it is the responsibility of the building supervisor to notify the Business Office personnel as to the new location of the item using the Property Transfer Form.

Whenever any building supervisor ceases for any reason to be the property manager, the Dean of Financial Services shall immediately notify the President in writing. College officials shall immediately check the inventories of all property for which the property manager was responsible and the successor to the property shall execute a written receipt for all property received by him or her or coming into his or her custody or control.

If any inventory item is lost or considered stolen, an investigation is conducted and documented by campus police. Documents are submitted to the local police departments for further investigation and possible recovery of the lost or stolen items. A search of other campus facilities is conducted by the building supervisors to attempt to locate the missing item. If the item cannot be located or recovered, an insurance claim is submitted to the Alabama Department of Risk Management providing insurance coverage for facilities and contents for settlement. Any item not recovered within one year is removed from inventory control and the institution's accounting system.

If any inventory item is damaged beyond use by whatever means, an insurance claim is submitted to the Alabama Department of Risk Management for settlement and removed from inventory control and the institution's accounting system.

### **Fund-Raising**

All fund-raising activities of the College are conducted to help fulfill its mission. Fund-raising includes *two* basic practices at NACC: (1) the solicitation of funds for program-related and student activities and (2) obtaining donated equipment.

All program-related and student fund-raising activities must be approved by the President. The Request for Fund-Raising Activity form should be submitted for approval of these activities and can be found on the Forms page of the College website.

Occasionally monetary contributions or equipment are made on an unsolicited basis. These contributions must be approved by the President. Such contributions must be included in the College's financial records and are subject to the state auditing process. Both types of fund-raising are to be included in the College planning process and are to be regularly evaluated by the Dean of Financial Services.

## **Grants**

### **Proposals**

It is the policy of the College to encourage employees to develop proposals for external grants for specific projects relating to their disciplines. It is emphasized, however, that the College is a teaching institution and that grant activities should not interfere with instructional responsibilities.

All proposals should be submitted through the proper institutional official as designated in the organizational chart. The President makes the final determination concerning a request.

College personnel must maintain institutional control of the administration of research projects and not permit institutional activities to be threatened by the acquisition of contracts and grants. Staff and faculty undertaking research and publication through grants and contracts should balance their work so that all aspects of their job descriptions are met. The final measure of this balance is the annual personnel evaluation.

## **Grant Management Procedures**

### **Grant Administrator**

The Grant Administrator should be the Dean or Director, supervising the institutional area for which the grant is designed to support and promote. The Grant Administrator is designated by the President of the institution for any grant and is responsible for overall management of the grant from the time the grant is awarded until all grant activities and requirements are accomplished. The Grant Administrator is the primary institutional contact for all grant-related activities with the awarding authority and is responsible for all reporting to the awarding authority during the life of the grant.

### **Organization of Materials**

Grant documents will be maintained in the office of the Grant Administrator for a period of three years after the grant requirements are completed. After this three-year period, all grant documents must be archived in the institution's area for storing documents for a period of ten years or the length of time designated by the awarding authority.

All documents should be maintained as a unit in a folder in paper or electronic media, sufficient to contain the documents in an easily identifiable and accessible fashion. The folder should contain the following materials in a separate section within the folder for review by the Grant Administrator and federal and state auditors:

- copies of executed grant agreement (one copy to the Business Office);
- grant budget (one copy to the Business Office)
- correspondence concerning the grant
- financial reports
- program progress reports and
- audit and project closeout documentation

### **Task Management Plan**

Upon receiving the grant award, the Grant Administrator will plan the activities associated with accomplishing the tasks to be supported by grant funds. The plan should identify the specific program areas targeted by the grant, based upon the grant application from which it was awarded. Specific institutional departments to benefit from the grant funds should be identified, as well as the type of expenditures allowed by the approved grant budget for each department. The plan should include time frames for completing specific tasks within the term of the grant. Specific dates should be identified to complete the required progress and financial reports to the awarding authority for the term of the grant.

Specific attention should be given to closeout procedures required by the grant. The closeout of the grant will generally coincide with the fiscal year-end activities of the institution and will require final grant expenditures to be completed by the year-end date. All grant expenditures should be completed prior to the year-end date in order for final reporting and closeout procedures to be completed in a timely manner.

While the Task Management Plan is not necessarily meant to be detailed, it should generally encompass activities already identified in the institution's formal Institutional Management Plan and augment those activities. Overall, activities and expenditures of the grant will fall within the normal institutional activities and expenditures and will follow the same procedures and policies for approval.

### **Financial Management System**

Grant financial management is incorporated within the institution's general financial accounting system. Grants are uniquely identified by a fund code within the accounting Chart of Accounts specific to each grant.

Upon receipt of the grant award letter and completed agreement, the Business Office will manage the financial transactions of the grant in the following manner:

- **Account Setup**

The Business Office will assign a fund code, to the grant. This code is used to track all revenues and expenditures of the grant by program code and organizational code. A complete set of grant accounts will be established in the institutional accounting system using this fund code for revenues, expenditures, and general ledger accounts. Access to the fund code will be provided by the Business Office.

- **Grant Revenues**

As grant revenues are received, they will be identified by the Business Office and receipted by the Accounts Receivable Specialist or personnel assigned to restricted accounting into the grant's revenue accounts. Grant revenues may be received by one of three methods. One, an online federal drawdown process is completed for funds, such as Financial Aid's Pell grants. Two, a check, or EFT, may be received after a scheduled progress and billing report required by the grant. Three, a monthly appropriation of grant funds may be received over the term of the grant, such as some state grants.

- **Grant Expenditures**

Grant expenditures are accomplished through the institution's normal purchasing procedures, see Purchasing Procedures. Expenditures are charged to the grant accounts as purchases are made. A purchase order will be initiated by the department approved to utilize the grant funds.

Personnel paid from grant funds will be assigned specific grant pay codes in the individual's contract in the accounting system. As payroll checks are made, the system will charge the pay amount to the grant's expense codes assigned by the Business Office.

- **Financial Reports**

Grant financial reports will be produced from the institution's accounting system using data contained in the grant's set of accounts. The data necessary for the reports will be provided by the Business Office to the Grant Administrator who will submit the report to the awarding authority. These reports may accompany a progress and status report on a monthly, quarterly, or annual basis. If the report is simply a billing, the Business Office will submit the billing directly to the awarding authority. Copies of the financial reports will be maintained in the Business Office grant file for review by auditors and awarding authority as well as in the Grant Administrator's grant file. Some grants may be invoiced by the Grant Administrator with copies sent to the Business Office.

### **Purchasing System**

[NACC requires a Purchase Order prior to the purchasing of goods and services with institutional funds, including restricted grant funds.](#) The [Purchasing Procedures](#) should be followed during the execution of all grants when no grant specific procedure exists. The Grant Administrator has the responsibility to determine if the requested items on the requisition form are within the allowable expenditure guidelines of the grant and are budgeted item(s) or within an allowable budget category.

In addition to items costing \$5,000 or more listed in the Inventory Control section of the Purchasing Procedures, items purchased by federal grants that are considered to be of a "personal nature" and more liable to be stolen or misused or are to be inventoried per grant requirements are uniquely decaled and maintained on separate inventory control lists. These grant specific items may or may not be capitalized but are subject to all control functions in place for capitalized items. The inventory control of these items is the responsibility of the campus unit for which the grant was awarded.

## Personnel Policies

Personnel funded by any federal grant are recruited, compensated, and managed according to the Board Policy Series 600: Personnel. Grant-funded individuals must adhere to the same guidelines and policies as all other institutional personnel under the control of the Alabama Community College System.

## Quality Review and Control

In cooperation with the dean or division director of the program area receiving the grant, the Grant Administrator is responsible for development of a system of quality review and control of the grant objectives. The system should consist of documentation of steps to achieve the grant objectives, timeframes for completion, and periodic progress reports addressing each objective. Coordination with the Business Office in securing grant funds, approving grant expenditures, and the close-out procedures required by the grant awarding agency is essential for each grant, as each has unique requirements and objectives.

# Section VI: General Institution

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## College Calendar

The college calendar, also called the academic calendar, is prepared in early spring by the Office of the President with input from administrators and faculty. After the calendar has been approved by the President and the Chancellor, it becomes the official calendar for the next academic year. A copy of the complete college calendar appears in the *College Catalog*, and the class schedule contains the current semester's calendar. (ACCS Board Policy 723:01, June 7, 2017)

## College Catalog

The Northeast Alabama Community College Catalog is published annually in the summer for the next academic year. The Director of Promotions and Marketing is responsible for compiling information and editing the *Catalog*, which is published on the NACC website and is also available in print form from the Admissions Office. Employees should be knowledgeable of the general information and the curricula included in the *Catalog* to advise students as necessary. Suggestions for additions or changes to the *Catalog* should be submitted to the Director of Promotions and Marketing. Curricular changes or additions must be approved by the Curriculum Committee before submitted for inclusion in the *Catalog*.

## Communications

### Direct Communications with Administrative Officers

Administrative offices are open to direct communications with all employees. Although an employee should work with and through the immediate supervisor on matters pertaining to the department, division, or office, many incidental problems or questions may be handled effectively by direct, informal communication. NACC organizational charts, published on the College website, delineate the appropriate chain of command.

Adjunct faculty and staff members should feel free to address a relevant office directly whenever necessary. The Office of the President and other administrative offices are open to all personnel should any problem arise that they would like to discuss.

### Quick Reference for Questions or Issues

Question/Issue	Contact
Course syllabi	
Class schedules and assignments	
Classroom assignments	
Faculty absences	Division Director, Program Coordinator, Appropriate Dean, and/or Associate Dean of Instruction
Textbook selection and ordering	
Instructional program in general	
Distance education instruction	
Curricular changes	Division Director, Program Coordinator, and/or Curriculum Committee, along with the appropriate Dean, Dean of Instruction
Technology assistance/repairs	Office of Educational Technology
Use of technology in instruction	Director of Educational Technology, Student and Faculty Technology Learning Center and/or Faculty Technology Committee

### Quick Reference for Questions or Issues

Equipment & supplies	
Payroll	
Group insurance	
Printing and duplicating services	Dean of Financial Services
Use of College vehicles	
Registration and student records	
Tax Information	
Janitorial and maintenance services	
Heating and cooling	Director, Physical Plant (Service Request form)
Repairs to physical plant facilities and equipment	
Admissions	
Student activities	
Student situations requiring specialized counseling or advising	Dean of Student Services
Dual enrollment	
Student financial aid	
Student loans	Director of Financial Aid
Student work-study services	
College services during evening hours	Associate Dean of Instruction
Human Resources	
Title IX	Human Resources Director
Complaints/Grievances	

### Email

All employees of the College should have an active college email account. Email addresses are assigned upon hire when the Human Resources Director or other designee sends a request to the Office of Educational Technology Support. A campus email directory is available on the College website. Most employee email addresses use the following format: lastnamefirstinitial@nacc.edu.

Memoranda and other internal notices are issued frequently via email. It is important that all personnel check their email accounts on their assigned duty days. In addition to network access on campus, email accounts may be accessed online via the MyNACC portal on NACC website.

Email messages to be sent campus wide to all personnel and/or to all students should be sent to the addresses all\_faculty@nacc.edu and all\_students@nacc.edu, respectively. These are routed to email moderators and will be released once approved by either the President or the Dean of Instruction.

### Mailboxes

Mailboxes for faculty and staff are located in the Business Office. Incoming mail is received at the Rainsville post office and delivered to the boxes daily when the College is open. College business outgoing mail may be deposited in the drop box located on the mailbox wall. Mail is typically collected around 2:15 p.m. daily to deliver to the Rainsville post office.

Memoranda and other internal notices are often placed in mailboxes. It is important that all personnel check their mailboxes on their assigned duty days.

### SchoolCast

SchoolCast is a mass notification system comprised of email, voice, and text messaging designed to send emergency messages to students and personnel quickly. This system supplements the indoor/outdoor intercom system located throughout campus. College personnel and students may subscribe to alerts via three methods: voice messages to multiple phone numbers, text messages to multiple cell phone numbers, and email messages to multiple email addresses.

### Press Releases

All news releases or articles pertaining to Northeast Alabama Community College should be sent to the Director of Promotions and Marketing for release to the respective newspapers. The Director of Promotions and Marketing reserves the right to edit and/or correct any information submitted. Any deadlines for submission, if known, should be clearly noted on each article. Photography to accompany articles may be requested of the Director of Promotions and Marketing. All College advertisements will be prepared in the office of the Director of Promotions and Marketing. Press releases and advertisements for the College are subject to review and approval by the President.

## Telephone and Fax Services

All full-time professional employees have an assigned phone extension. Adjunct employees who work on the College campus have an assigned voicemail number. Assistance with the telephone system is provided by the Office of Educational Technology Support. Fax services are available through the Business Office.

## Website

### I. Policy guidelines for official College web publications

The Northeast Alabama Community College is a State institution, and College web publications have the same character as a written publication of the institution. These web publications include division, department, or program sub-web pages and Facebook and other social networking pages that in any way represent or reflect upon the College. The following are the official guidelines for the Northeast Alabama Community College web sites and Internet-related material.

All web content published by Northeast Alabama Community College must:

- be approved by the Office of the President or designee;
- present content that describes the College accurately for the current semester;
- reflect positively upon the College as an institution of higher learning in visual appearance and editorial tone;
- further the institutional mission and goals of the College;
- be consistent with all policies, rules, regulations, and guidelines of the College, including but not limited to those published in the *Catalog*, *Employee Handbook*, and ACCS Board Policy;
- obtain approval through the appropriate college channels for any news releases or public announcements;
- be consistent with local, state, and federal laws, including copyright law;
- be consistent with principles of professional, educational, and creative ethics;
- be generated by software supported by the College;
- be designed to load quickly on computers of varied ages, Internet connections, and browsers.

### II. Web content outside official College web publications

The College recognizes that individuals or groups may, without the consent or authority of the College, establish web pages, weblogs, social network accounts, or other web presences. The College will not preview, censor, or otherwise superintend such items. Any current student or current employee who establishes or maintains an unofficial web presence will, however, be subject to appropriate discipline if web content therein is in violation of the policy, rules, regulations, or guidelines of the College, and said web presence must display in a prominent and appropriate location the following:

*“This site does not officially represent Northeast Alabama Community College, and it has not been reviewed or approved by the College. The authors are solely responsible for the contents herein.”*

### III. Enforcement

The College reserves the right to enforce the provisions of this policy. Violations of any of these provisions may result in the loss of access or linkage without notice. In addition, students and employees are subject to College policies regarding discipline and sanctions.

## Convocations and Other College-Sponsored Functions

Administrators and full-time faculty members are required to participate in the convocation exercises. Directors of certain offices may be required by the President to participate as well. Adjunct faculty members and are encouraged to participate if other responsibilities permit.

Each employee is encouraged to attend all college functions, even if not assigned to specific duty for the events.

## Course Directory

ACCS has developed a comprehensive system of common course names, numbers, and descriptions known as *The Alabama Community College System Course Directory*. This course directory is used by all ACCS colleges, including NACC. (ACCS Board Policy 717.01, August 9, 2017)



# Emergency Situations

## Crisis Management Plan

Northeast Alabama Community College has established a Crisis Management Plan to guide in emergency situations. All personnel should be familiar with this plan and must know where to access the plan should a situation arise requiring immediate action. To obtain a copy of this plan, contact the Associate Dean of Instruction. The Crisis Management Plan can also be accessed on the NACC website at [www.nacc.edu](http://www.nacc.edu) under the “About NACC” tab.

## Emergency Resources

First-aid kits are located in the Campus Police Office (Student Center), each campus police car, EMS program offices, and science laboratories. Automated External Defibrillators are located in all buildings. The campus police also have an AED.

Fire extinguishers are placed throughout the buildings. All personnel should become familiar with their location and operation. Instructions are posted on the extinguishers.

Evacuation chairs are strategically located on the second floor of each two-story building for the evacuation of individuals unable to walk down the stairs.

## SchoolCast

SchoolCast is a mass notification system comprised of email, voice, and text messaging designed to send emergency messages to students and personnel quickly. This system supplements the indoor/outdoor intercom system located throughout campus. College personnel and students may subscribe to alerts via three methods: voice messages to multiple phone numbers, text messages to multiple cell phone numbers, and email messages to multiple email addresses.

College personnel and students may register for SchoolCast. Following the drop/add period each semester, new users will receive an email delivered to their College email account with a username and password and detailed instructions for accessing their account. All students and personnel are urged to register for this service at [www.myschoolcast.com](http://www.myschoolcast.com).

NACC Alert will be activated for situations requiring immediate action, such as severe weather, building evacuations, or events requiring lock-down or immediate shelter-in-place. Following a warning, the alert system may be used to provide additional messages or an “all-clear” announcement.

The College does not charge for the NACC Alert service. There may be a small charge for text messaging for cellular users who do not have a text messaging contract. Users should check with their cell phone carriers to determine what these costs may be.

Messages from SchoolCast are identifiable as follows:

- Emails will come from “Northeast Alabama Community College” (noreply@myschoolcast.com).
- SMS text messages will begin with “NACC SchoolCast” and come from 223-83.
- Voice messages/phone call caller ID will be 256-638-4418. Users are encouraged to program this number into their phones along with a College identifier.

Any questions related to SchoolCast should be directed to the Administrative Assistant to the Dean of Instruction.

## Emergency Shelter Duty

The Governor of Alabama will initially direct the emergency call for shelters, and the Chancellor will dispense a directive to the select college Presidents to open an emergency shelter for disaster evacuees in accordance with applicable Federal Emergency Management Agency and Alabama Department of Emergency Management shelter regulations.

The President will work closely with the Campus police and college administrators to organize the shelter operations. Employees may be asked to assist in managing and maintaining college facilities during an active emergency shelter situation. Employees assigned to emergency shelter duty shall, upon certification by the President, be paid:

- Non-exempt Employees: The normal rate of pay up to 40 hours in the workweek, and nonexempt employees shall be paid 1.5 times the normal rate of pay for time physically worked over 40 hours during the workweek when assigned to duty at an emergency shelter.

- **Exempt Employees:** The normal rate of pay up to 45 hours during the workweek, and exempt employees (except Presidents and those on Salary Schedule B) shall be awarded hour for hour compensatory time for physically working over 45 hours during the workweek when assigned to duty at an emergency shelter.

### **Response to Inclement Weather**

In the event of college closings due to inclement weather, the following procedures will be followed:

Day Classes. If the College is to be closed for day classes, this information will be sent to student and employee e-mail accounts and phones by SchoolCast, the alert and notification system used by the College. Information will also be provided to local television and radio stations so that they might give notification no later than 6:30 a.m. when possible.

Evening Classes. If the College is to be closed for evening classes, this information will be sent to student and employee e-mail accounts and phones by SchoolCast, the alert and notification system used by the College. This information will be made available to the media for release no later than 4:00 p.m. when possible. Decisions to close will be made and released at the earliest possible time.

On days that the College is open and weather conditions deteriorate, media and SchoolCast announcements stating that evening classes have been canceled will be made by 4:00 p.m. when possible.

Depending on highway conditions, on some occasions the College may have a late opening. If this happens, and SchoolCast and media announcements have not been made, employees should presume that the College will be open and that classes will be held.

Faculty and Staff. On days the College is closed, employees do not report for work, other than designated police, staff, or administrative personnel.

Safety of Personnel and Students. Personnel should be mindful that weather conditions in northeastern Alabama can change very quickly and that our students come from a diverse geographic area. On some occasions road conditions in the majority of our service area may be fine but could be dangerous in a few isolated places. Therefore, when inclement weather occurs, personnel should use caution and their best judgment in deciding whether to drive to the College. In such situations the safety of students and employees takes precedence.

Weather Warnings during Classes. The College uses a campus-wide speaker system to make announcements concerning weather warnings as well as the SchoolCast notification system. In the event of warning during classes, the College will evacuate classrooms to designated safe areas. An announcement will be made on the campus-wide speaker system and SchoolCast when it is safe for personnel and students to return to their normal routine.

## **Guest Speaker Invitations**

Requests to invite guest speakers to address campus assemblies are to be directed to the President. Once presidential approval is secured, arrangements are made through the use of the Activity Request form, available on the NACC Forms webpage.

## **Personnel Meetings**

Personnel meetings are called as needed. Personnel who are aware of some matter that should be presented at a meeting should contact the respective supervisor, dean, or the President. Full-time personnel are expected to attend each meeting.

Adjunct instructional and non-instructional employees are expected to attend meetings called by their respective supervisor, division directors, program coordinators, or deans, and they are also welcome at all in-service programs, division meetings, and general meetings of the faculty and staff.

## **Professional Development**

Individual personnel are to take the initiative in promoting their own professional growth. For faculty, advancement in graduate and post-graduate education is recognized by the faculty salary schedule. Employees are encouraged to affiliate with professional organizations, attend professional meetings, and take additional coursework when possible. Employees may apply for leave with pay to attend conferences or workshops related to their area of expertise and assignment. Employees can be approved for up to 10 days of external professional development activities per leave year. Professional development above this amount can only be approved with written permission by the Chancellor.

All instructors must establish annual professional development objectives intended to enhance student learning outcomes. These objectives are submitted to the appropriate dean, division director, or program coordinator at the beginning of the academic year.

The College specifies days for campus in-service/professional development opportunities. The college Professional Development Committee suggests professional development activities to the administration and plans and coordinates approved activities.

Personnel should submit professional activities forms to the Office of Institutional Planning and Assessment upon completion of professional activities. This information is reported annually in the Information on Fulfillment of the Mission.

## Property Accountability

The Dean of Financial Services is responsible for maintaining a correct inventory at all times, and this inventory is reviewed and certified annually. When any inventory item having an inventory decal is moved from one location to another (room-to-room or building-to-building), the move must be reported to the Business Office personnel using the Property Transfer Form.

All personnel are expected to take pride in the appearance of campus facilities and grounds. Instructors in laboratory classes and physical recreation activities should stress rules of safety. Instructors should not permit students to deliberately damage or destroy any item of college property. Serious or persistent problems in this respect should be reported to the Dean of Student Services, who will follow due process procedures and may consult the College Discipline Committee to resolving the difficulty.

## Services and Resources

### Learning Resources Center/Library

#### Library Mission Statement

The mission of the library of Northeast Alabama Community College is to provide for the students, faculty, and staff of the College, the personnel, services, information resources and facilities to support, sustain and enrich the educational purposes, programs, and curriculum of Northeast Alabama Community College.

Embracing the College's "open door" policy, the library of Northeast Alabama Community College and its resources are available to members of the community.

#### Library Hours

7:30 a.m.- 8:00 p.m. Monday - Thursday

7:30 a.m.- 3:00 p.m. Friday

#### Library Personnel

Professional librarians and other qualified library staff are available to assist NACC employees and students. Library staff may be reached in person or via email, phone, or via chat or text (using the text-a-librarian service).

#### Library Access

NACC employees and students should use their NACC-issued photo ID cards to check out physical items as well as OverDrive eBooks, eAudiobooks, and eMagazines. NACC employees and students should use their MyNACC sign-on credentials to access library databases and EBSCO Discovery Services.

#### Library Collection/Resources

Library resources include print resources such as books, magazines, and journals, as well as electronic resources such as eBooks, eAudiobooks, and electronic magazines, journals, newspaper articles and videos.

The library's collection is built on faculty recommendations. Faculty use and familiarity are encouraged in order that students in turn may benefit totally from the collection for their own study and research. Requests or suggestions for purchase should be submitted in writing to a library faculty or staff member. A current list of faculty requests for the purchase of materials is maintained at the library. As funds become available, the requested materials are considered for purchase.

When making suggestions for purchase, please remember that the NACC Library adheres to the following guidelines established by the American Library Association:

- Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

A complete version of the American Library Association's Bill of Rights may be found on the ALA website at <https://www.ala.org>.

### **Interlibrary Loan**

As a member of Library Management Network (LMN), NACC has access to the library collections of the following institutions:

- Gadsden State Community College
- Snead State Community College

Employees may borrow books and articles from the above-mentioned libraries or from other libraries via the interlibrary loan (ILL). For assistance, please contact a library faculty or staff member.

### **Research Guides**

Research Guides – Librarians have created subject-specific research guides with curated books, eBooks, open-educational resources, databases, and other resources. They have also created user-friendly URLs. An example is <https://libguides.nacc.edu/art>

### **Audiovisual Services and Equipment**

Audiovisual materials are available in the library. Any faculty member may check out portable equipment for classroom use. In order to ensure equal access of equipment to all faculty members, audiovisual equipment should be returned to the library within two weeks.

The Multimedia Rooms (Rooms 101 and 102) may be scheduled for the use of classes or individual students to view videos/DVDs, PowerPoint presentations, internet sites, and other audiovisual materials. They may also be scheduled for use by College employees for special events, committee meetings, etc. Employees who wish to schedule the use of these rooms should contact the head librarian or other library staff.

### **Use of the Library for Assignments**

The NACC Library encourages faculty members to make assignments that promote student use of the library.

The NACC Library adheres to the American Association of Community College's Position Statement on Information Literacy, part of which follows:

An important element of both teaching and learning in today's information age is information literacy – the set of skills needed to find, access, retrieve, analyze, synthesize, and use information effectively and ethically. Information literacy, which encompasses information fluency and information technology mastery, is critical to success in higher education and lifelong learning.

Community college students must be information literate learners who can:

- determine the extent of information needed;
- access needed information effectively and efficiently;
- evaluate information and its sources critically;
- incorporate selected information into their own knowledge base;
- use information effectively to accomplish a specific purpose
- understand the economic, legal, and social issues surrounding the use of information; and
- access and use information ethically.

Source: A complete version of the Position Statement on Information Literacy may be found on the

AACC's website at <https://nclr-aacc.org/on-information-literacy/>.

In order to ensure that classes have a productive and positive experience in the library, faculty should call or email library personnel to schedule library orientation or research time prior to bringing a class to the library. Scheduling will help ensure that enough library faculty and staff members are available to assist each class.

### **Supplies**

Supplies needed for regular office and classroom functioning may be requisitioned by individuals, offices, or divisions in the same manner as listed in the Purchasing Procedures.

Toner cartridges for laser printers are provided through a vendor print management contract. Information from the affixed sticker located on the printer is to be used for ordering purposes and will be charged to the respective office or division when ordered. Purchases are subject to budget constraints.

All personnel are urged to be conservative in their use of supplies. Questions regarding securing needed supplies may be directed to immediate supervisors, division directors, program coordinators, appropriate dean, or the Business Office.

### **Bookstore**

Personnel may purchase items for their offices through the College bookstore by using Textbooks, Etc. Department Requisition form, available in the bookstore.

### **Copying and Printing**

A copier is located in the Wallace Administration Building. This machine is for the use of employees in duplication necessary for instruction and other college work. All personnel are urged to be conservative in the use of photocopiers. Copies made for personal use must be identified in the log kept in the copier room. These copies are billed monthly to the respective individuals.

### **Maintenance Services**

Repairs, adjustments of furniture or equipment, and janitorial needs should be reported on a Maintenance Request form and sent to the Director of the Physical Plant, with a copy to the President. This form is available on the NACC Forms webpage. Employees should submit these forms well in advance of the requested service when possible. Anything needing immediate attention, such as water leaks or electrical issues, should be reported to the Director of the Physical Plant by phone as well.

### **Food Services**

College Café is located in the north side of the NACC Student Center in the dining area. Meals, short-order items, and snacks are offered, and it is open to personnel, students, and visitors. The cafeteria is independently managed.

### **Notary Public**

A Notary public is located on campus. This service is free for employees for college-related business only. Contact the Human Resources Director for the current notary public location(s).

### **Use of Facilities**

Institutional Use. Faculty groups or student groups sponsored by employees may use facilities of the College by seeking approval from the Dean of Instruction and the President. The Activity Request form, available on the NACC Forms webpage, in the mail room, or from the Office of the Dean of Instruction, is used for making the request.

Civic and community groups to which faculty or staff members belong hold meetings occasionally on campus. Personnel should obtain approval for such meetings, using the Activity Request form. Events should be scheduled as far in advance as possible to avoid conflicts. A Calendar of Events is maintained on the College website.

Non-institutional Use. The temporary use of space or equipment for non-institutional purposes may be approved by the President or a designee; however, institutional needs shall supersede all others. To request the use of college facilities for non-institutional purposes, an Activity Request form must be submitted to the Office of the Dean of Instruction. The responsibility for damage shall be assumed by the user. Adequate liability insurance carried by the user may be required by the College prior to the event naming the College as an "additional insured." The use of facilities shall be compatible with the philosophy, functions, and objectives of the College. (ACCS Board Policy 512.01, May 22, 2008)

## **Computer Priority and Availability**

Personal computer facilities are provided to each employee as deemed necessary by the position. Each administrative office has its own personal computer systems which are utilized only by personnel within that office. In addition, computer labs with personal computing equipment and computer-based student testing labs are available throughout campus. Wireless internet access is available throughout campus, both indoors and outdoors.

Public computer and internet access is available in the Learning Resources Center. Access to academic and administrative computing facilities is not available to anyone who is neither an employee nor an active student except by express written permission of the President.

Using any computer or information technology resource of Northeast Alabama Community College signifies that the user agrees to comply with the following NACC policies:

- Computer Technology Acceptable Use Policy;
- Peer-to-Peer File Sharing Policy; and

Wireless Internet Access Policy.

# **Computer Acceptable Use Policy**

## **Introduction**

Northeast Alabama Community College provides students with computer workstations in laboratories and in the library and provides faculty and staff with computer access in offices and classrooms. These workstations, software, and storage device contents are the property of Northeast Alabama Community College. As part of campus resources, computers are connected to and have access to the Internet. Each user is responsible for his or her activities on computers and on the Internet. Activities which are illegal, harass others, and offend those working around one are not permitted and will result in loss of privileges.

Campus workstations and the resources they access are provided for course-related assignments, scholarly research, college business, and other activities directly related to the mission of Northeast Alabama Community College. At the discretion of college personnel, resources may be used for recreational and casual use when they are not otherwise in use.

In all cases, computer use in support of the College's mission will take precedence over recreational and casual use.

Access is a privilege, not a right: Northeast Alabama Community College reserves the right to deny the privilege of the use of any or all types of computer technology to individuals who violate the Acceptable Use Policy.

## **Definitions and Application**

This Acceptable Use Policy applies to all persons who use or attempt to use computer resources owned by Northeast Alabama Community College. Computer resources include computers, networks, software, data, and other information technologies, whether located on campus or at an off-campus activity sponsored by the College. These resources are to be used in a manner that supports the institutional mission of Northeast Alabama Community College.

Northeast Alabama Community College provides Internet access on selected computers available to its students, faculty, and staff by participating in the Alabama Research and Educational Network (AREN), which is administered by the Alabama Supercomputer Authority in order to provide Internet access for academic, educational, and research purposes only. The College abides by the Computer Use Policy of the Alabama Community College System, which is available at the following location: [https://info.accs.edu/default/assets/file/0\\_ComputerUsePolicy.pdf](https://info.accs.edu/default/assets/file/0_ComputerUsePolicy.pdf).

All Northeast Alabama Community College regulations and existing state and federal laws apply, including not only those regulations and laws that are specific to computers and networks but also those that may apply generally to personal conduct and state-owned property.

## **Unacceptable Use**

Users of computing resources belonging to Northeast Alabama Community College will be held accountable for their conduct under this policy statement, any other applicable policies or procedures of Northeast Alabama Community College, and/or state or federal laws and regulations. Use of computer information technology that is unacceptable includes but is not limited to the following examples:

- Violating or attempting to violate copyright laws governing software and materials accessed by means of computer technology.
- Violating or attempting to violate license agreements, including but not limited to making unauthorized copies of software or data owned by or licensed to Northeast Alabama Community College.
- Using software or data obtained by means that are illegal or contrary to the policies of Northeast Alabama Community College.
- Violating or attempting to violate Northeast Alabama Community College security, including but not limited to circumventing data protection schemes, gaining unauthorized access, or decrypting secure data.
- Accessing or attempting to access information belonging to another individual or Northeast Alabama Community College office; or misrepresenting one's identity, including but not limited to using another's password.
- Allowing an unauthorized individual to access an account or information, including but not limited to divulging a password or other sign-on information.
- Intentionally executing, transmitting, or installing any program designed to damage or to place excessive load on a computer system or network, including but not limited to computer viruses, Trojan Horses, and worms.
- Creating, reproducing, or transmitting materials that are slanderous or defamatory in nature, that threaten violence, or that otherwise violate existing laws or regulations.
- Displaying text or images that might be found offensive in a location that can be seen or read by others, including but not limited to text or images that are obscene or harassing in any way.
- Using or attempting to use computer resources to harass others, to monitor others, or to disrupt their work.
- Failing to abide by the provisions of this statement that give priority to educational uses of computer resources, including but not limited to using computers for commercial purposes or for recreational purposes while others need access for educational purposes.
- Failing to abide by the policies, procedures, and regulations of the lab, library, classroom, office, or other facility in which the computer equipment is located.
- Using or installing any software that has not been authorized by Northeast Alabama Community College.
- Overusing or overloading computer resources, including computer memory as well as paper and other supplies. Northeast Alabama Community College reserves the right to periodically purge excessively large files and email files.
- Damaging, destroying, defacing, or removing hardware, software, data, or supplies that belong to others or to Northeast Alabama Community College.

### **Disciplinary Actions**

Because access to information technology resources at Northeast Alabama Community College is a privilege, abuse of this privilege is subject to campus disciplinary procedures and possibly legal action.

If the initial violation is minor or accidental, the situation will be resolved informally with the purpose of educating the violator. If the violation is repeated or is more serious in nature, Northeast Alabama Community College may rescind or modify computer access privileges. Violations of local, state, or federal laws will result in the immediate loss of all Northeast Alabama Community College computing privileges and will be referred to appropriate Northeast Alabama Community College officials and/or law enforcement authorities.

### **Security**

Northeast Alabama Community College has the responsibility of administering, protecting, and monitoring all computers, software, and networks owned or licensed by the College whether on or off campus, with the exception of privately owned computers in the possession of individuals for their personal use. Authorized personnel may monitor computer activity, including electronic mail, for the purpose of maintaining system performance and security. Users are expected to cooperate with investigations of violation of college policy.

Northeast Alabama Community College reserves the right to require users to refrain from using any program or property of the College.

### **Disclaimer**

Northeast Alabama Community College accepts no responsibility for damage to personal property or data caused by any Northeast Alabama Community College computer system or connections including, but not limited to, malfunctions of hardware and software, computer viruses, Trojan Horses, and worms.

Northeast Alabama Community College will not be liable for the actions of anyone, including students and employees, connected to the Internet through the College Internet access.

## **User Agreement**

Using or attempting to use any computer or information technology resource of Northeast Alabama Community College signifies the following:

- The user agrees to comply with the provisions of this Acceptable Use Policy.
- The user accepts responsibility for knowing the contents of this policy statement. Failure to read or acknowledge this statement will not be an excuse for noncompliance.
- The user accepts that failure to comply with this policy may result in temporary or permanent denial of access to computer or information technologies, or in some cases may result in college disciplinary action or legal action.

Copies of the Acceptable Use Policy are available in the NACC *Catalog*, on the College website, and in facilities where computer resources are used. A summary of this policy is posted on or near computer equipment.

## **Wireless Internet Access Policy**

Northeast Alabama Community College provides internet access through the colleges computer network. Use of the wireless network on campus is subject to the following rules:

- Wireless access on campus is subject to the College's Acceptable Use Policy found in the College *Catalog* and posted on campus.
- Connection of hubs, switches, routers, unapproved access points or any other device which may interfere with the campus network are not permitted. Connection sharing is not allowed. Violations will result in loss of access to the wireless network.
- Any other action that is judged detrimental to campus network operation by the IT staff may be terminated.
- The wireless connection is a direct connection to the Internet through a basic firewall. The college does not provide virus or spyware scanning software for this connection, and therefore the risk of infections to computers increases. Connection users, not NACC, are responsible for infections originating from this wireless Internet connection.

## **Peer-to-Peer File Sharing Policy (and Illegal Downloading)**

File sharing is the practice of distributing or providing access to digitally stored information, such as computer programs, multi-media (audio and video), documents, or electronic books. Illegal file sharing is the sharing of copyright protected files without authorization. Under copyright law, it is illegal to download or share copyrighted materials such as music or movies without the permission of the copyright owner.

Northeast maintains a campus network to support and enhance the academic and administrative needs of our students, faculty, staff and community. The college is required by federal law to inform students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. The law also requires that the College take steps to detect and punish users who illegally distribute copyrighted materials.

Peer-to-peer (P2P) technologies have many genuine uses and Northeast does not ban P2P programs from its network. It is, however, a violation of copyright law to use a P2P technology for copying commercial music and/or video files without the copyright holder's permission.

NACC utilizes technology-based deterrents to effectively combat unauthorized downloading/distribution. The college Internet provider is through the Alabama Supercomputer Authority (ASA) which monitors bandwidth traffic and accepts and responds to Digital Millennium Copyright Act (DMCA) notices. When illegal downloading is detected, DMCA notifies ASA which in turn notifies the College immediately. IT personnel at the College track down the offenders.

For more information on "fair use" and copyright laws please go to: <https://www.copyright.gov/title17/>.

Some music, movies and television shows can be legally obtained through online subscription services or from sites officially permitted by the copyright holders to offer certain downloads. Use the following sites as alternatives to illegal downloading: <https://www.educause.edu/legalcontent>.

The college reserves the right to suspend or terminate network access to any campus user if the violation is deemed severe or the use is impacting the operation of the network. NACC must report any violations to appropriate authorities for criminal or civil prosecution. In addition, violators may be referred to the College discipline committee which may impact college enrollment.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws: *Copyright infringement is the act of*



*exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.*

*Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.*

*Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.*

*For more information, please see the Web site of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).*

## Parking

All parking lots are shown on the campus map. Areas marked with red curbs near each building are reserved for employee parking. Parking for persons with disabilities is designated in blue. Student parking is indicated by a white or unpainted curb.

All students and employees are required to register their automobiles or motor-driven cycles and obtain parking hang tags. These hang tags are free, do not expire, and may be obtained from the Admissions Office. Campus visitors may park in student parking and visit the Campus Police office for a visitor's pass.

Campus traffic regulations are published annually in the Student Handbook.

## Social, Cultural, and Recreational Opportunities

Faculty members and their families are encouraged to take advantage of all extracurricular activities at the College, such as concerts, festivals, and theatrical productions.

Numerous social, civic, and cultural clubs offer opportunities in the surrounding communities. Faculty participation is encouraged in any activity or group that contributes to personal or professional development and is compatible with the purposes of the College.

## Agents, Vendors, and Solicitors on Campus

An agent, vendor, or solicitor shall not be permitted on campus to distribute literature, solicit funds, or sell to faculty, staff, students, or campus organizations without specific approval by the President or a designee authorized by the President. Requests should be made directly to the President's Office.

In the event that a charitable, tax-exempt organization is approved to solicit funds at the College, faculty and staff may contribute or not as desired. The administration does not ask that personnel contribute to any such organization.

## Use of College Name and Logo

In any type of public communications, the College is to be referred to by its complete name, i.e., Northeast Alabama Community College.

The College does not permit the use of its name or logo in any announcement, advertisement, publication, or report if such use in any way implies college endorsement of any person, product, or service. Any firm or its advertising agency requesting the use of pictures or facilities of the College for sale or advertising purposes or requesting the use of any copy relating to such pictures or facilities, should be referred to the President. The President is responsible for determining whether the College's name or logo may be used in conjunction with the particular project or service (Board Policy 516.01, 04/13/16).

# Section VII: Faculty and Academic Affairs

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## Academic Bankruptcy

Academic bankruptcy is the removal of one to three semesters of grades from the calculation of a student's cumulative grade point average (GPA). The following apply to any request for academic bankruptcy:

- Academic bankruptcy is initiated by a written request from the student to the registrar/records official.
- Upon receipt of the student's request, the College will inform the student that an award of academic bankruptcy may impact his/her financial aid status.
- Academic bankruptcy may only be declared once and may be applied to no more than three (3) semesters, which do not have to be consecutive.
- The bankrupted courses and grades remain on the transcript but are not calculated in the student's cumulative GPA.
- None of the coursework taken during a semester for which academic bankruptcy is declared, including hours completed satisfactorily, will be used to fulfill degree requirements.
- Developmental courses successfully completed during a period of academic bankruptcy can be used to fulfill prerequisites.
- To be eligible for academic bankruptcy, the student must have completed 12 semester credit hours of coursework at the College since the most recent semester for which the academic bankruptcy is requested. A grade of "C," "S," or higher is required in each course in 12 semester credit hours in the post-bankruptcy period.
- When a student receives a declaration of academic bankruptcy, a permanent notation of "ACADEMIC BANKRUPTCY" will be reflected on the transcript for each semester affected.
- Approval of the academic bankruptcy status at a college does not guarantee other institutions will honor that status. This determination will be made by the respective transfer institution(s). (Board Policy 713.03, August 9, 2017)

## Academic Honors: Semester

Requirements for the President's List are (1) semester grade point of 4.0 and (2) completion of a minimum semester course load of 12 semester credit hours of college-level work. Transitional courses carrying grades of A-F will be calculated in the semester GPA.

Requirements for the Dean's List are (1) semester grade point of 3.5 or above but below 4.0 and (2) completion of a minimum semester course load of 12 semester credit hours of college-level work.

Developmental (pre-collegiate) courses carrying grades of A-F will be calculated in the semester GPA. However, developmental (pre-collegiate) courses will not count toward the minimum course requirement (Board Policy 716.01, June 7, 2017).

## Academic Requirements for Receiving Financial Aid

### Satisfactory Academic Progress Requirements

The Higher Education Act of 1965, as amended, mandates that institutions of higher education establish a standard of satisfactory academic progress for students who receive financial aid. This standard will apply to the student's entire college academic history at NACC and/or other colleges, whether Title IV financial aid was received or not. In order to remain eligible to receive aid at Northeast Alabama Community College, students must meet the standards specified for acceptable academic performance and for satisfactory progress toward completion of their program of study.

**Incremental Progress.** To receive financial aid at Northeast Alabama Community College, a student must achieve the completion rate below:

### **Quantitative Pace of Progression (PACE) – Completion rate (attempted class hours)**

- If the student attempted 0-21 hours, 58% completion rate.
- If the student attempted 22-32 hours, 62% completion rate.
- If the student attempted 33 or more hours, 67% completion rate.

**Academic Progress.** To receive financial aid at Northeast Alabama Community College, a student must maintain the following Grade Point Average (GPA) of 2.0.

### **GPA requirements:**

- If the student attempted 0-21 hours, 1.5 GPA required.
- If the student attempted 22-32 hours, 1.75 GPA required.
- If the student attempted 33 or more hours, 2.0 GPA required.

**Maximum Time Frame.** Students may receive consideration for financial aid during the first 96 hours of coursework attempted at NACC for a two-year program; eligibility is limited to 45 hours of attempted coursework for a one-year certificate program. This applies regardless of whether or not the student received financial aid for coursework. Students may receive funding for up to 30 hours of required remedial coursework.

### **Review Procedures**

Satisfactory progress is measured at the end of each semester. The Student Financial Aid Office will determine each semester whether the student has successfully completed the minimum expected number of hours with the required grade point average and shows progress toward the educational objectives for all completed semesters.

A grade of "W" will be treated as attempted coursework and will be computed in the quantitative measure of satisfactory academic progress.

Grades of "A," "B," "C," "D," "F," and "I" will be treated as completed grades and will be taken into consideration when calculating the number of hours completed and the GPA.

### **Course Repeats**

Courses for which an "A," "B," "C," or "D" was received may be repeated a maximum of one time. Such courses are counted as enrollments toward the hours attempted for calculation of required grade point average and the maximum time the student is eligible to receive aid.

### **Financial Aid Warning/Probation/Suspension/Termination**

Following the first semester in which the standards of academic progress are not met, the student will be placed on warning for the next semester. The student who fails to meet the standards of academic progress during the semester of attendance while on warning will be placed on suspension for financial aid purposes and denied further funding. Students who are suspended from aid may become eligible again, by bringing themselves into compliance with the requirements at their own expense. Students who have attempted 96/45 hours (see maximum time frame) are automatically ineligible for financial aid and are placed on financial aid termination.

### **Appeal**

A student whose financial aid has been suspended or terminated may submit an appeal to the Director of Financial Aid for consideration of mitigating circumstances. Appeal forms are available in the Student Financial Aid Office. The appeal must be in writing and supporting documentation regarding special circumstances must be provided. Appeals are considered for extenuating circumstances such as serious personal injury, illness, death in the immediate family or undue hardship. Students who have their appeals approved will continue on financial aid probation with academic plan provided the student meets the terms and conditions set forth in the appeal approval letter (Board Policy 714.01, August 9, 2017).

## **Faculty Office Hours**

Each faculty member is assigned an office by the respective dean. It is the responsibility of the instructor to keep the office neat, clean, and presentable at all times. The door should display the name and weekly schedule of the faculty member.

This schedule must indicate faculty-student conference hours in order that faculty may serve as advisors to their students. For full-time academic and technical instructors, the schedule should include ten hours and five hours, respectively, each week for such conferences. Full-time faculty must also include weekly availability to students on the Advisortrac software. Adjunct instructors will either designate student conference time or offer arrangements for appointments as needed by students.

## Faculty Jurisdiction in Academic Affairs

Primary responsibility for the content, quality, and effectiveness of the College curriculum resides with the faculty. The jurisdiction and participation of the faculty in academic affairs is accomplished through College committees through the Faculty Council, and through the curricular divisions. The committees having specific responsibility in academic affairs are as follows:

- Curriculum
- Developmental Studies
- Distance Education
- Faculty Council
- Faculty Technology
- Institutional Effectiveness
- Learning Resources
- Professional Development
- Registered Nursing/Practical Nursing Selection
- Scholarship
- Technology Application Committee

## Faculty Gradebooks

Faculty grade books are considered a permanent record and should be retained by the instructor until termination of employment. Gradebooks of full-time faculty are submitted to the Dean of Instruction for permanent filing, and gradebooks of adjunct instructors are submitted to the Associate Dean of Instruction or the Dean of Workforce Development and Skills Training. Copies of grade books/grade rolls may be requested for submission by the appropriate administrator at the conclusion of any given semester.

Grade books/grade rolls for online courses, showing a list of students enrolled, assignments/test, grades, and course average should be printed by the instructor at the conclusion of each semester and retained for future submission to the Dean of Instruction, Associate Dean of Instruction, or the Dean of Workforce Development and Skills Training. Copies of grade books/grade rolls for online courses may be requested for submission by the appropriate administrator at the conclusion of any given semester.

## Faculty Council

The Faculty Council is an elected body representing both full-time and adjunct faculty. The purpose of the Council is to transact faculty business, to facilitate communication among faculty and administration, and to ascertain and represent faculty viewpoints and recommendations on matters which involve or affect faculty members or instructional programs. Council members are elected at the beginning of each academic year and follow established bylaws.

## Faculty Research and Publication

The primary mission of the College is the instruction of students. However, it is realized that faculty research and publication can contribute to professional development and provide services to the community. It is further understood that research and publication can augment classroom knowledge and skills. For this reason, research and publication relating to the faculty member's field of specialization are both supported and encouraged as long as the primary mission of the institution is being met. Moreover, the College preserves the faculty member's academic freedom to investigate and report results.

The final measure of the instruction/research and publication balance is the faculty member's performance in fulfilling his or her primary obligations as an instructor. These obligations include classroom instruction, academic advisement of students, and committee/division assignments. The success of the faculty member in achieving these obligations is assessed annually in the personnel evaluation process.

## Academic Freedom

NACC adheres to the following Board Policy and definition for academic freedom:

The Board authorizes the College to ensure procedures for safeguarding and protecting academic freedom by allowing faculty and students the freedom to cultivate a spirit of inquiry and scholarly criticism when discussing discipline related subjects. However, the principle of academic freedom shall not prevent the College from taking the initiative to assure the best possible instruction in accordance with the mission and goals of the College. (ACCS Policy 719.01: Academic Freedom. June 7, 2017).

In addition, the NACC faculty have adopted the following statement regarding academic freedom:

Northeast Alabama Community College is committed to two supreme values: knowledge and the freedom to seek truth. From this commitment instructors derive both their liberty and their responsibility. Their liberty is to seek knowledge and truth and to communicate them without unreasonable social or political pressures. Their responsibility is to be proficient in their profession and to grant to others the same respect and freedom which they claim for themselves. An instructor's academic freedom includes full freedom to discuss the area of special competence without irrelevant controversial material; with this freedom goes the responsibility to perform competently and to respect the integrity of others.

If any faculty member feels that his or her academic freedom is being violated, he or she should follow the institutional grievance procedure.

## Intellectual Property and Distance Education Course Ownership Policy

Northeast Alabama Community College encourages its students, faculty, and staff to pursue initiatives that will create intellectual properties and distance education courses. Consequently, it becomes necessary to clearly establish the legal rights of ownership of intellectual properties. The NACC policy is as follows: Any ownership or royalty issues not discussed herein shall be determined on a case-by-case basis prior to the development of the course.

If a student, faculty, or staff member develops an original course offering, without any assistance or resources of the College and completely on his or her own time, then he or she shall retain one hundred percent (100%) ownership of the intellectual property rights to the course, including the right to all proceeds should the course become commercially marketable.

If a student, faculty, or staff member develops an original course offering using any assistance or resources of the College but completely on his or her own time, then he or she shall be entitled to receive fifty percent (50%) of any royalties should the course become commercially marketable. The College, however, will retain full ownership of the intellectual property rights to the course.

If a student, faculty, or staff member develops an original course offering using any assistance or resources of the College and on release time, then he or she shall be entitled to receive twenty-five percent (25%) of any royalties should the course become commercially marketable. The College, however, will retain full ownership of the intellectual property rights to the course. To obtain release time to develop a course, a student, faculty, or staff member must obtain prior permission from the President.

Students, faculty, or staff will formalize their agreement with the appropriate Dean and President's approval.

## Copyright, Trademark, and Patent Ownership

An employee has the right to trademark or copyright any literary material and to patent any inventions created by the employee unless duties of the employment contract or program agreement charges the employee with or includes the duty of producing material for the institution to copyright or trademark, or to develop an invention for the institution to patent.

The employee shall be entitled to all profits earned from copyrighted or trademarked materials or patented inventions developed exclusively on the employee's time and without the use of institutional funds, material, or facilities.

Copyrighted or trademarked material or patented inventions developed totally or partially on institutional time with the use of institutional materials or facilities or with institutional funding shall be owned by the institution (Board Policy 321.01, 04/13/16).

## Enrollment Processes

### Advisement and Registration

The primary purpose of academic advisement is to assist students in their pursuit of meaningful educational programs that will help them fulfill their academic and career goals. Students are assigned to an advisor, usually a faculty member, for advising before the student registers. All full-time faculty members are expected to be available to advise students regarding their academic and career goals. Academic and technical faculty must be available for student advisement ten and five hours per week, respectively. All full-time faculty are required to keep their advising hours up to date and posted to AdvisorTrac. Any employee who is assigned advisees must keep the requisite number of appointment hours in AdvisorTrac and attend all advising training sessions/meetings. Any deviation from this policy must be approved by the appropriate Dean.

The student is to report each semester to the assigned advisor for registration. Faculty members are accountable for the advice they provide, but the student has an obligation to select a program of study; identify a chosen transfer institution, if appropriate; access and print the transfer guide from the Alabama Transfers system; consult a current catalog from the transfer institution; and take the recommended courses. The advisor should reference the Alabama Transfers system as necessary in providing guidance to transfer students. Institutional catalogs are accessible online.

### **Class Schedules and Classroom Assignments**

Class schedules and classroom assignments are compiled by division directors and program coordinators and approved by the Dean of Instruction or Dean of Workforce Development and Skills Training. Final examination schedules are prepared by the Office of the Dean of Instruction.

It is expected that all classes will be held in the assigned rooms and at the assigned time. Any change must be approved by the Dean of Instruction.

### **Admission to Class and Grade Eligibility**

Students appearing on instructors' *Official Class Rolls* have fulfilled all financial obligations to the College and are eligible to receive a grade for the course. Students appearing on the *Pre-Registered Roll* have not completed the registration process and will not receive a grade for the course. Any student who does not appear on either roll should be directed to the Financial Aid office.

All additions or deletions from class rolls must be accomplished through the standard drop/add process by completing a Change in Schedule form that is signed by an approved college administrator.

### **Student Course Overload**

The student course load for a full-time student is 12 to 19 credit hours per semester. Credit hours above 19 credit hours will constitute a student overload. A student course overload must be approved by the Dean of Instruction (Board Policy 713.04, June 7, 2017).

## **Dropping a Class/Classes and Withdrawing from College**

### **Dropping a Class**

It is recommended to discuss all changes to your schedule with your advisor/financial aid office before making a change. During the drop/add period, a course may be dropped without academic penalty. No grade or "W" will be noted on the transcript for courses dropped during this time. Courses withdrawn after the drop/add period will receive a "W" on the transcript. Grades of W are not included in grade point average calculations. Dropping a course or all classes may affect a student's financial aid and could cause the student to owe money back to the college and lose future financial aid. Please contact the financial aid office before withdrawing from classes.

Students who wish to drop a class after the drop/add period must email [drop@nacc.edu](mailto:drop@nacc.edu) with full name, A#, and the course and subject code of the course to be withdrawn. Once the course(s) has been withdrawn, the student will receive a reply from his/her email stating the course(s) have been withdrawn. It is the student's responsibility to make sure the class(es) has been withdrawn. Failure to drop a class may result in an F for the course. It is recommended to talk with your instructor before withdrawing from the class.

### **Withdrawing from All Classes**

A financial aid student who withdraws from all courses may be required to repay benefits received that semester up to the time of withdrawal. Title IV students must complete at least sixty percent of the semester to avoid repaying benefits. Withdrawal from all courses may also affect the status of scholarship students. Therefore, students should consult with Financial Aid before beginning the withdrawal process. Students should also consult with their instructor and advisor to determine if the student can successfully complete the courses and to determine how dropping courses will affect graduation.

A student who wishes to withdraw from all courses should contact the Financial Aid Office before requesting to drop. After the student has been explained his/her options by financial aid and decides to withdraw, the student will email [drop@nacc.edu](mailto:drop@nacc.edu). The email must contain the student's full name, A#, and the course or courses the student wants to be withdrawn. A confirmation email will be sent to the student once the withdrawal is completed. If the student does not receive a confirmation email with a week of emailing [drop@nacc.edu](mailto:drop@nacc.edu), he/she should contact the financial aid office. The student is encouraged to keep written documentation of the withdrawal. Failure to complete the withdrawal

process will result in a grade of “F” for each course in which the student is enrolled. Students who withdraw after the drop/add period will receive a grade of “W” in each of their courses. Grades of “W” are not used in grade point calculation but are used in determining Satisfactory Academic Progress for Financial Aid students.

## Grading System

Letter grades and quality points are assigned as follows for all credit courses for which students have registered.

Grade	Definition	Grading Scale	Quality Points
A	Excellent	90-100	4
B*	Good	80-89	3
C**	Average	70-79	2
D	Poor	60-69	1
F	Failure	59 and below	0

\*Successful program completion is met in each EMS course with a minimum letter grade of “B” and satisfactory lab and clinical competencies. A grade of less than a “B” in any EMS course is considered unsuccessful and will not result in certificate or AAS awards, unless retaken and completed with a minimum grade of a “B.”

\*\*Associate Degree Nursing and Practical Nursing: Students must achieve a grade of 75% or above in each required course in order to continue in their respective programs. A grade of 60-74 is assigned a D; 59 or below is assigned an F.

Other assigned grades include:

- I (Incomplete): Assigned according to local policy to an individual student who fails to complete the required course work before the scheduled course end date. The course must be made up no later than the end of the following semester or becomes an F.
- AU (Audit): Course taken for no credit. Credit hours will not be averaged into the grade point average. Must be declared by the end of the registration period and may not be changed thereafter.
- W (Withdrawal): Official withdrawal from a course or from the institution within a time period designated by the institution. Credit hours will not be averaged into the grade point average.

Source: Board Policy 713.01, 06/07/17

## Graduation Requirements

A student shall be awarded the Associate in Arts, Associate in Science, or Associate in Applied Science degree upon satisfactory completion of the requirements of the specific program as specified by Northeast Alabama Community College and the Alabama Community College System Board of Trustees.

A student must fulfill the following:

- Satisfactorily complete a minimum of 60 semester hours of college credit in an approved program of study, including prescribed general education courses.
- Earn a 2.0 cumulative grade point average in all courses attempted at the College. A course may be counted only once for purposes of meeting graduation requirements.
- Complete at least 25 percent of semester credit hours at the College.
- Provide official transcripts from all colleges previously attended. Transferred coursework accepted for credit toward an undergraduate degree must represent equivalent collegiate coursework relevant to the degree.
- A student is not required to pay graduation fees or participate in commencement ceremonies in order to be designated as a graduate on the transcript.
- The chief academic officer shall approve the formal award when the student satisfactorily meets all requirements for graduation.
- Transcripts will not be provided to a student nor forwarded to any other institution or organization until after the student has fulfilled all financial obligations to the College (ACCS Board Policy 715.01, August 9, 2017).

## Graduation Honors

Superior academic achievement by graduating students shall be recognized by the following designations on transcripts:

Graduation Honors for Degrees	
Graduation with Honors (or <i>Cum Laude</i> )	3.50 to 3.69 GPA
Graduation with High Honors (or <i>Magna Cum Laude</i> )	3.70 to 3.89 GPA

Graduation with Highest Honors (or *Summa Cum Laude*) 3.90 to 4.00 GPA

**Graduation Honors for Other Formal Awards**

Graduation with Distinction 3.50 to 4.00 GPA

Calculation of the grade point average (GPA) for graduation honors shall be identical to that method used to calculate the GPA to fulfill graduation requirements for the degree, diploma, or certificate being earned. In addition, in order to be eligible for a graduation honor, the student must have completed a minimum of 24 semester credit hours at NACC (Board Policy 716.02, 04/24/08 [effective 01/01/09]).

## Curricular Affairs

### Substantive Change Policy

#### Policy and Procedures for Reporting Substantive Change

Northeast Alabama Community College (NACC) is committed to maintaining compliance with the policy and procedures for substantive change of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). Substantive change is addressed in Comprehensive Standard 14.2 of *The Principles of Accreditation: Foundations for Quality Enhancement*: “The institution notifies the Commission of changes in accordance with the Commission’s substantive change policy and, when required, seeks approval prior to the initiation of changes.” Failure to comply with the Commission procedures for reporting substantive change may result in public sanction by the Commission and/or a change in eligibility to participate in Title IV programs.

#### Policy Statement

Northeast Alabama Community College will maintain compliance with SACSCOC Comprehensive Standard 14.2 of *The Principles of Accreditation: Foundations for Quality Enhancement*.

#### Definition of Substantive Change

As defined by the Commission, substantive change is a significant modification or expansion of the nature and scope of an accredited institution. Substantive changes can include, but are not limited to, the following items, quoted directly from the SACSCOC Substantive Change Policy:

- Substantially changing the established mission or objectives of an institution or its programs.
- Changing the legal status, form of control, or ownership of an institution.
- Changing the governance of an institution.
- Merging / consolidating two or more institutions or entities.
- Acquiring another institution or any program or location of another institution.
- Relocating an institution or an off-campus instructional site of an institution (including a branch campus).
- Offering courses or programs at a higher or lower degree level than currently authorized.
- Adding graduate programs at an institution previously offering only undergraduate programs (including degrees, diplomas, certificates, and other for-credit credentials).
- Changing the way an institution measures student progress, whether in clock hours or credit-hours; semesters, trimesters, or quarters; or time-based or non-time-based methods or measures.
- Adding a program that is a significant departure from the existing programs, or method of delivery, from those offered when the institution was last evaluated.
- Initiating programs by distance education or correspondence courses.
- Adding an additional method of delivery to a currently offered program.
- Entering into a cooperative academic arrangement.
- Entering into a written arrangement under 34 C.F.R. § 668.5 under which an institution or organization not certified to participate in the title IV Higher Education Act (HEA) programs offers less than 25% (notification) or 25-50% (approval) of one or more of the accredited institution’s educational programs. An agreement offering more than 50% of one or more of an institution’s programs is prohibited by federal regulation.
- Substantially increasing or decreasing the number of clock hours or credit hours awarded or competencies demonstrated, or an increase in the level of credential awarded, for successful completion of one or more programs.
- Adding competency-based education programs.
- Adding each competency-based education program by direct assessment.
- Adding programs with completion pathways that recognize and accommodate a student’s prior or existing knowledge or competency.
- Awarding dual or joint academic awards.
- Re-opening a previously closed program or off-campus instructional site.



- Adding a new off-campus instructional site/additional location including a branch campus.
- Adding a permanent location at a site at which an institution is conducting a teach-out program for students of another institution that has ceased operating before all students have completed their program of study.
- Closing an institution, a program, a method of delivery, an off-campus instructional site, or a program at an off-campus instructional site.

### **Purpose of Reporting Substantive Change**

Maintaining communication with the Commission concerning institutional changes sustains the College's partnership with the Commission in fostering academic quality and ensures compliance with federal regulations.

### **Responsibilities of Administrative Personnel for Reporting Substantive Change**

The Dean of Instruction, Associate Dean of Instruction, the Dean of Financial Services, the Dean of Student Services, and the Dean of Workforce Development are responsible for taking the following actions to ensure institutional compliance with the Commission's substantive change policy:

- Gain a general knowledge of the Commission's substantive change policy.
- Plan any proposed changes with the required timeline in mind. The process must allow for institutional development of the change, approval by the ACCS Board of Trustees (as appropriate), ACHE (as appropriate), and the NACC Curriculum Committee (ALL substantive changes).
- Report in a timely manner to the institutional SACSCOC Accreditation Liaison any proposed actions that *may* constitute a substantive change
- Work with the Accreditation Liaison to provide all the information required by the Commission for compliance with the substantive change policy

The SACSCOC Accreditation Liaison should be consulted prior **to beginning** a process that results in a substantive change.

### **Notifying the SACSCOC Accreditation Liaison of a Proposed Substantive Change**

The Commission requires notification as much as 6 to 12 months prior to implementing certain changes. Therefore, administrators must inform the NACC Accreditation Liaison of a potential substantive change at the earliest point possible. Timelines are published in the Commission's policy and procedures for substantive change.

### **Responsibilities of the Institutional SACSCOC Accreditation Liaison for Reporting Substantive Change**

- Possess a working knowledge of the policy and procedures for substantive change of the Commission
- Monitor the Commission policy and inform college administrators of changes to the policy
- Assist college administrators upon request to determine the need to report a proposed action as a substantive change
- Once a need is determined, report to the appropriate college administrator(s) the level of action required (notification only or notification and submission of a prospectus for approval of the change) and the timeline for the action
- Coordinate the required substantive change process with the appropriate administrator(s)
- Communicate with the Commission as needed and maintain records of all communications
- Submit all notifications and prospectuses to the Commission
- Coordinate with the appropriate administrator(s) any follow-up actions required by the Commission
- Maintain records of all substantive change procedures undertaken by the College

### **References**

Southern Association of Colleges and Schools Commission on Colleges. *Principles of Accreditation: Foundation for Quality Enhancement*, Comprehensive Standard 14.2.

Southern Association of Colleges and Schools Commission on Colleges. *Substantive Change for SACSCOC Accredited Institutions Policy Statement*.

### **Policy Oversight**

This policy shall be published in the Employee Handbook. The institutional SACSCOC Accreditation Liaison will monitor the policy and work with the Institutional Effectiveness Committee to review and revise this policy as needed, with final approval by the President.

## Addition of Programs to the Curriculum

The addition of new programs must be implemented while following SACSCOC, ACCS, and institutional guidelines. These guidelines follow in the order that they must be processed.

1. ACCS Guidelines: The procedures for establishing a new program in accordance with the ACCS are outlined by the Chancellor's Procedure for Policy 702:01: Requests for New Instructional Programs (6/7/17). This policy can also be found on the ACCS website.
2. Institutional Guidelines: The Curriculum Committee has adopted guidelines for the review of new degree and certificate programs to be added to the College curriculum. Faculty members submit an Application for the Addition of a Program to the Curriculum.

A copy of the list of state-approved courses within this program along with their course descriptions must be attached. This list includes all courses within the program presented in the Alabama Community College System Course Directory as of the date of approval. The petitioner is responsible for submitting a syllabus to the Curriculum Committee prior to the initial delivery of each course. Courses added to the ACCS Course Directory at a later date must be submitted to the Committee for approval on an individual basis.

The program approval letter from the Alabama Community College System must accompany the application.

### Northeast Alabama Community College Process for the Addition of a Program to the Curriculum

#### Internal Controls

Determine need for program and secure agreement of college administration  
Notify the College Curriculum Committee of the proposed new program.  
Submit to the Alabama Community College System an *Intent to Submit Instructional Program Application* (ISPA)

Submit to the Alabama Community College System an *Application for a New Instructional Program*

An Application for the *Addition of a Program to the*

*Curriculum* is submitted to the College Curriculum Committee along with a copy of the program approval letter, and a listing of all state-approved courses included in this program approval.  
Upon approval of the Curriculum Committee, courses are added to the College's curriculum inventory and *Catalog*.

#### External Controls

Approval of ISPA by the ACCS

Short-Term Certificate – Application for a New Instructional Program is considered by the Alabama Community College System. If approved, a letter of notification is sent to the President.

Certificate and AAS Degree – Application for a

New Instructional Program is considered by the Alabama Community College System Board of Trustees. If approved, the application is forwarded to the Alabama Commission on Higher Education (ACHE) for review. If approved by ACHE, a letter of approval is transmitted to the Alabama Community College System. The Alabama Community College System then sends a letter of approval to the President.

3. SACSCOC Guidelines: In addition to local and governing body guidelines, establishing a new program may necessitate the application for a substantive change. The policy for such changes is listed in the Southern Association of Colleges and Schools Commission on Colleges *Principles of Accreditation: Foundation for Quality Enhancement*, Comprehensive Standard 14.2 and 14.5 (Third Edition, 2018). Those standards can also be found on the SACSCOC website ([www.sacscoc.org](http://www.sacscoc.org)).

## Addition of Courses to the Curriculum

The Curriculum Committee has adopted guidelines for the review of new courses to be added to the College curriculum. Faculty members submit an Application for Additions to the Curriculum form. A copy of the course syllabus must accompany the application.

Faculty members proposing additions to the curriculum should work with their Division Director, Program Coordinator, or dean to submit the proposal to the Curriculum Committee. If the proposed addition is not accepted by the Division Director, Program Coordinator, or dean, the faculty member may appeal the decision to the Curriculum Committee.

Course proposals often emanate from the College administration, accrediting agencies, and government entities. When these proposals occur, they will be referred to the Curriculum Committee for implementation. Once approved by the Curriculum Committee, a proposal is submitted to the Dean of Instruction for final approval.

### **Instructional Program Review**

The President, with the assistance of the Director of Institutional Planning and Assessment, will ensure that the existing programs are routinely evaluated. The ACCS Board of Trustees authorizes the President to be responsible for the quality of instructional programs at the institution. Quality assurance will include a program review of each instructional program at least once every five years (Board Policy 703.1, 06/07/17).

Instructional program reviews are carried out annually by faculty who are academically qualified in the discipline or field under review. Each program is listed in a rotating schedule that ensures that the program will undergo a review at least once every five years. The division director or program coordinator is charged with the oversight for each program review. Division directors or program coordinators submit completed program reviews for Associate in Arts (A.A.) or Associate in Science (A.S.) degree programs to the Dean of Instruction while the program coordinators submit completed program reviews for the Associate of Arts in Applied Science (A.A.S.) degree programs to the Dean of Workforce Development and Skills Training. Together, the faculty, division directors, program coordinators, and deans will review the findings and make recommendations for improvements as the situation indicates before forwarding the reviews to the Director of Institutional Planning and Assessment. Following the review by the Director of Institutional Planning and Assessment, each program review is then presented to the Curriculum Committee for approval. Evaluation results will be provided to the College administration and the Office of Institutional Planning and Assessment, as well as to ACCS as requested.

Each program review consists of two components: (1) Outline for Program Reviews as provided by the Office of Institutional Planning and Assessment, and (2) a 1-2 page abstract required by the Alabama Community College System.

Program reviews are coordinated by the Office of Institutional Planning and Assessment, usually during the spring semester. Following review by the Director of Institutional Planning and Assessment, each program review is presented for the approval of the Curriculum Committee by the instructor completing the review or by the respective division director or program coordinator. Signed copies are to be filed with the following:

- The respective division director or program coordinator
- Dean of Instruction or Dean of Workforce Development and Skills Training
- Director of Institutional Planning and Assessment

### **Program Review Schedule**

The program review schedule is published each fall in the Institutional Management Plan. Division directors, program coordinators, and administrators are notified by the Office of Institutional Planning and Assessment in the fall of each year of the programs that are scheduled to be reviewed during the current academic year.

### **Distance Education Policy**

Northeast Alabama Community College (NACC) recognizes distance education as a delivery system for instruction. Distance education is defined as a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. The goal of these courses is to help fulfill the NACC mission of providing available, accessible, and affordable courses for transfer and career programs for students. All of the present policies that apply to on-campus or “traditional classroom” education will apply to the area of distance education. This includes admission, prerequisites, grade requirements, etc.

1. Distance education courses must be of the same quality and rigor as those presented on campus, as demonstrated through the following procedures:
  - a. Application with the accompanying course syllabi provided to the division director or program coordinator for review and approval by the Curriculum Committee and Dean of Instruction prior to course implementation.
  - b. All general education courses must use Alabama Community College-approved course syllabi and course learning outcomes if established.
  - c. Review by the Curriculum Committee of annual institutional effectiveness reports, including reports relating to course evaluations and the comparability of distance education and traditional courses.

2. Instructors must demonstrate how student work is monitored to assure integrity through the following procedures:
  - a. Each instructor or an approved proctor will (1) administer at least one significant on-campus examination or assignment per course OR (2) require at least one significant examination per course to be completed by the student through the LMS online monitoring system, Proctorio. The choice of completing the examination or assignment on campus with the instructor, in the Technology Learning Center, or online through Proctorio shall be at the discretion of each student.
  - b. Each instructor will require students to present a formal ID (NACC-issued student identification or state-issued driver's license/identification card) before all video-monitored or proctored tests.
  - c. Each student will be required to use a unique username and password to access the course management system and other online instructional interfaces. The date(s) of any required online conference/meetings or on-campus meetings (if any) must be announced to students at the beginning of the semester.
3. Distance education instructors must support continued communication with and amongst students by:
  - a. Incorporating into the course a discussion board or other shared communication tool whereby students and the instructor have the opportunity to communicate regularly.
  - b. Sending emails to students in order to encourage course progress, make announcements regarding the coursework, etc.
4. Appropriate library/learning resources are made easily accessible for distance education students through access points within the course management system (Canvas) and through the Library and Learning Resources Center web page.
5. Student services must be easily accessible and relative to distance education students. Access to such services is provided within the course management system and through the Distance Education and Student Services web pages.
6. Faculty approved to teach distance education must meet the following requirements:
  - a. Completion of an orientation to distance education instruction session through the NACC Technology Learning Center prior to teaching a distance education course.
  - b. Participation in at least one annual training session through the NACC Technology Learning Center, Canvas, or other digital content training modules.

The Director of the Technology Learning Center is responsible for maintaining records of orientation sessions, participation, and assessment of training sessions.
7. The NACC Intellectual Property and Distance Education Course Ownership Policy governs issues pertaining to the ownership of intellectual properties and is to be employed in conjunction with the Distance Education Policy.
8. Distance Education faculty members must deliver accurate and current information. Faculty shall not include in the content or delivery of a course any information which he or she knows to constitute libel, invasion of privacy, infringement of copyright or other literary rights, or otherwise violate the legal rights of others. (See the TEACH Act).

## Student Learning Outcomes

General Education Outcomes are concerned with the global knowledge and abilities of students upon completion of a two-year degree. The Curriculum Committee has identified six competencies that students should exhibit as a result of completing the general education core courses at NACC:

### General Education Outcomes

**Written Communication**—Students will demonstrate adequate writing skills by developing ideas and organizing contents effectively. (ENG 100 and ENG 101)

**Oral Communication**—Students will articulate ideas, concepts, and theories in a clear fashion using language and elocution skills indicative of college-level preparation. (SPH 107)

**Mathematical Computation**—Students will compute basic mathematical operations accurately, comprehend mathematical information, and utilize analytical thinking skills to solve problems. (MTH 100 and MTH 116)

**Computer Literacy**—Students will use current technology and develop computer skills for informational, academic, personal, and professional needs. (CIS 146)

**Information Literacy**—Students will locate, access, and analyze information that facilitates learning and critical inquiry. (Library Orientation for ENG 101 and SPH 107)

**Critical Thinking** – Students will be able to process and evaluate information carefully and the apply reasoning in the use of that information to make a decision and employ an action. (BIO 103 and CHM 111)

In addition to the General Education Outcomes, the College has identified specific Program Learning Outcomes for each career/technical program based on the principle that each graduate should exhibit in a professional manner the knowledge and skills of a qualified practitioner in the field. The Program Learning Outcomes for each program as well as the General Education Outcomes are to be published annually in the Catalog and on the college website.

### Evaluation of General Education and Program Learning Outcomes

Student learning outcomes are assessed every year. Each assessment includes the following steps:

1. Division directors/program coordinators follow the guidelines published in The Program Learning Outcomes Review Process.
2. This publication is made available both in print and online. Outcomes reviews for any given academic year are limited to fall and spring semesters, with the exception of those courses taught only during the summer of the specified review year.
3. All instructors teaching a course under review must complete the Program Learning Outcomes Form. Instructors explain how each general education or program outcome addressed by the course was evaluated, document the results of these assessments, and explain how these results may be used to improve the program.
4. Instructors submit the evaluations to their division director or program coordinator at the end of each semester. The deadline for submission corresponds to the deadline for grade submissions.
5. The division director or program coordinator reviews all evaluations of the course under review as soon as possible following the end of the semester; obtains necessary revisions from instructors; collates evaluations for each course, noting any immediate improvements to be made to the program; and discusses the results of the evaluations with faculty as needed. During the summer semester the division director or program coordinator collates the previous summer, fall, and spring evaluations for each outcome and compiles the data to determine the degree to which student outcomes have been met. The division director or program coordinator records the results of the assessment on the annual Institutional Effectiveness Plans (Unit Goals) Form and records improvements that have been made in the program as a result of the analysis of the assessments.
6. The division director or program coordinator submits the Unit Goals Form, along with all corresponding Program Learning Outcomes Forms, to the Director of Institutional Planning and Assessment by the date specified by the Director.
7. The summary of the course review for the academic year is submitted by the Director of Institutional Planning and Assessment for review and approval by the Curriculum Committee.

### **Proficiency Profile Assessment**

The Proficiency Profile is a standardized testing program from Educational Testing Services® and is used as one measurement for the NACC general education program. The test measures reading, writing, critical thinking, and mathematics and is administered in a single 40-minute testing session in the spring term of each academic year. The test includes nine questions in each of the skill areas. This assessment is intended to measure the strengths of the NACC general education program and identify areas in need of improvement as well as to compare NACC results with those of other colleges throughout the nation.

### **Course Outline**

Each instructor should distribute a Course Outline to students at the beginning of each semester.

The following outline is suggested for handout to students, based on the official syllabus posted on the College website and including specific course information such as instructor name, instructor office hours, and appropriate due process notices:

- Title of course
- Prerequisite and essential academic functions (if applicable)
- Name of instructor
- Office location and hours (Adjunct instructors who do not hold office hours should state how students may receive out-of-class assistance, e.g., by appointment, via email, Canvas, phone, etc.)
- Telephone extension, fax number, e-mail address
- Prerequisites and standards for the course
- Textbooks and other materials

- Course learning outcomes
- General education or program learning outcomes, if applicable to the course
- Course topics
- Methods for evaluating course outcomes (e.g., quizzes, unit exams, mid-term exam, research paper, essays, oral presentations, homework, etc.) and percentage for each, if applicable
- Methods for evaluating general education or program outcomes, if applicable
- Classroom policies as established by the instructor
- Conduct statement: “The conduct policy of the College as published in the *Catalog* will be followed in this course.”
- Other information as deemed necessary by the instructor
- Statements required by the Alabama Community College System, as follows.

The following statements established by the Alabama Community College System and published within all state-approved course syllabi shall be included verbatim in the course outline:

### **Attendance**

Students should attend all classes for which they have registered (on campus, online, hybrid, etc.). Northeast Alabama Community College is a nonattendance taking institution. This means that instructors do not have to keep attendance in a standard roll book. However, attendance reporting is required in order to comply with a number of financial aid programs. A student’s grade may not be based on attendance, but a documentation of attendance is needed to verify a student’s first and last date of attendance. Instructors must be able to produce an accurate Last Date of Attendance (LDA) for students receiving an Incomplete (I), Withdrawal (W), or a Failing Grade (F) in their courses. Instructors who choose to keep an attendance roll may refer to the last date the student attended class for this documentation. Those not keeping an attendance roll must prove LDA through other means. More information on ways of documenting LDA may be accessed through the Student Financial Aid Office or through the Dean of Instruction’s Office. Each semester, instructors must submit an Attendance Verification for each course. Students who have not attended class regularly, regardless of the reason or circumstance, should withdraw from that class before poor attendance interferes with the student’s ability to achieve the objectives required in the course. Withdrawal from class can affect eligibility for federal financial aid. The attendance Policy must be published in course syllabi and communicated to students orally on the first day of class. An instructor’s absences are not counted as student absences. Verified military and jury duty must be considered excused absences. College-sponsored activities approved by the Dean of Instruction must be considered excused absences. Provisions for makeup work, if allowed, must be outlined in the course syllabus. Students have the right to appeal and may do so by following the College’s General Grievance Policy.

### **Statement of Discrimination/Harassment**

It is the official policy of the Alabama Community College System Board of Trustees and entities under its direction and control, including Northeast Alabama Community College, that no person shall be discriminated against on the basis of any impermissible criterion or characteristic, including, without limitation, race, color, national origin, religion, marital status, disability, sex, age, or any other protected class as defined by federal and state law. (Sources: ACCS Board of Trustees Policies 601.02 – 4/13/16 and 800.00 – 5/10/17) Updated: 12/13/2017

Contact concerning Title VI of the Civil Rights Act of 1964 (race, color, religion, sex, national origin), and Title IX of the Educational Amendments of 1972 (gender):

Lynde Wheeler  
 Human Resources Director  
 116 Pendley Administration Building  
 Phone: ext. 2230  
 Email: [wheelerl@nacc.edu](mailto:wheelerl@nacc.edu)

### **Statement of Adherence to ADA Guidelines**

Instructors will adhere to the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act (1973) and will publish the following statement on course outlines given to students at the beginning of each semester: “Any individual who qualifies for reasonable accommodations under the Americans With Disabilities Act or Section 504 of the Rehabilitation Act (1973) should notify the instructor immediately.”

Contact concerning Titles II and V of the ADA of 1990 (disability):

Riley Holland, ADA Compliance Coordinator  
115 Student Center  
Phone: ext. 2222  
Email: [hollandr@nacc.edu](mailto:hollandr@nacc.edu)

### **Statement of Plagiarism**

Plagiarism is intentionally copying the ideas or words of another and using those ideas or words as one's own. The Department and/or College regularly uses anti-plagiarism programs to check student work; therefore, when outside sources are paraphrased or incorporated verbatim, they must be acknowledged. Students who submit plagiarized or partially plagiarized assignments will not receive credit for those assignments and may be subject to failure in the course.

The Statement of Adherence to ADA Guidelines is in accordance with guidelines set forth by the NACC ADA Coordinator.

### **Frequently Asked Questions about Course Outlines**

*What is the difference between a course syllabus and a course outline?*

A **course syllabus** guides all instructors in teaching a particular course. Every instructor of a course follows the same syllabus.

A **course outline** provides students with specifics about a course, including instructor contact information, instructor expectations, methods of instruction and evaluation, and student rights and responsibilities. Each instructor provides a course outline specific to the sections he or she is teaching.

In other words, syllabi are written for instructors and are course specific; course outlines are written for students and may be specific to each instructor/section.

*What are Essential Academic Functions?*

The specification of essential academic functions is a concept arising from the mandate to make services and opportunities available to all qualified persons, regardless of disability.

A listing of essential academic functions for a given course or program protects an instructor, as well as the department and the institution, in a case where a student is truly incapable of attaining the standards of a class, with or without accommodations.

The definition of essential functions must be academically valid and must reflect the standards adhered to for all students, regardless of disability.

To determine the essential functions of an academic area or course, the instructor should list what tasks, skills, and abilities are needed for students to be able to understand and learn the course material. This can be done for subject areas or for courses.

Any academic essential functions should be written and included in syllabi and course outlines.

*Why are due process procedures important in writing course outlines?*

The right of due process is rooted in the fourteenth amendment, which limits action by the state against the rights of an individual.

As an instrumentality of the State of Alabama, the College falls within the fourteenth amendment reference to the state. The actions of administrators, faculty, and staff members, who serve as agents of the College, likewise qualify as state action. If such action deprives a student of something in which he or she has a property interest (e.g., a place in class, a favorable grade), due process is required.

There are two aspects of due process. Substantive due process requires that the rule or procedure itself be fair and that the decision behind the rule have a sound basis. Procedural due process means that the procedures used in implementing the rule are fair. Notice, hearing, and explanation are considered the rudiments of procedural due process.

In practical terms, an instructor provides substantive due process by making reasonable requirements for attendance, performance, and behavior. He or she provides procedural due process by announcing-- preferably in writing--the requirements and rules, and the consequences of noncompliance (notice) along with a statement that the student is invited to discuss any problem with compliance (hearing and explanation).

The policy on "Disciplinary Procedures for Students" (in the *College Catalog*) constitutes the institution's provision for formal due process in cases of unacceptable student conduct.

### **Course Outline and Due Process**

The course outline which students are given at the beginning of a course serves to put the student on notice (in due process terms) that certain standards of academic performance, attendance, and classroom behavior will be required.

The course outline includes notice of required academic performance, attendance, and behavior. It also specifies that hearing is readily available for disability accommodations.

Consistent use of a course outline covering such points serves to document that an instructor is following due process procedures and is making a good faith effort to serve all students equitably and effectively.

### **Course Syllabus**

A course syllabus is required for each course taught. All syllabi must be written in compliance with the guidelines of both the Alabama Community College System and the NACC Curriculum Committee. In keeping with curriculum review procedures, division directors or program coordinators and respective faculty should review and update all department syllabi on an annual basis or more often if needed. Division directors or program coordinators should email updated syllabi to the Office of Institutional Planning and Assessment for online posting. The guidelines for additions to the curriculum govern the development of new syllabi. The official approved syllabus for every course is approved by the respective dean or director and by the Dean of Instruction and posted on the College website.

### **Developmental Education**

The Developmental Studies Program provides students with the academic foundation to be successful in college-level English and math courses. Incoming students are placed in developmental course based on their ACT scores, high school GPA, and/or ACCUPLACER scores. The co-requisite developmental model allows students to enroll directly in college-level courses and receive academic support through a learning support course. Learning support courses are co-requisite environments that provide instruction, one-on-one support, and small group engagement as well as active learning opportunities that designed to review skills that mirror in real-time what are currently being taught in the college-level course. The Developmental Studies Program promotes scholastic opportunity, academic skill development, and educational efficiency (Board Policy, 722.01, August 9, 2017).

### **Textbooks Selection and Instructor Editions**

#### **Textbooks Selection**

Any changes in course textbooks should be effected at the beginning of the academic year. Textbook changes must be approved by the division director or program coordinator upon consultation with the appropriate faculty members. Following approval, the division director or program coordinator informs the bookstore manager of the change in textbook in a timely manner in order to ensure delivery.

#### **Instructor Editions**

The College does not furnish copies of textbooks to instructors. However, complimentary copies may be obtained by contacting the publishers. An instructor who does not have a copy of a text at the beginning of a course may borrow one from the College bookstore, Textbooks, Etc., until a complimentary copy can be obtained from the publisher.

#### **Meeting and Dismissing Classes**

Classes are expected to meet as scheduled with the assigned instructors. Faculty members are expected to be in the classrooms when the class period begins and dismiss class when the period ends. This expectation includes the first class day of each semester. If an instructor is unavoidably detained and cannot be at class on time, the class is automatically dismissed fifteen minutes after the beginning of the class period without penalty to the students.



## **Attendance Counting**

Students should attend all classes for which they have registered (on campus, online, hybrid, etc.). Northeast Alabama Community College is a nonattendance taking institution. This means that instructors do not have to keep attendance in a standard roll book. However, attendance reporting is required in order to comply with a number of financial aid programs. A student's grade may not be based on attendance, but a documentation of attendance is needed to verify a student's first and last date of attendance. Instructors must be able to produce an accurate Last Date of Attendance (LDA) for students receiving an Incomplete (I), Withdrawal (W), or a Failing Grade (F) in their courses. Instructors who choose to keep an attendance roll may refer to the last date the student attended class for this documentation. Those not keeping an attendance roll must prove LDA through other means. More information on ways of documenting LDA may be accessed through the Student Financial Aid Office or through the Dean of Instruction's Office. Each semester, instructors must submit an Attendance Verification for each course. Students who have not attended class regularly, regardless of the reason or circumstance, should withdraw from that class before poor attendance interferes with the student's ability to achieve the objectives required in the course. Withdrawal from class can affect eligibility for federal financial aid. The attendance Policy must be published in course syllabi and communicated to students orally on the first day of class. An instructor's absences are not counted as student absences. Verified military and jury duty must be considered excused absences. College-sponsored activities approved by the Dean of Instruction must be considered excused absences. Provisions for makeup work, if allowed, must be outlined in the course syllabus. Students have the right to appeal and may do so by following the College's General Grievance Policy.

## **Final Examinations**

Final exams must be given at the published times specified in the class schedule. Any deviations from this must have prior approval of the Dean of Instruction or Dean of Workforce Development and Skills Training. Every student is expected to take a final examination at the scheduled time. Under extenuating circumstances, a student may take a special delayed examination. Such delay must be approved by the instructor. Any student having approval for delayed examination will receive a grade of "I" (Incomplete). Students must take the delayed examination at a time designated by the instructor. A grade of "I" (Incomplete) is assigned when the quality of work has been passing but the student has been prevented by illness or other justifiable cause from completing the required work or from taking the final examination. Students should have completed 60% of the class work in order to be issued a grade of Incomplete. A student who misses a final examination has the responsibility of notifying the instructor prior to the examination, or as soon thereafter as possible, and to furnish acceptable evidence concerning the cause of his or her absence upon return. In order to receive a grade of Incomplete, a student must request the grade from the instructor, and the instructor must agree that the student can complete the work by the end of the next semester. If a grade of Incomplete is granted by an instructor, the student must complete the course in the following semester. A grade of Incomplete is calculated as an "F" in the student's GPA until the student has completed the coursework and the instructor has completed a Grade Change Form. Therefore, Incomplete grades may affect a student's financial aid and scholarship eligibility. If the student fails to complete the course during the following semester, the Incomplete grade automatically becomes an "F" on the student's transcript. If a grade of "I" is not changed through the Grade Change form, initiated by the instructor upon the student's completion of work, the I changes to an F with the next semester's grades.

## **Final Grade Reports**

Grades are reported online each semester. After grades are reported, no changes may be made unless the instructor presents satisfactory documentation that an error has been made in the first reporting and completes a Grade Change form. Changes must be approved by the Dean of Instruction, Associate Dean of Instruction, or Dean of Workforce Development and Skills Training, as appropriate.

## **Field Trips**

When a student field trip is to be taken off the campus of the College, the instructor should first file an Activity Request. Upon approval of the request, the instructor next requests college business leave. All purchase orders (for example, bus rentals) must be submitted prior to the execution of the field trip. Student release forms for all participants must be collected by the instructor prior to departure. Students who have a disability which may prevent them from participating may request accommodations to enable their participation.

## **Guest Speaker Invitation**

Requests to invite guest speakers to address campus assemblies are to be directed to the President. Once presidential approval is secured, arrangements are made by using the Activity Request form.

## Laboratory Rules and Procedures

### Introduction

The purpose of the following document is to provide basic safety guidelines for academic laboratories. Because of the great diversity of laboratory work performed at this institution, it would be impossible to provide all warnings and precautionary measures required in every laboratory conducted. The following information is intended to be only the starting point in laboratory safety. It is the responsibility of the laboratory instructors to take these guidelines and develop detailed procedures for themselves, student workers, students, and any other individuals that are affected by their specific laboratory activities.

#### A. General Rules and Procedures

1. Use protective safety equipment to reduce potential exposure, i.e., gloves, respirators, fume hood, etc. Skin contact with chemicals should be avoided.
2. Avoid underestimation of hazards and risks. Laboratory procedures that are not consistent with the laboratory skill level of the students or instructor should be avoided or revised.
3. Develop a firm goggle policy. Wear appropriate eye protection at all times. Goggles or protective eyewear, as determined by the instructor, must be worn any time chemicals, glassware, heat, or infectious materials are used in the laboratory.
4. Never work alone in the laboratory, chemical storage, and prep areas. Provide adequate supervision of students in all laboratories.
5. Flammable liquids require special attention. Never use these materials near any source of ignition, spark, or open flame.
6. Never perform a first-time chemical demonstration in front of your class. Always perform first-time demonstrations in front of other instructors to evaluate the safety of the demonstration.
7. Never store chemicals over, under, or near a sink.
8. Only authorized personnel should be allowed in the laboratory or storeroom.
9. Have appropriate fire-fighting equipment in an accessible location in case of an accident.
10. Train all students and employees on the location and use all personal safety devices and emergency equipment in the laboratory.
11. All utility failures should be handled in accordance with the NACC Crisis Management Plan.
12. Know the location and how to use the master utility controls to shut off gas, electrical and water supplies.
13. Do not smell or taste chemicals.
14. Use a safety shield or hood whenever danger of an explosion or implosion might occur.
15. Read all chemical labels prior to use.
16. Know and understand the hazards of the chemical as stated in the MSDS and other references.
17. Know how to properly store all chemicals in their compatible chemical families.
18. Know proper transportation and disposal procedures for chemicals.
19. Know appropriate emergency procedures for waste disposal and spill clean-up.
20. Be familiar with evacuation routes and fire or emergency notification. Please refer to the appropriate section of the NACC Crisis Management Plan.
21. Turn off water faucets and gas after completion of the laboratory. Lock all laboratory doors and sign the gas cut-off checklist.

#### B. Laboratory Rules and Procedures

1. Medical treatment and first aid should be administered in accordance with the NACC Crisis Management Plan.
2. All laboratories should be well ventilated. Use only chemicals that are appropriate for the laboratory ventilation system.
3. Emergency telephone numbers should be posted in the chemical storage/prep room area.
4. Do not use chipped, etched, or cracked glassware. Glassware that is chipped or scratched presents a serious breakage hazard when heated or handled.
5. All laboratories where chemicals are used must have eyewash stations capable of treating both eyes continuously for 15 minutes with copious quantities of potable water. Teach everyone how to use the eyewash in an emergency. Eyewash station effectiveness and operation should be inspected every three months. Promptly repair any eyewash that does not function properly.
6. After each accident, fill out an accident report describing the event in detail. All accidents or near accidents (close calls) should be carefully analyzed with the results distributed to all who might benefit.
7. Read all labels carefully -- the names of many chemicals look alike at first glance.
8. Do not operate electrical equipment with wet hands.
9. Have appropriate types and sizes of fire extinguishers. Tri-class ABC and Halon fire extinguishers are appropriate for laboratories. Carbon dioxide fire extinguishers are inappropriate for laboratories.
10. Do not block fire exits.
11. Have an alternative evacuation route in the event your primary route becomes blocked.

12. Practice your emergency plans.
  13. Keep all aisles clear.
  14. Do not run in the laboratory.
  15. Solutions and reagents with missing labels should not be stored in the laboratory.
  16. Be thoroughly familiar with the hazards and precautions for protection before using any chemical.
  17. Dispose of all chemicals properly. All disposal procedures used should conform to state and local regulations.
  18. Safety showers or body drenches should be provided. Showers should be tested every six months. Promptly repair any shower or body drench that does not function properly.
  19. Access to exits, emergency equipment and master utility controls should never be blocked.
  20. Never perform or allow students to perform unauthorized laboratory experiments.
- C. Personal Hygiene Guidelines**
1. Do not use any tobacco products, eat, or drink in the lab where toxic materials are located.
  2. Do not pipette by mouth -- always use a pipette bulb or other appropriate suction device.
  3. Wash thoroughly after any chemical exposure or before leaving the laboratory.
  4. Never smell chemicals directly; always waft the odors to your nose using your hand.
  5. Never bring foodstuffs, opened or closed, into the lab, chemical prep area or storage area.
  6. Do not apply cosmetics in areas where laboratory chemicals are present.
  7. Never store food in a laboratory refrigerator.
- D. Protective Clothing Requirements**
1. Eye protection must be worn. Goggles must meet ANSI Z87.1 Standard. Wear face shields or use hoods when dealing with extremely corrosive liquids.
  2. Wear gloves that are appropriate to the hazards you may find in the lab. Test for holes every time you wear gloves. Change gloves often. Use liberal amounts of hand cream/lotion for an additional skin barrier in case of glove failure when working with hazardous substances.
  3. Always wear a full-length lab coat or a chemical-resistant apron.
  4. Wear low-heeled shoes. Do not wear open-toed shoes or sandals of any kind. Always wear socks in the laboratory.
  5. Do not wear shorts --- wear long pants.
  6. Do not wear loose or balloon sleeves.
  7. Tie back long hair.
  8. Do not wear hanging jewelry.
  9. Do not wear a long or loose necktie.
  10. Do not wear an absorbent watchstrap.
  11. Inspect all protective safety equipment before use. If defective, do not use.
- E. Housekeeping Rules**
1. Keep chemicals in the chemical prep and storage area. If chemicals are moved to the classroom for lab, they must be returned to their proper storage location at the end of the day's laboratory periods.
  2. Waste materials require proper containers and labels.
  3. Do not store items in the fume hood. The storage of items in the fume hood is a fire hazard and decreases the efficiency of the fume hood.
  4. Label all chemicals with names and hazards, even solutions.
  5. Never block access to exits or emergency equipment.
  6. Clean up all spills properly and promptly.
  7. Work and floor surfaces should be cleaned regularly and kept free of clutter.
- F. Spill and Accident Procedures**
- Please see the sections on Building Emergencies and Natural Gas/Chemical and Radiation Spill of the NACC Crisis Management Plan.
- Notification --- Please see College Notification System section of the NACC Crisis Management Plan
1. Evacuate --- Get everyone to a safe location. Refer to the NACC Crisis Management Plan
  2. Assemble --- Organize the students and all workers.
  3. Report --- Fill out a detailed accident report after the emergency is over.
  4. Clean up spills immediately and thoroughly.
  5. A bucket of dry sand or oil absorbent should be available as a fire extinguisher and to aid in providing traction on a slippery floor.
  6. Appropriate neutralizing or containment materials, such as a spill kit, dry sand, kitty litter, and other spill control materials should be readily available.
- G. Chemical Storage Rules and Procedures**
1. Keep an updated inventory of all chemicals, their amounts and location. Stored chemicals should be examined frequently (brief weekly inspections) for deterioration, chemical integrity and readability of labels. Annual inspections should be made for replacement or disposal of old, outdated/unneeded chemicals.
  2. Label all chemical solutions you make with the identity of the contents, date, concentration, hazard information and your name.
  3. Establish a separate and secure storage area for chemicals.

4. All chemicals should be stored in chemically compatible families.
  5. Store the minimum amount of chemicals needed.
  6. Store corrosives in appropriate corrosives cabinets or designated area.
  7. No flammable materials should be stored outside an approved flammables storage cabinet unless in safety cans.
  8. Do not store chemicals under a fume hood.
  9. If possible, keep certain items in the original shipping package, e.g., acids and bases in the Styrofoam cubes.
  10. Avoid storing chemicals on shelves at very high levels.
  11. The storage area and cabinets should be labeled as to identify the hazardous nature of the products stored within. This will allow fire department officials to quickly see a potentially hazardous area.
  12. Shelving above any work area, such as a sink, should be free of chemicals or other loose miscellany.
  13. Shelving sections should be secured to walls or floor to prevent tipping of entire sections.
  14. Chemicals should not be stored on the floor except in approved shipping containers.
  15. Storage area should be well ventilated. Isolate the chemical storage exhaust from the general building ventilation system.
  16. Store chemicals in a separate, locked, dedicated storeroom.
  17. Store all poisons in a locked cabinet.
  18. Only authorized personnel are allowed in the chemical storage area.
  19. Do not transport chemicals in vehicles or by any other method that will not meet the Department of Transportation guidelines.
  20. Do not accept donated chemicals from students, industries, other schools, or governmental agencies.
  21. Chemicals exposure to heat or direct sunlight should be avoided.
- H. **Storage Requirements -- Compressed Gas Handling Instructions**
1. Compressed gases should be handled as high-energy sources, and therefore, as potential explosives.
  2. Always protect the cylinder valve stem.
  3. Avoid exposure of cylinders to heat. Do not store gas cylinders in direct sunlight.
  4. Never lubricate, modify, force or tamper with a cylinder valve.
  5. Cylinders of toxic, flammable or reactive gases should be used only under a fume hood.
  6. Do not extinguish a flame involving a combustible gas until the gas is shut off --otherwise it can re-ignite -- possibly causing an explosion.
  7. Gas cylinders must be secured in place. They must be protected to prevent valve damage, which may be caused by falling.
- I. **Storage Requirements -- Flammable Chemicals Handling Instructions**
1. Store all flammables in a dedicated flammables cabinet.
  2. Avoid storing any chemicals, especially flammable materials, in direct sunlight.
  3. Store away from all sources of ignition.
  4. Store away from all oxidizers.
  5. Never store flammables in refrigerators unless the refrigerator is explosion proof.
- J. **Storage Requirements -- Corrosive Materials Handling Instructions**
1. Store corrosives in appropriate corrosives cabinets or designated area.
  2. If possible, keep certain items in the original shipping package, e.g., acids and bases in Styrofoam cubes.
  3. Working with corrosive materials requires special eyewear. Wear a chemical splash face shield when handling corrosive materials.
  4. At least every three months inspect all shelf clips in your acid cabinet to check for possible corrosion. Corrosion may weaken the shelf clips and result in shelf collapse.
- K. **Procedure --- Specific Safety Rules and Guideline**
1. Use a fume hood or appropriate safety equipment when the permissible exposure limit for a chemical is less than 50 ppm as indicated on the chemical MSDS.
  2. Use carcinogens, mutagens, teratogens, and allergens only under a fume hood or use in a manner that will prevent exposure.
  3. Handle toxic, corrosive, flammable, and noxious chemicals under a fume hood or use in a manner that will prevent exposure.
  4. Do not expose flammable liquids to open flame, sparks, heat or any source of ignition.
  5. Only use flammable solids (sodium metal, potassium metal, etc.) in very small quantities. Use a safety shield when igniting flammable solids.
  6. Water-reactive solids (sodium metal, potassium metal, etc.) should be stored under dry oil.
  7. Use extreme caution when handling finely divided (dust-like) material. Finely divided materials may form explosive mixtures with air.
  8. Open cans of ether (ethyl ether) should be evaporated after use and not stored unless absolutely necessary. Rely on expiration date to dispose of the material.
- L. **Safety Equipment Inspection**
1. Goggles must always be clean and functional.
  2. Laboratory ventilation must be functional.

3. Fire extinguishers must be of the right type, Tri-class ABC, and they must always be properly inspected.
4. Eyewashes must be functional and flushed at least once a month.
5. Fume hoods must be operational.

### **Training Equipment Loans**

NACC is authorized to loan training equipment to other ACCS colleges, the Alabama Technology Network, or secondary CTE programs within the state of Alabama. The College must maintain records of all loaned equipment, including responsible party and equipment location. (ACCS Board Policy 724.01, August 9, 2017)

## **Section VIII: Student Affairs**

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### **Student Record Policy**

Digital and original, paper copy student records are maintained by the functional areas responsible for the creation, collection, maintenance, and retention of those records. Record integrity is maintained by restricting records creation and modification access to employees within each functional area. Access to student records corresponds with the employee's job duties. Student transcripts may only be modified by written documentation signed by the instructor who originally assigned the grade and the Dean of Instruction.

Student record retention is governed by the guidelines of the Alabama State Records Manual, developed by the Functional Analysis and Records Disposition Authority of the Alabama Department of Archives and History (ADAH) for all state agency records, including colleges and universities. Records are identified by record type and assigned a retention period, after which they may be destroyed. NACC retains student records for periods which meet or exceed the minimum periods specified in the manual. The Alabama College System Functional Analysis and Records Disposition Authority handbook is stored in the Registrar's office and can also be found on the Alabama Department of Archives and History website.

### **Privacy Act Information**

Confidentiality and access to student record information at NACC is administered in accordance with the Family Education Rights and Privacy Act (FERPA) of 1974. A student's FERPA rights include:

1. The right to inspect and review your education record within a reasonable time after NACC receives a request for access. If you want to review your record, contact the registrar's office to make appropriate arrangements.
2. The right to request an amendment of your education record if you believe it is inaccurate or misleading. If you feel there is an error in your record, you should contact the registrar's office and they will advise you regarding the appropriate steps for you to take.
3. The right to provide written consent before NACC discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with "legitimate educational interests." A school official has a legitimate educational interest if the official has a need-to-know information from your educational record in order to fulfill his or her official responsibilities. NACC may release a student's educational records without his or her approval as follows:
  - to NACC faculty and staff with legitimate educational interests
  - to representatives of agencies under contract with NACC
  - to certain federal and state educational authorities for purposes of enforcing legal requirements in federally supported educational programs
  - to persons involved in granting financial aid for which the student has applied
  - to testing, research, and accrediting organizations
  - in compliance with a court order or lawfully issued subpoena
  - in very narrowly defined emergencies affecting the health and safety of the student

In addition, Directory Information, which is defined by FERPA as information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed, can be disclosed to outside organizations or agencies upon request unless the student specifies otherwise. Directory information may include the following:

- name
- home address
- email address

- telephone Number
  - date and place of birth
  - major field of study
  - enrollment status (e.g., full-time or part-time)
  - withdrawal status
  - honors, degrees, and awards received
  - participation in and personal statistics associated with officially recognized activities and sports
  - photograph
  - most recent educational institution attended
  - dates of attendance – The term “dates of attendance” refers to general periods of time, such as an academic year or a specific semester. It does not include specific daily records of a student’s attendance, which may not be disclosed without consent under FERPA.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failure by NACC to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, DC 20202

Students at NACC have the right to withhold the release of directory information. To do so, you must contact the Admissions Office to place a “No Release” on your record. Please note an important detail regarding placing a “No Release” on your record: NACC receives many inquiries for directory information from a variety of sources outside the institution, including prospective employers, the news media and honor societies, parents, and relatives. Having a “No Release” on your record will preclude release of such information, even to those people. Any additional questions concerning FERPA should be referred to the Registrar’s Office.

## Court Orders and Student Information

All personnel should be aware that the counseling relationship within an educational institution is not protected as privileged in court under Alabama law. An employee who has heard a student in a counseling relationship may be required by a court to divulge information gained in that counseling relationship.

## Intervention for Student Success

The College has an early intervention process in place to promote student retention using the Student Alerts and Grouped Events (SAGE) retention software. Multiple times during the semester, instructors report the names of students with excessive absences and students who are experiencing academic difficulty. The Director of Developmental Studies Support Programs and College Retention and the Retention Specialist contacts each student by email, letter, text, phone, and/or in person, encouraging students to attend class regularly and providing information about tutoring and other academic support services. Students who are on Academic Probation or Financial Aid Probation and/or taking an Incomplete are also reported in SAGE and contacted by the Retention Specialist.

When a student is placed on Academic Warning, Academic Probation, One Semester Academic Suspension, One Calendar Year Academic Suspension, or Financial Aid Probation, college officials may provide intervention for the student including, but not limited to, limiting the student’s course load, requiring study skills seminars, administering the LASSI (Learning and Study Strategies Inventory) and/or CITE Learning Styles Inventory, requiring tutoring, prescribing more advising sessions, and/or recommending other specific courses.

Proactive advising sessions are a crucial element of the academic plan for students on Financial Aid Probation and Academic Probation. Group advising sessions are presented to students taking developmental courses and students entering the Nursing Program as an early intervention method. The Learning and Study Strategies Inventory (LASSI) is used to diagnose student strengths and areas of improvement, and, based on these results, students are referred to appropriate resources that are available on campus and online. The Director of Developmental Studies Support Programs and College Retention advises and helps students develop strategies for time management, study skills, stress management, test anxiety, and other areas.

## Maintaining Class Attendance Records

Each instructor is encouraged to maintain class attendance records. Students should attend all classes for which they have registered (on campus, online, hybrid, etc.). Northeast Alabama Community College is a nonattendance taking institution. This means that instructors do not have to keep attendance in a standard roll book. However, attendance

reporting is required in order to comply with a number of financial aid programs. A student's grade may not be based on attendance, but a documentation of attendance is needed to verify a student's first and last date of attendance. Instructors must be able to produce an accurate Last Date of Attendance (LDA) for students receiving an Incomplete (I), Withdrawal (W), or a Failing Grade (F) in their courses. Instructors who choose to keep an attendance roll may refer to the last date the student attended class for this documentation. Those not keeping an attendance roll must prove LDA through other means. More information on ways of documenting LDA may be accessed through the Student Financial Aid Office or through the Dean of Instruction's Office. Each semester, instructors must submit an Attendance Verification for each course. Students who have not attended class regularly, regardless of the reason or circumstance, should withdraw from that class before poor attendance interferes with the student's ability to achieve the objectives required in the course. Withdrawal from class can affect eligibility for federal financial aid. The attendance Policy must be published in course syllabi and communicated to students orally on the first day of class. An instructor's absences are not counted as student absences. Verified military and jury duty must be considered excused absences. College-sponsored activities approved by the Dean of Instruction must be considered excused absences. Provisions for makeup work, if allowed, must be outlined in the course syllabus. Students have the right to appeal and may do so by following the College's General Grievance Policy.

## Maintaining Student Advising Records

Each instructor is encouraged to maintain class attendance records. Students should attend all classes for which they have registered (on campus, online, hybrid, etc.). Northeast Alabama Community College is a nonattendance taking institution. This means that instructors do not have to keep attendance in a standard roll book. However, attendance reporting is required in order to comply with a number of financial aid programs. A student's grade may not be based on attendance, but a documentation of attendance is needed to verify a student's first and last date of attendance. Instructors must be able to produce an accurate Last Date of Attendance (LDA) for students receiving an Incomplete (I), Withdrawal (W), or a Failing Grade (F) in their courses. Instructors who choose to keep an attendance roll may refer to the last date the student attended class for this documentation. Those not keeping an attendance roll must prove LDA through other means. More information on ways of documenting LDA may be accessed through the Student Financial Aid Office or through the Dean of Instruction's Office. Each semester, instructors must submit an Attendance Verification for each course. Students who have not attended class regularly, regardless of the reason or circumstance, should withdraw from that class before poor attendance interferes with the student's ability to achieve the objectives required in the course. Withdrawal from class can affect eligibility for federal financial aid. The attendance Policy must be published in course syllabi and communicated to students orally on the first day of class. An instructor's absences are not counted as student absences. Verified military and jury duty must be considered excused absences. College-sponsored activities approved by the Dean of Instruction must be considered excused absences. Provisions for makeup work, if allowed, must be outlined in the course syllabus. Students have the right to appeal and may do so by following the College's General Grievance Policy.

## Cheating

Cheating is not to be tolerated. Instructors should make every effort to see that no examinations are compromised. Instructors have a responsibility to students and to the College to prevent cheating. Instructors should attempt to resolve incidents of student cheating at the instructor-student level. However, if this is not possible, an instructor may lodge a complaint against a student following the appropriate complaint process published in the *Catalog*.

## Plagiarism

Plagiarism is the intentional copying of the ideas or words of another and using those ideas or words as one's own. Instructors may use anti-plagiarism programs to check student work. When outside sources are paraphrased or incorporated verbatim, they must be acknowledged. Students who submit plagiarized or partially plagiarized assignments will not receive credit for those assignments and may be subject to failure in the course. Instructors should attempt to resolve incidents of student plagiarism at the instructor-student level. However, if this is not possible, an instructor may lodge a complaint against a student following the appropriate complaint process published in the *Catalog*.

## Classroom Management Skills

Classroom management skills are a necessity for good teaching. Each instructor should require order and respect from all students in each class. Instructors should attempt to resolve discipline issues at the instructor-student level. However, if this is not possible, an instructor may lodge a complaint against a student following the Complaint Process in the *Catalog*. Instructors do not have the right to dismiss a student from a program. In these cases, a complaint can be filed against the student using the institutional complaint process.

## Continuing Education

NACC provides continuing education programs that support its mission through its Division of Workforce Development and Skills Training. In addition to offering classes on campus, the College works with local business and industry to support educational needs through customized industry training programs and non-credit coursework. Non-credit instructional courses are developed and implemented to meet local workforce needs in the areas of manufacturing, building construction, and healthcare. Other areas may be approved by the President.

## Course Cancellation

Designated College administrators will notify students when a class has been cancelled and of the need to revise their schedules. If students do not change their schedules, the College will drop students from the cancelled course.

## Course Forgiveness

It is the student's responsibility to request course forgiveness. Course forgiveness is implemented when a student repeats a course and the last grade awarded (excluding grades of W and WP) replaces the previous grade in the computation of the cumulative grade point average. The official transcript will list the course and grade each time it is attempted.

Official transcripts will list each course in which a student was enrolled.

A student may repeat a course more than once, but that course may be counted only once toward fulfillment of credit hours for graduation.

Students must check financial aid regulations regarding repetition of courses (Board Policy 713.02, August 9, 2017).

## Students with Disabilities

When a student approaches an instructor with a request for disability accommodation, the instructor should (1) document the request, and (2) refer the student and the request to the ADA Compliance Coordinator.

The ADA Compliance Coordinator will meet with the student, require appropriate documentation, and arrange to make the reasonable accommodations as needed. A committee of instructors may be included in these discussions. If the requested accommodation is not appropriate, the ADA Compliance Coordinator states the reasons in writing. However, all individuals concerned will make a good-faith effort to achieve the accommodation.

The key to providing reasonable accommodation in the classroom is a well-defined statement of the essential academic functions of the course or program. All students must be able to meet the essential academic functions, with or without accommodations.

When accommodations are requested, the statement of essential functions serves to inform all concerned, including the ADA Compliance Coordinator, what the student must do (with or without accommodations). This statement becomes vital in case of a legal challenge involving compliance with current disability regulations.

The essential academic functions should be developed and agreed upon at the division level. Tests and other evaluative measures in each class should reflect mastery of the essential functions.

For students with disabilities, modifications may be made in the presentation of the material or in the ways by which the student demonstrates mastery of the material; the essential academic functions, however, do not change. For instance, a speech-impaired student taking Fundamentals of Public Speaking may develop and present a speech using a voice synthesizer or may use sign language to present the speech through an interpreter. An English composition student who does not have the use of his or her hands may find alternate ways of producing written assignments. In either case, however, the standards of organization, documentation, and authenticity are the same for the student with the impairment as for all other students.

An instructor may not impose an accommodation on a student (e.g., require a student to sit in front because of a hearing impairment). Accommodations may be offered, not required. The meeting of the essential functions, with or without accommodations, is required.

A student's disclosure of a disability must be kept confidential. As a result of potential legal complications, instructors should avoid questioning about the disability – how the disability occurred, how long it may last, or the extent of the



limitation. The instructor should never question, nor imply to question, the genuineness of the disability to the student. Such questions may be communicated to the ADA Compliance Coordinator, who will require appropriate professional documentation of the disability before negotiating accommodations. Questions may safely focus on how the student can be helped to achieve the essential academic functions of the course.

The statement of essential academic functions should be made available to all students through a course outline distributed at the beginning of the course or program. This handout should include a statement to the effect that students who require reasonable accommodations to meet the essential functions should consult the ADA Compliance Coordinator.

## ADA Complaint Process

Northeast has adopted an internal complaint process providing for prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing Titles I and II of the Americans with Disabilities Act. Title I, Section 102(a) states that “No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. Title II, states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

1. As a first step, the party making a complaint should meet with the party with whom he or she is in disagreement and attempt to discuss and clarify the problem.
2. If the problem cannot be resolved in step one, the next step is for the complainant to discuss the complaint with the ADA Compliance Coordinator. If the complaint is lodged against the ADA Compliance Coordinator, the complainant will meet with the ADA Compliance Coordinator’s immediate supervisor.
3. If the ADA Compliance Coordinator is unable to resolve the issue informally, the complainant can file a formal complaint in writing. The written complaint must contain the name and address of the person filing the complaint, and it must briefly describe the alleged violation of the regulation. The complaint must be submitted to the ADA Compliance Coordinator within ten (10) business days of the alleged violation.
4. The ADA Compliance Coordinator will investigate the complaint. The investigation shall be an informal but thorough investigation, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Compliance Coordinator to the complainant no later than fifteen (15) business days after the complaint is filed. The report shall be delivered in person or to the address given in the written complaint, by certified mail, return receipt requested.
6. If the complainant is not satisfied with the decision of the ADA Compliance Coordinator, he or she may file a written appeal with the President specifically stating the objections to the decision within ten (10) business days after receipt of the decision. The President will appoint a committee of at least three persons to review the complaint. The Committee will review the decision of the ADA Compliance Coordinator solely on the following grounds, and none other:
  - e. to determine if there was substantial evidence to support the decision;
  - f. to determine if the student had a fair and impartial investigation regarding their case; and
  - g. to determine if there is new evidence which would affect the decision.
7. The committee will submit a recommendation to the President within thirty (30) days of the filing of request for reconsideration.
8. The President will review the committee report and will file a written response to the Complainant and the ADA Compliance Coordinator. The decision of the President shall be final under the provision of this complaint process.
9. If, after exhausting all available institutional processes, a student’s complaint remains unresolved, the student may appeal to the Alabama Community College System using the official Student Complaint Form, which is also available at the ACCS website ([www.accs.edu](http://www.accs.edu)). Students may submit completed complaint forms by printing the form, signing it, and then either (1) scanning it and emailing it to [complaints@accs.accs.edu](mailto:complaints@accs.accs.edu) (2) mailing it to:

Alabama Community College System  
Attention: Office of the Vice Chancellor for Instructional and Student Services  
P.O. Box 30213  
Montgomery, AL 36130-2130

The Division of Academic and Student Affairs will investigate the complaint within 30 days of receipt.

10. The institution has 30 days to provide a written response to questions and/or concerns raised during the Division of Academic and Student Affairs investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will judge the matter and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.

Notes: Any time limit set herein may be extended upon the written mutual consent of both parties. A copy of the complaint and resolution of the complaint will be kept on file with the ADA Compliance Coordinator for a minimum of five years. During resolution proceedings, the College shall use a preponderance of evidence to determine if a violation of policy has been made. The preponderance of evidence will consist of such evidence as, when considered and compared with that opposed to it, has more convincing force and produces in the mind's belief that what is sought to be proved is more likely true than not true.

Students requiring reasonable accommodations during the complaint process should contact the ADA Compliance Coordinator. Students should allow reasonable advanced notice so that reasonable accommodations may be arranged.

The Alabama Relay Center number for hearing-impaired persons using a TTY or text telephone is 711 or (800) 548-0259. The ADA Compliance Coordinator has been designated to coordinate accessibility of College programs and services, as well as other ADA compliance efforts.

All complaints related to disabilities should be addressed to:

Riley Holland  
ADA Compliance Coordinator  
Student Center 115  
Phone: (256) 638-4418, Ext.2222  
Email: [hollandr@nacc.edu](mailto:hollandr@nacc.edu).

## Pregnancy and Parenting Student Non-Discrimination Policy

### I. Policy Statement

It is the official policy of the Alabama Community College System Board of Trustees and entities under its direction and control, including Northeast Alabama Community College, that no person shall be discriminated against on the basis of any impermissible criterion or characteristic, including, without limitation, race, color, national origin, religion, marital status, disability, sex, age, or any other protected class as defined by federal and state law (Sources: ACCS Board of Trustees Policies 601.02 – 4/13/16 and 800.00 – 5/10/17). Northeast Alabama Community College is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972. Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities, hiring, leave policies, employment policies, and health insurance coverage. NACC hereby establishes a policy and procedures for ensuring the protection and equal treatment of pregnant persons, individuals with pregnancy-related conditions, and new parents.

Under the Department of Education's Title IX regulations, an institution that receives federal funding "shall not discriminate against any student or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom."

This generally means that pregnant students should be treated by Northeast Alabama Community College (NACC) the same way as someone who has a temporary disability and will be given an opportunity to make up missed work wherever possible. Extended deadlines, make-up assignments (e.g., papers, quizzes, tests, and presentations), tutoring, independent study, online course completion options, and incomplete grades that can be completed at a later date, should all be employed, in addition to any other ergonomic and assistive supports typically provided by Student Accessibility Services. To the extent possible, NACC will take reasonable steps to ensure that pregnant students who take a leave of absence return to the same position of academic progress that they were in when they took leave, including access to the same course catalog that was in place when the leave began. The Title IX Coordinator and student ADA Compliance Coordinator will determine that such accommodations are necessary and appropriate, and to inform faculty members of the need to adjust academic parameters accordingly.

As with disability accommodations, information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide the reasonable accommodation. Faculty and staff will regard all information associated with such requests as private and will not disclose this information to anyone unless there is a legitimate need to know. All accommodations proposed under this policy will be reviewed and approved by the Title IX Coordinator. Administrative responsibility for accommodations lies with the student ADA Compliance Coordinator, who will maintain all appropriate documentation related to accommodations.

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave.

Students are encouraged to work with their faculty members and NACC's support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The student ADA Compliance Coordinator will assist with plan development and implementation as needed.

## **II. Scope of Policy**

This policy applies to all aspects of NACC's programs and activities.

## **III. Definitions**

- a. "Medical necessity" is a determination made by a health care provider of a student's or employee's choosing.
- b. "Parenting" is the raising of a child by the child's parents in the reasonably immediate post-partum period.
- c. "Pregnancy and pregnancy-related conditions" include pregnancy, childbirth, false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions, in accordance with federal law.
- d. "Pregnancy discrimination" includes treating a woman affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected and includes a failure to provide legally mandated leave or accommodations.
- e. "Pregnant student/Birthparent" refers to the student who is or was pregnant. Although the pronoun "she" and "her" are used herein, this policy and its pregnancy-related protections apply to all pregnant persons regardless of gender identity or expression.
- f. "Reasonable accommodations" for the purposes of this policy are changes in the academic environment or typical operations that enable a pregnant student or student with a pregnancy-related condition to continue to pursue her studies and enjoy equal benefits of the College.

## **IV. Reasonable Accommodation of Students Affected by Pregnancy, Childbirth, or Related Conditions**

- a. NACC and its faculty, staff, and other employees shall not require a student to limit her studies due to pregnancy or pregnancy-related conditions.
- b. The benefits and services provided to students affected by pregnancy shall be no less than those provided to students with temporary medical conditions.
- c. Students with pregnancy-related disabilities, like any other student with a disability, are entitled to reasonable accommodation so they will not be disadvantaged in their courses of study or research and may seek assistance from the student ADA Compliance Coordinator.
- d. Where the Office of Admissions typically asks students to identify their disabilities and request accommodations two weeks prior to beginning college, deadline exceptions will be granted in the case of disabilities arising as a result of pregnancy or related conditions; however, NACC is limited in its ability to impact or implement accommodations retroactively.
- e. Reasonable accommodations may include, but are not limited to:
  - accommodations requested by the pregnant student to protect the health and safety of the student and/or her pregnancy (such as allowing the student to maintain a safe distance from hazardous substances);
  - modifications to the physical environment (such as accessible seating);
  - mobility support;
  - extending deadlines and/or allowing the student to make up tests or assignments missed for pregnancy-related absences;
  - offering remote learning options;
  - excusing medically necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division); and/or
  - granting leave or implementing incomplete grades for classes that will be resumed at a future date.
- f. Breastfeeding students must be granted reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible. The ADA Compliance Coordinator will work with the Title IX Coordinator to find an acceptable location.

- g. Nothing in this policy requires modification to the essential elements of any academic program. Pregnant students cannot be channeled into an alternative program or course against their wishes.

#### **V. Modified Academic Responsibilities Policy for Parenting Students**

- a. Students with child caretaking/parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth of a child may request an academic modification period for as long as it is deemed necessary by their medical doctor during the first six months from the time the child entered the home. Extensions may be granted when additional time is required by medical necessity or extraordinary caretaking/parenting responsibilities.
- b. Requests should be filed with the student ADA Compliance Coordinator in the Office of Admissions.
- c. The ADA Compliance Coordinator will discuss all accommodation requests with the Title IX Coordinator before implementation.
- d. During the modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate, in collaboration with the student ADA Compliance Coordinator, the Title IX Coordinator, the student's instructor(s), and/or the appropriate division directors or deans.
- e. Students seeking a period of modified academic responsibilities should contact the ADA Compliance Coordinator. The ADA Coordinator will coordinate accommodation-related efforts with the instructor(s) and any other necessary parties. Students are provided with a letter that details NACC's approved accommodations and students are encouraged to work with their instructor(s) to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate, once accommodation information is received from the ADA Coordinator. If, for any reason, parenting students are not able to work with instructor(s) to obtain appropriate modifications, students should alert the ADA Coordinator as soon as possible, who will help facilitate needed accommodations and modifications. Depending on the nature of the course, making up the exact missed assignment might not be feasible. The makeup work does not have to be exactly the same as the missed work but needs to be reasonably equivalent.
- f. Students can request modified academic responsibilities under this policy regardless of whether they elect to take a leave of absence.
- g. While receiving academic modifications, students will remain registered and retain educational benefits accordingly.

#### **VI. Leave of Absence**

- a. Faculty, staff, or other employees shall not require a student to take a leave of absence or withdraw from or limit their studies due to pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.
- b. Duration of Leave:
  - 1. Pursuant to Title IX, NACC shall treat pregnancy and related conditions as a justification for a leave of absence for as long a period of time as is deemed medically necessary by a student's physician.
  - 2. A student taking a leave of absence under this policy shall provide notice of the intent to take leave thirty days prior to the initiation of leave, or as soon as practicable.
  - 3. Intermittent leave may be taken with the advance approval of this accommodation or when medically necessary due to the student's health condition.
  - 4. Students who elect to take leave under this policy may register in a leave of absence status to continue their eligibility for certain benefits.
  - 5. Upon return from leave, the student will be reinstated to his or her program in the same status as when the leave began.
  - 6. The Title IX Office can and will advocate for students with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

#### **VII. Student Employee Leave**

Consideration will be given by the President for requests of temporary leaves of absence without pay or reduced work hours for part-time student employees who are pregnant or have recently given birth who do not qualify for leave under the Family and Medical Leave Act. The requests should be for a reasonable period of time, as determined by the President, at the conclusion of which the employee shall be reinstated to the status held when the leave or reduced hours began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

#### **VIII. Retaliation and Harassment**

- a. Harassment by any member of NACC community based on sex, gender, gender identity, gender expression, pregnancy, or parental status is prohibited.
- b. Faculty, staff, and other NACC employees are prohibited from interfering with a student's taking leave, seeking reasonable accommodation, or otherwise exercising her rights under this Policy.

- c. Faculty, staff, and other NACC employees are prohibited from retaliating against a student for exercising the rights articulated by this Policy, including imposing or threatening to impose negative educational outcomes because a student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the Policy.

## IX. Dissemination of the Policy and Training

A copy of this Policy shall be made available to faculty, staff, and employees in the Employee Handbook. NACC shall alert all new students to this Policy and the location of this Policy as part of orientation. The student ADA Compliance Coordinator will work with the Title IX Coordinator to make preventive educational materials available to NACC students and employees to promote compliance with this Policy and familiarity with its procedures. Institutions are covered by the ADA and the employee is entitled rights under the ADA concomitant to the nature of her condition.

## X. Compliance and Requesting Accommodations

- a. Accommodation requests under this policy should be made initially with the student ADA Compliance Coordinator, Ms. Riley Holland (256.228.6001, ext. 2222; SC 115; [hollandr@nacc.edu](mailto:hollandr@nacc.edu)).
- b. Any member of the NACC community may report a violation of this Policy to the Title IX Coordinator. All employees are responsible for promptly forwarding such reports to the Title IX Coordinator. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students. The Title IX Coordinator for NACC is Lynde Wheeler (256.228.6001, ext. 2230; PA 116; [wheelerl@nacc.edu](mailto:wheelerl@nacc.edu)).
- c. Complaint processes to address student and employee grievances are outlined in the Student Handbook on the NACC website.

# Service Animal Policy

## 1. Purpose

Northeast Alabama Community College is committed to supporting and making reasonable accommodations for students with disabilities to the best of its ability and within college policies. NACC is also committed to compliance with state and federal laws regarding individuals with disabilities.

This policy complies with the Americans with Disabilities Act (ADA) of 1990 as amended; Section 504 of the Rehabilitation Act of 1973.

## 2. Definitions

**Owner:** Owner means any person having an interest in or right of possession to a service animal or any person having control, custody, or possession of a service animal.

**Service Animal:** A service animal means any dog that is individually trained to do work or perform tasks for an individual with a disability, including physical, sensory, psychological, intellectual, or other mental disability. The work or task performed by the service animal must be directly related to the individual's disability.

## 3. Where Service Animals Are Allowed

Generally, owners of service animals are permitted to be accompanied by their service animal in all areas of the college facilities and programs where the owner is allowed to go. Such areas include public areas, public events, classrooms, and other areas where college programs or activities are held. Limited exceptions for service animal access are noted under [Section 8](#).

## 4. Assessing Service Animal Status

### A. Permitted Inquiries

College personnel must permit service animal access to an event or activity with its owner when it is readily apparent that the animal is trained to do work or perform tasks for its owner. Examples include, but are not limited to, a dog guiding an individual who is blind or has low vision, pulling an individual's wheelchair, or aiding with stability or balance to an individual with an observable mobility disability.

If the need for the service animal is not apparent, college personnel may only ask the following of service animal owners:

- Is the animal required because of a disability?

- What work or task has the animal been trained to perform?

If the owner states that the animal is required because of a disability and that the animal has been trained to do work or a task for the owner, then the service animal must be admitted. (See [Section 8](#)) for areas where a service animal may be excluded). If there is any doubt that an animal is a service animal, college personnel should admit the animal and then consult the ADA Compliance Coordinator regarding future access.

Service animal owners must not be asked about the nature of their disability or for medical documentation proof. Owners may not be asked for a special registration, identification card, license, or other documentation that the animal is a service animal or to demonstrate the animal's ability to perform work or tasks.

## **B. College Assistance**

Service animal owners, including students and guests, who regularly access college buildings should contact the designated ADA Compliance Coordinator ([Section 10](#)). The ADA compliance Coordinator can then assist the owner by providing advance notice to college personnel, such as faculty, advisors, building coordinators, etc., that the owner and service animal are entitled to access.

## **5. Service Animal Owners' Responsibilities**

Service animal owners are responsible for damage or injury caused by the service animal. Owners are responsible for complying with any relevant city, county, and or state license and leash laws while the service animal is on college premises. Owners are responsible for maintaining the service animal including, but not limited to, the following:

- Keeping the service animal under their direct control at all times, such as by a harness, leash, or other tether; however, if the use of a harness, leash, or other tether interferes with the service animal's safe, effective performance of work or tasks, or if the owner's disability prevents the use of such devices, then the service animal must be under the owner's control through voice control, signals, or other effective means;
- Ensuring the service animal does not disturb or disrupt normal academic or administrative functions;
- Immediately cleaning up after the service animal and properly disposing of the service animal's waste or other debris;
- Preventing the service animal from entering any fountain or pond located on the college premises; and
- Complying with any relevant city, county, and/or state license and leash laws while the service animal is on college premises.

## **6. Removal of Service Animals from the College Facilities**

College personnel may only ask service animal owners to remove their service animal from college premises or from the immediate area as follows:

- If the service animal is not under the owner's direct control or the service animal is disturbing or disrupting the normal administrative, academic, or programmatic routine, the owner must be given an opportunity to get the animal under control. If the disruption or disturbance continues, the owner may be asked to remove the animal; or
- If the presence, behavior, or actions of the service animal constitutes an immediate risk or danger to people or property, the owner can be asked to immediately remove the animal and 911 (emergency assistance) may be contacted.

If asked to remove the service animal, the owner must be offered the opportunity to return to the college premises or the immediate area without the service animal and be provided with reasonable assistance at that time to participate in the college service or program.

A service animal may only be excluded for an individual event based on its or the owner's behavior at that event. The service animal or its owner cannot be excluded from future events based on a problem at a past event, except as provided in [Section 7](#).

Owners with concerns about the removal of their service animal should contact the ADA Compliance Coordinator (See [Section 10](#)).

## 7. Violations of Policy

Depending on the seriousness of the animal's conduct or repeated conduct, service animals may be excluded from college property temporarily or permanently. The ADA Compliance Coordinator is responsible for conducting the necessary assessments regarding ongoing or permanent removal of a service animal. If a service animal is excluded, the ADA Compliance Coordinator will evaluate reasonable accommodations for the owner (see [Section 10](#)).

Owners who violate this policy or disregard an instruction to remove or exclude a service animal from college property may be subject to additional penalties, including banning from any college property or other fines or penalties under applicable city, county, or state rules, regulations, or laws. Violations of this policy by the owner may be referred for corrective or disciplinary action.

## 8. Restrictions on Access for Service Animals

A service animal may be restricted from specific areas of the college when consistent with other college policies, state, and/or federal laws/regulations.

Examples of these areas may include:

- Food preparation areas;
- Medically sensitive patient and clinic areas; and
- Biologically sensitive or hazardous sites.

If a service animal is restricted from certain areas, the designated ADA Compliance Coordinator will assist in evaluating reasonable accommodations for the owner (see [Section 10](#)).

## 9. Service Animals in Training

Service animals in training may be permitted, but any individual bringing a service animal in training on college property is responsible for complying with this policy, including [Section 5](#).

## 10. ADA Compliance Coordinator

Disability services are available for students enrolled at Northeast Alabama Community College and campus visitors. The ADA Compliance Coordinator is available, by appointment, to review individual concerns relating to compliance and to provide compliance support for discrimination based on disability and providing access and reasonable accommodation for persons with disabilities.

ADA Compliance Coordinator: Riley Holland  
Email : [hollandr@nacc.edu](mailto:hollandr@nacc.edu)  
Phone: 256-638-4418 Ext. 2222

## 11. Complaint Resolution Resources

Individuals who wish to make a complaint of discrimination, including a failure to permit access to a service animal under this policy, should follow the ADA Complaint Process adopted by the college. This process can be found in the NACC Catalog and Student Handbook and on the Disability Services webpage on the NACC website.

Individuals who wish to file allegations of discrimination may also contact the U.S Department of Education Office for Civil Rights (OCR).

## New Instructional Programs

New instructional programs are recommended by NACC faculty and division directors to the Curriculum Committee and to administration using the Application for Addition of a Program to the Curriculum form. If approved, the College will submit an application to ACCS, who submits the program application to ACHE for approval. New instructional programs must meet all deadlines established by the Board and Alabama Commission on Higher Education (ACHE). Approval by the Board does not guarantee approval by accrediting bodies (Board Policy 702.01, June 2017).

## Nondiscrimination Policy for Programs

It is the official policy of the Alabama Community College System Board of Trustees and entities under its direction and control, including Northeast Alabama Community College, that no person shall be discriminated against on the

basis of any impermissible criterion or characteristic, including, without limitation, race, color, national origin, religion, marital status, disability, sex, age, or any other protected class as defined by federal and state law. (Sources: ACCS Board of Trustees Policies 601.02 – 4/13/16 and 800.00 – 5/10/17) *Updated: 12/13/2017*

## Extended Day Services

Campus Police remain on duty throughout the evening hours and past all operational times. Officers may be contacted by telephone (256.609.1060) or through any NACC faculty or staff member.

The following services are available with extended hours:

<b>Extended Day Services</b>	<b>Closing Time</b>
Campus Police	Seven days a week
College Café	Monday-Friday 9:30 a.m. - 2:30 p.m. Monday-Thursday 7:30 a.m. - 8:00 p.m.
Learning Resource Center (Library)	Friday 7:30 a.m. - 3:00 p.m.
Student Services (i.e. Admissions, Financial Aid)	Monday-Tuesday until 5:30 p.m. Monday and Thursday 8:00 a.m. - 5:00 p.m.
Textbooks, Etc. (Bookstore)	Tuesday and Wednesday 8:00 a.m. - 2:00 p.m. Friday 8:00 a.m. - 2:00 p.m.
Technology Learning Center Lab, BE107 (with tutors)	Monday-Thursday 8:00 a.m. - 7:00 p.m.
Tutoring Services (Math Labs & Writing Center)	Friday 8:00 a.m. - 2:00 p.m. Monday-Friday (Varies by location/tutor availability) Please make an appointment on advisor trac.

Additional offices offer extended hours during registration periods.

## Student Role in Institutional Decision Making

NACC is a public college and welcomes input from students regarding institutional decision making. Student surveys are conducted periodically to help determine needs, establish policies, and develop programs.

Student members serve on relevant committees that make recommendations regarding institutional policies and procedures. Additionally, the Student Government Association (SGA) encourages students to participate in institutional decision making.

## Supervision of Student Activities

All formal student activities must have a campus sponsor (faculty, administrator, or professional staff). The College deems campus sponsorship important and necessary for both academic and legal reasons. Sponsors are to encourage wholesome and creative student efforts. The procedure for initiating student activities is outlined in the Student Handbook section of the College *Catalog*.

The administration of the College is committed to the fulfillment of academic, legal, ethical, and moral responsibilities with regard to student activities. Federal and state laws as well as Board policies regarding student activities are to be upheld. Student activities personnel are to adhere to these principles as an integral part of their professional duties.

## Solicitation and Sales

An agent, vendor, or solicitor shall not be permitted on campus to distribute literature, solicit funds, or sell to faculty, staff, students, or campus organizations without specific approval by the President or an authorized designee (Board Policy 515.01, 04/13/16). An agent, vendor, or solicitor will not be allowed to sell merchandise or services to students on campus or via the College website except when sponsored by a student organization or approved by the President or authorized designee. Sponsorship by a student organization involves bearing the responsibility for the reputation of the vendor. Sponsorship by a student organization also involves the requirement of student participation in the actual selling as well as ensuring that the sponsoring student organization receives a significant portion of the receipts from sales. On-campus solicitation or other solicitations originated by students to raise funds for college-related activities may be permitted only with prior approval of the President or authorized designee. Solicitation for non-college-related activities shall not be permitted on campus except with the approval of the President or authorized designee. Charitable, tax-exempt organizations will be considered on an individual basis.



# Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

## Institutional Complaint Procedures

A student who feels unjustly treated by the College, including its agents, may file a complaint. All current student complaint policies and procedures are published annually in the *Catalog*.

## Anti-Harassment, Physical Assault, and Anti-Discrimination Policy

Northeast Alabama Community College (NACC) is committed to providing both employment and educational environments free of harassment, physical assault, or discrimination related to an individual's race, color, national origin, religion, marital status, disability, gender, age, sex, sexual orientation, or other protected class as defined by federal and state law. Such harassment, discrimination, and assault are violations of NACC and the Alabama Community College System policies. Discrimination on the basis of race, color, religion, sex, sexual orientation, and national origin is illegal under Title VII of the Civil Rights Act of 1964. Discrimination on the basis of sex is illegal under Title IX of the Educational Amendments of 1972. Discrimination on the basis of age is illegal under the Age Discrimination Act of 1975.

A nondiscriminatory environment is essential to the mission of the College. Any practice or behavior that constitutes harassment, physical assault, or discrimination shall not be tolerated on campus, at any off-campus site, or in any division or department by any employee, student, agent, or non-employee on the institution's property and while engaged in any institutionally-sponsored activities. It is within this commitment of providing a harassment-free environment and in keeping with the efforts to establish an employment and educational environment in which the dignity and worth of members of the college community are respected that harassment, physical assault, and discrimination of students and employees is unacceptable conduct and shall not be tolerated at the College.

For these purposes, the term "harassment" includes, but is not necessarily limited to, the following: slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, religion, creed, sex, gender identity, transgender status, pregnancy, national origin, disability, sexual orientation, military or veteran's status, genetic information, age or any other characteristic that is protected by applicable state or federal law or the Alabama Community College System policies. Harassment also includes Sexual Harassment, which is forbidden by the NACC Code of Conduct and the College's Title IX Sexual Harassment Policy. Complaints of Title IX sexual harassment can be made according to the procedures outlined in the College's Title IX Sexual Harassment Policy. Complaints for harassment that fall outside the purview of Title IX sexual harassment will be governed by the Code of Conduct and general complaint policies.

Employees and students of the College shall strive to promote an environment that fosters personal integrity where the worth and dignity of each human being is realized, where democratic principles are promoted, and where efforts

are made to assist colleagues and students to realize their full potential as worthy and effective members of society. Administrators, professional staff, faculty, and support staff shall adhere to the highest ethical standards to ensure a professional environment and to guarantee equal educational opportunities for all students.

The employees of the College determine the ethical and moral tone for the College through both their personal conduct and their job performance. Therefore, each employee must be dedicated to the ideals of honor and integrity in all public and personal relationships. Relationships between College personnel of different ranks, including that of instructors and students, which involve partiality, preferential treatment, or the improper use of position shall be avoided. Further, such relationships may have the effect of undermining the atmosphere of trust on which the educational process depends. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students or employees there is always an element of power. It is incumbent on those with authority not to abuse the power with which they are entrusted.

All personnel shall be aware that any romantic relationship (consensual or otherwise) or any other inappropriate involvement with another employee or student makes them liable for formal action against them if a complaint is initiated by the aggrieved party in the relationship. Even when both parties have consented to the development of such a relationship, it is the supervisor in a supervisor-employee relationship, the faculty member in a faculty-student relationship, or the employee in an employee-student relationship who shall be held accountable for unprofessional behavior.

Harassment of employees or students by non-employees on the institution's property and while engaged in any institutionally-sponsored activities is also a violation of this policy. Any employee or student who becomes aware of any such harassment shall report the incident(s) to the Dean of Student Services, Campus Police, or Title IX Coordinator. Intimidation and retaliation against complainants, respondents, and witnesses are forbidden under this policy, Title IX, and by the College's Code of Conduct.

## Campus Safety

### **Safety and Security**

The College provides a safe environment for students, faculty, staff, and campus visitors. A person who is not a student, officer, or employee of the College; who is not authorized by employment or by status as a student of the College to be on campus or at any other facility owned, operated, or controlled by the governing board of the College; who does not have legitimate business on the campus or facility, or any other authorization, license, or invitation to enter or remain at the facility; or anyone who is committing any act tending to interfere with the normal, orderly, peaceful, or efficient conduct or activities of such facility may be directed by an official of the College to leave the campus or facility. If the person fails to do so, trespass charges may be made by the College through the appropriate local law enforcement agency or court.

The College has established a Crisis Management Plan to guide in emergency situations. All personnel should be familiar with this plan and should have the document available for quick reference. Employees can obtain a copy of the plan by contacting the Office of the President or by accessing it on the Publications page of the website. Additionally, the college publishes an Annual Security Report, available on the Campus Police webpage, which outlines timely warning procedures in cases of Clery Act-related warnings.

### **Visitors to Campus Requesting to See a Student**

Upon arriving on campus, a visitor wishing to see a student is required to go directly to the Office of the Campus Police in the Student Center to get a visitor's pass. The campus officer will ask the visitor to wait in the campus police office. Unless it is an emergency, the officer will wait until the student's class has ended, then ask the instructor to step into the hall with the student, where the officer will ask the student if he or she agrees to see the visitor. If the student refuses to see the visitor and/or feels endangered, the police officer will take appropriate steps to ensure that the visitor leaves campus.

### **Student Health Emergency Situations**

In an emergency situation requiring first aid, instructors are urged to offer assistance to the best of their ability. However, primary concern should be to get medically authorized personnel to the individual as quickly as possible. This may be accomplished by calling 9-1-1 (dialing out on the Rainsville line will contact the closer ambulance service). Alternately, you can contact campus police at 256-609-1060.

## **Firearms on Campus**

Firearms are prohibited in any building operated by the institution. Exceptions to this policy are Law Enforcement officers legally authorized to carry such weapons who are officially enrolled in classes or are acting in the performance of their duties or an instructional program in which firearms are required equipment (Board Policy 511.01, 12/14/22).

## **Violence Threat Response**

It is the intent of the ACCS Board of Trustees and Northeast Alabama Community College to provide a safe workplace and a safe educational environment, free of acts or threatened acts of violence, including hostile behavior, physical or verbal abuse, or possession of weapons or dangerous materials of any kind on System or college property or while conducting System or college business against employees, contractors, students, visitors, or anyone else. This policy provides a planned and immediate response to such incidents. Violence or threats of violence will not be tolerated.

*Third Party Influences:* Contractors, students, and/or visitors purposefully threatening the safety of others on college premises may be subject to immediate removal from the premises and/or prosecution under the law. Students may also be subject to disciplinary procedures under the institution's student discipline code.

*Employees.* To ensure both safe and efficient operations, the ACCS Board of Trustees expects and requires all System employees to display common courtesy and to engage in safe and appropriate behavior on the job at all times. Any involvement in acts or threatened acts of violence, including hostile behavior, physical or verbal abuse, or possession of weapons or dangerous materials of any kind is considered unacceptable behavior that violates this standard of appropriate behavior in the workplace and in the educational environment. Employees are responsible for their conduct on System premises, whether they are on or off duty. ACCS and institutional rules of conduct and behavior expectations also apply when employees are traveling on System business as well as any time employees are working for or are representing the Alabama Community College System away from the premises.

NACC will promptly investigate any physical or verbal altercation, threats of violence, or other conduct by employees that threatens the health or safety of other employees, students, or the public or otherwise might involve a breach of or departure from the conduct standards in this policy. A search of property may be conducted, under appropriate circumstances. All incidents of physical altercations or threats of violence are treated as gross misconduct and will result in disciplinary action up to and including termination of employment for employees and disciplinary action up to and including expulsion for students.

Retaliation in any form against an individual who exercises his or her right to make a complaint under this policy, or who provides information in the investigation of a complaint, is strictly prohibited and will result in appropriate disciplinary action up to and including termination of employment for employees and appropriate disciplinary action up to and including expulsion for students (Board Policy 219.01, 12/14/16).

## **Hazardous Substances and Bloodborne Pathogen Awareness**

Personnel should recognize that blood and other body fluids are potentially infectious. Both the nursing and the emergency medical services programs maintain policies for awareness and prevention of infection among faculty and students in these programs. Students in emergency medical services and nursing are instructed according to written policies in safe response to biological hazards, considering that exposure to such hazards can be reasonably anticipated in the normal course of clinical activities. Instructors and students are expected to follow and enforce all procedures defined by their department.

Communication and implementation of these policies are handled by the respective program directors, and the written policies are available on request.

The Natural Sciences Division prohibits the use of human blood in any laboratory activity. A self-inspection checklist is utilized annually in this department to assure safe lab practices.

All instructors should take every reasonable precaution to protect students from exposure to potentially infectious substances. Cleanup of hazardous spills should be handled by trained maintenance personnel. Procedures for responding to chemical spills or leaks are published in the NACC Crisis Management Plan.

