



MONTGOMERY COMMUNITY COLLEGE

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MONTGOMERY COMMUNITY COLLEGE BOARD OF TRUSTEES AGENDA

The regular meeting of the Montgomery Community College Board of Trustees will be held on Wednesday, May 8, 2019 at 5:00 p.m. in the Montgomery Community College Boardroom. The Board will meet as a Committee of the whole.

Call to Order Claudia Bulthuis, Chairman

Welcome.....Claudia Bulthuis

Approval of the Agenda – (Action)Claudia Bulthuis

Board of Ethics Reminder.....Claudia Bulthuis

In keeping with MCC Board Policy 1.4 Conflict of Interest and Chapter 138A of the North Carolina Board of Ethics, any potential or actual conflicts of interest with matters coming before the Board of Trustees should be declared. Having reviewed our agenda for this evening’s meeting, are there any conflicts or potential conflicts of interest to be announced? If so, please state them at this time.

Approval of April Board and Committee Meeting Minutes – Appendix A (Action) .. Claudia Bulthuis

Standing Committees

Budget & Finance Committee Susan Eggleston, Chairman

- April Financial Reports – **Appendix B-1 (Action)**.....Jeanette McBride
- March Foundation Fund Statements – **Appendix B-2** Korrie Ervin
- Foundation Update..... Korrie Ervin

Building & Grounds Committee Gordon Knowles, Chairman

- Facilities Report – **Appendix C-1**.....Jeanette McBride
- Construction Update – **Appendix C-2** Dr. Chad Bledsoe

Personnel Committee.....Gelynda Capel, Chairman

- Notice of Resignation
 - Director of NC Works Center – **Appendix D-1**Gelynda Capel

Curriculum/Student Services Committee..... Bill Price, Chairman

- Update from Vice President of Instruction – **Appendix E-1** Lee Proctor

- Continuing Education – **Appendix E-2**..... Lee Proctor
- Update from Vice President of Student Services – **Appendix E-3**..... Beth Smith

Legislative/Public Relations Committee..... Andrea Marshall, Chairman

- Legislative Update – Dr. Chad Bledsoe
 - CC 19-013 - Proposed Amendment of 1D SBCCC 400.11 - Education Services for Minors – **Appendix F-1**
 - CC 19-014 - Adoption of 1B SBCCC 200.3 Establishing Multi-Campus Centers – **Appendix F-2**
- Public Relations/Marketing Update – **Appendix F-3** Michele Haywood

Institutional Status Committee..... Dr. Johnny McKinnon, Chairman

- Board Policy Manual Dr. Chad Bledsoe
 - Section 3, Part 3.2 – **Appendix G-1 – Second Reading – (Action)**
 - Section 3, Part 3.3 and Part 3.4 – **Appendix G-2 – First Reading**
 - Policy 2.2.3 – Facility Use – **Appendix G-3 – First Reading**
- Board Self Evaluation..... Carol Holton

SGA Report – Appendix H Jennifer Haywood, SGA President2

President’s Report – Appendix I..... Dr. Chad Bledsoe

Chairman’s Report..... Claudia Bulthuis

- Board of Trustees Handbook – **Appendix J – First Reading**
- Calendar of Events – **Appendix K**

Adjourn – (Action)..... Claudia Bulthuis

Minutes

Regular Meeting of the Board of Trustees Montgomery Community College

Wednesday, April 10, 2019

Call to Order

The regular meeting of the Board of Trustees of Montgomery Community College was called to order at 7:00 p.m. by Claudia Bulthuis, Chairman, with the following members present:

Present

Phil Absher
Claudia Bulthuis
Gelynda Capel
Paula Covington
Susan Eggleston

George Gilbreath
Robert Harris
Susan Hershberger
Johnny McKinnon
Bill Price

Absent

Gordon Knowles
Andrea Marshall
Jennifer Haywood, SGA President

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administration Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; Mark Dye, Director of Gunsmithing and NRA Programs; Courtney Atkins, Assistant to the President; Russell Ingram, NCWorks Director; Shavier Mason, Assistant to the Dean of Continuing Education; George Vann, SECU Manager; Lupe Pena, SECU; Holly Lyons and Tammy Haywood, SECU Scholarship Recipients.

Welcome

Mrs. Bulthuis welcomed all in attendance including, Mark Dye, Director of Gunsmithing and NRA Programs; George Vann, SECU Manager; Lupe Pena, SECU and SECU Foundation Scholarship Recipients and their families.

Approval of the Agenda - Action

Mr. Price made a motion, seconded by Mrs. Capel, to approve the agenda for the April 10, 2019 meeting. The motion carried.

Board of Ethics

Mrs. Bulthuis read the ethics statement, reminding the Board of Chapter 138A of the State Government Ethics Act and the Montgomery Community College Board Policy 130.05 Conflict of Interest, and asked if there were any potential or actual conflicts of interest.

No conflicts of interest were declared.

SECU Awards Presentation

Mr. Vann and Mrs. Pena presented two scholarship awards from State Employees Credit Union.

Board Presentation – Mark Dye, Director of Gunsmithing and NRA Programs

The Board received a presentation from Mark Dye, Director of Gunsmithing and NRA Programs.

Approval of March Board, Committee, Board Retreat and Called Personnel Committee Meeting Minutes– Appendix A

Mr. Eggleston made a motion, seconded by Mr. Price, to approve the March Board, Committee, Board Retreat and Called Personnel Committee Meeting Minutes. The motion carried.

STANDING COMMITTEE REPORTS

Budget and Finance Committee – Susan Eggleston, Chairman

The Budget and Finance Committee met earlier this afternoon (see attached minutes – Attachment A) and Mrs. Eggleston, Chairman, reported from the committee the following items:

- The committee reviewed the March financial reports presented by Mrs. McBride. The committee approved, and Mrs. Eggleston made a motion to approve, the financial reports as a matter of information. Coming from committee, this required no second. The motion carried.
- The committee reviewed the Write Offs presented by Mrs. McBride. The committee approved, and Mrs. Eggleston made a motion to approve, the Write Offs as a matter of information. Coming from committee, this required no second. The motion carried.
- The committee received an update on the February Foundation Funds Statement presented by Mrs. Ervin.
- The committee received a Foundation update provided by Mrs. Ervin.

Building and Grounds Committee – Claudia Bulthuis, Vice Chairman

The Building and Grounds Committee met earlier this afternoon (see attached minutes – Attachment B) and Mrs. Bulthuis, Vice Chairman, reported from the committee the following items:

- The committee reviewed Appendix C-1, the Facilities Report.
- The committee reviewed Appendix C-2, an update on the Construction and Building Projects Timeline.

Personnel Committee – Gelynda Capel, Chairman

The Personnel Committee met earlier this afternoon (see attached minutes - Attachment C) and Mrs. Capel, Chairman, reported from the committee the following items:

- The committee received Appendix D-1, the resignation of Robert Nelson, Psychology Instructor.

Curriculum/Student Services Committee – Bill Price, Chairman

The Curriculum/Student Services Committee met earlier this afternoon (see attached minutes – Attachment D) and Mr. Price, Chairman, reported from the committee the following items:

- The committee received an update regarding Instruction from Mr. Proctor.
- The committee received an update regarding Continuing Education from Mr. Proctor.
- The committee received an update regarding Student Services from Mrs. Smith.

Legislative/Public Relations Committee – Paula Covington, Vice Chairman

The Legislative/Public Relations Committee met earlier this afternoon (see attached minutes- Attachment E) and Mrs. Covington, Vice Chairman, reported from the committee the following items:

- The committee received a Legislative update from Dr. Bledsoe.
- The committee received a Public Relations/Marketing update from Michele Haywood.

Institutional Status Committee – Dr. Johnny McKinnon, Chairman

The Institutional Status Committee met earlier this afternoon (see attached minutes- Attachment F) and Dr. McKinnon, Chairman, reported from the committee the following items:

- The committee reviewed Appendix G-1, Policy 3.1.9 of Section 3, Part 3.1, of the Board Policy Manual.
- The committee received Appendix G-2, Section 3, Part 3.1 of the Board Policy Manual. The committee approved, and Dr. McKinnon made a motion to approve, Section 3, Part 3.1 of the Board Policy Manual. Coming from committee, this required no second. The motion carried.
- The committee received Appendix G-3, Section 3, Part 3.2 for a first reading.

SGA Update – Appendix H

Mrs. Smith presented the SGA report.

President’s Report – Dr. Chad Bledsoe – Appendix I

Dr. Bledsoe reported on activities since the last meeting and upcoming activities as noted in Appendix I. In addition to his report, he noted the following:

- The NCWorks Career Fair was held on March 14, 2019 and was well attended.
- Dr. Bledsoe and Mrs. Eggleston attended a NC Rural Day event on March 26, 2019 in Raleigh.
- Dr. Bledsoe and several Trustees attended the NCACCT Seminar on April 3-5, 2019 in Raleigh.
- The annual Lunch with Legislators was held on April 8, 2019.
- The College has received official notification from NCLive of two, \$1,000 grants for open source textbooks.

- Dr. Bledsoe and Dr. Ellis have partnered with Education Strategies that will be completing a review of the CTE initiative.

Chairman’s Report – Claudia Bulthuis, Chairman – Appendix J

Mrs. Bulthuis shared correspondence with the Trustees.

Mrs. Bulthuis presented Appendix J, the calendar of events; she noted the following:

- The BLET Graduation will be held on May 2, 2019.
- The LPN Pinning Ceremony will be held on May 7, 2019.
- Graduation and the full meeting of the Board will be held on May 8, 2019.

Presidential Evaluation Schedule

- **Results are discussed with Dr. Bledsoe at April BOT Meeting.**

Closed Session

Mr. Absher made a motion, seconded by Mr. Price, to go into closed session pursuant to North Carolina General Statute section 143-318.11(a)(1) to prevent the disclosure of information that is confidential or privileged pursuant to North Carolina General Statute section 115D-27 to discuss the Presidential Evaluation at 7:30 p.m. The motion carried. No action was taken during closed session.

Mr. Price made a motion, seconded by Mrs. Eggleston, to return to open session at 7:38. The motion carried.

Mrs. Bulthuis reported that the 2018 Presidential Evaluation has been complete.

There being no further business, Mr. Price made a motion, seconded by Mrs. Capel, to adjourn the meeting at 7:40 p.m. The motion carried.

Claudia Bulthuis, Chairman

**Budget & Finance Committee
Minutes**

The Budget & Finance Committee of the Board of Trustees of Montgomery Community College met on Wednesday, April 10, 2019 at 5:31 p.m. in the College Boardroom

Present

Susan Eggleston, Chairman
Phil Absher
Claudia Bulthuis

Absent

Susan Hershberger, Vice Chairman
Gordon Knowles

Others Present

Gelynda Capel
Paula Covington
George Gilbreath
Robert Harris
Bill Price

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administrative Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; and Courtney Atkins, Assistant to the President.

Committee roll was taken by Chairman Eggleston and all committee members were present except for Susan Hershberger, Vice Chairman, and Gordon Knowles.

Mr. Absher made a motion, seconded by Mrs. Bulthuis, to approve the March committee minutes. The motion carried.

March Financial Reports – Appendix B-1 – Jeanette McBride – (Action)

Mrs. McBride presented Appendix B-1, the February Financial Reports.

- As of March 31, 2019, County fund expenditures were \$555,408 or, 72% of the budget. It is expected that 100% of budget will be expended by the year end.
- As of March 31, 2019, there were \$248,826 available for Capital Expenditures.
- As of March 31, 2019, State funds expenditures were \$5,297,698 or, 69% of the budget.
- As of March 31, 2019, the Institutional Fund balance was \$693,784.
- As of March 31, 2019, the balance in the STIF account was \$193,669.

Mrs. Bulthuis made a motion, seconded by Mr. Absher, to approve the March Financial Funds report. The motion carried.

Mrs. McBride also reported that the financial audit for the Business Office is complete and the College received a clean report.

Write Offs – Appendix B-2 – Jeanette McBride – (Action)

Mrs. McBride presented Appendix B-2, the Write Offs for 2019. The write offs for this fiscal year is \$21,718.65, which is down \$52,700 from the prior year.

Mr. Absher made a motion, seconded by Mrs. Bulhuis, to approve the March Financial funds report. The motion carried.

February Foundation Fund Statement – Appendix B-3 – Korrie Ervin

Mrs. Ervin presented Appendix B-3, the February Foundation Fund Statement. As of February 28, 2019, the balance of Foundation Funds totaled \$3,631,576, which reflects a market gain of \$77,000. During this month, \$68,000 has been spent in scholarships.

Foundation Update – Korrie Ervin

Mrs. Ervin gave a Foundation Update. She noted that the Foundation has received two endowed scholarships totaling \$10,000 each. One endowed scholarship came from a retired nurse that will help the ADN Program. The other scholarship came from Troy Lumber. The 21st annual golf tournament will be held on April 12, 2019. Currently, there are 17 teams signed up, 5 tournament sponsors, 4 friend of the foundation sponsors, 2 cart sponsors, 10 team sponsors and 37 hole sponsors.

There being no further business, the meeting adjourned at 5:37 p.m.

**Building & Grounds Committee
Minutes**

The Building & Grounds Committee of the Board of Trustees of Montgomery Community College met on Wednesday, April 10, 2019 at 5:37 p.m. in the College Boardroom.

Present

Claudia Bulthuis, Vice Chairman
Gelynda Capel
Robert Harris

Absent

Gordon Knowles, Chairman
Johnny McKinnon

Others Present

Phil Absher
Paula Covington
Susan Eggleston
George Gilbreath
Bill Price

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administrative Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; and Courtney Atkins, Assistant to the President.

Mrs. Bulthuis, Vice Chairman, called the meeting to order.

Committee roll was taken by Vice Chairman, Bulthuis and all committee members were present except for Gordon Knowles, Chairman.

Mr. Harris made a motion, seconded by Mrs. Capel, to approve the March committee minutes. The motion carried.

Facilities Report – Appendix C-1 – Jeanette McBride

Mrs. McBride presented Appendix C-1, the facilities report.

Construction Update – Appendix C-2 – Dr. Chad Bledsoe

Dr. Bledsoe presented Appendix C-2, the Construction Update timeline. The roof replacement on Blair Hall is complete. The HVAC in Capel Hall is complete. The second phase of construction in Blair Hall will begin soon. The HVAC renovations in Blair Hall have been awarded to Wallace-Dunn.

There being no further business, the meeting adjourned at 5:41 p.m.

**Personnel Committee
Minutes**

The Personnel Committee of the Board of Trustees of Montgomery Community College met on Wednesday, April 10, 2019 at 5:41 p.m. in the College Boardroom.

Present

Gelynda Capel, Chairman
Phil Absher, Vice Chairman
Paula Covington
George Gilbreath
Claudia Bulthuis

Absent

Others Present

Susan Eggleston
Robert Harris
Bill Price

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administrative Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; and Courtney Atkins, Assistant to the President.

Mrs. Capel, Chairman, called the meeting to order.

Committee roll was taken by Chairman Capel and all committee members were present.

Mrs. Covington made a motion, seconded by Mr. Gilbreath, to approve the March committee and called committee minutes. The motion carried.

Notice of Resignation – Appendix D-1 – Psychology Instructor – Gelynda Capel

Mrs. Capel presented Appendix D-1, the resignation of Robert Nelson for the position of Psychology Instructor.

There being no further business, the meeting adjourned at 5:42 p.m.

**Curriculum/Student Services Committee
Minutes**

The Curriculum/Student Services Committee of the Board of Trustees of Montgomery Community College met on Wednesday, April 10, 2019 at 5:42 p.m. in the College Boardroom.

Present

Bill Price, Chairman
Susan Eggleston
Claudia Bulthuis

Absent

Andrea Marshall, Vice Chairman
Susan Hershberger

Others Present

Phil Absher
Gelynda Capel
Paula Covington
George Gilbreath
Robert Harris

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administrative Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; and Courtney Atkins, Assistant to the President.

Mr. Price, Chairman, called the meeting to order.

Committee roll was taken by Chairman Price and all committee members were present except for Andrea Marshall, Vice Chairman, and Susan Hershberger.

Mrs. Eggleston made a motion, seconded by Mrs. Bulthuis, to approve the March committee minutes. The motion carried.

Update from Vice President of Instruction – Appendix E-1 – Lee Proctor

Mr. Proctor gave an update on Instructional Activities as presented in Appendix E-1.

Update from Dean of Continuing Education – Appendix E-2 – Lee Proctor

Mr. Proctor gave an update on Continuing Education activities as presented in Appendix E-2.

Update from Vice President of Student Services – Appendix E-3 – Beth Smith

Mrs. Smith gave an update on Student Services activities as presented in Appendix E-3

There being no further business, the meeting adjourned at 5:51 p.m.

**Legislative/Public Relations Committee
Minutes**

The Legislative/Public Relations Committee of the Board of Trustees of Montgomery Community College met on Wednesday, March 13, 2019 at 5:51 p.m. in the College Boardroom.

Present

Paula Covington, Vice Chairman
Bill Price
Claudia Bulthuis

Absent

Andrea Marshall, Chairman

Others Present

Phil Absher
Gelynda Capel
Susan Eggleston
George Gilbreath
Robert Harris

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administrative Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; and Courtney Atkins, Assistant to the President.

Mrs. Covington, Vice Chairman called the meeting to order.

Committee roll was taken by Vice Chairman Covington, and all committee members were present except for Andrea Marshall, Chairman.

Mr. Price made a motion, seconded by Mrs. Bulthuis, to approve the March committee minutes. The motion carried.

Legislative Update – Dr. Chad Bledsoe

Dr. Bledsoe reported that Mrs. Bulthuis, Mrs. Eggleston, Mr. Gilbreath and himself attend the NCACCT seminar April 3-5, 2019. They were able to tour the capital and spoke to legislators about additional funding needs for the CTE Building.

Public Relations/Marketing Update – Michele Haywood – Appendix F-1

Mrs. Haywood presented Appendix F-1, the Public Relations/Marketing Update. She reported that Montgomery Community College Gunsmithing will be on the cover for this year's Brownells' magazine. The magazine is a 600-page catalog the company ships to about 75,000 distributors and customers around the world.

There being no further business, the meeting adjourned at 5:59 p.m.

**Institutional Status Committee
Minutes**

The Institutional Status Committee of the Board of Trustees of Montgomery Community College met on Wednesday, April 10, 2019 at 5:59 p.m. in the College Boardroom.

Present

Johnny McKinnon, Chairman
George Gilbreath, Vice Chairman
Robert Harris
Claudia Bulthuis

Absent**Others Present**

Phil Absher
Gelynda Capel
Paula Covington
Susan Eggleston
Bill Price

Also present were Dr. Chad Bledsoe, President; Beth Smith, Vice President of Student Services; Jeanette McBride, Vice President of Administrative Services; Lee Proctor, Vice President of Instruction; Michele Haywood, Public Information Officer; Korrie Ervin, Director of Resource Development; Carol Holton, Director of Institutional Effectiveness/SACSCOC Liaison; and Courtney Atkins, Assistant to the President.

Dr. McKinnon, Chairman, called the meeting to order.

Committee roll was taken by Chairman McKinnon, and all members were present.

Mr. Harris made a motion, seconded by Mr. Gilbreath, to approve the March committee minutes. The motion carried.

Review of Policy 3.1.9 – Appendix G-1 – Dr. Chad Bledsoe

Dr. Bledsoe presented Policy 3.1.9 which was reviewed by the Board.

Section 3, Part 3.1 – Appendix G-2 – Second Reading – (Action)

Mr. Harris made a motion, seconded by Mr. Gilbreath, to approve Section 3, Part 3.1 of the Board Policy Manual. The motion carried.

Section 3, Part 3.2 – Appendix G-3 – First Reading

Dr. Bledsoe presented Section 3, Part 3.2 of the Board Policy Manual for first reading.

There being no further business, the meeting adjourned at 6:05 p.m.

**Montgomery Community College
County Funds - Board Report for April 2019**

County Funds - April 2019		Budget	Actual Exp	Actual Exp	Budg Balance	% Budg Expend
		For Year	This Month	This Year	This Year	This Year
511101	Car Allowance	6,000	500	5,000	1,000	83%
514000	FT Svc/Maint/Skilled Craft	160,392	13,366	133,660	26,732	83%
514050	Supvr Svc/Maint/Skilled Craft	81,009	7,013	70,139	10,870	87%
518100	Social Security	18,989	1,539	15,537	3,452	82%
518200	Retirement	45,910	3,843	38,838	7,072	85%
518300	Medical Insurance	49,221	4,116	40,335	8,886	82%
518700	Longevity Payments	2,130	0	2,130	0	100%
519090	Waste Removal/Recycling	11,249	893	9,088	2,161	81%
519110	Pest Control Svcs Agreement	750	0	500	250	67%
521000	Custodial Supplies	16,504	1,137	13,543	2,961	82%
522000	Maintenance Supplies	21,923	2,864	14,468	7,455	66%
524000	Repair Supplies	13,000	2,788	9,734	3,266	75%
525000	Gas/Travel/Reimbursement	3,000	(184)	136	2,864	5%
531140	In-State Lodging	540	0	0	540	0%
531150	In-State Meals	78	49	49	29	63%
531210	Out-of-State Ground Transportation	188	0	188	0	100%
531240	Out-of-State Lodging	712	0	712	0	100%
531250	Out-of-State Meals	123	0	123	0	100%
531500	Registration Fees	1,726	60	1,576	150	91%
532200	Telephone	14,769	1528	14,127	642	96%
532330	ISP Charges	800	65	626	174	78%
533100	Heat	45,475	7,130	45,475	0	100%
533200	Water	11,831	35	6,737	5,094	57%
533300	Electricity	193,000	14,722	161,659	31,341	84%
533400	Garbage/Sewage Disposal	10,930	551	6,902	4,028	63%
535100	Equipment Repair	2,552	0	2,551	1	100%
535200	Repairs to Facilities	10,810	822	10,129	681	94%
535201	Repairs to Grounds-Supplies	710	0	200	510	28%
535400	Service Contracts	11,408	1,184	4,645	6,763	41%
539200	PR-President's Office	600	0	216	384	36%
539500	Other Current Expense	533	0	474	59	89%
543000	Lease/Rental Other Equipment	4,650	383	3,834	816	82%
545000	Property Insurance	18,150	11260	11,260	6,890	62%
545200	Liability Insurance	3,567	0	250	3,317	7%
545201	Workers Comp	5,147	0	(246)	5,393	-5%
545301	Life Insurance	2,200	186	1,778	422	81%
545302	EAP Program Expense	1,800	140	1,403	398	78%
546100	Membership & Dues	2,660	0	2,660	0	100%
555100	Minor Equipment Low Risk	964	0	964	0	100%
Total Current Expense		776,000	75,990	631,397	144,603	81%

RESTRICTED SALES TAX FUNDS (Held by County)

**Montgomery Community College
County Funds - Board Report for April 2019**

Life-to-date Revenues as of State's February 2019 Report	\$ 559,056
Add: FY16 Property Tax Allocation from County Report	58,669
Add: FY17 Property Tax Allocation from County Report	60,675
Add: FY18 Property Tax Allocation from County Report	61,881
Add: FY19 Property Tax Allocation from County Report	<u>59,184</u>
Total Revenue	799,465
Less: 2012-13 Projects	(11,537)
Less: 2013-14 Projects	(53,882)
Less: 2015-16 Projects	(341,269)
Less: 2016-17 Projects	(60,729)
Less: 2017-18 Projects:	(102,938)
Less: 2018-19 Projects: Biscoe Ctr Rent (\$20K), Sec Cameras (\$21.4K), Bldg 500 Roof (\$23.1K), Bldg 500 Wall & Foundation Repairs (\$3K), Bldg 200 Brick and Fence Work (\$17.6K), Lawn Equip (\$2.4K), Floor Care Equip (\$2.9K), BAS Controls (\$8.7K), Bldg 100 Flooring Repair and polishing (\$47.8K), Bldg 300 Gutter Replacement (\$2.6K)	(149,597)
Sub-total Life-to-date Revenues less Submitted Projects	<u>79,513</u>
Add: 2014-15 Capital Appropriation from County (not sales tax revenue)	75,000
Add: 2015-16 Capital Appropriation from County (not sales tax revenue)	<u>100,000</u>
TOTAL LOCAL FUNDS AVAILABLE FOR CAPITAL EXPENDITURES 4/30/19	<u><u>\$ 254,513</u></u>

**Montgomery Community College
State Funds - Board Report for April 2019**

State Funds - April 2019	Budget For Year	Actual Exp This Month	Actual Exp This Year	Budg Balance This Year	% Budg Spend This Year
511100 President	142,039	11,837	118,366	23,673	83%
511200 FT Senior Administrator	247,968	20,664	206,640	41,328	83%
511300 FT Professional Staff	1,060,662	88,279	861,630	199,032	81%
511310 PT Professional Staff	20,268	2,039	14,738	5,530	73%
511340 30 Hour Professional Staff	164,177	0	0	164,177	0%
512000 FT Support	62,304	5,192	51,862	10,442	83%
512010 PT Support	26,028	1,120	19,858	6,170	76%
513000 FT Faculty	1,979,404	174,019	1,663,015	316,389	84%
513010 PT Faculty	742,284	65,809	528,322	213,962	71%
513030 PT Teaching Assistant	18,373	1,410	14,545	3,828	79%
515000 FT Technical/Paraprofessional	542,376	46,778	441,666	100,710	81%
515010 PT Technical/Paraprofessional	89,098	4,866	55,725	33,374	63%
516020 Student Salaries - Instruction	2,040	380	2,040	0	100%
518100 Social Security	362,440	30,556	287,904	74,536	79%
518200 Retirement	775,390	65,384	646,594	128,796	83%
518300 Medical Insurance	462,286	39,626	379,004	83,282	82%
518500 Unemployment Compensation	3,905	0	3,905	0	100%
518700 Longevity Payments	46,866	3,074	46,078	788	98%
519000 Legal Services	1,830	0	1,828	3	100%
519010 Financial/Audit Service	50,000	0	0	50,000	0%
519020 Sys Implement/Integration Svcs	6,000	0	0	6,000	0%
519040 Administrative Services	2,627	0	1,251	1,376	48%
519130 Misc Service Contract	500	0	0	500	0%
519140 WAN Support Services	30,000	0	30,000	0	100%
519142 LAN Support Services	13,000	0	12,750	250	98%
519200 Other Contractual Services	22,500	0	20,000	2,500	89%
519400 Contracted Instruction	52,977	6,253	40,208	12,769	76%
519401 Online Tutoring Contract	21,516	5,727	15,727	5,789	73%
519700 Custom Training 3rd Party Contract	4,728	0	4,728	0	100%
523XXX Copies & Instr Supplies	147,650	24,596	117,497	30,153	80%
527000 Other Supplies	82,534	29,809	73,291	9,243	89%
527005 Tires, Oil Changes, Other Maint	2,222	0	2,168	54	98%
531110 In-State Ground Transportation	29,027	2,467	14,085	14,942	49%
531140 In-State Lodging	19,257	2,634	12,414	6,843	64%
531150 In-State Meals	5,749	591	3,195	2,554	56%
531210 Out-of-State Ground Transportation	1,730	0	1,219	511	70%
531220 Out-of-State Air Transportation	4,383	1,024	4,061	322	93%
531240 Out-of-State Lodging	7,009	2,122	4,926	2,083	70%
531250 Out-of-State Meals	1,776	0	1,666	110	94%
531410 Board/Non-emp Transportation	200	0	55	145	28%
531420 Board Expense - Subsistence	3,860	0	2,362	1,498	61%
531500 Registration Fees	32,371	2,284	28,361	4,010	88%
532100 Postage	9,161	(330)	5,569	3,592	61%
532337 Managed Server Support	2,593	0	2,310	283	89%
532700 Software Subscriptions	8,905	0	7,619	1,286	86%
535100 Equipment Repair	12,738	2,267	9,117	3,621	72%

Montgomery Community College
State Funds - Board Report for April 2019

State Funds - April 2019	Budget For Year	Actual Exp This Month	Actual Exp This Year	Budg Balance This Year	% Budg Spend This Year
535400 Service Contracts	565	0	458	107	81%
535430 Maint Agreement-Equipment	4,431	0	3,560	871	80%
535450 Maint Agreement-NonWAN	48,867	1,298	34,352	14,515	70%
535495 Maint. Agree.-Server	3,895	0	0	3,895	0%
537000 Advertising	52,220	2,240	30,576	21,644	59%
535491 Maint.Agree LAN Equipment	13,380	0	13,375	5	100%
537100 Advertise Vacant Positions	6,979	199	3,881	3,098	56%
539400 Magazine/Newspaper Subs	5,304	0	3,164	2,140	60%
539500 Other Current Expense	1,832	0	75	1,757	4%
539520 Electronic Processing	12,000	264	9,612	2,388	80%
539591 Hazardous Waste Removal	815	0	542	273	67%
539700 Childcare - 530 Purpose	22,900	2,736	18,409	4,491	80%
539720 Project Skill-Up-Student Assistance	10,968	0	5,988	4,980	55%
542403 Rental/Lease Servers	3,840	320	3,200	640	83%
544000 NonWAN Data Process Software	3,268	63	3,003	265	92%
544010 Software License Renewal	30,677	9,567	15,711	14,966	51%
544020 Laptop Application	251	0	0	251	0%
545100 Motor Vehicle Insurance	2,100	0	0	2,100	0%
545200 Liability Insurance	3,800	0	685	3,115	18%
546100 Membership & Dues	21,015	95	5,185	15,830	25%
546200 Accreditation Expense	5,230	2,505	5,230	0	100%
555100 Minor Equipment Low	27,284	0	6,750	20,534	25%
555200 Minor Equip High	66,644	22,696	58,105	8,539	87%
Total Current Expense	7,673,016	682,459	5,980,157	1,692,859	78%
551000 Office Equipment	18,269	0	0	18,269	0%
552072 Server	7,952	0	0	7,952	0%
552070 Lan Equipment	69,047	0	0	69,047	0%
553000 Educational Equipment	300,326	25,287	74,100	226,226	25%
553700 Edu.Equip.Perkins Grant	20,697	0	0	20,697	0%
555100 Minor Equipment Low Risk	15,332	0	(1,498)	16,830	-10%
555200 Minor Equipment H Risk	1,803	0	1,803	0	100%
556100 Books	16,040	1,795	13,119	2,921	82%
Total Capital Expense	449,466	27,082	87,524	361,942	19%
Total Expenses	8,122,482	709,540	6,067,681	2,054,801	75%

**Montgomery Community College
Institutional Funds - Board Report for April 2019**

Institutional Funds - April 2019		Revenues This Month	Expended This Month	Revenues This Year	Expended This Year	Balance In Account
	01-121 Pell Overpayments	0	0	436	0	0
	01-128 Veterans Reporting Fee	0	0	630	(20)	676
	01-132 Overhead Receipts 75%	191	173	2,722	2,078	13,813
	01-133 Current General & Misc	133	133	1,198	1,173	11,830
	01-134 Admin Support	41	146	904	431	0
	01-135 Overhead Receipts 25%	64	0	907	0	9,296
	01-139 Excess Fee Receipts	0	0	800	800	0
1	01-142 Textbook Rental	2,427	0	21,836	23,249	(175)
	01-222 Forestry Program	0	0	0	127	8,606
	01-291 Specific Fees: Medical Assist	170	0	1,705	0	4,282
	01-291 Specific Fees: Electronics	75	0	563	0	3,500
	01-291 Specific Fees: Gunsmith	40	0	6,630	(20)	42,490
	01-291 Specific Fees: Phlebotomy	0	0	100	0	500
	01-291 Specific Fees: Taxidermy	0	0	1,555	0	12,770
	01-291 Specific Fees - LPN	0	0	1,700	0	10,119
	01-291 Specific Fees: Dental	50	0	1,945	1,376	5,718
	01-291 Specific Fees: NET/TEAS	0	0	6,168	6,717	4,664
	01-291 Specific Fees: HVAC	0	0	150	0	325
	01-294 Live Projects: Taxidermy	0	0	0	0	349
	01-314 Scrap Metal Fund HVAC	0	0	0	0	717
	01-315 Self Supporting	2,467	1,691	54,422	19,708	100,531
	01-331 Community Service	0	0	0	0	4,275
	01-352 Career Readiness	0	0	567	273	2,173
	01-363 Small Business Center	141	0	1,175	689	7,877
	01-391 Specific Fees: Occ. Ext	2,065	1,682	23,218	18,074	76,520
	01-394 Horticulture: Live Proj	0	0	0	0	878
	01-621 Operational Funds	1,073	1,284	2,504	12,057	58,453
2	01-622 Sales Tax Utilization	0	4,605	147,684	149,597	(3,913)
	01-715 Vending	2,074	2,074	10,513	10,513	0
	01-716 Bookstore Vending	0	0	36,643	36,643	0
	02-131 College Work Study	5,340	5,340	27,811	27,811	0
	02-228 Self Supp. Curriculum	0	0	0	800	20,119
	02-229 Distance Learning	18	0	164	0	0
	02-232 NC Live Grant	0	1,160	1,000	1,160	(160)
	02-292 Tech Fee-Curr	1,538	336	17,852	47,525	58,772
	02-340 Mont. Fund: ESL	0	0	3,000	1,044	1,956
	02-383 Fire Training Center Grant	0	0	5,085	5,619	12,312
	02-392 Tech Fee: Con Ed	0	0	(20)	0	1,938
3	02-425 NCWorks Grant Adult Services	30,150	9,342	88,700	98,042	(9,342)
3	02-427 NCWorks Grant Dislocated Worker	9,226	2,540	33,588	36,127	(2,540)
3	02-428 NC Works Finish Line Grant	0	2,986	0	2,986	(2,986)
	02-823 FSEOG	0	0	16,695	16,695	0
4	02-824 Pell Grant	33,854	33,854	892,008	892,008	(3,447)
	02-831 Educ. Lottery Schol.	839	839	34,863	33,924	939
	02-833 Golden LEAF	0	0	11,746	11,746	0
	02-835 NC Comm Coll Grant	1,168	1,081	69,188	65,260	3,928
	02-836 High Demand/Low Enrollment	0	0	1,440	1,440	0
5	02-837 MCC Foundation Scholarship	0	20,055	149,280	170,074	(20,794)

**Montgomery Community College
Institutional Funds - Board Report for April 2019**

Institutional Funds - April 2019		Revenues	Expended	Revenues	Expended	Balance
		This Month	This Month	This Year	This Year	In Account
02-838	Wells Fargo Scholarship	250	250	500	500	0
02-839	Less Than Half-time	0	0	990	990	0
02-842	SGA President Scholarship	0	0	1,500	1,500	0
02-845	SECU Scholarships	0	0	6,250	6,250	0
05-715	Vending	1,889	2,074	8,734	10,950	10,660
05-716	Bookstore Vending	3,005	58	9,897	43,899	46,961
05-720	Bookstore	103	0	952	0	0
05-721	General Store	1,565	1,565	22,045	22,045	0
05-740	Parking Fee	435	0	4,509	0	43,563
05-770	Stud Govt Assoc	1,364	9,174	26,176	25,456	21,987
05-771	Graduation Fund	1,548	1,668	6,128	1,685	5,737
05-774	Stud. Ambassador	176	0	2,953	2,995	25,974
07-925	Bond-Bldg 200 HVAC Replacement	2,800	2,800	898,145	668,108	0
07-925	Bond-Bldg 100 Int/HVAC/Roof	27,442	27,442	737,327	711,906	0
07-925	Bond-Capel Hall Office Reno	0	0	47,006	47,006	0
07-926	Golden Leaf FY2015-085	0	4,843	103,126	123,233	42,738
07-927	Canon Grant/ Blair Hall Floor	0	0	197,790	197,790	0
09-772	Club Accounts	0	0	0	0	70,529
6	09-773 Agency Fund	0	0	0	0	(15,737)
	09-775 Funds for Others	0	0	0	0	8,356
Total	Institutional Funds: First Bank	133,720	139,192	3,753,105	3,560,041	697,736

STIF Account as of 4/30/19		Interest	Interest	Prior Y.E.	Current
		This Period	This Year	Balance	Balance
01-621	Operational Funds	73	679	43,222	43,901
02-229	Distance Learning	18	164	10,448	10,613
02-292	Technology Fees	130	1,206	76,742	77,948
05-720	Bookstore	103	952	60,580	61,531
Total	Institutional Funds: State Treasury	323	3,001	190,992	193,993

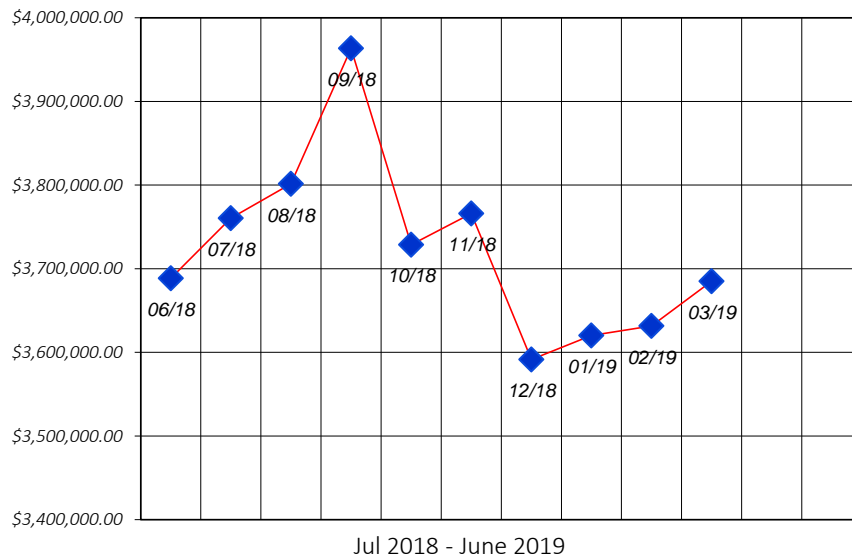
- 1 Due from MCS
- 2 Due from County
- 3 Due from NC Works(WIOA Grant)
- 4 PELL Adjustment
- 5 Due from College Foundation
- 6 Financial Aid Bookstore Charges

Montgomery Community College Foundation

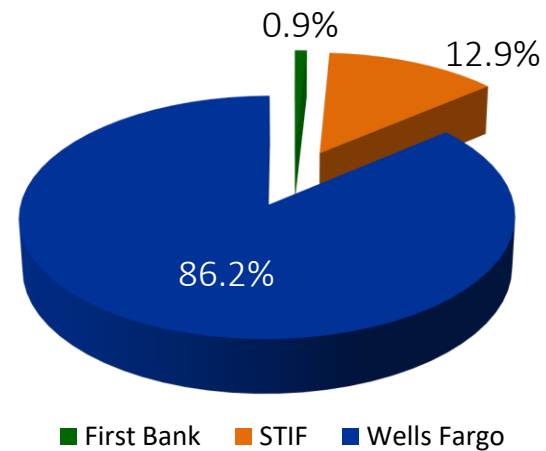
Funds Statement FY 2018-2019

	Fiscal Year To Date 7/1/2018 thru 6/30/2019				Month of March 2019			
	Trust Co. of NC/ Wells Fargo	STIF	First Bank	Total	Wells Fargo/Trust Co. of NC	STIF	First Bank	Total
Beginning Value	\$3,187,617.56	\$449,910.37	\$50,960.54	\$3,688,488.47	\$3,121,549.22	\$469,257.37	\$40,769.41	\$3,631,576.00
Receipts								
Interest/Dividends	\$57,660.70	\$7,260.68	\$7.38	\$64,928.76	\$6,762.82	\$863.97	\$0.67	\$7,627.46
Deposits	\$13,424.74	\$215,135.65	\$245,587.90	\$474,148.29	\$4,854.74	\$8,499.31	\$4,658.00	\$18,012.05
Total Receipts	\$71,085.44	\$222,396.33	\$245,595.28	\$539,077.05	\$11,617.56	\$9,363.28	\$4,658.67	\$25,639.51
Disbursements								
Fees/Withdrawals	\$151,762.41	\$195,608.25	\$263,565.35	\$610,936.01	\$2,123.32	\$1,922.20	\$12,437.61	\$16,483.13
Total Disbursements	\$151,762.41	\$195,608.25	\$263,565.35	\$610,936.01	\$2,123.32	\$1,922.20	\$12,437.61	\$16,483.13
Market Value Net Change	\$68,464.98	\$0.00	\$0.00	\$68,464.98	\$44,362.11	\$0.00	\$0.00	\$44,362.11
Ending Value	\$3,175,405.57	\$476,698.45	\$32,990.47	\$3,685,094.49	\$3,175,405.57	\$476,698.45	\$32,990.47	\$3,685,094.49
Net Change	(\$12,211.99)	\$26,788.08	(\$17,970.07)	(\$3,393.98)	\$53,856.35	\$7,441.08	(\$7,778.94)	\$53,518.49

Foundation Funds Value



Foundation Funds Distribution



Board Report

Facilities

May 2019

Prepared By: Wanda Frick



The maintenance crew installed handrails on the Multi-purpose room stage.

Marcus Ervin and Kevin Lamonds attended the ACCFO District 2 meeting held at Rowan Cabarrus Community College. A couple of the presentations were on campus pest control and work order organization with the use of School Dude software.

Mark Little attended the 2019 Safety Conference sponsored by EHSI (Environmental Health & Safety Institute) held at Cape Fear Community College. Several topics were discussed pertaining to the safety and security of campuses.

Wanda Frick, Marcus Ervin, Mark Little, Kevin Lamonds, and Roger Brown were given owner's training on the new HVAC system in Capel Hall.

Montgomery Community College
Construction Update
May 2019

- **Blair Hall (100) Renovation, HVAC and Roof Replacement**

1st phase for roof replacement – The roofing project is complete. Final inspection was submitted on April 29, 2019.

2nd phase schematics (building renovations and HVAC upgrades) – The project has been approved for bid to be advertised on May 5, 2019. Pre-bid meeting will be held on May 16 with bid closing on May 28.

- Budget: \$3,495,000 (NC Bond) \$150,000 (Golden Leaf)
- Disbursed to Date: (NC Bond) \$853,132 (Golden Leaf) \$140,387

- **Capel Hall (200) HVAC Replacement**

Project is currently 98% complete with a few final punch list items being resolved.

- Budgeted: \$1,075,000
- Disbursed to Date: \$959,845

- **Blair Hall, 3rd Hall HVAC Renovations**

This project is currently underway to renovate existing 3rd hall units and remove a mezzanine air handling unit with comparable roof top units. Wallace Dunn Heating & Air were awarded the contract for the project.

- Budget: \$250,000 (Golden Leaf)
- Disbursed to Date:

**Montgomery Community College
Building Project Timeline**

Project Name	Projected/Actual Cost		2019												2020
	NC Connect Bond	Other	January	February	March	April	May	June	July	August	September	October	November	December	January
Capel Hall Roof Replacement (Complete)	\$ 174,430														
Capel Hall HVAC Replacement	\$ 1,075,000		Construction			Complete									
Center for Workforce Development (Complete)	\$ 111,449														
Entrance Sign Renovation (Complete)	\$ -	\$ 6,877													
Capel Hall Painting/Carpet/Construction (Complete)	\$ 124,565														
Capel Hall Office Renovations (Complete)	\$ 47,006														
Industrial Maintenance Building	\$ 495,000				(3-1)	(3-1)	State Board	Design/Build Bid	Construction			Complete			
Building 500 Roof (Original Building - 1987)		\$ 23,887													
Building 500 Renovation (timeline TBD)	\$ 25,000														
Building 500 HVAC (timeline TBD)	\$ 75,000														
Building 300 HVAC (timeline TBD)	\$ 75,000														
Firing Range Expansion		TBD													
Blair Hall 3rd Hall HVAC		\$ 250,000				Construction Bid	Construction			Complete					
Blair Hall Renovation	\$ 3,495,000	\$ 150,000													
Roof Replacement (Complete)			Construction			Complete									
Interior Renovation / HVAC (excl. 3rd hall)				SCO Review			Construction Bid			Construction					
Blair Hall Entrance and Unassigned Funds	\$ 637,087														
Total Cost	\$ 6,334,537	\$ 430,764													

Board Approval
State Construction (3-1)
Architectural Bid
Architectural Design
Construction Bid
Construction



Atkins, Courtney <atkinsc6516@montgomery.edu>

Fwd: Resignation

1 message

Bledsoe, Chad <bledsoec0137@montgomery.edu>
To: Courtney Atkins <atkinsc6516@montgomery.edu>

Tue, Apr 16, 2019 at 7:27 AM

----- Forwarded message -----

From: **Ingram, Russell** <ingramr6381@montgomery.edu>

Date: Mon, Apr 15, 2019 at 1:40 PM

Subject: Resignation

To: Andrew Gardner <gardnera8147@montgomery.edu>

CC: Proctor, Lee <proctorr3159@montgomery.edu>, Chad Bledsoe <bledsoec0137@montgomery.edu>, Bond, Melisa <bondm7111@montgomery.edu>

Dear Mr. Gardner,

I am writing to submit my resignation from the position of NCWorks Director, here at Montgomery Community College. This will be effective 4 weeks from today, (May 10, 2019). Thank you so much for the time you have allowed me to spend here at Montgomery Community College.

I've learned a lot about the organization and how to work with customers and the general public. It has been a pleasure working with you and all the staff. It feels like I am losing apart of my family.

I have accepted a similar position with another company. I appreciate your support and understanding. I wish you and Montgomery Community College the very best for the future. If there is anything I can do to make the transition easier during my final weeks here, please do not hesitate to ask. Thank you for being a great supervisor, co-worker, and friend.

Sincerely,

Russell Ingram

--
Chad A. Bledsoe, Ph.D. President Montgomery Community College 1011 Page Street Troy, NC 910-576-6222

Board Report
Vice President of Instruction
May, 2019

Health and Human Service – Amy Frietary, Dean of Health and Human Services along with Jamal Moore, Human Services Technology student attended the Southern Organization for Human Services (SOHS) conference in April. Jamal was able to attend the conference by winning the North Carolina organizations Outstanding Student Award \$450 scholarship.

The Medical Assisting Program held its pinning ceremony on April 30, 2019 at Camp Caraway. Ten students completed the program this year. The graduates were hosted to the pinning ceremony by the 1st year class. The LPN pinning ceremony was held on May 7 at 7 PM with 19 students finishing the program. One additional student will complete in the summer.

CCP/Early College - CCP/CTE Fair was held on April 1st and 2nd at both high schools. Rising 9th, 10th and 11th grade students visited the different tables set up to learn about the many options for electives next year.

Summer Camp options this summer at Montgomery Community College are beginning to fill! The faculty and staff have developed nine camps that provide a variety of opportunities that will allow future student to explore different interest. The Summer Camp flyer is attached.

Early College held their New Student Orientation for the new 2019 Early College class on April 30. Sixty-seven students will be part of this new class and will bring the total to around 240 students this fall. The current students selected English Instructor and First Year Experience Coordinator Sam Britt to be the guest speaker for the event.

Public Safety/CTE – The 2018-19 BLET class graduated 7 future law enforcement officers on May 1st during the annual BLET graduation ceremony. Recruitment for the 2019-20 class is already underway.

Phi Theta Kappa - PTK has 33 new member applications for the Spring 2019 class. This is the largest single class in local chapter history since the 46 charter member class in 2005. There will be a formal instillation of the class this fall.

Arts and Science – The English and Math faculty continue to gather information to plan for the implementation of the RISE developmental program at MCC. Future planning will involve Foundational Studies, Student Services, and English/Math faculty to make the transition is as seamless as possible when we implement. The plan is to implement Spring 2020.

Study Abroad Trips - The nine-day trip to Greece with 14 students, faculty, and staff will depart from RDU on Wednesday May 15, 2019 and return on May 23, 2019. It is now time to start planning for the nine-day trip to the British Isles in May 2020. Spaces are still available if you are interested in this exciting opportunity to travel abroad. For more information and to enroll in the program go to:

www.efcst.com/2150515VC or contact Renee Jones coordinator of the program.

Get Active Girls

June 17-18 (13-18 years)
June 19-20 (8-12 years)
8 AM - 12 PM
Cost \$10

Campers will learn the proper way to warm up before practicing a sport, injury prevention drills, obstacle course training, and how to stay active this summer. Bring water bottle and wear work out clothing and athletic shoes.

Drone Camp

June 24-25 (8-12 years)
June 26-27 (13-16 years)
8 AM - 12 PM
Max. 10 campers
Cost \$50

Campers will learn the rules and regulations for flying a drone, be able to practice flying drones, and assemble their own drone to keep.

Outdoor Leadership

July 15-17 (14-16 years)
8 AM - 12 PM
Max. 12 campers
Cost \$35

Love being in the outdoors in our URE Forest? This camp will introduce campers to skills that might be helpful to lead others in an adventure: climbing, paddle sports, orienteering, and basic first aid.

Pottery Camp

July 29 - August 1 (10-14 years)
9 AM - 12 PM
Max. 10 campers
Cost \$50

Campers will use pinch, coil, and slab techniques along with stamps, cutters and molds to create fun and unique projects. Campers will learn basic wheel throwing (turning) techniques, and learn about glazing and firing their own projects.

Call of Duty

July 8-9 (13-16 years)
8 AM - 12 PM
Max. 12 campers
Cost \$35

Have you ever thought about serving in the military? Campers will get to spend a couple of days with Special Forces participating in war scenarios. Campers will be able to participate in weapon demos, watch military exercises happening locally, and meet real, live heroes in the military. Additional times may be available for campers to participate in war games. Times will be announced closer to the camp date.

Montgomery Community College

Camp Trailblazer 2019



For Camp Trailblazer information call 910-898-9616.

To register, go to www.montgomery.edu/summercamp or call 910-898-9672.

Criminal Justice Camp

July 10-11 (10-13 years)
8 AM - 12 PM
Max. 12 campers
Cost \$35

Day 1: Campers will learn about different branches of law enforcement through hands-on presentations from NC Wildlife, NC State Hwy. Patrol, Sheriff, and Police. Campers will also learn about what is needed to become a law enforcement officer in North Carolina. Day 2: CSI - campers will be led through a criminal investigation, look for clues using fingerprints, shoe impressions and other crime-scene data, to help solve a "crime".

Get Outdoors

June 20-21 (11-14 years)
8 AM - 3 PM
Max. 12 campers
Cost \$10

Campers will take the N.C. Wildlife Hunter Safety course and receive their Hunter Safety card. Campers will see how to properly field dress an animal and will experience a taxidermy demonstration. Campers will target shoot with guns and ammo provided by the NRA. Campers should bring their own lunch.

Bush Craft

June 25-27 (11-14 years)
8 AM - 12 PM (8 AM - 5 PM on June 27)
Max. 12 campers
Cost \$35

Campers will learn the basic skills for survival including shelter, fire, water, and navigation. On the final day, campers will put those skills to use by visiting the forest on an all-day adventure.

Mad Scientist Camp

July 22-26 (11-14 years)
9 AM - 3 PM
Max. 16 campers
Cost \$25

During this jam-packed week of fun, campers will be fully engaged with interactive experiments teaching both amazing and practical science lessons. Explore chemical reactions, harness the power of the sun to create tasty treats, unleash the awesomeness of the scientific method and more! Experience Potions Day, Power Day, Monster Day, Spy Day, and Inventions Day.

Board Report
Continuing Education Department
May, 2019

Business & Industry:

- Attended NC Apprenticeship Conference.
- Awaiting approval on a CE CCP workforce pathway (Welding and NA 1) that will allow high school students to enroll in CE classes at no cost.

Small Business Center

- The North Carolina Community College System Office will be conducting the programs first programmatic review in over 10 years on April 30, 2019.

Health & Public Safety

- Finalizing Level II agreements with Durham Tech and Alamance Community College with our NC Public Safety Drone Academy.
- The NC Department of Transportation/Division of Aviation Flight Team have been nominated by AUVSI (the drone leader in the industry) for Humanitarian of the Year award. This award will be a global recognition and the top award within the industry. It will be announced at the AUVSI Xponential World Drone Conference held in Chicago. All expenses for the trip are being paid by AUVSI and DJI (Drone manufacturer).

Foundational Studies

- Enrolling HSE students in the NA 1 class through our Basic Skills Plus program.
- Partnered with Candor Elementary ESL Program Director to solidify summer reading/Motheread initiative. 25 students are pre registered to participate.

WIOA

- Received good remarks regarding the WIOA fiscal audit that was conducted April 11, 2019.

Dean:

- Attended RISE training on April 25, 2019 to learn best practices for implementing the redesigned developmental program.
- Attended Piedmont Regional Workforce Alliance meeting on April 26, 2019

MCC Board of Trustees – May 8, 2019

Update from the Student Services Division

Highlights & Previews

- College Night Events at East Montgomery High School
 - Jessica Latham, along with staff from Continuing Education, attended the April 30 event.
 - Ms. Latham, Diana Sanchez, and Lynn Epps will attend the May 2 event.
- MCC staff members attended Mt. Gilead's May Day event.
- A nursing orientation session was held April 24 for students accepted into the fall 2019 ADN and Practical Nursing programs.



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

April 8, 2019

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
 Community College Presidents
 Boards of Trustees Chairs
 Community College Chief Academic Officers, Chief Admissions Officers, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Distance Learning, Chief Financial Officers, Continuing Education Officers, Financial Aid Officers, Personnel Directors, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: **Proposed Amendment of 1D SBCCC 400.11**

The State Board of Community Colleges ("SBCC") has initiated the rulemaking process to amend **1D SBCCC 400.11 – "Education Services to Minors (Curriculum)."** The proposed change will include proposed additional clarification language to update the eligibility and implementation processes needed for successful alignment between the CCP program and RISE.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Please post a copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college's local process for submitting comments on a proposed rule. **Written comments on the rule must be received by no later than 5:00 p.m. on 8 May 2019.** Any member of the public has the right to request a hearing on the proposed rules. **Requests for a hearing must be received by no later than 5:00 p.m. on 23 April 2019.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by **email to publiccomments@nccommunitycolleges.edu**. Thank you for your attention to this matter.

**CC19-013
 E-mail Copy**

Attachments



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 8 April 2019

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 1D SBCCC 400.11 – “Education Services to Minors (Curriculum)”
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Rationale for proposed adoption, amendment or repeal:	Additional clarification language is being proposed to update the eligibility and implementation processes needed for successful alignment between the CCP program and RISE.
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Proposed Effective Date of Rule	June 1, 2019
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1D SBCCC 400.11 is proposed for amendment as follows:



1 **State Board of Community Colleges Code**

2 **TITLE 1. COMMUNITY COLLEGES**

3
4 **CHAPTER D. EDUCATION PROGRAMS**

5
6 **SUBCHAPTER 400. CURRICULUM**

7
8 **1D SBCCC 400.11 Education Services for Career and College Promise**
9 **Minors (Curriculum)**

10 The purpose of Career and College Promise is to offer structured opportunities for
11 qualified high school students to dually enroll in community college courses that provide
12 pathways that lead to a certificate, diploma, or degree as well as provide entry-level jobs
13 skills. Academic credits earned through Career and College Promise shall enable
14 students who continue into postsecondary education after graduating from high school to
15 complete a postsecondary credential in less time than would normally be required. All
16 previous high school transition programs, including Huskins, Concurrent Enrollment,
17 Cooperative and Innovative High Schools, Learn and Earn, and Learn and Earn Online
18 were consolidated and replaced by Career and College Promise. Career and College
19 Promise rules applicable to Workforce Continuing Education are provided in 1D SBCCC
20 300.4(c)(1)(D).

21 (a) The major purpose of community colleges is to serve students who have graduated
22 from high school or are beyond the compulsory age limit of the public school and have
23 left public school. However, a minor may seek admission to a community college
24 subject to the conditions in this Section.

25 (b) Career and College Promise is a dual enrollment program for eligible North Carolina
26 high school students. Community colleges may collaborate with local school
27 administrative units to offer courses through the following Career and College Promise
28 program pathways:

29 (1) A College Transfer Pathway approved by the State Board of Community Colleges
30 including transfer courses in English and mathematics;

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (2) A Career and Technical Education Pathway leading to a certificate, diploma or
 2 degree;
- 3 (3) Career and Technical Education – Workforce Continuing Education leading to a
 4 State or industry recognized credential. CCP rules applicable to Workforce
 5 Continuing Education are provided in 1D SBCCC 300.4(c)(1)(D).
- 6 ~~(3)~~(4) A Cooperative Innovative High School Pathway approved under Part 9 of
 7 Article 16 of Chapter 115D of the North Carolina General Statutes.
- 8 (c) All non-self-supporting curriculum courses taken by high school students at
 9 community colleges in accordance with this Section are tuition-waived.
- 10 (d) High school students may not audit courses offered under the Career and College
 11 Promise Program.
- 12 (e) High school students enrolled in a College Transfer Pathway or a Career and
 13 Technical Education Pathway may not enroll in developmental education
 14 ~~courses.~~courses, but may enroll in supplemental courses. For the purposes of this
 15 section, the phrase “supplemental courses” shall have the same meaning as in 1D
 16 SBCCC 400.8(b)(1).
- 17 (f) A college shall submit a program of study for each Career and College Promise
 18 program it plans to offer, to the North Carolina Community College System Office
 19 using program codes provided by the North Carolina Community College System
 20 Office.
- 21 (1) Career and Technical Education programs of study must be in compliance with the
 22 State Board approved curriculum standard and must include a minimum of twelve
 23 (12) semester hours of credit from core courses or consist of courses as listed in
 24 the college’s catalog as a local, traditional certificate. General education courses
 25 for career and technical education programs of study shall be directly related to
 26 student success in the selected major. All courses in the program of study must
 27 be required courses. Course options are prohibited.
- 28 (2) College Transfer Pathway programs of study shall be in compliance with the State
 29 Board approved Associate in Arts, Associate in Engineering, Associate in Science,
 30 Associate in Fine Arts in Visual Arts or Associate Degree Nursing Transfer
 31 Pathways approved by the State Board of Community Colleges.

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (3) Programs of study must be approved by the North Carolina Community College
2 System Office assigned Academic Programs staff before students can be enrolled.
- 3 (4) Within the Career and College Promise program of study, a college must verify its
4 capacity to teach all courses in the program of study.
- 5 (5) Career and College Promise Students may not be enrolled in the Associate in
6 General Education or General Occupational Technology programs with the
7 exception of the Associate in General Education in Nursing degree.
- 8 (6) Students enrolled in Adult Basic Education or Adult Secondary Education are not
9 eligible for Career and College Promise.
- 10 (g) High school students shall complete a college application, provide a high school
11 transcript which demonstrates eligibility to enroll in Career and College Promise as
12 outlined in 1D SBCCC 400.11(i), (j), or (k) and provide evidence of college readiness
13 as outlined in ~~SBCCC 400.11(i)(1)(i)~~ 1D SBCCC 400.11(k)(1) to be admitted into a
14 Career and College Promise transfer pathway. ~~The high school student shall provide~~
15 ~~signed and dated documentation from the high school principal or designee stating a~~
16 ~~copy of the high school transcript or a copy of an assessment report from diagnostic~~
17 ~~assessment tests approved by the State Board of Community Colleges verifying that~~
18 the eligibility requirements have been met. Colleges must verify eligibility prior to
19 enrollment of the student in the Career and College Promise Program. Colleges shall
20 maintain verification of student eligibility for a Career and College Promise pathway.
- 21 (h) Colleges shall assign student codes provided by the North Carolina Community
22 College System Office and shall update the student code to reflect when the student
23 transitions out of the Career and College Promise program and is no longer eligible to
24 participate in the program and receive a tuition waiver.
- 25 (i) Colleges must be in compliance with 1D SBCCC 400.96(a) regarding Level I
26 Instructional Service Agreements when providing courses (on-line or traditional) or
27 services to groups of Career and College Promise students outside of their service
28 area.
- 29 (j) High school graduation may not be delayed in order to continue a student's eligibility
30 for the Career and College Promise Program.
- 31 (k) College Transfer Pathway

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (1) To be eligible for enrollment in a College Transfer Pathway, a high school student
 2 must:
- 3 (A) Be a high school junior or senior as designated by the local educational agency;
 4 and
- 5 ~~(A)~~ (B) Have a ~~weighted~~ unweighted high school GPA of ~~3.0; and~~ 2.8; or
- 6 (C) Demonstrate college readiness in English, reading and mathematics by
 7 meeting benchmarks on diagnostic assessment tests which have been
 8 approved by the State Board of Community Colleges.
- 9 ~~(D) A high school junior or senior who does not demonstrate college readiness in~~
 10 ~~English, reading and mathematics may be enrolled in English and mathematics~~
 11 ~~courses and will be a provisional student in a College Transfer Pathway if the~~
 12 ~~student meets the following criteria:~~
- 13 ~~(i) Has a cumulative weighted GPA of 3.5;~~
- 14 ~~(ii) Has completed two years of high school English with a grade of "C" or~~
 15 ~~higher;~~
- 16 ~~(iii) Has completed high school Algebra II or Math III (or a higher level math~~
 17 ~~class) with a grade of "C" or higher;~~
- 18 ~~(iv) Has the written approval of the high school principal or his/her designee;~~
 19 ~~and,~~
- 20 ~~(v) Has the written approval of the community college president or his/her~~
 21 ~~designee.~~
- 22 ~~(vi) To no longer be a provisional student, the student must successfully~~
 23 ~~complete the first English and first mathematics courses with a grade of "C"~~
 24 ~~or higher.~~
- 25 ~~(vii) Provisional students in the ADN pathway must complete the first math~~
 26 ~~in the AGE - Nursing degree with a "C" or higher and ENG 111 in the~~
 27 ~~pathway with a "C" or higher before being fully admitted to the ADN~~
 28 ~~pathway.~~
- 29 ~~(viii) Once a student completes the requirements to no longer be a provisional~~
 30 ~~student and with approval of the high school principal or the high school~~
 31 ~~principal's designee and the college's chief student development~~

1D SBCCC 400.11 is proposed for amendment as follows:

1 ~~administrator or the college's chief academic officer, the student may enroll~~
 2 ~~in both a College Transfer Pathway and a Career Technical Education~~
 3 ~~Pathway.~~

4 (2) To maintain eligibility for continued enrollment in the pathway, a student must:

5 (A) Continue to make progress toward high school graduation as outlined in G.S.
 6 115C-105.35 and

7 (B) Maintain a 2.0 GPA in college coursework after completing two courses.

8 (3) A student who falls below a 2.0 GPA after completing two college courses will be
 9 subject to the college's policy for satisfactory academic progress.

10 (4) A student may only enroll in one College Transfer Pathway program of study.
 11 Course substitutions may be approved by the chief academic officer for individual
 12 students. Course substitutions for individual students must be documented and
 13 maintained on file.

14 (5) A student may change the student's pathway major with approval of the high
 15 school principal or the high school principal's designee and the college's chief
 16 student development administrator or the college's chief academic officer. The
 17 college's chief student development administrator or the college's chief academic
 18 officer shall approve a change in pathway based on verification that the program
 19 change allows the student to meet their newly chosen career path.

20 (6) High school students in the CCP College Transfer Pathways must complete the
 21 entire pathway before taking additional courses in the Associate degree with the
 22 exception of mathematics courses.

23 (7) With approval of the high school principal or the high school principal's designee
 24 and the college's chief student development administrator or the college's chief
 25 academic officer, a student who completes a College Transfer Pathway, while still
 26 enrolled in high school, may continue to earn college transfer credits leading to the
 27 completion of the Associate in Arts, Associate in Science, Associate in
 28 Engineering, Associate in Fine Arts in Visual Arts or Associate in General
 29 Education Nursing degree.

30 (8) With approval of the high school principal or the high school principal's designee
 31 and the college's chief student development administrator or the college's chief

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 academic officer, a student may enroll in both a College Transfer Pathway and a
 2 Career Technical Education (CTE) pathway.
- 3 (9) A student may change the student's program of study major with approval of the
 4 high school principal or the high school principal's designee and the college's chief
 5 student development administrator or the college's chief academic officer. The
 6 college's chief student development administrator or the college's chief academic
 7 officer shall approve a change in pathway based on verification that the program
 8 change allows the student to meet their newly chosen career path.
- 9 (10) The college may award the Associate in Arts, Associate in Science, Associate in
 10 Engineering, Associate in Fine Arts, or Associate in General Education – Nursing
 11 to the Career and College Promise student prior to high school graduation.
- 12 (11) Students pursuing credits beyond the initial transfer associate degree must
 13 provide documentation of justification based upon career pathway needs or
 14 transfer program requirements (i.e. bachelor degree plan published by the
 15 university). The high school principal or the high school principal's designee and
 16 the college's chief student development administrator or the college's chief
 17 academic officer must approve prior to enrollment in credits beyond the initial
 18 transfer program. Approval is contingent upon the student's documentation of
 19 justification based upon career pathway needs or transfer program requirements.
- 20 ~~(k)~~(l) Career Technical Education Pathway (CTE) (Juniors and Seniors)
- 21 (1) To be eligible for enrollment, a high school student must:
- 22 (A) Be a high school junior or senior; and
- 23 (B) ~~Have a weighted~~ an unweighted GPA of ~~3.0~~ 2.8 on high school ~~courses~~ courses
 24 ~~or;~~ or have the recommendation of the high school principal or the high school
 25 principal's designee; and
- 26 ~~(C) Have received career pathway information outlining program requirements for~~
 27 ~~completion of the certificate or diploma.~~
- 28 (C) Demonstrate college readiness in English, reading and mathematics by
 29 meeting benchmarks on diagnostic assessment tests which have been
 30 approved by the State Board of Community Colleges.

1D SBCCC 400.11 is proposed for amendment as follows:

1 (D) Juniors or seniors who do not meet the eligibility requirements in 1D SBCCC
 2 400.11(l)(1)(A) – (C) shall have the recommendation of the high school
 3 principal or the high school principal’s designee and the college’s chief student
 4 development administrator or the college’s chief academic officer. A
 5 recommendation is only allowed for entry into Career and College Promise
 6 Career and Technical Education pathway that does not include Universal
 7 General Education Transfer Component (UGETC) courses.

8 (2) College Career Technical Education courses may be used to provide partial or full
 9 fulfillment of a four-unit high school career cluster. The college will grant articulated
 10 credit to students based on the then-current local or state North Carolina High
 11 School to Community College articulation agreement.

12 (3) To maintain eligibility for continued enrollment, a student must:

13 (A) Continue to make progress toward high school graduation as outlined in G.S.
 14 115C-105.35, and

15 (B) Maintain a 2.0 in college coursework after completing two courses.

16 (4) A student who falls below a 2.0 GPA after completing two college courses will be
 17 subject to the college’s policy for satisfactory academic progress.

18 (5) Course substitutions may be approved by the chief academic officer for individual
 19 students. The college will document course substitutions for individual students
 20 and maintain those course substitutions in the student’s file.

21 (6) With approval of the high school principal or the high school principal’s designee
 22 and the college’s chief student development administrator or the college’s chief
 23 academic officer, a Career Technical Education Junior or Senior may concurrently
 24 enroll in two Career and Technical Education Pathways or in one College Transfer
 25 Pathway and one Career Technical Education Pathway.

26 (7) The student may change the student’s pathway major with approval of the high
 27 school principal or the high school principal’s designee and the college’s chief
 28 student development administrator or the college’s chief academic officer. The
 29 college’s chief student development administrator or the college’s chief academic
 30 officer shall approve a change in pathway based on verification that the program
 31 change allows the student to meet their newly chosen career path.

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (8) With approval of the high school principal or the high school principal's designee
 2 and the college's chief student development administrator or the college's chief
 3 academic officer, a student who completes the Career and Technical Education
 4 certificate or diploma may continue in the same traditional associate in applied
 5 science program as long as they are still eligible for the Career and College
 6 Promise program. ~~The high school principal or the high school principal's designee~~
 7 and the college's chief student development administrator or the college's chief
 8 academic officer must approve prior to enrollment in credits beyond the initial
 9 Career and Technical Education program. Approval is contingent upon
 10 documentation that the credits beyond the initial program allow the student to
 11 support the student's chosen career path (i.e. a career pathway plan).
- 12 (9) The college may award the ~~certificate~~certificate, ~~or diploma, or degree~~ to the
 13 Career and College Promise student prior to high school graduation.—~~A college~~
 14 ~~shall not award an associate degree prior to high school graduation verification.~~
- 15 ~~(h)~~(m) Career Technical Education Pathway (Freshmen and Sophomores)
- 16 (1) Colleges may enroll eligible high school ~~freshmen~~Freshman and
 17 ~~sophomores~~Sophomores only in industrial technologies (program code 50xxx),
 18 engineering technologies (program code 40xxx), agriculture and natural resources
 19 (program code 15xxx), and transportation (program code 60xxx) certificate and
 20 diploma programs.
- 21 (2) Freshmen and Sophomores may not enroll in Career and Technical Education
 22 pathways that include Universal General Education Transfer Component (UGETC)
 23 courses.
- 24 ~~(2)~~(3) To be eligible for enrollment, a high school student must be a high school
 25 ~~freshman~~Freshman or ~~sophomore~~Sophomore. A Freshman or Sophomore must:
 26 (A) Have passed Math I with a grade of "C" or better;
 27 (B) Test college ready in mathematics as determined by the assessment given by
 28 the North Carolina Department of Public Instruction;
 29 (C) Test college ready in English and reading as determined by the assessment
 30 given by the North Carolina Department of Public Instruction;

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (D) Have received information outlining program requirements for completion of the
 2 certificate or diploma; and
- 3 (E) Have the recommendation of the high school principal or the principal's
 4 designee and the college's chief student development administrator or the
 5 college's chief academic officer; or
- 6 (F) Demonstrate college readiness in English, reading and mathematics by
 7 meeting benchmarks on diagnostic assessment tests which have been
 8 approved by the State Board of Community Colleges and have the
 9 recommendation of the high school principal or the high school principal's
 10 designee and the college's chief student development administrator or the
 11 college's chief academic officer.
- 12 ~~(A) A freshman must:~~
- 13 ~~(I) Have passed Math I with a grade of "C" or better;~~
- 14 ~~(II) Test college ready in mathematics as determined by the assessment given~~
 15 ~~by the North Carolina Department of Public Instruction;~~
- 16 ~~(III) Test college ready in English and reading as determined by the assessment~~
 17 ~~given by the North Carolina Department of Public Instruction;~~
- 18 ~~(IV) Have received information outlining program requirements for~~
 19 ~~completion of the certificate or diploma; and~~
- 20 ~~(V) Have the recommendation of the high school principal or the principal's~~
 21 ~~designee.~~
- 22 ~~(B) A qualified sophomore must:~~
- 23 ~~(I) Have passed Math I with a grade of "C" or better;~~
- 24 ~~(II) Test college ready in mathematics as determined by the assessment given~~
 25 ~~by the North Carolina Department of Public Instruction;~~
- 26 ~~(III) Test college ready in English and reading as determined by the assessment~~
 27 ~~given by the North Carolina Department of Public Instruction;~~
- 28 ~~(IV) Have a weighted GPA of 3.0 on high school courses;~~
- 29 ~~(V) Have received information outlining program requirements for completion~~
 30 ~~of the certificate or diploma and~~

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 ~~(VI) Have the recommendation of the high school principal or his/her~~
 2 ~~designee.~~
- 3 ~~(3) Freshmen and sophomores who do not have college readiness scores for~~
 4 ~~mathematics, English and reading from the assessments given by the North~~
 5 ~~Carolina Department of Public Instruction must demonstrate college readiness~~
 6 ~~by taking an alternative assessment which meets benchmarks on diagnostic~~
 7 ~~assessment tests which have been approved by the State Board of Community~~
 8 ~~Colleges.~~
- 9 ~~The college shall establish a local policy that details which alternative assessment~~
 10 ~~score will be used in place of mathematics, English, and reading scores.~~
- 11 (4) College Career Technical Education courses may be used to provide partial or full
 12 fulfillment of a four-unit career cluster. The college will grant articulated credit to
 13 the students based on the then-current local or state North Carolina High School
 14 to Community College articulation agreement. To maintain eligibility for continued
 15 enrollment, a student must:
- 16 (A) Continue to make progress toward high school graduation, and
 17 (B) Maintain a 2.0 in college coursework after completing two college courses. A
 18 student who falls below a 2.0 GPA after completing two college courses will be
 19 subject to the college's policy for satisfactory academic progress.
- 20 (5) A student must enroll in one pathway and may not substitute courses in one
 21 pathway for courses in another.
- 22 (A) The student may change the student's pathway major to another eligible
 23 program of study with approval of the high school principal or the high school
 24 principal's designee and the college's chief student development administrator
 25 or the college's chief academic officer. The college's chief student development
 26 administrator or the college's chief academic officer shall approve a change in
 27 pathway based on verification that the program change allows the student to
 28 meet their newly chosen career path.
- 29 (B) A student may concurrently enroll in two Career and Technical Education
 30 Pathways in allowable program areas provided the exception has been
 31 approved by the college's chief student development administrator or the

1D SBCCC 400.11 is proposed for amendment as follows:

1 college's chief academic officer. The college's chief student development
2 administrator or the college's chief academic officer shall approve an exception
3 if concurrent pathways are aligned to the student's career pathway interest and
4 career goals.

5 (6) With approval of the high school principal or the high school principal's designee
6 and the college's chief student development administrator or the college's chief
7 academic officer, a student who completes a Career Technical Education pathway,
8 while still enrolled in high school may continue to earn college credits leading to
9 the completion of a higher level credential within the same program code. The
10 college's chief student development administrator or the college's chief academic
11 officer shall approve the continuation if the credential is in the same program code.

12 (7) With approval of the high school principal or the high school principal's designee
13 and the college's chief student development administrator or the college's chief
14 academic officer, a student who completes the Career and Technical Education
15 certificate or diploma may continue in the same traditional associate in applied
16 science program as long as they are still eligible for the Career and College
17 Promise program.

18 (8) The college may award the ~~certificate~~certificate, or diploma~~diploma, or degree~~ to
19 the Career and College Promise student prior to high school graduation.

20 (9) The high school principal or the high school principal's designee and the college's
21 chief student development administrator or the college's chief academic officer
22 must approve prior to enrollment in credits beyond the initial Career and Technical
23 Education program. Approval is contingent upon documentation that the credits
24 beyond the initial program allow the student to support the student's chosen career
25 path (i.e. a career pathway plan). ~~An associate degree may not be awarded prior~~
26 ~~to high school graduation verification.~~

27 ~~(m)~~ (n) Cooperative Innovative High School Programs (CIHSP)

28 (1) Cooperative Innovative High School Programs are jointly established by local
29 boards of education and local boards of trustees.

30 (2) CIHSP enroll 100 or fewer students per grade level.

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (3) Students enrolled in CIHSP have the opportunity to complete an associate degree
 2 program, diploma, certificate, or earn up to two years of college credit while
 3 completing a high school diploma within five years. ~~Students pursuing credits
 4 beyond the initial transfer associate degree must provide documentation of
 5 justification based upon career pathway needs or transfer program requirements
 6 (i.e. bachelor degree plan published by the university). The high school principal
 7 or the high school principal's designee and the college's chief student development
 8 administrator or the college's chief academic officer must approve prior to
 9 enrollment in a second transfer program.~~
- 10 (4) A CIHS student may enroll in
- 11 (A) One College Transfer program of study;
 12 (B) One College Transfer program of study and one Career and Technical
 13 Education (CTE) program of study; or
 14 (C) Two Career and Technical Education (CTE) programs of study.
- 15 (5) Students pursuing credits beyond the initial transfer associate degree must provide
 16 documentation of justification based upon career pathway needs or transfer
 17 program requirements (i.e. bachelor degree plan published by the University of
 18 North Carolina). The high school principal or the high school principal's designee
 19 and the college's chief student development administrator or the college's chief
 20 academic officer must approve prior to enrollment in credits beyond the initial
 21 transfer program of study. Approval is contingent upon documentation of
 22 justification based upon career pathway needs or transfer program requirements
 23 (i.e. bachelor degree plan published by the University of North Carolina).
- 24 ~~(4)~~(6) CIHSP are located on college campuses. A school shall obtain approval from
 25 the State Board of Community Colleges for exceptions to this requirement.
 26 Exceptions are based on local needs as outlined in the location waiver request.
 27 The approved waiver shall be maintained locally for documentation. The State
 28 Board of Community Colleges shall use the following factors to determine whether
 29 to approve location waivers:
- 30 (A) Space availability;
 31 (B) School capacity;

1D SBCCC 400.11 is proposed for amendment as follows:

- 1 (C) Proximity to the student population; ~~or~~
 2 (D) Suitable, available space with equipment specific to the ~~curriculum.~~curriculum;
 3 or
 4 (E) Articulate, imminent, and significant health or safety concerns.
 5 ~~(5)~~(7) Student eligibility requirements for CIHSP are determined locally.
 6 ~~(6)~~(8) CIHS students may not audit courses.
 7 (9) CIHS students may not enroll in developmental education courses, but may enroll
 8 in supplemental courses.
 9 (10) CIHS students may not be enrolled in the Associate in General Education or
 10 General Occupational Technology programs with the exception of the Associate in
 11 General Education in Nursing degree. Colleges shall not award the associate
 12 degree prior to verifying high school graduation.
 13 ~~(8)~~(11) Colleges may award the ~~certificate~~certificate, or diplomadiploma, or degree
 14 ~~prior to verifying high school graduation.~~

15
 16 *History Note: Authority G.S. 115D-20(4);*

17 *Eff. [November 1, 2017](#).*

18 *Amended Eff. _____*

19



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

9 April 2019

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
 Community College Presidents
 Boards of Trustees Chairs
 Community College Chief Academic Officers, Chief Admissions Officers, Basic Law Enforcement Training, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Distance Learning, Chief Financial Officers, Financial Aid Officers, Public Information Officers, Registrars, Student Development Administrators, & Other Interested Parties

FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: **Adoption of 1B SBCCC 200.3 - "Establishing Multi-Campus Centers"**

On 4 April 2019, the State Board of Community Colleges voted to adopt **1B SBCCC 200.3 - "Establishing Multi-Campus Centers."** This rule clarifies the standards for FTE enrollment and specifies what happens if a multi-campus center drops below the required FTE enrollment threshold.

The rule will be effective 1 May 2019. The new rule will be published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the rule is attached to this memorandum.

**CC19-014
 E-mail Copy**

Attachment

1B SBCCC 200.3 is adopted as follows:



1 **State Board of Community Colleges Code**

2 **TITLE 1. COMMUNITY COLLEGES**

3
4 **CHAPTER B. COLLEGE OPERATIONS**

5
6 **SUBCHAPTER 200. PROGRAM ACCOUNTABILITY**

7
8 **1B SBCCC 200.3 Establishing Multi-Campus Centers**

9 (a) Definition. A multi-campus center (“MCC”) is a convenience location in the community
10 college service area to provide appropriate population and geographic access for
11 community outreach, testing, faculty and staff offices, as well as literacy, continuing
12 education, and curriculum instruction. Students may complete certificates, diplomas,
13 and associate degrees at MCC locations. Comprehensive instructional support
14 functions including, but not limited to libraries and student development services, are
15 parts of the operation. An MCC must provide students the opportunity to complete at
16 least one associate degree at the MCC.

17 (b) Purpose. The purpose of the SBCC’s policy on MCCs is to help ensure that
18 appropriate geographic access to community college programs and services is
19 provided to students while minimizing the unnecessary duplication and proliferation
20 of facilities and while minimizing the negative impact on existing community college
21 campuses and centers.

22 (c) Establishment and Maintenance. To establish and maintain an MCC designation,
23 colleges must satisfy all of the following criteria:

- 24 (1) The MCC is established in a location that provides geographic access to
25 community college programs and services in a location within the college service
26 area that is at least ten (10) miles from the main campus or other MCC locations
27 or the college must provide evidence that the MCC is established in a location
28 where the main campus or other MCC locations cannot adequately provide
29 community college programs and services. This provision only applies to MCCs
30 established after the effective date of this rule.

- 1 (2) Colleges shall provide programs and services based on evidence of student
2 demand and needs.
- 3 (3) Colleges shall obtain prior approval and maintain approval of the MCC from the
4 Southern Association of Colleges and Schools Commission on Colleges
5 (SACSCOC). Programs and services provided through MCCs shall comply with
6 The Principles of Accreditation: Foundation for Quality Enhancement of
7 SACSCOC.
- 8 (4) County government provides support for maintenance and operation of the MCC
9 physical plant.
- 10 (5) The college has developed an instructional program and services plan including,
11 but not limited to a description of programs, staffing, and instructional support
12 functions.
- 13 (6) The SBCC determines that the MCC is unlikely to have a significant negative
14 impact on institutions contiguous to the MCC. The college shall consult with
15 community college institutions contiguous to the MCC, and the community
16 college institutions that are contiguous to the MCC may provide evidence that the
17 MCC has or is likely to have a significant negative impact on college or program
18 specific enrollment.
- 19 (7) Students enrolled at an MCC must be able to complete at least one associate
20 degree at the MCC.
- 21 (8) Evidence that the duplication of instructional support and other cost expenses
22 are justifiable from cost effectiveness and quality of support services
23 perspectives.
- 24 (9) The MCC must enroll a minimum of 300 (curriculum, occupational extension, or
25 basic skills) budget FTE via face-to-face or hybrid instruction originating from and
26 delivered at that MCC location. If an MCC drops below the minimum budget FTE
27 (Level 1 MCC minimum is 300 and Level 2 MCC minimum is 1,201), the System
28 Office will provide the college president with a written notification that this drop
29 occurred after that year's budget allocations are approved by the State Board. If
30 the MCC's budget FTE remains below the minimum in the subsequent fiscal
31 year, for a Level 1 MCC, the budget allocation for that MCC will be reduced by

1 fifty percent (50%), and for a Level 2 MCC, the budget allocation will be reduced
2 by 50% of the difference between Level 2 and Level 1 funding. If a Level 2
3 MCC's budget FTE continues to remain below the minimum in the third fiscal
4 year, the MCC will be recategorized as a Level 1 MCC and its budget allocation
5 will be decreased to the Level 1 funding. If a Level 1 MCC's budget FTE
6 continues to remain below the minimum in the third fiscal year, the MCC will no
7 longer be designated as an MCC, and its budget allocation will be eliminated. A
8 college must follow the MCC approval process to re-establish an MCC in any
9 future year.

10 (10) The physical facility or facilities for the MCC must either be owned or leased
11 on a long-term basis by the college.

12 (d) The College of The Albemarle Dare County Campus and Gaston College Kimbrell
13 Campus and Textile Technology Center MCCs established by the General Assembly
14 are exempted from 1B SBCCC 200.3(c)(9).

15 (e) Colleges shall comply with the following steps to obtain approval for MCC
16 designation.

17 (1) Step 1 – Initial State Board Review and Recommendation. Community colleges
18 seeking a MCC designation must submit their application to the State Board of
19 Community Colleges ("State Board") for approval by September 15th of each
20 year. Community colleges' applications shall include information responding to
21 the criteria specified in 1B SBCCC 200.3(c)(1) - (c)(10).

22 (A) If a community college meets all of the criteria specified in 1B SBCCC
23 200.3(c), then the State Board shall recommend approval of the MCC
24 designation.

25 (B) If a community college does not meet all of the criteria specified in 1B SBCCC
26 200.3(c)(1) – (c)(10), but provides evidence of being able to meet all of the
27 criteria by the enactment of the budget for that fiscal year, the State Board
28 shall recommend conditional approval. The State Board's recommendation
29 for conditional approval shall specify the criteria in 1B SBCCC 200.3(c)(1) –
30 (c)(10) the college must satisfy to receive final State Board approval that is
31 contingent upon the General Assembly appropriating funds.

- 1 (2) Step 2 - Appropriation of Funds by the General Assembly. If the State Board
2 recommends the MCC for approval or for conditional approval, the System Office
3 shall include the State Board's recommendation in the budget request provided
4 to the Office of State Budget and Management and to the General Assembly. If
5 the General Assembly appropriates funds for the MCC, the State Board's
6 recommendation moves to Step 3. If the General Assembly does not appropriate
7 funds, the college shall annually certify in writing to the System Office by
8 September 15th that there are no changes in the MCC application, and the
9 System Office shall resubmit the college's MCC request as a part of the annual
10 budget process in subsequent years, unless the college withdraws its request.
- 11 (3) Step 3: State Board Approval. If the General Assembly appropriates recurring
12 funds to support the MCC consistent with the existing funding formula and if the
13 college satisfies any conditions specified by the State Board by the enactment of
14 the budget for that fiscal year, the State Board shall approve the MCC
15 designation. If the State Board approves the MCC designation, the State Board
16 shall allocate recurring funds to the college for the newly approved MCC.

17
18 *History Note: Authority G.S. 115D-5.*

19 *Eff. May 1, 2019.*

20

Public Relations / Marketing Highlights April, 2019

Since I anticipate taking graduation photos when the Legislative and Public Relations Committee convenes, I am supplying this brief narrative.

Social Media Marketing

As we approach the end of the semester there are more and more successes to post on social media. In April we had some of the best reach that we've ever experienced on Facebook. At the time of this writing, 71% of Facebook posts for April had over 1,100 reached (anything over 1,000 for us is good).

Our 2nd best reach ever was a post about MCC alumna Grace Pigford, who was selected to intern this summer at Hammocks Beach State Park researching loggerhead turtles. As of 4/29/19 this post has reached 6,900 people; 3,268 people *engaged* with the post (clicked on the post, commented, liked, shared, etc.); 676 people *liked* it, 170 *loved* it, and 146 *commented on* it. This is one of the most engaging posts that's ever been posted on MCC's Facebook page.

I think we can attribute this reach to Ms. Pigford having a large following on social media. Our most reach ever was over 10,000 and it was because it had Remington and the NRA behind it.

Design Projects – 2019 Fall Schedule

In April I conducted several interviews for stories that will appear in the 2019 Fall Schedule. One of the most interesting was an interview with a couple from Alexandria, Egypt in an English as a Second Language class. John and Marlene Maly are in the United States seeking religious asylum. They are Christians and two years ago during an Easter Sunday service, Muslims bombed their church killing 24 people. They got a visa to visit Marlene's father who has lived in Norman, NC for 26 years. They now live in Candor and are seeking permanent residency in the US. The 2019 Fall Schedule will be going out at the end of June and you can read about the Maltys' experiences as they try to learn English and make a life here in Montgomery County.

Facebook Top Posts for April

Total Likes 2420 (Up 29 from 2391 in March)

Page	Date	Post	Reach	Engagement	% Engaged
MCC	4/23	Congratulations Grace Pigford	6,905	3,268	47%
MCC	4/2	Ms. Daywalt's MCEC class enjoys the snow	3,400	339	10%
MCC	4/15	Congratulations Jeri Murphy	2,100	651	31%

Instagram Posts for April

Profile Visits	Impressions	Followers Gained Over Previous Month	Total Followers	Emails	Reach
408	13411	14	872	0	2536

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The College shall make available a comprehensive benefit package to all permanent full-time employees and other employees as required by law.

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

Adopted:

- I. Upon completion of at least ten (10) years of total qualifying service with the College in a full-time, permanent position or part-time, permanent position (employed at least nine (9) months per year and for at least thirty (30) hours per week), an employee is eligible for Longevity Pay.
- II. Qualifying service is based on a month-for-month computation of employment with:
- A. An institution in the North Carolina Community College System or a school administrative unit regardless of the source of salary and including state, local or other paid employment.
 - 1. Employment for a full school year is equivalent to one full calendar year (credit for a partial year is given on a month-for-month basis).
 - 2. In no event will an employee earn more than a year of aggregate service credit in a twelve (12) month period.
 - 3. If an employee is in pay status for one-half (i.e., working, exhausting leave, workers' compensation, or military leave) or more of the regularly scheduled workdays in a month, credit shall be given for the entire month.
 - B. Departments, agencies, and institutions of the State of North Carolina (e.g., State Department of Administration, North Carolina Department of Revenue, University of North Carolina, North Carolina Community College System, State Department of Public Instruction).
 - C. Other governmental units which are now agencies of the State of North Carolina (e.g., county highway maintenance forces, War Manpower Commission, the Judicial System).
 - D. County agricultural extension service.
 - E. Local mental health, public health, social services, or civil preparedness agencies in North Carolina, if such employment is subject to the State Personnel Act.
 - F. Authorized military leave.
 - 1. Credit for military leave is granted only for persons who were employees of the State of North Carolina or other agencies listed in Section 2(a)-(e) herein who were granted leave without pay:
 - a. for a period of involuntary service plus ninety (90) days or for a period of voluntary enlistment for up to four years, plus ninety (90) days, so long as they returned to employment in a covered agency within the ninety (90) days; or

Policy 3.2.2

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

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

Policy 3.2.2

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

Policy 3.2.2

- A. The Trustees may provide longevity payments to employees from other than state allotted funds.
 - B. Only personnel employed in positions allotted by the formula in Rule 1H SBCCC 200.87(d) shall receive longevity from the longevity reserve. An additional allocation will be made for this purpose.
 - C. Employees in state-allotted positions paid with state-allotted funds other than regular formula allotments shall receive longevity pay from the same source of funds as their salary payment.
- VII. The President shall:
- A. Determine the quality of qualifying service and the longevity anniversary date for each eligible employee.
 - B. Furnish to the State Board, on forms prescribed by NCCCS, data necessary for a determination of the cost of the longevity pay plan from state funds.
- VIII. The State President shall determine the total cost of the longevity pay plan from data submitted by each community college. The State President shall advise the State Board whether funds available for longevity pay are adequate. If funds are not adequate, the State President shall submit to the State Board, for its approval, a prorated reduction of all rates in order to cause the longevity payments to remain within the total available funds.

Adopted:

Legal Reference: 1C SBCC 400.8

**MONTGOMERY
COMMUNITY COLLEGE**

**HUMAN RESOURCES
LEAVE**

**POLICY
3.2.3**

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

Adopted:

I. Amount Earned

- A. A full-time employee (including full-time probationary employee) working or on paid leave for one-half or more of the regularly scheduled workdays in any month shall earn eight (8) sick leave hours per month (ninety-six (96) sick leave hours per year for twelve (12) month employees).
- B. A permanent part-time employee (including a part-time probationary employee) shall earn sick leave on a pro rata basis if s/he works one half or more of the scheduled work days in as a month. The leave shall be computed on a percentage or total amount earned by a full-time employee.
- C. Unused sick leave may be used for credit towards retirement under the policies and regulations of the North Carolina Teachers' and State Employees' Retirement System.

II. Advancement

The College may advance sick leave not to exceed the amount of sick leave an employee can earn during the current fiscal year. Such sick leave advancement must be approved in advance by the President and will only be used in extraordinary situations.

III. Verification

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

IV. Accepted Uses

Sick leave may only be used for the following reasons:

- A. Illness or injury of the employee or the employee's immediate family. For purposes of this Policy, "immediate family" means the employee's spouse, parent, child, sibling, grandparent, or grandchild. This also includes all step, half, and in-law relationships;
- B. Bereavement Leave;
- C. Medical appointments for an employee or the employee's immediate family;
- D. Quarantine due to a contagious disease in the employee's immediate family living in the same house;
- E. The actual period of temporary disability due to childbearing and/or recovery therefrom or for the care of the mother or newborn during the mother's temporary disability.

V. Other Procedures**A. Leave Charges**

All sick leave shall be taken in one half hour increments. Only scheduled work hours shall be charged in calculating the amount of sick leave taken. Saturdays and Sundays are charged only if they are scheduled workdays.

Earned compensatory time must be used before using sick leave.

B. Transfer of Leave

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

C. Separation

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

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

D. Reinstatement of Sick Leave

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

E. Recordkeeping

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

Adopted:

**MONTGOMERY
COMMUNITY COLLEGE**

**HUMAN RESOURCES
ANNUAL LEAVE**

**POLICY
3.2.5**

I. Amount Earned

Each full-time employee, eligible to earn annual leave, who is working or on paid leave for one-half or more of the workdays in any month earns annual leave. Employees shall earn annual leave rate at the following rate:

Years of Total State Service¹	Hours Earned Each Month	Hours Granted Each Year	Days Granted Each Year
Less than 2	7.83 hrs.	94	11.75
2 but less than 5	9.17 hrs.	110	13.75
5 but less than 10	11.17 hrs.	134	16.75
10 but less than 15	13.17 hrs.	158	19.75
15 but less than 20	15.17 hrs.	182	22.75
20 or more	17.17 hrs.	206	25.75

II. Maximum Accumulation

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

III. Advancement

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

IV. Accepted Uses

The primary purpose of annual leave is to allow for employee vacations.

Annual leave may also be requested for other periods of absence for personal reasons, absences due to adverse weather conditions and for personal illness or illnesses in the

¹ "Total State Service" means an employee working in a permanent position (working at least 30 hours per week) for a North Carolina K-12 school, North Carolina Community College, a UNC System University, a state agency or service with the United States Armed Forces or North Carolina National Guard.

Policy 3.2.5

immediate family when the employee has exhausted sick leave. Annual leave must be exhausted before an employee goes on leave without pay, except in cases of the birth or adoption of a child as covered under Policy 3.2.13 – Family and Medical Leave Act.

V. Other Procedures**A. Scheduling Annual Leave**

Annual leave shall be taken only upon authorization of the employee's supervisor, who shall designate such time or times when it will least interfere with the College's efficient operation. Employees must request annual leave in advance. A supervisor may deny an employee's request to use annual leave if the leave would otherwise hinder the efficient operation of the College or the employee has not provided reasonable notice of the request. Annual leave must be taken in units of thirty (30) minute increments.

Only scheduled work hours shall be charged in calculating the amount of annual leave taken. Weekends and/or holidays are charged only if they are scheduled workdays.

B. Separation from Employment

1. Lump sum payment for annual leave is made only at the time of separation from employment. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of two-hundred forty (240) hours when separated from employment from the College due to resignation, dismissal, reduction-in-force, death or service retirement. Employees retiring on disability retirement may exhaust leave rather than be paid in a lump sum.
2. If an employee separates from employment and is overdrawn on annual leave, deductions will be made from the final salary check. It will be deducted in full hour units, i.e., a full hour for any part of an hour overdrawn. As consideration for providing annual leave, employees voluntarily agree to such deductions from their final pay check.
3. Payment for annual leave will be made on the regular payroll, reflecting the number of days of leave and the amount of payment. Annual leave may be paid through the last full hour of unused leave.
4. Retirement deductions shall be made from all annual leave payouts.
5. The last day of work is the date of separation, except when an employee exhausts sick and annual leave before disability retirement.

C. Transfer of Annual Leave

Policy 3.2.5

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

D. Annual Leave Records

The College shall maintain records for annual leave earned and taken for each employee. The College shall retain all annual leave records of all separated employees for a period of at least five years from the date of separation.

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

Adopted:

Educational leave refers to the release from duties or time normally required of a full-time employee in carrying out his/her full load of assigned responsibilities for the purpose of furthering the employee's education. State funds may be used to pay employee salaries while they are on educational leave if the following criteria are fulfilled:

- A. The employee is employed full-time on a nine (9), ten (10), eleven (11), or twelve (12) month basis;
- B. The employee has been a full-time College employee for at least three (3) years; ¹
- C. Any employee granted educational leave shall complete a promissory note and contract for the full amount of salary and benefits. The contract will include a provision that the employee will remain employed by the College for at least one year after the educational leave ends;
- D. An employee who fails to honor the contract shall be required to repay the full amount of salary and benefits expended for the educational leave. If the employee fulfills a portion of the contract but does not work the entire year after the educational leave, the employee shall be required to repay a pro-rata portion of the salary and benefits expended by the College for the educational leave.
- E. Educational leave will not exceed a period of one (1) semester during a fiscal year;

The President is hereby authorized to develop procedures to implement this Policy.

Adopted:

Legal Reference: 1C SBCCC 400.96

¹ You can require more years of employment.

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

I. Jury Duty

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

II. Court Attendance

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

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

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

Adopted:

I. Use of Leave due to Workers' Compensation Injury

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

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

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

II. Responsibility of Employer and Employee

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

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

III. Continuation of Benefits

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

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

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

C. Health Insurance

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

Adopted:

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

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

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

Adopted:

During situations such as natural disasters, emergencies and/or inclement weather, the President has the discretion to alter the College's operating schedule as needed. The President shall take steps necessary to deal with the situation and notify College employees.

A. Use of Leave

1. If the President closes the College as a result of adverse weather or emergency, no employees will be required to take any leave. Essential employees (i.e., security, grounds, maintenance, etc.) who are required to work on closed days will be provided with comparable time-off at a later date with supervisor approval.
2. If the College is open but the employee believes s/he cannot make it to the designated work site safely, the employee will be required to do one of the following:
 - a. Make-up the time on a schedule approved by the employee's immediate supervisor, if feasible;
 - b. Take annual, bonus or compensatory leave; or
 - c. Take leave without pay.

Make-up time must be completed before the end of the fiscal year.

Adopted:

I. PURPOSE

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

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

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

II. DEFINITIONS

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

III. LEAVE REASONS

- A. Qualifying Reasons

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

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

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

B. Non-Qualifying Reasons

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

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

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

IV. APPLICATION FOR LEAVE

A prospective recipient may apply or be nominated by a fellow employee to participate in the Program. The application may be in the form of a letter or statement to the President or to the Human Resources Department. The request must include a description of the medical condition, the estimated duration of the illness and, in most cases, a certification

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from a physician. After review of the current leave status and eligibility by the Director of Human Resources, the request will be presented to the President for approval.

V. LEAVE CONTRIBUTION AND DONATION

- A. An employee may begin using voluntary shared leave after all available bonus, annual and sick leave has been exhausted. While using voluntary shared leave, employees continue to earn leave.
- B. The amount of voluntary shared leave a recipient may receive is one thousand forty (1,040) hours per year, either continuously or, if for the same condition, on a recurring basis. However, the President may grant continuation, on a month-to-month basis, to a maximum of two thousand eighty (2,080) hours, if the President would have otherwise granted leave without pay.
- C. A College employee donating sick leave to an immediate family member may donate up to one thousand forty (1,040) hours but may not reduce the donor's sick leave account below forty (40) hours. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave. The minimum amount of sick leave to be donated is four (4) hours.
- D. A College employee may donate up to five (5) days of sick leave to a non-immediate family member employee of a North Carolina community college. The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed twenty (20) days per year. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave. The minimum amount of sick leave to be donated is four (4) hours.
- E. The minimum amount of annual and/or bonus leave that may be donated per recipient is four (4) hours per year. The maximum amount of annual leave that may be donated:
 - 1. May not be more than the amount of the donor's annual accrual rate; and
 - 2. May not reduce the donor's annual leave balance below one-half of the yearly annual leave accrual rate.
 - 3. Bonus leave may be donated without regard to the above limitations on annual leave.
- F. All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis or may be retroactive for up to sixty (60) calendar days to substitute for advanced vacation or sick leave already granted to the recipient or to substitute for leave without pay. Donated leave shall be applied to advanced leave before applying it to leave without pay.
- G. To donate voluntary shared leave, a donor must, at the time of donation:

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1. Be an active employee (not separated);
2. Be in a position that earns leave; and
3. Have sufficient leave balances.

VI. UNUSED SHARED LEAVE**A. End of Medical Condition**

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

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

B. Separation from Service

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

C. Transfer

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

VII. CONFIDENTIALITY

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

VIII. INTIMIDATION OR COERCION PROHIBITED

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

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Adopted:

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

I. OVERVIEW

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

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

II. DEFINITIONS

The following definitions shall apply to this policy:

- A. "Eligible employee" means an employee who has been employed: (a) for at least twelve (12) months by the College; and (b) for at least one thousand two hundred fifty (1250) hours of service with the College during the previous twelve (12) month period.
- B. "Health care provider" means:
 - 1. Doctor of medicine or osteopathy who is authorized to practice medicine or surgery in the State in which the doctor practices; or
 - 2. Any of the following individuals as long as they are authorized to practice medicine in the State and are performing within the scope of their practice as defined under state law:

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

Policy 3.2.12**5. Military Service Member Definitions**

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

III. PROCEDURE**A. Paid/Unpaid Leave**

When applicable, all eligible employees are required to use appropriate accrued paid leave (i.e., annual, bonus, compensatory and sick leave) for any portion of

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FMLA leave. All benefits accrue during any period of paid leave; however, no benefits or seniority will be accrued during a period of unpaid FMLA leave. Any use of paid leave runs concurrently with FMLA leave and counts toward the FMLA leave entitlement.

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

B. Intermittent Leave or Reduced Work Schedule

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

C. Notices**1. Notice to Employer**

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

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and customary notice and procedural requirements for requesting leave. If the employee fails to give timely advanced notice when the need for FMLA leave is foreseeable, the College may delay the taking of FMLA leave until thirty (30) days after the date the employee provides notice to the College of the need for FMLA leave. An employee may not be entitled to FMLA leave if he or she fails to provide adequate notice of the leave and certification of the medical condition as provided within this policy and the law.

2. Notice to Employee

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

D. Medical Certification

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

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

The College may not ask for recertification any more frequently than every thirty (30) days. If the initial certification is for more than thirty (30) days, the College must wait for the initial leave period set forth in the certification to run before asking for recertification. Recertification may only be required when employees are taking leave for their own serious health conditions. Under the qualified exigency leave, the College may not request recertification of the covered service member's active duty or call to active duty orders. Also, recertification is not permitted for the military caregiver leave.

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

E. Confidentiality

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

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

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

G. Restoration to Work

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

1. To be restored by the College to the same position of employment held by the employee when the leave commenced; or
2. To be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

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

Exemption:

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

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

H. Group Health Coverage

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

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I. Miscellaneous

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

The College shall not interfere with an eligible employee's rights under the FMLA, shall not discharge or otherwise discriminate against employees who exercise such rights, and shall not retaliate against employees who file, initiate or otherwise assist in charges or investigations against the College.

J. Posting and Requirements

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

Adopted:

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

**MONTGOMERY
COMMUNITY COLLEGE**

**HUMAN RESOURCES
CHILD INVOLVEMENT LEAVE**

**POLICY
3.2.13**

- A. Purpose – The purpose of child involvement leave is to promote employees’ involvement in the education of youth and to promote employees’ assistance to schools. Full-time employees may take leave under this policy to:
1. Meet with a teacher or administrator of any elementary school, middle school, high school or child care program authorized to operate under the laws of the state of North Carolina concerning the employee’s children, step-children or children over whom the employee has custody. For purposes of this policy, "school" means any: (i) public school; (ii) private church school, church of religious charter or nonpublic school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction; (iii) preschool; and (iv) child care facility as defined in N.C.G.S. 110-86(3).
 2. Attend any function sponsored by the school or child care program as defined above in which the children, step-children, or children over whom the employee has custody are participating. This provision shall only be utilized in conjunction with non-athletic programs that are a part of or a supplement to the school’s or daycare’s academic or artistic program.
 3. To perform, by any employee, without regard to parental status, school-approved volunteer work approved by a teacher, school administrator, or program administrator.
- B. Amount of Leave
1. Employees, including new employees, may take up to four (4) hours of unpaid leave each calendar year regardless of the number of children. The four (4) hours of leave will be credited to employees on July 1 of each year.
 2. For each leave period requested, leave shall be taken in units of no less than one (1) hour and in quarter hour increments thereafter.
- C. Approval of Leave
1. Employees must receive approval from their immediate supervisor to use this leave. The College may require acceptable proof that leave taken is within the purpose of this policy and a forty-eight (48) hour advanced notice.
 2. The College will endeavor to grant the leave as requested by the employee but, based on the College’s needs, the leave may need to be taken at a different time.
 3. Leave not taken in a fiscal year in which it is earned will be forfeited.

Adopted:

Legal Reference: N.C.G.S. 95-28.3

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

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

Policy 3.2.14

- F. Reinstatement/Reemployment from Military Duty. Members of the uniformed services shall have reinstatement/reemployment rights as defined by prevailing law and/or guidelines established by Federal and State law.

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

Adopted:

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

**MONTGOMERY
COMMUNITY COLLEGE****HUMAN RESOURCES
BEREAVEMENT LEAVE****POLICY
3.2.15**

All employees shall be granted up to three (3) days for bereavement leave for the death of an immediate family member. For purposes of this Policy, “immediate family member” means the employee’s spouse, parent, child, sibling, grandparent and grandchild. This also includes all step, half and in-law relationships.

Any leave taken beyond the three (3) days must be charged to annual, sick, or leave without pay. An employee should notify his/her immediate supervisor when a death in the immediate family occurs. If leave is taken beyond the three (3) days of bereavement leave, the employee and supervisor must ensure that the employee’s job duties are adequately covered.

Adopted:

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

I. Maximum Amount

Leave without pay normally shall not exceed twelve (12) months. Any exception to this should be agreed upon by the appropriate Vice President and the President. For military leave without pay, see Policy 3.2.15 – Military Leave.

II. Employee Responsibility

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

III. College Responsibility

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

IV. Retention of Benefits

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

V. Payment for Non-Workdays – Short Periods of Leave without Pay

A short period of leave without pay is a period of not more than 10 workdays. An employee on leave without pay for a short period is entitled to be paid for non-workdays (weekends

Policy 3.2.16

and holidays), if they are scheduled to work that day and only when he or she is in pay status at least half the day immediately preceding or following the non-workdays.

Adopted:

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

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

Legal Citation: 1C SBCCC 200.94(a)(d)

Adopted:

College classes that are missed or not held for any reason, including inclement weather, natural disasters or other emergencies, should be rescheduled or the instruction should be made-up by some other alternative. Alternatives include: extra class sessions, extended class sessions, individual conferences or others approved by the Vice President of Instruction.

The Vice President of Instruction will schedule make-up days whenever the College is closed beyond four (4) days/evenings due to inclement weather, natural disasters or other emergencies. Instructors will be responsible for making-up instruction by an approved alternative for the first four (4) days.

When illness or other personal emergency leave causes an instructor to miss class, he/she must report this absence to the appropriate supervisor. Instruction should be made up by an approved alternative.

Instruction made-up by an approved alternative for reasons of inclement weather, natural disasters, or other emergencies, illness, personal emergency leave, or educational leave assignments, must be approved by the Vice President of Instruction (or designee) and documented on the instructors' Class Attendance Report to be turned in at the end of the term. Instruction should be made up at a time convenient to the majority of students. No punitive action may be taken against students who are unable to attend make up sessions for legitimate reasons.

All Continuing Education classes will be rescheduled and documented on the Class Attendance Report. Classes should be made up when convenient to the majority of students. There are no approved alternative methods to make up Continuing Education classes.

Adopted:

The Director of Human Resources, or designee, shall maintain all employees' personnel files. The College shall maintain, in individual personnel files, only those records which are required or necessary and relevant to accomplish legitimate personnel administrative needs.

I. PUBLIC INFORMATION

The following information on each college employee is public information and shall be open for inspection:

- A. Name;
- B. Age;
- C. Date of original employment or appointment;
- D. The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the board has the written contract or a record of the oral contract in its possession;
- E. Current position;
- F. Title;
- G. Current salary (includes pay, benefits, incentives, bonuses, deferred compensation and all other forms of compensation);
- H. Date and amount of each increase or decrease in salary with the College;
- I. Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position or classification with the College;
- J. Date and general description of the reasons for each promotion with the College;
- K. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the College. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board of trustees setting forth the specific acts or omissions that are the basis of the dismissal; and
- L. The office or station to which the employee is currently assigned.

Any person, including College personnel, may have access to the information listed above for the purpose of inspection, examination and copying during regular business hours Monday through Friday. Access to personnel files may be arranged by contacting the Director of Human Resources for an appointment. If an individual desires to have a reproduced copy of the information, the College may require a reasonable duplication fee. All College personnel shall be entitled to one (1) free copy of their personnel file.

II. CONFIDENTIAL INFORMATION

All information other than the information listed in Section I is confidential and shall not be open for inspection and examination except to the following persons:

- A. The employee, applicant for employment, former employee, or his/her properly authorized agent, who may examine his/her own personnel file at all reasonable times in its entirety except for letters of reference solicited prior to employment;
- B. The President, other supervisory personnel and legal counsel for the President;
- C. The Board of Trustees and the Board's attorney;

Policy 3.3.1

- D. A party by authority of a subpoena or proper court order may inspect and examine a particular, confidential portion of an employee's personnel file;
- E. An official of any agency of the state or federal government, or any political subdivision of the state, may inspect any portion of a personnel file when such information is deemed by the College to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purposes of assisting in a criminal prosecution nor for purposes of assisting in a tax investigation.
- F. The President may, in his/her discretion, or shall at the direction of the Board of Trustees, inform any person or corporation of any promotion, demotion, suspension, reinstatement, transfer, separation, dismissal, employment or non-employment of any applicant, employee or former employee and the reasons for such action and may allow the personnel file of the person or any portion to be released or inspected to any person or corporation provided that the Board of Trustees has determined that the release of the information is essential to maintaining the integrity of the Board of Trustees or to maintaining the level or quality of services provided by the College. Prior to releasing the information or making the file or any portion available to a person or corporation pursuant to this subsection, the President shall prepare a memorandum setting forth the circumstances which s/he and the Board deem to require the disclosure and the information to be disclosed. The memorandum shall be retained in the files of the President and shall be a public record.

Each individual requesting access to confidential personnel information will be required to submit satisfactory proof of identity.

III. OBJECTING TO RECORDS IN PERSONNEL FILE

An employee, former employee or applicant for employment who objects to materials in his/her personnel file may place in the file a statement relating to the materials the employee considers to be inaccurate or misleading. An individual may seek the removal of material(s) from his/her file through Policy 3.3.8 – Grievance.

IV. MEDICAL AND IMMIGRATION INFORMATION

Pursuant to the Americans with Disabilities Act, all medical information, including workers' compensation history and requests for reasonable accommodation for a disability, medical insurance information and medical documentation for FMLA and other types of leaves related to an employee's medical condition shall be kept separate from an employee's personnel file and shall be disclosed only as follows:

- A. To supervisors who may be told only about work restrictions for an applicant or employee;
- B. To first aid and safety officials where emergency treatment might be required; and
- C. To government officials charged with enforcement of disability law.

Policy 3.3.1

All I-9 and other immigration status records shall be kept in a separate file not included within an employee's personnel file.

Adopted:

Legal Reference: N.C.G.S. 115D-27 through -28

All College employees must be evaluated annually. Performance appraisals should be conducted in a congenial, non-threatening environment and are conducted for the purpose of providing feedback to individuals to facilitate their improvement and/or to recognize excellence.

I. PRESIDENT EVALUATION

Annually, the Board shall collect data directly from the President's direct reports for the Board's use in the annual performance review of the President. Once data from the direct reports has been collected, the Board shall conduct an evaluation of the President. At a minimum, the evaluation shall include the following categories:

- A. General Administration
- B. Relationship
 - 1. Internal relationships with faculty, staff, students and trustees.
 - 2. External relationships with business and industry, the media, governmental bodies and the general public.
- C. Personal Attributes
- D. Personnel Administration
- E. Fiscal and Facilities Administration
- F. Academic Administration

Results of the President's evaluation shall be discussed with the President during the Board's annual retreat and a copy of the evaluation shall be placed in the President's personnel file.

Prior to June 30th each year, the Board shall submit, in writing, to the State Board a report of the President's evaluation with the following information:

- A. The time period for which the President was evaluated and the date the evaluation was completed;
- B. Description of the methodology used for the evaluation;
- C. Certification that the evaluation included a written assessment of the President's performance in each of the categories identified in Section I(A)-(F) herein;
- D. Certification that the full Board discussed the evaluation results and the results were discussed with the President; and
- E. Certification that appropriate action has been taken if the President's performance is less than satisfactory in any of the categories identified in the evaluation.

II. INSTRUCTIONAL EMPLOYEES

A. NON-CONTINUING EDUCATION INSTRUCTORS

All instructors (full or part-time) shall be observed by the Vice President of Instruction or designee each academic year. All part-time curriculum instructors will be observed at least one (1) time during the semester by the appropriate supervisor. All instructors will be evaluated by the students they teach at the end

Policy 3.3.2

of each semester (summer excluded). Observations and evaluations of full-time instructors will be included in an annual performance evaluation conducted in March by the appropriate supervisor. Student evaluations of part-time curriculum instructors will be reviewed with the instructor by the appropriate supervisor.

A copy of each instructor's annual performance evaluation will be placed in the employee's personnel file in the Business Office.

B. CONTINUING EDUCATION INSTRUCTORS

All full-time and permanent part-time instructors will be observed in the classroom setting annually by the Dean of Continuing Education or appropriate program supervisor. Class visits will be made on a regular basis pursuant to Procedure 4.1.2.1 – Continuing Education Accountability Plan, which may include instructor evaluation.

New part-time instructors in Adult Basic Skills and Occupational Extension classes will be observed at least once during the contract period. Observations and evaluations for full-time instructors will be included in an annual performance review conducted by the Dean of Continuing Education or immediate supervisor.

Proper documentation of instructor evaluations will be maintained and filed by the Dean of Continuing Education. A copy of each evaluation will be placed in the employee's personnel file in the Business Office.

III. NON-INSTRUCTIONAL EMPLOYEES

All College non-instructional employees must be evaluated annually. Performance appraisals should be conducted in a congenial, non-threatening environment and are conducted for the purpose of providing feedback to individuals to facilitate their improvement and/or to recognize excellence.

The results of the individual performance appraisal will be shared with the employee by the person conducting the evaluation no later than March 31st, and those results will be placed in the employee's personnel file held in the College Business Office.

Adopted:

Legal Reference: 1C SBCC 300.98

All College employees shall adhere to the following Code of Conduct. Failure to adhere to the Code of Conduct may subject the employee to disciplinary action, suspension or dismissal as outlined in Policy 3.3.4 – Employee Disciplinary Action, Suspension and Dismissal or, for cases of unlawful discrimination or harassment, Policy 3.3.7 – Discrimination and Harassment. Employees may be disciplined for conduct that occurs outside of work if such conduct brings disrepute to the employee or College or negatively affects the employee’s ability to perform his or her job.

All employees shall¹:

1. Comply with all statutes, regulations and Board of Trustee policies.
2. Direct all complaints regarding the work environment to the appropriate supervisors and/or file grievances instead of acting to undermine or diminish the authority of co-workers and supervisors.
3. Avoid confrontations with co-workers or students, including but not limited to, engaging in actions or conversations which the employee knows or should know will result in an actual disruption.
4. Comply with all administrative directives in a timely and professional manner, including written directives regarding specific issues or behaviors.
5. Perform all assigned and/or accepted extracurricular and non-instructional duties in a timely and professional manner.
6. Participate in and complete any required professional development activities required by the College.
7. Attend and participate in all required staff meetings and other required meetings.
8. Complete and transmit all required reports and other documentation in a timely and professional manner.
9. Dress appropriately for job duties and in accordance with Montgomery Community College policy and supervisor’s directives.
10. Arrive to work on time.
11. Maintain a courteous and professional attitude when working with other staff members, students and visitors.
12. Exercise proper care and maintenance of College property.
13. Avoid conflicts of interest.

The following are examples of professional and personal conduct that may serve as grounds for disciplinary action, including suspension, demotion or termination. This list is illustrative and not all-inclusive.

I. Performance of Duties

1. Inadequate performance and/or failure to perform duties.
2. Physical or mental incapability for performing duties.
3. Improper use of College property or equipment.
4. Failure to maintain satisfactory and harmonious working relationship with the public and/or employees.

¹ May add other rules within this section.

Policy 3.3.3

5. Improper use of leave.
6. Failure to report for duty at the assigned time and place.
7. Failure to obtain or maintain a current license, certificate or credential required by law as a condition for employment.
8. Refusal to accept a reasonable and proper assignment from an authorized supervisor.

II. Personal Conduct

1. Gross misconduct, immorality and/or lascivious behavior that has a negative impact on the College and/or on the employee's ability to perform their job.
2. Conviction, arrest, indictment or charge that: (i) poses a threat to the physical safety of students or personnel; (ii) demonstrates that the employee does not have the integrity or honesty to fulfill his or her employment duties with the College; and/or (iii) creates a substantial disruption to the ordinary operation of the College.
3. Improper use, misappropriation and/or theft of College property (including College funds).
4. Falsified job information or omitting material information in order to secure employment with the College.
5. Participation in any action that would in any way seriously disrupt or disturb the College's normal operations.
6. Trespassing at any trustee or employee's home for the purpose of harassing or forcing dialogue or discussion from the occupants.
7. Willful damage or destruction of College property.
8. Willful acts that would endanger the lives and property of others.
9. Possession of unauthorized firearms or lethal weapons on the College's property.
10. Refusal to accept a reasonable and proper assignment from an authorized supervisor.
11. Reporting to work under the influence of alcohol or an illegal or unauthorized controlled substance or partaking of such items while on the campus.
12. Acceptance of gifts in exchange for favors or influences related to the College.
13. Disclosing confidential information from official records to an unauthorized person or entity.
14. Engaging in employment or activities that constitute a conflict of interest to the College.
15. Taking part in political management or political campaigns prohibited by law.
16. Any form of unlawful discrimination or harassment.
17. Deliberately or willfully making false, misleading or ambiguous statements in connection with any official College business, official records or about College employees or students.
18. Violent acts, threats of violence (direct or implied), stalking, or physical intimidation towards College employees or students.
19. Violating the College's technology acceptable use policies and procedures.
20. Violations of College policies and procedures.

Adopted:

All disciplinary action is intended to be progressive in nature. However, the type of disciplinary action will be based on the factual situation as well as the nature, severity and type of offense. If warranted by the facts and situation, even for first time offenses, administrators/supervisors may recommend dismissal.

Except as stated elsewhere in the policy, employees shall receive two (2) warnings for minor performance or conduct issues: first, an oral warning with a follow-up letter from the supervisor to the employee documenting the deficiencies in performance or conduct which were discussed and the improvement(s) required; second, a written warning/reprimand which will serve notice upon the employee that a continuation of the deficiencies in performance or conduct may result in disciplinary action which may include dismissal.

I. WARNINGS

A. Verbal Warnings with Follow-Up Letter

1. The employee's supervisor shall meet with the employee and review with the employee exactly what is expected of him/her and explain to the employee how s/he has not met the College's expectations.
2. The supervisor shall provide the employee an opportunity to explain his/her actions.
3. The supervisor shall make recommendations for corrections and establish a reasonable period of time for the employee to correct the issues.
4. The supervisor shall provide the employee a letter regarding the oral warning and the College's expectations. A copy of the letter, and all subsequent letters, shall be included in the employee's personnel file.

B. Written Warnings

After giving an verbal warning and allowing for a reasonable period of time to correct the issues outlined in the supervisor's follow-up letter to the employee, if the employee has not corrected the issues, the supervisor shall meet with the employee for the purpose of delivering a written warning. The written warning shall further document the continued issues and shall state that if the employee does not immediately correct the issues, the employee may be subject to additional disciplinary action which could include dismissal. Before issuing to the employee the written warning, the President, Human Resources, and any intermediate superior/supervisor shall review the contents of the letter. A copy of the written warning, and all subsequent letters, shall also be included in the employee's personnel file.

II. SUSPENSION

Suspensions may be used in two ways: as an independent discipline action or in conjunction with an investigation and dismissal proceedings.

A. Independent Discipline Action

1. If a supervisor determines that an employee's actions warrant suspension, the supervisor shall prepare and provide a written report, with a summary supporting that determination, to the appropriate Vice President and Human Resources. The Vice President shall review the report and provide his/her written recommendation to the President.
2. The President shall determine whether or not to suspend an employee with or without pay. The President may make such determination without a recommendation from a supervisor and/or Vice President. The President may choose other disciplinary action as well.
3. The President shall meet with the employee and give the employee an opportunity to be heard. After hearing from the employee, the President shall make a determination regarding the suspension, whether it shall be paid or unpaid and the length of the suspension. The President or the employee's supervisor shall inform the employee of the President's determination. The President shall prepare a follow-up written statement providing the circumstances and facts which led to the suspension. A copy of the letter shall be included in the employee's personnel file. In cases where the employee's continued presence on campus is not in the College's best interest or a health or safety issue, the President may immediately suspend the employee with pay. Prior to changing any paid suspension to unpaid suspension, the President shall meet with the employee and provide the employee with an opportunity to be heard.
4. When an employee is suspended, s/he shall leave the College property at once and is not allowed to return until the end of the suspension unless authorized by the President.
5. Failure of the employee to report back to work when requested, or at the suspension expiration date, will be considered a voluntary resignation of his/her employment and any subsequent reinstatement or re-employment shall be on the basis of new employment.

B. Suspension to Allow for an Investigation

The President may suspend an employee, with pay, for up to ninety (90) days while conducting his/her investigation as to whether or not the employee engaged in conduct that would warrant dismissal or other disciplinary action. At the end of the ninety (90) day period, the President shall dismiss the employee, reinstate the

Policy 3.3.4

employee or implement another disciplinary action. For good cause, the President may extend the ninety (90) day suspension period.

III. DISMISSAL**A. At Will Employees**

1. If a supervisor determines that an employee's actions warrant dismissal, the supervisor shall prepare and provide a written report, with a summary supporting that determination, to the appropriate Vice President who shall, after meeting and consulting with the supervisor and Human Resources, provide the written report to the President. The President may decide to terminate an employee without a recommendation from the immediate supervisor or appropriate Vice President.
2. If necessary, the President may suspend the employee pursuant to Section II (B). After reviewing the written report, the President shall either dismiss the matter or meet with the employee and provide the employee with an opportunity to be heard. If, after the meeting, the President decides to dismiss the employee, the President shall provide the employee with written notice of dismissal. The notice shall be included in the employee's personnel file.
3. An employee may appeal the President's decision to impose suspension without pay and/or dismissal to the Board of Trustees pursuant to Policy 3.3.6; however, the suspension or dismissal shall not be tolled pending the appeal. The employee's only basis for appeal is if the President's actions were based on Impermissible Grounds (as defined in Policy 3.3.5) in violation of state or federal law or if the actions were based on the employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation or status as a covered veteran in accordance with all applicable federal, state and local laws.

B. Contract Employees

1. If a supervisor determines that an employee's actions warrant dismissal, the supervisor shall prepare and provide a written report, with a summary supporting that determination, to the appropriate Vice President who shall, after meeting and consulting with the supervisor and Human Resources, provide the written report to the President. If necessary, the President shall suspend the employee pursuant to Section II (B). The President or designee may further investigate the alleged conduct.
2. At the conclusion of his/her investigation and after review of the written report, the President shall either dismiss the matter or meet with the employee and present him/her with a written notice of charges and provide the employee with an opportunity to respond. If, after the written notice of

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charges meeting, the President decides to dismiss the employee, the President shall provide the employee with written notice that the employee is being dismissed and the reasons for the dismissal. The notice shall be included in the employee's personnel file.

3. For serious misconduct, the President may skip any of the procedures in Subsection 1 herein and immediately meet with the employee and provide a written notice of charges.

Legal Reference:

Adopted:

I. DEFINITIONS

1. *Non-renewal* means the decision not to offer a new contract at the end of the current contract period.
2. *Impermissible Grounds* means the use of the employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation, or status as a covered veteran in accordance with all applicable federal, state and local laws; or if the decision is otherwise a violation of state or federal law.

II. NON-RENEWAL PROCESS

At least twenty (20) business days prior to the end of the contract period, the President or designee will notify, via hand-delivery, certified mail and/or campus email, any employee who will not be offered a new employment contract. The College may non-renew the employee's contract for any reason that is not based on Impermissible Grounds. The failure of the College to provide notice of non-renewal prior to the expiration of any contract does not entitle the employee to a new contract.

If an employee continues working beyond the term of any contract and the College and employee have not entered into a new or extended contract, the employee shall become an at-will employee and the College or employee may terminate the employment relationship at any time subject to any state or federal laws.

III. RESIGNATIONS

Any employee who does not wish to be nominated for re-employment should notify the appropriate Vice President in writing at least thirty (30) calendar days prior to the expiration of the current contract.

In cases where, in lieu of disciplinary action and dismissal, the employee tries to unilaterally resign, the President may not accept the resignation and continue with the disciplinary and dismissal process.

Adopted:

I. Right of Appeal

- A. In case of suspension without pay or dismissal pursuant to Policy 3.3.4, Non-renewal based on Impermissible Grounds pursuant to Policy 3.3.5 or reduction in force pursuant to Policy 3.3.9, an employee has a right to appeal the President's decision and must do so within ten (10) business days of the action taken. Appeals must be submitted in writing to the President, who shall forward the appeal to the chair of the Board of Trustees. The employee must articulate the grounds for the appeal in the notice. Further, the employee shall state in the notice whether the employee has or is seeking legal counsel for the appeal. The employee's only basis for appeal is if the President's actions were impermissible based on a violation of state or federal law, College policy or if the actions were based on the employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation or status as a covered veteran in accordance with all applicable federal, state and local laws.
- B. No later than ten (10) business days from the President's receipt of the employee's written appeal, unless mutually agreed by the parties, the Chair of the Board of Trustees shall forward the complaint to the College's legal counsel. The employee's failure to inform the President that s/he has retained legal counsel for the appeal at least three (3) business days prior to the hearing shall be automatic grounds for a continuance of the hearing if so desired by the College.
- C. No later than ten (10) business days from the hearing, the College's legal counsel shall provide the Chair of Board of Trustees with his/her written recommendation to uphold, reject or modify the President's decision. The determination shall be included in the employee's personnel file. If the employee is reinstated, s/he shall receive all lost wages from the date of the suspension without pay and/or dismissal unless otherwise decided by the Committee.
- D. At the next regularly scheduled Board of Trustee's meeting, the Board Chair shall report his/her determination to the full Board of Trustees.

II. Review Procedure

- A. The hearing shall be conducted with only the College attorney, the employee, the President and other appropriate College administrators and relevant witnesses. The employee and the President may also be represented by legal counsel. If an employee chooses to have counsel, the employee is responsible for retaining and paying for those services.
- B. Strict rules of evidence or procedure do not apply to appeals. The Board attorney may consider any and all evidence that it determines to be fair and reliable.
- C. The burden is on the employee to demonstrate that the President's determination was based a violation of state or federal law or that the actions were based on the

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employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation or status as a covered veteran in accordance with all applicable federal, state and local laws.

- D. At least five (5) business days prior to the review, the parties shall exchange all documentary evidence that the parties plan on using. The President shall be responsible to assemble all the documents and to make each party a packet for the review. The packet must contain the following in this order: a) a copy of these Procedures; b) a copy of the President's written determination that is being appealed; c) a copy of the employee's request for appeal; d) the President's documents for the review, if any; and e) the employee's documents for the review, if any. The President shall provide the employee a copy of the packet prior to the review.
- E. The review shall begin with the President's presentation of evidence. The President's presentation of evidence is limited to one (1) hour unless extended by the College's attorney. The President, or his/her legal counsel, shall present and examine his/her witnesses and present evidence. The College's attorney will have an opportunity to question the witnesses and review the submitted evidence. The employee may cross-examine the President's witnesses and the time used by the employee to cross-examine witnesses shall not count against the President's one (1) hour of time.

At the conclusion of the President's presentation of evidence, the employee will present his/her evidence. The employee's presentation of evidence is limited to one (1) hour unless extended by the College's attorney. The employee, or his/her legal counsel, shall present and examine his/her witnesses and present evidence. The College's attorney will have an opportunity to question the witnesses and review the submitted evidence. The President may cross-examine the employee's witnesses and the time used by the President to cross-examine witnesses shall not count against the employee's one (1) hour of time.

Should the College's attorney determine that verbal arguments are necessary, the following procedure will be used.

At the conclusion of the employee's presentation of evidence, the President will be given five (5) minutes to present a closing statement. Following the President's closing statement, the employee shall be given five (5) minutes to present a closing statement.

- F. At the conclusion of the review, the College's attorney will deliberate and will inform the parties, in writing, of his/her recommendation to uphold, reverse or modify the President's decision no later than ten (10) business days from the date of review.
- G. At the next regularly scheduled Board of Trustees meeting, The Board Chair shall notify the full Board of Trustees of the attorney's recommendation. The Board of

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Trustees will discuss the recommendation in closed session, then in open session, vote to uphold, reverse or modify the President's decision. The Board of Trustees decision is final.

Adopted:

The College is fully committed to providing a learning and work environment that is free from prohibited discrimination. The College does not practice or condone discrimination based on race, color, national origin, religion, sex, gender, gender identity or expression, pregnancy, disability, genetic information, age, political affiliation or veterans' status in the administration in any of its academic programs and employment practices.

For issues related to sexual and gender harassment, discrimination and violence, see Procedures 3.3.7.1 – Sexual Harassment and Sexual Violence.

For issues related to all other types of unlawful discrimination and harassment, see Procedures 3.3.7.2 – Unlawful Discrimination and Harassment.

Adopted:

Legal Reference: Title VII of the Civil Rights Act of 1964; The Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; The Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Title II of the Genetic Information Nondiscrimination Act of 2008; Title IX of the Higher Education Amendments of 1972; Lily Ledbetter Act; NC Equal Employment Practices Act; NC Retaliatory Employment Discrimination Act; Jeanne Clery Disclosure Act of Campus Security Policy and Campus Statistic Act of 1990; Campus Sexual Assault Victim's Bill of Rights of 1992; Violence Against Women Act of 1994; Campus Sexual Violence Elimination Act of 2013.

In order to maintain a harmonious and cooperative relationship between the College and its employees, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every employee shall have the right to present his/her problem or grievance free from coercion, restraint, discrimination or reprisal. The Policy provides for prompt and orderly consideration and determination of employee problems or grievances by supervisors and the President.

A grievance is any matter of employee concern or dissatisfaction within the College's control except: (a) employee disciplinary matters pursuant to Policy 3.3.4; (b) discrimination and harassment pursuant to Policy 3.3.7; (d) reduction in force and/or involuntary leave without pay pursuant to Policy 3.3.9; or (e) any other matter that has a specific grievance process outlined in College policy.

A. Informal Grievance Process

If an employee has a grievance, it should first be discussed with his/her immediate supervisor within five (5) business days from the date of the situation which is grieved. The supervisor may call higher level supervisors into the discussion if the employee agrees or the supervisor may consult with higher level supervisors to seek any needed advice or counsel from his/her administrative superiors before giving an answer. The employee shall receive an answer within five (5) business days or be advised as to the conditions which prevent an answer within five (5) business days and when an answer may be expected. In any event, an answer shall be provided in writing within ten (10) business days. The circumstances should be documented by both the supervisor and the grievant.

B. Formal Grievance Process

If the decision reached by the Informal Grievance Process is not satisfactory to the grievant, s/he may file a written grievance with the Director of Human Resources ("Director") within five (5) business days after receipt of the Informal Grievance Process decision. The written grievance must contain with specificity the facts supporting the grievance. Depending on the nature of the appeal, the Director will determine to what extent additional facts will be required. The supervisor and employee shall provide all pertinent information the Director requests and the Director will review the facts and hold whatever discussions s/he deems necessary. The Director shall provide his/her written decision to the proper administrators or superiors and grievant within ten (10) business days of receipt of the grievance. In the absence of an appeal, the Director's decision will be carried out within a reasonable period of time and the grievance considered resolved.

C. Appeal to the President

If the decision reached by the Formal Grievance Process is not satisfactory to the grievant, the grievant may, within five (5) business days receipt of the Director's decision, appeal the Director's decision to the President. The appeal must be in writing and provided to the President. The President will conduct an "on the record review" of the documents and supporting materials presented during the Formal Grievance Process and, if needed, conduct any further investigation. The President can accept, reject or modify the Director's determination and will make a decision within ten (10) business days and the decision will be communicated to all appropriate persons. The President's decision shall be final.

D. Grievances Involving the President

In the event that a grievance is being filed against the President, the grievant shall first follow the Informal Grievance Process outlined above and meet with the President. If the grievant is not satisfied with the resolution at the Informal Grievance Process, s/he may continue with the Formal Grievance Process but file the written grievance with the Board Chair. The Board Chair shall delegate the matter to the Board Attorney to conduct an investigation. The Board Attorney will have the authority to conduct the investigation and will file a written report to the Board and the grievant within thirty (30) days.

The Board shall review the Board Attorney's report and if necessary, allow for the grievant and President to address the Board. The Board shall issue a written decision within thirty (30) days receipt of the Board Attorney's report.

In the event that more time is necessary for either the Board Attorney to conduct his/her investigation and/or the Board to review the matter, the Board Chair may extend all deadlines as necessary.

E. Rules

Grievances shall be processed according to the following rules:

1. If at any stage of the grievance the grievant does not take the next step within the time allotted, the grievance shall be settled in the manner recommended or decided by the administration at the last step.
2. All reference to number of days in this procedure shall be determined to mean College working days. In the event a grievance is not filed or processed in the manner and within the time set forth above, it shall be forever barred.
3. The grievant may withdraw the grievance at any level.

Adopted:

I. POLICY STATEMENT

The College may terminate employment or may require any employee or class of employees to take involuntary leave without pay at any time because of: 1) a financial exigency; or 2) a program change for institutional reasons.

II. DEFINITIONS

- A. *Employee* means full-time and part-time employees.
- B. *Financial Exigency* means any decrease in the College's financial resources that are brought about by decrease in enrollment, decrease in funding from any source (federal, state, local, institutional, etc.) or by other action or events requiring the immediate expenditure or diversion of College resources that prevent or inhibit the College's ability to continue the employment or level of the employee's compensation or a class of employees and cause a need for reduction in force and/or involuntary leave without pay.
- C. *Impermissible Grounds* means the use of the employee's race, religion, color, national origin, sex, gender, age, disability, genetic information, political affiliation, or status as a covered veteran in accordance with all applicable federal, state and local laws; or if the decision is otherwise a violation of state or federal law.
- D. *Involuntary Leave without Pay* means a period of mandatory separation from work during which an employee may not take or use any form of paid leave. All state mandated benefits shall continue to accrue during any period of leave without pay.
- E. *Program Change* means any elimination, curtailment or reorganization of an educational offering or support department which may or may not be related to a financial exigency.
- F. *Reduction in Force* means the termination of employment as a result of financial exigency or program change.

III. INVOLUNTARY LEAVE WITHOUT PAY/REDUCTION IN FORCE**A. General Criteria for the President's Decision**

All decisions made under this Policy will take into consideration the needs of the population being served with respect to the College's mission and goals while attempting to minimize the level of impact and quality of services provided. Responsibility will rest with the President working collaboratively with senior level administrators to determine the employee(s) affected by involuntary leave without

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pay or reduction in force based on recommendations from Vice Presidents, department heads and/or other management personnel associated with the departments where proposed actions will be implemented.

Further, the President will consider relevant factors when considering a reduction in force or, if applicable, involuntary leave without pay, which may include, but are not limited to:

1. Written recommendations regarding staffing needs from supervisors;
2. Specific and overall program enrollment history and needs;
3. Source of available funds and applicable restrictions;
4. Other beneficial service by an employee to the College;
5. Length of service in the North Carolina Community College System with a higher priority being given to the length of service for the College; and
6. Employee performance evaluations.

These factors are not listed in any particular order or priority.

B. President's Decision and Notice to Affected Employees

Once the President makes his/her decision, s/he shall give written notice of termination and/or involuntary leave without pay to each affected employee. The written notice will be given as soon as practicable, and in any event, no less than ten (10) business days prior to the effective date of termination and no less than five (5) business days prior to a period of involuntary leave without pay. The written notice shall include: 1) a statement of condition requiring termination and/or involuntary leave without pay; 2) a general description of the procedures followed in making the decision; and 3) a copy of this Policy. The President shall also send a copy of the notice to the Chair of the Board of Trustees ("Chair").

C. Request for an Appeal

An employee may appeal the President's decision to impose a reduction in force or involuntary leave without pay to the Board of Trustees pursuant to Policy 3.3.6; however, the Board of Trustees will only hear and consider an employee's appeal if the employee is alleging that the non-renewal is based on Impermissible Grounds. The decision to reduce in force or to place an employee on leave without pay shall not be tolled pending the appeal.

IV. EXCLUSIVE REMEDY

The rights and remedies set forth herein constitute the sole and exclusive process in the event of a termination by reduction in force or involuntary leave without pay. No other personnel action or grievance may be asserted or considered under this Policy.

Adopted:

In accordance with N.C.G.S. §§ 14-234, 133-32 and Chapter 138A and in order to avoid conflict of interest, the appearance of conflict of interest or the appearance of impropriety, the Board of Trustees and College employees shall adhere to the following rules:

A. Contracts with the College

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

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

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

B. Receipt of Gifts

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

C. Reporting Requirements

Any Board member or employee who has questions regarding this Policy or whose actions could be construed as involving a conflict of interest shall report as follows:

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

D. N.C. State Ethics Act

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

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

Adopted:

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

I. POLITICAL ACTIVITY – NON-SOLICITATION

No College employee shall solicit support for a political candidate or any issue on a referendum during regular College working hours, on College property, using College stationery or e-mail, or other College resources. The Board of Trustees, however, may authorize the President or the President's designee to solicit support during regular College working hours for referendums that directly support the College's interest.

Any employee who becomes a candidate for political office is prohibited from soliciting support while on duty and/or on College property. Any exceptions must have prior written approval from the President.

II. POLITICAL ACTIVITIES BY COLLEGE EMPLOYEES**A. COLLEGE EMPLOYEES**

As an individual, a College employee retains all rights and obligations of citizenship provided in the Constitution and laws of North Carolina and the Constitution and laws of the United States. Therefore, the College encourages an employee to exercise his/her rights and obligations of citizenship.

Any College employee who decides to run for a public office shall, prior to or at the time of filing for that office, notify the President of his/her intention to run and shall, in writing, certify that his/her will not campaign or otherwise solicit support during regular work. Further, any employee who seeks a public office shall, in writing, certify that s/he will not involve the College in his/her political activities.

Any employee who wishes to participate in any political activity during the normal workday must take leave in accordance with College policy. Also, the employee shall obtain the permission of his/her supervisor in scheduling leave.

Any employee who is elected or appointed to a part-time public office shall certify, in writing, through the President to the Board of Trustees that the duties of elected office will not interfere with the employee's ability to carry out the duties of the employee's position with the College and that if those duties do interfere, as determined by the President or Board of Trustees, the employee will request leave.

Any employee who is elected or appointed to a full-time office or the General Assembly shall take a leave of absence, without pay, upon assuming that office. The Board of Trustees shall determine the length of the leave of absence.

B. COLLEGE PRESIDENT

If the President decides to run for public office, s/he shall notify the Board of Trustees, prior to filing for that office, of his intention to run and certify, in writing,

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that no campaigning or political activities will be engaged in during regular work hours and that the College will not be involved in the President's political activities.

If the President wishes to participate in any political activity during the normal workday, he must take leave in accordance with College policy. If the President is elected or appointed to a part-time public office, he shall certify, in writing, to the Board of Trustees that the duties of the elected public office will not interfere with his ability to carry out the duties of the College presidency and that if those duties do interfere, as determined by the Board of Trustees, he will request leave.

If the President is elected or appointed to a full-time public office or to the General Assembly, s/he shall take a leave of absence, without pay, upon assuming that office. The Board of Trustees shall determine the length of the leave of absence.

The President is prohibited from soliciting support for election to public office during regular work hours. The President is also prohibited from soliciting support on College property unless otherwise authorized by the Board of Trustees. The authorization shall be determined on a case-by-case basis. The Board of Trustees shall notify the State Board of Community Colleges if the President becomes a candidate for public office or if the President is elected or appointed to a public office.

C. DEFINITIONS

Public office means any national, state or local governmental position of public trust and responsibility, whether elective or appointive, which is created or prescribed or recognized by constitution, statute or ordinance. Membership in the General Assembly is a full-time public office under this Policy.

Adopted:

Legal Reference: 1C SBCCC 200.99

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

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

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

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

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

Adopted:

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

The illegal use of controlled substances, substances that cause impairment, and abuse of alcohol are harmful to the health, well-being and safety of the College's employees and students. Employees and students who illegally use controlled substances, substances that cause impairment, or who abuse alcohol are less productive, less reliable and prone to greater absenteeism resulting in unnecessary costs, delays, academic failure and safety risks. The College is committed to maintaining a safe workplace and an educational environment free from the influence of illegal controlled substances, substances that cause impairment, and alcohol.

I. PROHIBITED BEHAVIOR

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

This Policy does not apply to the use of alcohol in instructional situations (e.g., cooking classes, laboratory experiments) or in conjunction with events which meet the requirements of all state laws. This Policy does not apply to the proper use of lawfully prescribed controlled substances by a licensed health-care provider to the student or employee who is prescribed the controlled substance and using it in the manner in which the healthcare provider prescribed it.

II. DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

- A. *Alcohol* means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.
- B. *Controlled Substance* means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.
- C. *Substance* means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

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- D. *Conviction* means the entry in a court of law or military tribunal of: (1) a plea of guilty, nolo contendere, no contest or the equivalent; (2) a verdict of guilty; or (3) a prayer for judgment continued or a deferred prosecution.
- E. *Reasonable Suspicion* is the legal standard required before the College can require an employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

III. DUTY TO REPORT

Pursuant to Procedures 3.3.3.1 – Arrests and Convictions, all employees who are arrested, indicted, cited or convicted for a criminal offense are required to inform, in writing, his/her supervisor. This includes being arrested or receiving a citation for a violation of any federal or state controlled substance or alcohol statute. If an employee's arrest, conviction or citation has an effect on the employee's ability to perform his/her job duties or brings negative attention to the College, the employee may be subject to disciplinary action in accordance with this Policy.

Convictions of employees working under federal grants that are convicted of violating a federal or state controlled substance or alcohol statute on the College's property, or as part of any activity initiated by the College, shall be reported to the appropriate federal agency. A College official must notify the U.S. government agency, which made the grant, within ten (10) days after receiving notice from the employee or otherwise receives actual notice of a conviction of a controlled substance or alcohol statute occurring in the workplace.

Students employed under the College Work Study Program are considered to be employees of the College if the work is performed for the College in which the student is enrolled. For work performed for a federal, state, local public agency, a private nonprofit or a private for-profit agency, students are considered to be employees of the College unless the agreement between the College and the organization specifies that the organization is considered to be the employer.

IV. CONSEQUENCES FOR VIOLATIONS

Violation of this Policy will subject students and employees to disciplinary action including, but not limited to: suspension, expulsion, non-renewal or termination of employment or the requirement that the student or employee satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program at the student or employee's expense and approved by the College and agree to certain conditions.

Article V of Chapter 90 of the North Carolina General Statutes makes it a crime to possess, manufacture, sell or deliver or possess with intent to sell or deliver a controlled substance. N.C.G.S. § 90-95. As citizens, all members of the College community are expected to

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know and comply with these laws. Legal matters may be referred to local law enforcement. Employees and students who are in violation of alcohol and drug laws may suffer legal consequences ranging from fines up to incarceration. Furthermore, any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs, is also considered a violation of the drug and alcohol Policy.

V. CONTROLLED SUBSTANCES AND ALCOHOL TESTING

Upon a conditional offer of employment, new employees may be required to be tested for substances, including controlled substances or alcohol.

Employees may be required to be tested for substances, including controlled substances or alcohol, based on individualized, reasonable suspicion. The required observations for reasonable suspicion testing shall be made by an administrator, supervisor or other trained official and the person who makes the determination that reasonable suspicion exists shall not be the same person who conducts the test. This section does not apply to law enforcement officers serving the College through the local sheriff's department. Law enforcement officers must adhere to their normal standards when conducting a search.

All substances, including controlled substances and alcohol testing, shall be administered by a non-College, third party laboratory chosen by the President. The testing shall be performed at the laboratory. A representative from Human Resources and the employee's immediate supervisor will accompany the employee to the testing site utilizing a College vehicle (if available). The chosen laboratory shall use standard testing protocols that will maintain the confidentiality of the employee and student. All tests shall be reviewed by a medical review officer not affiliated with the College. Employees will have the opportunity to provide any information to the medical center which the employee considers relevant to the test, including identification of currently or recently used prescription or non-prescription drugs. The College shall pay for the initial test. If the employee wishes to dispute the results with a subsequent re-test, the employee shall be responsible for the cost of the re-test.

Pending the results of the testing, (if not instant), the employer can suspend the employee on leave with pay. The College must give the employee written notice of positive results and notice of the right to a re-test (at the employee's expense) pursuant to G.S. 95-232(f). If the results are positive, the supervisor may recommend disciplinary action pursuant to Policy 4.3.4.

VI. POST-ACCIDENT TESTING

In the event of a work-related injury, if the supervisor has reason to suspect that impairment is involved in the accident s/he should report the incident to a representative from the Human Resources Department and the employee may be tested as set forth above.

VII. DISSEMINATION TO COLLEGE COMMUNITY

This Policy shall be maintained on the College's website and a copy of this policy will be maintained in the College's Human Resources Office and Student Services Office.

The College shall comply with the Department of Education's requirements as they apply to students by:

- A. Preparing the College's Drug and Alcohol Prevention Program ("DAAPP") for annual distribution to all currently enrolled students; and
- B. Incorporating information about the College's DAAPP and this Policy in new student orientation.

VIII. POLICY REVIEW

The College Administration will review this Policy annually.

Adopted:

Legal Reference: 21 CFR Part 1308; 34 CFR 86; N.C.G.S. 90-86

I. COMMUNICABLE DISEASE

The College shall not exclude individuals with communicable diseases unless a determination is made that the individual presents a health risk to himself/herself or others. The College shall consider the educational or employment status of those with a communicable disease on an individual basis. Communicable diseases as defined in this Policy include, but are not limited to, acquired immunodeficiency syndrome (AIDS), chicken pox, hepatitis, measles, tuberculosis, meningitis, mononucleosis and whooping cough, and for purposes of this Policy only, those communicable diseases which constitute a disability pursuant to the Americans with Disabilities Act.

A. Procedure

1. All information and records that identify a person as having a communicable disease shall be strictly confidential.
2. Disclosure of medical information shall be made by the President only to those on a need-to-know basis to protect the welfare of persons infected with a communicable disease or the welfare of other members of the College community.
3. Unauthorized disclosure of medical information by an employee of the College is prohibited. Violation of this prohibition may result in the suspension from or termination of employment.
4. A person who knows or has a reasonable basis for believing that s/he is infected with a communicable disease is expected to seek expert advice about his/her health circumstances and is obligated ethically and legally to conduct himself/herself responsibly toward other members of the College community.
5. Faculty and staff of the College and employees of contractors or contracted services who are infected with a communicable disease are urged to notify the appropriate Dean/Director so that the College can respond appropriately to his/her health needs. Students are urged to share information with the appropriate Dean/Director for the same reason.
6. A person infected with a communicable disease (including the AIDS virus whether active AIDS, AIDS-Related Complex, or undetectable viral load) will not be excluded from enrollment or employment or restricted in his/her access to the College's services or facilities unless, in individual cases, the College administration determines that exclusion or other restrictions are necessary for the health and welfare of others at the College.

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7. Included in making decisions in individual cases which restrict access to employment shall be the College President, Legal Counsel for the College, the Deans/Directors, the individual's personal physician, the local Health Director (or designee) and if necessary, another physician with expertise in managing communicable disease cases.
8. The College shall provide information regarding communicable diseases, especially AIDS.
9. Should influenza reach a pandemic stage, the President shall regularly monitor the situation by communicating with local and state health officials and by reviewing media sources. Should influenza reach a pandemic level in a county contiguous to the College's Service Area, the President will provide information to students and employees on preventing the spread of the pandemic flu. Should influenza reach a pandemic level within the service area the President, after consulting with local health officials, may close the College temporarily if s/he feels it is in the best interest of the College and community. Persons who are infected with the pandemic flu, or know of someone in the College community who is, should contact college officials immediately. Students should contact the Dean of Student Services and employees should contact the Human Resources Office.

II. OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

The College shall comply with federal regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR §1910.1030, and the North Carolina Administrative Code, 10A NCAC 41A, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

A. Reasonably Anticipated Occupational Exposure

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

B. Universal Precautions

Universal precautions will be in force at all times. All blood, body fluid and other potentially infectious material will be handled as if infected. The program

standards for the control of potential exposure to HIV and HBV as outlined in the OSHA Rule "Occupational Exposure to Bloodborne Pathogens" Standard 1910.1030, the NC Administrative Codes, or the most current standards available will be followed.

C. Testing

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

D. Exposure Control Compliance

The College shall comply with OSHA Regulation 29 CFR 1910.1030 and promote a healthy and safe environment for both employees and students. The College proposes to do this through minimizing the risk of transmission of infectious diseases that are blood or body fluid borne. To achieve compliance with OSHA Regulation 29 CFR 1910.1030, the College will maintain an Exposure Control Plan covering the following areas:

1. Procedures,
2. Protective equipment,
3. Hepatitis vaccinations,
4. Post-exposure and follow-up care, and
5. Training.

A copy of the Exposure Control Plan is available in the office of Administrative Services.

Adopted:

Legal Reference: 29 CFR §1910.1030; 10A NCAC 41A; 10A NC Administrative Code 41A .0202 (4) (HIV) and 41A .0203(b)(3) (HBV)

The College recognizes the necessity for freedom in legitimate academic decisions that foster an environment where faculty and students can freely inquire, study and evaluate in order to gain greater understanding. To that end, the College endeavors to give faculty members the freedom to conduct individual academic affairs in accordance with each person's best judgment.

- A. Faculty members will conduct themselves within the boundaries of the law as established by the North Carolina General Statutes and the State Board Code of Community Colleges.
- B. Faculty members shall use their best judgment as to appropriate material in developing and implementing course material. Faculty members shall refrain from introducing controversial materials and subject matters that have no bearing or academic relationship to that particular class or subject matter. Faculty members shall encourage students to do likewise.
- C. In the academic setting, faculty members shall refrain from insisting upon the adoption of any particular point of view as authoritative in controversial issues. Engaging in personal attacks during any discussion should be avoided by faculty members and students.
- D. Faculty members shall use their best judgment in conducting classes and in interactions with other members of the College community.
- E. Faculty members shall keep abreast of the main academic trends and themes in their respective fields and incorporate these into their scholarship and teaching.
- F. Faculty members shall organize their subject matter and present it in ways that present the optimum value for their students, subject to reasonable guidelines reflected in College, departmental and faculty policies and procedures. Faculty members shall also require an amount and quality of work from their students which, under the College's standards, justify the course.

Any questions or issues concerning the parameters of academic freedom at this College should be addressed to the appropriate Vice President. In the event the faculty member cannot reach an informal resolution, s/he may file a grievance pursuant to Policy 3.3.8 – Grievance.

This Policy is not intended to limit the rights of faculty or students in discussing any matter outside of the academic setting. However, no College employee or student shall purport to speak on behalf of the College unless specifically authorized to do so by an authorized College official.

Adopted:

I. SECONDARY EMPLOYMENT

Full-time College employees' primary professional obligation is to the College. Full-time employees who engage in secondary employment have the responsibility to ensure that any such employment does not interfere with their work at the College as outlined in the employee's position description and the College's policies and procedures. The employee shall not utilize College time, facilities, supplies or equipment in relation to any secondary employment.

Annually, each full-time employee will be required to fill out a secondary employment form providing a written notice of intent for secondary employment to the President or President's designee. The notice shall contain, at a minimum: 1) the name and contact information of the prospective secondary employer; 2) the proposed job duties; and 3) the estimated hours per week devoted to the secondary employment. The President or designee shall approve or disapprove of any secondary employment and his/her decision is final.

Throughout the year, if an employee wishes to engage in secondary employment and has not previously informed the President or President's designee, he/she shall fill out a secondary employment form prior to beginning work.

The Board of Trustees shall approve or disapprove any secondary employment of the President.

II. OUTSIDE COMPENSATION

College employees are encouraged to provide leadership and professional expertise to various constituencies or organizations whether locally, regionally or nationally who may request their services as a result of their College employment provided that the outside activity does not interfere or compete with their full-time duties at the College. A College employee must receive the approval of his/her immediate supervisor prior to committing to any outside activity which occurs during the normal workday. College employees may accept outside compensation for services rendered during annual leave, holidays, semester breaks or other such times when classes are not in session or if the services provided take place outside the scheduled or the normal workday. Outside compensation does not include nominal honorariums that staff or faculty members receive as a representative of the College for services provided for workshops, seminars, SACS visits or state or regional committee involvement. Exceptions to this section of the Policy must be approved by the President.

Adopted:

I. OVERVIEW

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

II. DEFINITIONS

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

III. ANIMALS ON CAMPUS

Pets are not permitted on campus and may not be left in vehicles on College property. There are occasions when a student or employee may need to bring an animal onto campus for the purpose of meeting an educational objective. Such requests should be made to the appropriate academic Dean prior to the animal being allowed onto campus. Subject to the rules set forth in section IV and V below, Emotional Support and Service Animals are permitted in any area of campus where employees or students are permitted, with a few exceptions for health and safety reasons (i.e., areas that must adhere to certain required

sanitation rules (campus culinary and health sciences programs and third-party clinical partners)).

IV. PROCEDURES REGARDING SERVICE/EMOTIONAL SUPPORT ANIMALS

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

1. Registration

a. Service Animals

Students and employees are not required to register Service Animals. However, they are strongly encouraged to notify the Disability Services Office (students) or the Office of Human Resources (employees) if they intend to use a Service Animal on campus so that appropriate College officials are aware of the animal's presence and to assist with the Service Animal's access to areas within the College's campus. Logistical or physical accommodations within campus buildings or classrooms may be necessary to ensure that a Service Animal has the space necessary to assist its handler. In addition, there are other disability related academic accommodations a student handler may be eligible to request to ensure full access to the learning experience. Visitors with Services Animals are not required to register their animals.

b. Emotional Support Animals

After the College has made a determination that an Emotional Support Animal is allowed on campus (see Section B.2), the student or employee must register the animal with the Disability Services Office (students) or the Office of Human Resources (employees).

2. Care and Supervision

a. The care and supervision of a Service/Emotional Support Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times.

b. The Service/Emotional Support Animal must be under the control of the handler at all times and may not be left alone. A Service/Emotional Animal must be restrained by a leash that does not exceed six (6) feet in length or other appropriate device dependent on the animal (i.e., carriers or cages). In situations where a leash or other appropriate device interferes with a Service Animals

Policy 3.4.8

ability to perform its task or service, the Service Animal must remain under the control of the handler at all times.

- c. The owner and handler of the Service/Emotional Support Animal is responsible for any damage of personal or college property or any injuries to an individual caused by the Service/Emotional Support Animal.
- d. The handler must ensure the animal is “housebroken” and trained. The handler must clean up and remove all animal waste created by the animal both inside campus buildings and outdoor campus property.
- e. The Service/Emotional Support Animal may not disrupt the operation of the College or any class. Disruptions include but are not limited to: barking, growling, pacing/constant motion, foul odor, pawing and or sniffing of others. It is the assumption of the College that all Service/Emotional Support Animals on campus are “working” animals and therefore, should not be treated as a pet. There should be no petting by others and no handling by others.

B. Responsibilities of the College Community**1. Service Animals**

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

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

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

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

Policy 3.4.8**2. Emotional Support Animals**

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

In determining request for accommodations for an Emotional Support Animal, the consideration is: 1) does the person have a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities); 2) does the Emotional Support Animal perform tasks or services for the benefit of the person or provide emotional support that alleviates one or more of the identified symptoms for effects of the person's existing disability; and 3) is the request an undue burden on the College, does the request create an unsafe environment, or does it fundamentally alter a College program.

C. Removal of Service/Emotional Support Animals

The College has the authority to remove a Service/Emotional Support Animal from its facilities or properties if the Service/Emotional Support Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities. All cases for removal shall be decided on a case-by-case basis based on that specific situation. In appropriate situations, the College will use a progressive model beginning with a warning for a first offense and removal (either temporarily or permanently) for additional offenses. However, dependent on the severity of the situation, the first offense could result in a temporary or permanent removal.

It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training". N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal.

Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action.

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

Adopted:

MONTGOMERY HUMAN RESOURCES POLICY
COMMUNITY COLLEGE CLUBS AND CIVIC ORGANIZATIONS 3.4.9

The College encourage employees to participate in the activities of certain community clubs and civic organizations.

1. Employees are encouraged to seek membership in community clubs and civic organizations where membership will promote the College's business interests and enhance its image in the community. Employees who participate in clubs or civic organizations may not allow their activities to interfere with job performance, harm or conflict with the College's interests.
2. The College may identify certain community organizations in which it wants to be represented and then designate employees to be sponsored for membership in them. Employees who are designated for membership act as College representatives in the organization and are expected to promote College interests.
3. Employee participation in club and civic organization activities is not considered hours worked for pay purposes unless it is at the College's request or under its direction and control.
4. The College will normally consider the following factors when selecting organizations for membership:
 - a. The nature and purpose of the club or organization;
 - b. The potential benefit to the College, including the enhancement of the employee's leadership and organizational skills;
 - c. The cost to the College;
 - d. The extent to which the College is already represented in the club or organization; and
 - e. The employee's job responsibilities, length of service, and overall qualifications for membership.
5. The College will periodically review its representation in community organizations and make changes it considers appropriate.
6. Employees who are sponsored for membership in community clubs and civic organizations may be eligible for reimbursement for certain expenses. Reimbursable expenses may include but are not limited to dues; special charges; initiation fees; and business-related activities, fees, and meal and entertainment expenses.

Policy 3.4.9

7. Employees who are not designated and sponsored for membership in community clubs and/or civic organizations are responsible for their own expenses.
8. Employees must agree to pay back any membership fees or equity interests paid or reimbursed by the College that might be refunded should membership in the club or organization be terminated.

Adopted:

**MONTGOMERY
COMMUNITY COLLEGE****HUMAN RESOURCES
WELLNESS****POLICY
3.4.10**

The College supports the physical health and well-being of its employees. Full-time employees may use up to thirty (30) minutes of each working day to participate in wellness activities on campus as approved by their supervisor. Activities may include walking for fitness, participation in exercise class, and use of the campus weight room.

Use of the weight room located in Building 500 will be limited to full-time and permanent part-time College employees, Basic Law Enforcement Training (BLET) instructors and students, and students enrolled in curriculum or continuing education courses of which physical education is a required component.

BLET students may utilize the facility during classroom instruction related to physical training and at other times as deemed appropriate by the BLET Director.

Students enrolled in curriculum or continuing education courses, other than BLET, must be under the direct supervision of a certified instructor.

Employees may utilize the facility at times when it is not being used for instructional purposes. A signed risk and release form must be on file in the personnel office prior to any employee using the facility.

No equipment shall be removed from the facility without permission of the BLET Director.

**MONTGOMERY
COMMUNITY COLLEGE****ADMINISTRATIVE
FACILITY USE****POLICY
2.2.3**

The College's facilities exist to meet the educational needs of citizens within the College's service area. The College offers a wide-range of credit curricula and non-credit extension courses and the College's facilities are to be utilized to facilitate these programs. The College may use its facilities in any legal manner. In addition, the College may make its facilities available upon reasonable condition for the periodic use of student organizations, government agencies, non-profit entities, community members and for-profit entities (for non-revenue generating events)¹ provided the activities involved are in furtherance of the College's educational purposes or are in promotion of the community's cultural and educational welfare. The use of the College's facilities cannot compete with any of the College's classes or events that are or could be offered.

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

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

Adopted:

**Montgomery Community College
SGA Report
May 8, 2019 Board of Trustees Meeting**

SGA Updates and Highlights

- The election for the 2019-20 SGA President took place the week of May 6.

**President's Report
May 8, 2019**

Activities since the April Board Meeting

4/11/19	Employee Meeting
4/12/19	Annual Foundation Golf Tournament
4/15/19	Partners Meeting
4/25-26/19	NRA Event
4/30/19	Early College Orientation
5/2/19	BLET Graduation
5/7/19	LPN Pinning Ceremony
5/8/19	Foundation Board Meeting
5/8/19	Board of Trustees Meeting
5/8/19	Graduation

Upcoming Activities

5/16/19	State Board Meeting
5/30/19	Strategic Plan Meeting

Board of Trustees Information

<https://www.montgomery.edu/bot>



MONTGOMERY COMMUNITY COLLEGE

TRUSTEE HANDBOOK

Approved June, 2019

Forward

This Trustee Handbook is designed to help members of the Montgomery Community College Board of Trustees obtain quick and easy information about the Board and the College. The Handbook will be an aid in newly appointed trustee orientation.

This Trustee Handbook serves as an overview of the most common policies and issues related to the Board of Trustees. It is a supplement to the Bylaws of the Board of Trustees, The Montgomery Community College Policy Manual and North Carolina State and Community College System laws. All trustees should be familiar with official policies in the Board Bylaws and the Policy Manual.

In addition, don't forget that a great source of information about your service on the Board or matters concerning the college is the Board chair or the college President. Your questions and concerns are always welcomed.

NON-DISCRIMINATION STATEMENT

Montgomery Community College has filed with the Federal Government an Assurance of Compliance with all requirements imposed by or pursuant to Title VI of the Civil Rights Act of 1964 and the Regulations issued thereunder. Under the Assurance, MCC is committed not to discriminate against any person on the grounds of race, creed, color, sex, age, handicap, or national origin in the admission policies and practices relating to the treatment of students and other individuals, including the provision of services, financial aid, and other benefits, including the use of any building, structure, room, space, materials, equipment, facility or other property.

Montgomery Community College is an equal opportunity institution.

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Board of Trustees Calendar of Events
2019-2020

May 8, 2019	11:30 a.m.	Foundation Board Meeting
May 8, 2018	5:00 p.m.	Board of Trustees Meeting
May 8, 2019	7:00 p.m.	Graduation
May 22, 2019		BOT Self Evaluation Due
June 12, 2019	5:30 p.m.	Committee/Board Meeting
July, 2019		No Board Meeting
August 14, 2019	11:30 a.m.	Foundation Board Meeting
August 14, 2019	5:30 p.m.	Committee/Board Meeting
August 27, 2019	5:30 p.m.	Scholarship Awards Ceremony
September 7, 2019		Foundation Dinner and Raffle
September 11, 2019	5:30 p.m.	Committee/Board Meeting
October 9, 2019	5:30 p.m.	Committee/Board Meeting
November 13, 2019	11:30 a.m.	Foundation Board Meeting
November 13, 2019	5:30 p.m.	Committee/Board Meeting
December 6, 2019	6:30 p.m.	Board Christmas Dinner
December, 2019		No Board Meeting
January 8, 2020	5:30 p.m.	Committee/Board Meeting
February 12, 2020	11:30 a.m.	Foundation Board Meeting
February 12, 2020	5:30 p.m.	Committee/Board Meeting
March 11, 2020	5:30 p.m.	Committee/Board Meeting
April 8, 2020	5:30 p.m.	Committee/Board Meeting
May 6, 2020	11:30 a.m.	Foundation Board Meeting
May 6, 2020	5:00 p.m.	Board of Trustees Meeting
May 6, 2020	7:00 p.m.	Graduation