



BOARD POLICY HANDBOOK

Adopted March 8, 1971
(Reviewed January 2013)
(Revised September 28, 2020)
(Revised November 23, 2020)
(Revised September 27, 2021)
(Revised June 26, 2023)
(Revised April 28, 2025)

MILES COMMUNITY COLLEGE
Board Policy & Procedure Handbook

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SECTION 100: GENERAL INFORMATION

100.1 Institutional Purpose

Miles Community College was established in 1939 for the purpose of providing access to higher education opportunities for the citizens of Custer County. In the early years of the college's existence, programs and services were directed primarily for the residents of Miles City and Custer County, and those students whose opportunities for higher learning would otherwise have been severely restricted because of economic limitations and/or geographic isolation from existing higher education institutions.

As public awareness of the college's potential grew and the demand for occupational programs and community service increased, the purpose of the college was expanded to meet those needs. Programs and services were extended to the outlying region throughout eastern Montana through distance education. The college is committed to remaining accessible, dynamic, and responsive to the social and economic needs of the region.

Policy History
Revised 1/28/2008
Reviewed 1/2013

100.2 Mission and Core Themes:

Mission:

Miles Community College promotes students for success and provides opportunities for lifelong learning through quality programs, community outreach, and partnerships.

Core Themes:

1. Student Success
2. Academic Excellence
3. Workforce Training and Partnerships
4. Community Outreach and Lifelong Learning

The performance of the college shall be measured annually by assessing the degree to which institutional and program outcomes are met.

Policy History
Revised 11/21/2005, 1/28/2008, 10/24/2011, 4/28/2014, 2/22/2016
Reviewed 1/2013

100.3 Appended Specification of Guidelines and Procedures

An appendix to the Board Policy Handbook shall be affixed, to include identifying the Board of Trustees, personnel, the organizational chart, faculty schedule, committees, committee schedules, and emergency information. These documents are updated annually.

Policy History
Reviewed 8/16/99, 1/2013
Revised 6/18/2003, 1/28/2008

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100.4 Access to Public Records

All College records, except those restricted by state and federal law, shall be available to citizens for inspection at the President's office during regular office hours. All requests shall be made in writing using the appropriate form available from the Executive Assistant to the President. A fee may be charged for services rendered and any copies requested.

Policy History
Adopted 11/28/2011
Reviewed 1/2013

100.5 Conflict of Interest

Trustees, employees, and other individuals affiliated with the College shall disclose to the Vice President of Administrative Services and HR any potential conflict of interest and shall recuse themselves from participation in any decision that may result in personal profit or gain, either directly or indirectly, as a result of their relationship with the College.

Policy History
Adopted 11/28/2011
Reviewed 1/2013

SECTION 200: GOVERNANCE & ORGANIZATION

200.1 Board Ethics, Composition, and Responsibilities

The Board of Trustees shall be comprised of seven locally-elected members and represent the district in which they serve. Trustees shall be elected for staggered three-year terms and may run for unlimited terms.

- A. The Board shall derive its authority from the MCA 20-15-225 and shall always act as an advocate on behalf of the community and college. The Board shall be accountable to the district in which they serve.
- B. The Board shall clearly articulate its role as defined in state statute.
- C. The Board shall accept the roles, responsibilities, and duties prescribed for it through the statutes of Montana to operate and maintain a community college adequate to meet the needs of the people of the district and of its service region.
- D. The Board's conduct and behavior, shall exemplify high ethical standards.
- E. The Board shall create and maintain a spirit of collegiality and a mutually supportive relationship with its President, and strive to differentiate between external and internal processes in the exercise of its authority.
- F. The Board shall be responsible for the hiring, supervision, and evaluation of the President. The Board shall delegate authority to the President to lead and administer all College operations and personnel decisions.
- G. Trustees shall come to each meeting prepared and ready to have dialog about issues fully and openly.
- H. After a vote, Trustees shall support the decision and speak with one voice once a decision is made.
- I. The members of the Board of Trustees act only as a board and not as individuals. All Board decisions must be made by a vote in an open public meeting. Outside of Board meetings, trustees shall not make statements or commitments on behalf of the Board.
- J. The Board shall drive the College's strategic planning process and approve all College policies.
- K. Trustees shall engage in regular and ongoing training and continuous improvement.
- L. Concerns and other items presented to a Trustee between meetings shall be referred to the President or Board Chair as appropriate.

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200.2 Board of Trustee Meetings

- A. All meetings of the Board shall be open to the public (<http://leg.mt.gov/bills/mca/2/3/2-3-203.htm>). Agendas shall be distributed to Trustees and posted for the public at least five calendar days prior to meetings according to state statute. The Board shall not take action except by motion passed at a regular or special meeting.
- B. Regular monthly meetings shall be held on the fourth Monday of each month at 5:30 p.m., or at such other time as designated by the Board. An officer of the Board may call a special meeting. Special meetings shall be called only when the urgency of business requires action before the next regular meeting, and business shall be limited to the item or items specified in the notice. At least 48 hours' notice shall be given for special meetings.
- C. Robert's Rules of Order shall be followed in conducting Board business.
- D. The Executive Assistant to the Board of Trustees shall be responsible for preparing agendas, reports, minutes, and additional materials and arrangements as needed.

Policy History
Adopted 6/25/1979
Revised 12/19/88, 8/12/96, 9/18/06, 6/28/10, 10/22/2012
Reviewed 1/2013

200.3 Officers and Committees of the Board

Officers of the Board of Trustees shall include a Chair, Vice Chair, and Secretary.

- A. Duties of the Chair: The Chair shall preside at Board meetings, call special meetings when required, appoint committee members, and sign budget reports and minutes upon Board approval. The Chair serves as the primary Board contact for the President and serves as a member of the Endowment Board of Directors.
- B. Duties of the Vice Chair: The Vice Chair shall act in the absence of the Chair and shall serve as Chair of the finance committee.
- C. Duties of Secretary: The Secretary shall sign budget reports and meeting minutes upon Board approval.
- D. Standing committees shall include, but not be limited to, Finance, Human Resources, and Quality and Advocacy. Committee assignments will begin at the first scheduled committee meeting following the July Board meeting.
 - 1. Finance Committee: The Finance Committee works closely with the President and CFO on the financial welfare of the College. The Finance Committee provides guidance on all matters related to the finances of Miles Community College, which includes purchasing, contracts, bonds, loans, general fund oversight, and restricted and designated fund review. The Vice Chair of the Board of Trustees serves as the Chair of the finance committee and

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provides a formal monthly update and recommendations to the Board of Trustees during the regularly scheduled Board meetings. The Finance Committee ensures appropriate budget management and the College remains fiscally solvent.

2. Human Resources Committee: The Human Resources Committee works closely with the President and Vice President of Administrative Services and HR on matters pertaining to staff and faculty vacancies, Master Agreement process, new compliance regulations, staff and faculty training, and Board of Trustee policy review. The Past Chair of the Board of Trustees serves as the Chair of the Human Resources Committee and provides a formal monthly update to the Board of Trustees during the regularly scheduled Board meetings.
3. Quality and Advocacy Committee: The Quality and Advocacy Committee works closely with the President on matters pertaining to the Montana State Legislature and Montana University System/Board of Regents as well as review quality measures as determined by the Committee and/or the Board of Trustees. This Committee will review ways to advocate for MCC during and between legislative sessions, with the Montana delegates in Washington D.C., and with the Board of Regents on matters associated with community college governance, compliance, and funding. The Chair of the Quality and Advocacy Committee will be assigned annually by the Chair of the Board of Trustees during the May Board meeting.

Policy History
Revised 6/28/10, 10/22/2012, 7/25/2016
Reviewed 1/2013

200.4 Election of Officers

At the first meeting following the verification of the Trustees election, Trustees shall elect a chair, a vice chair, and a secretary from among its members. The elected chair, vice chair, and secretary shall hold office through the next regular meeting of the following May and/or until successors have been chosen. A Trustee who has served as Chair for two successive years shall not be eligible for re-election to the office of Chair until after the intervention of at least one year.

The Executive Assistant to the Board of Trustees shall maintain a current and continuing list of Board members at <http://www.milesc.edu/AboutUs/Board/>

Policy History
Revised 6/28/2010, 10/22/2012, 7/25/2016
Reviewed 1/2013

200.5 Trustee Compensation

Trustees shall serve without monetary compensation.

Trustees shall be entitled to reimbursement of expenses incurred while conducting official Board business according to Policy 800.8. Trustees who live beyond a five-mile radius of the College shall be

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entitled to reimbursement of mileage from their place of residence to the College and return, according to Policy 800.8. Mileage reimbursement shall be paid upon submission of a Travel Reimbursement Form.

Policy History

Revised on: 9/22/1986, 2/15/99 (all of the chapter), 8/16/99

Reviewed & Revised, 7/21/2003, 6/28/2010, 10/22/2012

Reviewed 1/2013

200.6 President

- A. The President shall be directly responsible to the Board of Trustees for the execution of its policies, rules, and regulations and shall serve as the only employee reporting to the Board.
- B. The President shall provide adequate background information to the Board for evidence-based decisions and advice.
- C. The President shall provide the Board with comprehensive, timely, and relevant information and shall be responsible for advising the Board on the formulation of policy.
- D. The President shall be responsible for implementing a staffing pattern that meets the needs of the institution and maintains the quality of the College within budget constraints.
- E. The President shall be responsible for hiring, supervising, and evaluating all College employees.
- F. The President shall utilize the expertise and relationships of the Trustees to advance the mission of the College.
- G. The President shall seek input from the HR Committee in developing and revising Board of Trustee policies prior to Board approval.
- H. The President shall attend all Board meetings, except on those occasions when the President may be excused with approval by the Board Chair.

Policy History

Revised 6/28/2010, 10/22/2012, 7/25/2016

Reviewed 1/2013

200.7 Policy

Policy shall be adopted or revised by a majority vote of the Trustees. Trustees shall direct the President to initiate policy changes. The President may propose new policy and suggested revisions.

The Executive Assistant to the Board of Trustees shall maintain and update the policy manual.

Policy History

Revised 6/28/2010, 10/22/2012

Reviewed 1/2013

200.8 Indemnification and Defense of Trustees

The College shall defend and indemnify Trustees whenever such Trustees are civilly sued for their actions taken within the course and scope of their service to the college.

In a non-criminal action in which a Trustee is a party defendant, the Trustee shall not be defended or indemnified by the College for any monetary judgments or legal expenses, including attorney fees, to which the Trustee may be subject as a result of the suit, if it is determined that:

- A. The conduct upon which the claim is based constitutes oppression, fraud, or malice or for any other reason does not arise out of the course and scope of the Trustee's office;
- B. The conduct of the Trustee constitutes a criminal offense;
- C. The Trustee compromised or settled the claim without the consent of the College; or;
- D. The Trustee failed or refused to cooperate reasonably in the defense of the case.

The College has no obligation to provide a defense to the Trustee or employee in a declaratory judgment action or other legal action brought against the Trustee or employee by the College under this policy.

Policy History
Adopted 2/15/99
Revised 8/16/99 (all of chapter reviewed by Trustees)
Revised 7/21/03 (all chapter)
Revised 6/28/2010, 7/25/2016
Reviewed 1/2013

SECTION 300: ACADEMIC AFFAIRS

300.1 Accreditation

The College shall maintain accreditation with the Northwest Commission on Colleges and Universities. In addition, the College shall strive to meet the requirements for accreditation or certification in selected programs where applicable.

Policy History
Revised 1/28/08
Reviewed 1/2013, 2/2/2021

300.2 Certificates and Degrees

The College offers Associate of Arts, Associate of Science, Associate of Science in Nursing, Associate of Applied Science and certificate programs. Students must complete the program requirements listed in the catalog.

Policy History
Revised 1/28/08
Reviewed 1/2013, 2/2/2021

300.3 Course Credits

Definition

The College shall comply with the Federal definition of a credit hour by adhering to the following specifications:

1. One hour of classroom, online, or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester hour of credit, or the equivalent amount of work over a different amount of time; or
2. One semester credit hour for each 30 hours of laboratory work plus necessary outside preparation or its equivalent, normally expected to be 15 hours; or
3. One semester credit hour for not less than 45 hours of clinical/internship/practicum/independent study instruction (contact hours) or the equivalent.

Compliance

1. The Academic Standards and Curriculum Committee shall be responsible for ensuring that classes meet the above-enumerated specifications as part of the review and approval process.
2. The College Calendar Committee shall be responsible for ensuring that the academic calendar allows for sufficient class sessions when preparing the academic calendar.

Policy History
Reviewed 1/2013, 2/2/2021

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300.4 Academic Freedom

Academic freedom is encouraged and protected as essential to the objectives and purposes of the College. The College shall recognize and protect full freedom of inquiry, teaching, research, discussion, study, publication, and for artists, the creation and exhibition of works of art, without hindrance, restriction, equivocation, and/or Board or Administration reprisal.

The College shall also recognize that faculty members are citizens, members of a learned profession, as well as employees of an educational institution. When they speak or write as private citizens, they shall be free from institutional censorship or discipline. When acting as private citizens, faculty members have an obligation to make it clear that they speak, write, and act for themselves and are not acting as representatives of the College.

Policy History
Revised 9/19/1988, 1/28/08, 2/27/12
Reviewed 1/2013, 2/2/2021

300.5 Curriculum

Program reviews shall be conducted, at the minimum, every seven years. The Academic Standards and Curriculum Committee shall approve all curricular changes. Each semester a copy of the current syllabus for each class shall be placed on file with Student Services and the Associate Dean of Academic Affairs.

Policy History
Revised 6/14/1993, 1/28/2008
Reviewed 1/2013

300.6 Assessment

Assessment activities shall be built on the following foundation of Cultural Cornerstones:

- A. Culture of Evidence
- B. Culture of Analysis
- C. Culture of Reflection
- D. Culture of Improvement

Policy History
Revised 1/28/08
Reviewed 1/2013

300.7 Prior Learning Assessment

The College recognizes that learning which is applicable to a degree program can occur outside of the traditional classroom setting. Accordingly, the College's policy on Prior Learning Assessment (PLA) addresses the various modalities by which students can earn college credits at Miles Community College through the Prior Learning Assessment process. In awarding PLA credit, the College shall adhere to Board of Regents Policy 301.19 – *Prior Learning Assessment*, and Standard 2.C.7 of the Northwest Commission on Colleges and Universities.

PLA modalities can be divided into two categories: Instructional PLA and Experiential PLA. Examples of Instructional PLA include, but are not limited to, the following: standardized tests, such as CLEP, DSST,

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UExcel, AP, and IB; American Council on Education (ACE) and National College Credit Recommendation Service (NCCRS); and faculty-determined assessments, such as challenge exams. The primary type of Experiential PLA is the Portfolio process by which students verify that they have achieved college-level learning through work experience, on-the-job training, community service etc.

The College shall adhere to NWCCU Standard 2.C.7, which specifies that no more than 25% of a credential may be earned through Experiential PLA. The 25% restriction does not apply to Instructional PLA.

Policy History
Adopted 4/26/2017
Reviewed 1/2013

300.8 Dual Enrollment

The College delivers dual enrollment offerings in partnership with regional high schools for qualified juniors and seniors.

Policy History
Adopted 1/20/2003
Revised 10/20/2003, 4/25/2005, 9/19/2005, 1/28/2008
Reviewed 1/2013

300.9 Community Outreach

The College provides community education, personal enrichment, workforce and customized training, and youth and senior activities for a nominal fee.

Policy History
Adopted 8/18/2003
Reviewed 1/2013

All requests for refunds shall be handled through the Distance Education and Community Outreach Department.

Policy History
Adopted 3/17/1986
Revised 2/15/99 (all of the chapter), 10/2000 (all of chapter), 10/2003 (all of chapter), 1/28/2008
Reviewed 1/2013

300.10 Distance Education

The College offers distance education in the form of interactive television or video conferencing, and online learning. The College shall provide distance classes to people working toward a degree or for continued education purposes and retraining of the current workforce.

Policy History
Revised 1/28/08
Reviewed 1/2013

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300.11 Library

The Library shall be open to all students, faculty, staff, and community members.

Policy History
Revised 1/28/08
Reviewed 1/2013, 2/2/2021

300.12 Attendance Records

Instructors shall maintain an accurate record of attendance for all students in all classes using the electronic student management system. A class list will be provided to the instructor. Any discrepancies or errors found in this class list must be immediately reported to the Registrar.

Policy History
Revised 1/28/08
Reviewed 1/2013

300.13 Finals

The last three days of each semester are devoted to final exams. Regular classes during these days are suspended and a Final Exam Schedule, previously published and distributed by the Registrar shall be in effect. All instructors shall administer a final assessment of student achievement.

Policy History
Revised 1/28/08
Reviewed 1/2013

300.14 Grades and Grading Procedure

Faculty must enter mid-term grades in the student management system within one week after mid-terms as outlined in the academic calendar.

Faculty must complete a final grade report for each class in the electronic student management system. This report shall be printed, signed, and returned to the Registrar by the deadline established in the academic calendar.

Policy History
Revised 1/28/08
Reviewed 1/2013

300.15 Bookstore

Faculty shall order textbooks through the Bookstore Manager. The Bookstore shall inventory only those instructional items that are required in the classes by the faculty. While textbooks are not required, when choosing a textbook, faculty members shall ensure that the textbook is an integral part of the course curriculum. Once a textbook is adopted, it shall be used a minimum of two years. Exceptions to this practice may be made only under unusual circumstances with the approval of the Vice President of Academic Affairs.

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At the discretion of the Bookstore Manager, students may be given the opportunity to re-sell books to the Bookstore.

When representatives of college organizations order goods through the Bookstore, they shall receive prior approval for payment by the appropriate Vice President.

Policy History
Revised 1/28/08
Reviewed 1/2013, 2/2/2021

300.16 College Leave of Absence and Retroactive Withdrawal

The College offers different options for a leave of absence including voluntary medical leave, involuntary leave, and a retroactive College Withdrawal. These options assist students who experience situations that significantly limit their ability to function successfully or safely in their role as students. The severity and duration of the circumstance must be such that it would not be reasonable to expect the student to complete the semester or be able to make up any missed work.

Medical Leave/Withdrawal permits students to temporarily withdraw from the College and their studies so they may address the issues that led to the need for leave. A Medical Leave/Withdrawal may be considered for all students with a documented physical or mental health-related condition of a serious nature that requires them to leave the College mid-semester, without completing their coursework. In some instances, this may include the need to provide emergency care for an immediate family member.

Students who are unable to request a timely leave of absence with the Registrar, but who are forced to leave the College due to a health or safety emergency, who experienced a mental or physical illness, injury or other extraordinary circumstance within the semester may qualify for a **Retroactive Medical Withdrawal**. Additionally, those whose grades have been negatively affected due to a medical condition that occurred during a previous semester may qualify for a Retroactive Medical Withdrawal.

An **Involuntary leave of absence** is rare and only occurs when current medical knowledge, or the best available objective evidence indicates that:

1. There is a significant risk to the student's health or safety, or the health and safety of others, or;
2. The student's behavior severely disrupts the College environment, and no reasonable accommodations are available that can adequately reduce that risk or disruption.

When safety is an immediate concern, the Vice President of Student Engagement may remove a student from campus pending a decision on an involuntary leave of absence. An opportunity to be heard by the Vice President of Student Engagement and, if desired, appeal of the removal decision will be provided within five business days of this action. Students will be given the option to take a voluntary medical leave of absence before a decision is made with respect to an involuntary leave of absence.

The intention of this policy is to allow students time to focus on their health. Therefore, students should intend to withdraw from all semester coursework to be eligible for a Medical Leave/Withdrawal. Those

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requesting withdrawal from less than their full course load (due to a medical reason), with appropriate rationale, will be considered on a case-by-case basis.

Medical Leave/Withdrawal is intended to assist students academically. It does not necessarily grant or guarantee a refund for tuition or fees, nor does it release students from other financial obligations.

Procedures for voluntary and involuntary leave, as well as retroactive withdrawals are on file with the Vice President of Student Engagement's Office. Requests for Medical Leave/Withdrawal should be submitted to the Vice President of Student Engagement for consideration. For a Medical Leave/Withdrawal or Retroactive Withdrawal request to be considered, students must provide medical documentation from a licensed care provider, with whom they have an established provider-patient/client relationship. The Vice President may consult with other College employees and/or medical providers for additional support.

Students may request a voluntary medical leave of absence at any time during the semester but must complete such requests, including any provider documentation and submission of related paperwork, no later than the last day of the semester where the leave is requested.

The Vice President will render a decision on the request for a voluntary medical leave of absence after a review of the submitted written request and other documents provided. The student will be notified in writing of the College's decision. Students shall have five business days following approval of the leave of absence to withdraw their request for leave or to appeal the denial of their request pursuant to the Appeal Process described in 300.17.1: College Leave of Absence and Retroactive Withdrawal Appeal.

A voluntary medical leave of absence may not be used in lieu of disciplinary action to address any violations of College rules, policies, or the Student Code of Conduct; rather, a leave of absence and disciplinary action are independent processes that may run separately and independently.

Policy History
Adopted 6/26/2023

300.16.1 College Leave of Absence and Retroactive Withdrawal Appeal

Students may appeal a decision to grant or deny a voluntary medical leave, retroactive withdrawal, the imposition of an involuntary leave, or the denial of a request to return to campus following a voluntary medical leave or involuntary leave pursuant to College procedures. Appeals will be limited to the following considerations:

1. Procedural irregularities that materially affected the outcome of the matter to the detriment of the student (meaning the process outlined by policy was not followed);
2. The student has discovered new information not previously available to the students that may change the outcome of the decision-making process;
3. The decision was not supported by the information and documentation provided.

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The written request for appeal must specify the particular substantive and/or procedural basis for the appeal and must be made on grounds other than general dissatisfaction with the decision of the Vice President of Student Engagement. The Appeal Review shall be the final decision of the College.

Policy History
Adopted 6/26/2023

SECTION 400: INSTITUTIONAL EFFECTIVENESS

To enhance the institutional mission through improvement of the quality of programs and services, and to better provide objective measurable data for analysis and assessment purposes, the College shall maintain a program of Institutional Research that includes the following information sources:

- A. Student demographics
- B. Mid-Program assessment
- C. End-of-Program assessment
- D. Comprehensive program review
- E. Dropouts or non-completers
- F. Alumni satisfaction
- G. Employment/Employer satisfaction

Policy History
Revised 2/25/2008 - Section 400
Reviewed 1/2013

SECTION 500: STUDENT SERVICES

The College shall provide services for students in the following areas:

- A. Admissions
- B. Financial Aid
- C. Registration and Transcripts
- D. Housing
- E. Advising
- F. Career Planning
- G. Academic Support
- H. Disability Services
- I. Transfer
- J. Student Organizations and Activities
- K. Intercollegiate Athletics
- L. Veteran Affairs
- M. International Student Affairs

Policy History
Revised 3/24/2008, 3/28/2016
Reviewed 1/2013, 7/2021

500.1 Student Records

The College shall maintain and secure accurate and adequate student records, and student record procedures consistent with the requirements of applicable state and federal laws and guidelines. All employees, including College-employed students, are required to complete the Family Educational Rights and Privacy Act (FERPA) training.

The Vice President of Enrollment Management and Educational Support Services shall be responsible for student record maintenance. Student transcripts, as part of the permanent academic record, shall remain on file permanently. All other admissions, enrollment, registration, and academic records will be maintained according to the Montana University System's General Record Retention Schedule.

Appropriate employee access to student records, including electronic student records in the student information system and learning management system, shall be managed through a formal process involving the Vice President of Enrollment Management and Educational Support Services or designee, the Vice President of Academic Affairs or designee, Information Technology, Human Resources, and relevant department managers. Physical student records containing personally identifiable information and non-directory student information shall be stored securely in a locked cabinet or office, or in one of the College secure storage vaults, with vault access granted by the Vice President of Enrollment Management, College Registrar, or designee.

Policy History
Revised 3/24/2008, 3/28/2016, 9/27/2021
Reviewed 1/2013

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500.2 Dismissal of Students

Any student who fails to comply with established academic probation and suspension requirements and the student code of conduct may be subject to dismissal from the College.

Policy History
Moved & Revised 1/28/2008, 3/28/2016, 9/27/2021
Reviewed 1/2013

500.3 Admission and Registration Authority

With the exception of admission policies established by the MUS Board of Regents (Section 301-301.1), MCC Board of Trustees have sole authority to establish policies impacting students' abilities to 1. Be admitted to MCC and 2. Be registered in courses during their time of enrollment at MCC.

Policy History
Adopted 3/28/2016
Reviewed 7/2021

500.4 Standard of Conduct

Students at Miles Community College are expected to maintain a high standard of personal conduct, both on and off campus. Students who violate Code of Conduct Standards shall be subject to disciplinary action as outlined in the *Student Handbook*. Students living in residence halls shall also be provided with a *Residence Hall Handbook* to ensure their mutual safety and well-being. Student Athletes must also agree to the *Athletic Code of Conduct* and are subject to sanctions for non-compliance. Nursing students are responsible for additional expectations and requirements identified in the *Nursing Handbook* and are subject to sanctions for non-compliance.

Policy History
Revised 3/24/2008, 2/24/2020
Reviewed 1/2013, 7/2021

500.5 Mandatory Residence Hall Policy

Students meeting any of the following criteria must live in the residence halls:

- A. Students under 21 years of age having fewer than 30 earned credit hours;
- B. Recipients of Miles Community College room and board scholarships;
- C. Intercollegiate athletes.
- D. Enrolled in nine (9) or more credits

Persons meeting the following criteria may not live in the residence halls:

- A. Individuals with criminal records who may pose a threat to the safety of the residents
- B. Un-emancipated minors
- C. Minor children of students

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Students requesting an exemption to this Mandatory Residence Hall Policy must adhere to the exemption policy outlined in the *Student Housing Policy Handbook*. Exemptions to this policy are based on the following criteria:

- A. Students under age 21 and living with their parents, grandparents, or legal guardians
- B. Married students
- C. Students with dependents
- D. Extenuating circumstances approved by the Vice President of Student Engagement and Auxiliary Services
- E. Students who are solely registered for Distance Education courses or programs

Students requesting an exemption must complete a notarized exemption request form or sign in front of a Student Services or Housing staff professional and submit to the Vice President of Student Engagement or designee. Supporting documents may be requested to consider requests (i.e. letter from parent, grandparent or legal guardian, marriage license, birth certificate, transcript, etc.)

Policy History
Revised 10/20/2003, 3/24/2008, 3/24/2014, 3/28/2016, 3/28/2016, 8/24/2020
Reviewed 1/2013, 7/2021

500.6 Room and Board

Room and board rates are set during the annual budget process.

The Food Service offers meal plan options. Students living in the residence halls are required to purchase a meal plan (excluding those students approved to live in the apartment at the Ag Advancement Center). No refunds are given to students after the 60% point of the semester. Food plan balances cannot be carried over from fall to spring semester or year to year. Any remaining balance at the end of either fall or spring semester is forfeited.

- A. During emergency situations that affects most students (i.e. acts of nature, national or state disasters, etc.) the College may consider issuing refunds or credit vouchers prior to the 60% of the semester. These refunds or credit vouchers may be a prorated amount based on the time that the emergency occurs for both housing and dining charges to ensure unit overhead charges are covered.
- B. The meal plan cost includes an administrative overhead cost of \$200/semester that is not refundable once any amount of the meal plan has been utilized.

Policy History
Revised 3/24/2008, 3/28/2016, 8/24/2020
Reviewed 1/2013, 7/2021

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500.7 Student Activities

The College shall provide opportunities for student activities, including, but not limited to:

- A. Intercollegiate athletics
- B. Associated Students of Miles Community College -sponsored clubs and activities
- C. Intramurals and other Centra related programming
- D. Residence Hall programs and events

Policy History
Reviewed 1/2013, 7/2021
Revised 8/24/2020

500.7.1 Supervision of Student Organizations

Advisors to student organizations are expected to be in attendance at all of the organization's meetings and functions and to assist in carrying out and achieving its purposes and goals. Advisors are encouraged to develop leadership, decision-making, and active participation by student members of the organization. It is not intended that advisors should assume decision-making responsibilities for the organization, or that they should shoulder the burden of carrying out the functions of the group. Advisors should, however, take appropriate steps to ensure that all actions and activities of the organization conform to college policy and regulation; and to Associated Student of Miles Community College (ASMCC) rules and regulations relating to student organizations. Alcohol consumption shall not be permitted at Student Organization sponsored events and activities, whether on or off campus.

Advisors to student organizations shall take all steps necessary to ensure that accurate records are maintained and that established college accounting procedures are followed in the financial affairs of the organization. Records, including a list of officers, membership roster, minutes of meetings, community service activities and annual budgets shall be submitted to the Vice President of Student Engagement and Auxiliary Services.

Policy History
Revised 3/24/2008, 7/27/2009, 8/24/2020
Reviewed 1/2013, 7/2021

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500.8 Campus Crime and Security

The College shall comply fully with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics* and shall take all necessary precautions and actions.

The College shall prepare, publish, and distribute statistical reports in accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. These Annual Security Reports (ASR) are published on the college website annually. Additionally, information on where to access the report shall be distributed to all students and employees (including prospective students and employees), and all administrators annually.

Policy History

Adopted 10/12/1992

Revised on: 8/9/1993,

Revised on: 2/15/99 (all of the chapter), 1/22/2001 (all of chapter), 3/24/2008, 3/28/2016, 8/24/2020

Reviewed 1/2013, 7/2021

500.8.1 Missing Persons

In accordance with the Higher Education Act of 2008, all students living on campus must register a confidential contact with the College that will serve as the missing person contact. Access to this information is restricted to authorized campus officials and law enforcement officers actively involved in the furtherance of a missing person investigation.

The confidential contact person may be different than the person's emergency contact person(s). This individual is the person who will be contacted by the Vice President of Student Engagement or designee or a police department within 24 hours of determination that a student is reported missing. Additionally, this individual will be updated as to the progress of the investigation. In the event that the student is under 18 years of age, and has not been legally emancipated, the student's parents or guardian will also be contacted within 24 hours of the determination that the student is reported missing.

The contacts for all students living on campus will be maintained by the Coordinator of Student Life and College Housing.

Policy History

Adopted 11/23/2020

Reviewed 7/2021

500.9 Senior Citizens Golden Pioneer Card

Custer County residents sixty-two (62) years of age or older may obtain a Miles Community College Golden Pioneer Card at Student Services. Cardholders are allowed to attend College-sponsored athletic and cultural events at no charge. Golden Pioneers who enroll in a college credit class shall receive a tuition waiver and pay general, course-specific, and distance fees only.

Policy History

Adopted March 27, 2000

Revised 10/20/2003 (all of the chapter), 4/25/2005, 9/19/2005, 3/24/2008

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Reviewed 1/2013, 7/2021

500.10 Mandatory Placement

Miles Community College has a mandatory placement policy—students may only enroll into the courses that align with their placement. MCC uses multiple measures to determine the most appropriate placement for each student including high school GPA, previous college course work, ACCUPLACER scores, and/or ACT/SAT scores. The placement test scores shall not prevent any potential student from entering college; however, placement results are mandatory. Students who have taken the ACT or SAT test may be exempt from placement testing if the test has been taken within a three-year period and their scores meet minimum placement standards as published in the catalog. Students who have successfully completed college-level mathematics and written communications courses at an accredited college or university are exempt from this policy.

Policy History

Revised 3/24/2008, 3/28/2016, 9/27/2021

Reviewed 1/2013

500.11 Credit by Examination

The College awards credit toward graduation for successful performance in certain subject examinations of the College Level Examination Program (CLEP) conducted by the College Entrance Examination Board.

The College will accept up to a maximum of 30 semester credits for satisfactory scores on the subject examinations. CLEP courses will be recorded as “P” grades on official transcripts. Scores below the passing level will not be entered on transcripts.

Policy History

Adopted 11/17/2003

Revised 7/24/2006, 9/25/2007

Reviewed 1/2013, 7/2021

500.12 Accommodations Policy

The College believes that every student should succeed and works closely with students to meet their needs. Miles Community College has a policy of providing reasonable accommodations to qualified students with a documented disability. Students whose disabilities may require accommodations, are encouraged to contact the Director of Student Success and Retention in the Learning Center as soon as possible.

The College abides by federal and state regulations provided by the Americans with Disabilities Act in reference to service animals. Students seeking accommodations for support animals shall work with the Disability Support Services office for approval.

Policy History

Adopted 11/15/2004

Revised 3/28/2016, 1/22/2018

Reviewed 1/2013, 7/2021

500.13 Freedom of Expression

The College recognizes that the freedom of expression is integral to the purpose and process of the college, whose primary goal is education. Therefore, no College policy or rule shall infringe upon this constitutional right.

The College supports and encourages diverse points of view, though they may sometimes seem distasteful or offensive, as this is the nature of the College's educational responsibility and is safeguarded by the freedom of expression.

The College recognizes the First Amendment rights to expression. These rights include individual and group activities including but not limited to:

- A. Assembling,
- B. Demonstrating,
- C. Signing,
- D. Pamphleting,
- E. Structuring, and
- F. Political campaigning.

The right to freedom of speech includes exercising it responsibly, including abiding by the following:

- A. The use of violence, or credible threats of violence, is strictly prohibited.
- B. Activities which infringe upon the rights of another person are prohibited.
- C. Activities shall not obstruct the free flow of vehicular or pedestrian traffic on campus.
- D. Activities shall not use sound amplification except with prior written approval from the Vice President of Student Engagement and Auxiliary Services or designee.
- E. Activities shall not block the entrances or exits to any campus building or facility.
 - a. A distance of 50 feet from any building or facility must be kept to alleviate the interruption of the flow of campus community traffic.
 - b. To exercise expression at closer than this buffer area, permission must be granted in writing by the Vice President of Student Engagement and Auxiliary Services or designee.
 - c. No expression activities shall be allowed within any college buildings, facilities, or temporary event facilities such as tents etc., unless the facility use is duly approved by the Vice President of Student Engagement and Auxiliary Services or designee.
- F. Printed materials, writing, or other tangible means of expression shall not be attached to College property, including sidewalks, trees, walls, or other property (including on vehicles parked on campus).
- G. Printed materials, writings, or other tangible means of expression shall not be placed on any interior surface of any college building without the written permission of the Vice President of Student Engagement and Auxiliary Services or designee.

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- H. Activities shall not disrupt, block, or physically displace performers/programs that have reserved a venue or facility.
- I. Individuals or groups shall not permanently occupy land areas or permanently place signs and posters. This prohibition includes but is not limited to the erection of permanent structures, shelters, or camps.
- J. Activities shall not interfere with classes, college work, arts and cultural activities, research, or scheduled events.
- K. Individuals and organizations shall be responsible for cleanup and for any cleanup costs resulting to the college from their activities.
- L. Individuals and organizations shall be responsible for the content of any signage, pamphlets, or structure that they post, distribute, or erect on campus. Furthermore, the college reminds any organization distributing materials to be aware of laws concerning defamation, obscenity, fair labor practices, etc.
- M. No political campaign activities shall be allowed inside any college buildings, facilities, or temporary facilities such as tents, except by approval of the Vice President of Student Engagement and Auxiliary Services or designee.

Policy History
Adopted 5/19/2014
Reviewed 7/2021

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SECTION 600: PERSONNEL

Miles Community College employs personnel that uphold the College's Mission and Strategic Initiatives.

Policy History
Added 6/23/2008
Reviewed 1/2013, 7/2021

600.1 Definitions

The following are common definitions of terms used throughout this policy:

A. Spouse

An employee's legal spouse as defined by Montana law.

Revised 3/24/2014

B. Dependents

Unmarried dependent children under age 26. Children include your natural children, stepchildren and children placed in your home for adoption before age 18 or for whom you have court-ordered custody or you are the legal guardian.

Revised 2/23/2009, 3/24/2014

C. Exempt/Non-exempt Status

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are specifically excluded from the provisions of federal and state wage and hour laws. An employee's exempt or non-exempt classification may be changed only upon written notification by the Vice President of Administrative Services and HR.

D. Full-Time Employee

A full-time employee is one who works an annual average of forty (40) hours per week, has satisfactorily completed the probationary period.

E. Immediate Family Member

An immediate family member is an employee's spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother-in-law and father-in-law, brothers-in-law, sisters-in-law, daughters-in-law, sons-in-law, as well as half- and step- members of the family.

Revised 5/21/2012

F. Member of Household

A member of household is a person who is claimed as a dependent when filing year-end tax forms. Such a dependent allows a taxpayer to qualify for the dependency exemption. A member of household can be a relative or a non-relative, but in order for a non-relative to

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be claimed as a member of household, he or she must meet the relationship requirements outlined by the IRS.

Revised 5/21/2012

G. Permanent Employee

A permanent employee is an employee who has attained satisfactory completion of an appropriate probationary period.

H. Permanent Part-Time Employee

A permanent part-time employee is one who normally works less than 40 hours a week and has satisfactorily completed the probationary period. (MCA 2-18-601)

Revised 5/21/2012, 9/27/2021

I. Probationary Employee

The probationary period is intended to give new, transferred and rehired employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets both the employee's and the employer's expectations.

During the initial probationary period, the employee may be terminated for any reason or for no reason at all. Such terminations during the initial probationary period are not subject to due process or the grievance procedure. The probationary period does not represent a guarantee of employment for six-months or any other period of time.

Revised 10-27-2008; 7/23/2018

J. Temporary Employees

A temporary employee means an employee who:

1. is designated as temporary by an agency for a definite period of time not to exceed 12 months;
2. performs temporary duties or permanent duties on a temporary basis;
3. is not eligible for permanent status;
4. is terminated at the end of the employment period; and
5. is not eligible to become a permanent employee without a competitive selection process.
6. is eligible for all benefits provided to permanent full-time employees with the exception of tuition waivers.

Revised 3/24/2014

Reviewed 1/2013, 7/2021

K. Student Employees

Students who work for the college as temporary, part-time employees who either receive federal work-study funds or are paid as student labor to perform limited tasks for the college. Student employees should not work over nineteen (19) hours per week during periods when the college is in session.

Policy History

Adopted 9/27/2021

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600.2 Employment

All applicants are required to complete the College's hiring process.

Salaries shall be based upon job classification, which includes consideration of the difficulty of the position, the technical skills required, and the amount of management responsibility. Previous work experience, and/or training may be considered upon hire.

The terms and conditions of employment are outlined in an annual Employment Contract. Employees are responsible for fulfilling the requirements of the contract. Employment shall be limited to the time specified in the contract, but may be renewed upon approval of the President. Employees who are unable to fulfill the conditions of the contract shall notify the Vice President of Administrative Services and HR in writing at the earliest possible opportunity.

Policy History
Revised 11/15/99, 6/22/2008
Reviewed 1/2013, 7/2021

600.3 Probationary Period

All new employees (except full-time faculty, as the faculty probationary period is delineated in the faculty master agreement) shall complete an initial probationary period of six months from the date of hire. During the initial probationary period, the employee may be terminated for any reason or for no reason at all. Such terminations are exempt from the grievance procedure.

Policy History
Added 6/23/2008; 7/23/2018
Reviewed 1/2013, 7/2021

600.4 Outside Employment/Other Responsibilities

Employees shall not assume responsibilities outside the College which interfere with assigned duties. Outside employment shall not serve as an acceptable reason for poor job performance, absenteeism, tardiness, or refusal to work overtime. If any of these conditions should arise, the employee may be required to cease outside employment or may be terminated.

College resources shall not be used to sustain or seek outside employment.

Policy History
Revised 6/23/2008
Reviewed 1/2013, 7/2021

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600.5 Background Checks

The College reserves the right to conduct background checks, the results of which shall determine an applicant's eligibility for employment. Any information attained shall be placed in the employee's personnel file and kept strictly confidential.

Policy History
Adopted 10/20/2003
Revised 6/23/2008
Reviewed 1/2013, 7/2021

600.6 Sex Offender

Under the provisions of the Family Educational Rights and Privacy Act, as amended by the Campus Sex Crimes Prevention Act, Miles Community College may disclose information concerning registered sex offenders after appropriate consultation with local criminal justice agencies and legal counsel review of the proposed methods of dissemination.

The purpose of this reporting is to ensure that members of the campus community have information available concerning the presence of registered sex offenders. All registered sex offenders are required to self-report their status to the College upon employment or enrollment. Faculty and Staff shall report this to the Vice President of Administrative Services and Human Resources and students shall report this to the Vice President of Student Engagement. If designated as a registered sex offender, after employment or enrollment, the self-reporting must occur within one working day of the designation. Human Resources or the Office of Student Engagement will contact the employee or student to clarify his or her status and to advise him or her of applicable College policy and procedures. Failure to self-report may result in disciplinary action up to and including termination of employment or expulsion.

The Adam Walsh Child Protection and Safety Act is a federal statute signed into law in 2006. The Act organizes sex offenders into three tiers and provides guidance for how often each person identified into specific tiers must update their registry information. Section 46-23-508 of the Montana Code Annotated governs dissemination of information about sexual and violent offenders, including the release of information on juvenile sex offenders who are required to register. Dissemination pursuant to Section 46-23-508 is dependent on the type of offender and level of risk.

The Montana Sexual or Violent Offender Registry (SVOR) was created by the Montana Department of Justice in 1989. The SVOR is administered by the Sexual or Violent Offender Registration Unit with the Division of Criminal Investigation and the link can be found at <https://app.doj.mt.gov/apps/svow/search/>.

Registered Sex Offenders are:

- not barred from employment with MCC. Limitations and restrictions on employment must be both reasonable, job related, and directly related to areas of potential risk.
- not barred from enrollment at MCC. Students pursuing academic programs with specific licensure requirements are encouraged to contact their academic advisor and/or the state or national licensing agency related to their program.

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- prohibited from working in or being upon the premises without authority of any area of the College that is designated to provide service/care to children. Supervisors of registered sex offenders should not assign the employee to an area from which they are prohibited if other employees are available to complete the assignment. If the assignment of the sex offender is essential, their immediate supervisor must escort them for the entire time they are working in the prohibited location.
- prohibited from working, living, or being present in living areas of college housing.

Policy History
Adopted 11/23/2020
Reviewed 7/2021

600.7 Qualifications

Minimum qualifications for all employees shall be delineated in the respective position descriptions. Qualifications for faculty are set forth in the Montana Board of Regents policy.
mus.edu/borpol/bor700/730.pdf

In the event that applicants are hired who do not meet the minimum qualifications, they must become qualified within an agreed-upon period of time as stated in their employment contract, unless waived by the President. This may include further study or coursework in the appropriate discipline.

Policy History
Revised 11/15/99, 8/20/07, 6/23/2008, 11/28/11
Reviewed 1/2013, 7/2021

600.8 Faculty Responsibilities

The College places emphasis on the quality of the instructional program. Specific responsibilities of faculty members include the following:

- A. Effectively instruct the assigned classes with sufficient instructional time to fulfill Carnegie units.
- B. Maintain accurate records of attendance and grades in the College's student data management system.
- C. Complete and submit all required records and reports on schedule.
- D. Advise students as assigned using the Advising Handbook.
- E. Maintain records on each student advisee, by documenting program and course selection, progress towards graduation requirements, and any deviation from the prescribed or recommended curricular program.
- F. Attend meetings and serve on committees as assigned.

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- G. Serve as faculty sponsor, supervisor, or chaperon for a limited number of student organizations and/or activities as assigned.
- H. Prepare a course syllabus for all assigned courses submit electronic copies to the Associate Vice President of Academic Affairs and the Associate Dean of Academic Affairs.
- I. Spend a minimum of 35 hours per week on campus (includes off-campus activities required by assigned responsibilities).
- J. Post and adhere to a minimum of seven (&) office hours per week.

Faculty meetings may be called at the discretion of the administration. Faculty members are expected to be in attendance at faculty meetings, excepting only those occasions when college or staff assignments require their presence elsewhere.

Policy History
Revised 8/20/2007, 6/22/2009, 7/27/2009
Reviewed 1/2013, 7/2021

600.8.1 Contract Year Obligations

The contract year shall begin six (6) business days prior to first day of class for Fall semester. Faculty contract days total 155. Faculty shall work 154 days per contract year pursuant to an academic calendar developed by the College administration, who agree to creation of a calendar committee, comprised of faculty and classified/exempt staff representatives. These 154 days will include teaching, teaching-related activities (i.e. office hours, laboratory preparation, etc.), advising, orientation activities, grade reporting, professional development, recruitment and committee/accreditation assignments. The concept of floating days is no longer recognized. In addition, there will be one (1) faculty day in May, June, or August assigned by the VPAA in consultation with the faculty.

Of the 155 contract day, three half days during Fall semester and three half days during Spring semester will be dedicated towards faculty prep and advising only. Also included in the 155 contract days are the equivalent of 4 professional development days and the equivalent of 4 “value added” days as determined by Administration in consultation with Association.

Policy History
Revised 6/25/2007, 11/28/11, 7/22/13, 8/18/2015
Reviewed 1/2013, 7/2021

600.8.2 Course Teaching Assignments

Teaching assignments shall be set forth as follows:

- A. Working with the Vice President of Academic Affairs and subject to the Vice President’s approval, faculty members will develop with their division chair/director an annual course schedule that takes into consideration programmatic scope and sequence of courses that

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focus on a learner-centered schedule, which may include daytime, evening, weekend, distance learning (online, interactive television, etc.), and other courses.

- B. The Vice President of Academic Affairs shall make all teaching assignments in consultation with the Division Chairs/Directors. When requested, faculty shall submit in a timely fashion their specific teaching requests for regular, full-time teaching assignments, including summer, to the Vice President of Academic Affairs. Depending on enrollment and after input from the faculty, the Vice President will make additional recommendations for course assignments, course deletions, and any overload courses.
- C. The Vice President of Academic Affairs has the prerogative to cancel courses with low enrollment and may consult with the Division Chairs/Directors and affected faculty in the event a course may be cancelled. In the event a core course is being considered for cancellation, the Vice President of Academic Affairs may provide the faculty member with the opportunity to teach the low-enrollment class at reduced rate, per article 16. The Vice President of Academic Affairs also has the option to offer the course as an independent study course for the affected student(s) in accordance with Section 10.6
- E. The Vice President of Academic Affairs will provide a written statement of overload/underload status to each faculty member within two weeks after the eighth day of classes.
- F. Courses and schedules will be based on student demands and needs. Some and/or all teaching requests may not be met.
- G. Class size limits will be set by the Vice President of Academic Affairs in consultation with the Department Chair/Director and faculty. Faculty members will be allowed to admit students over the class limit at their discretion; however, no extra pay will be given for extra students over the established class limit.

Policy History
Revised 6/25/2007
Reviewed 1/2013, 7/2021

600.8.3 Professional Development

Faculty members are required to participate in professional development, such as presenting at professional conferences and workshops. Upon written approval of the Vice President of Academic Affairs, faculty may attend professional development activities off and on campus. Please refer to the Faculty Master Agreement.

Policy History
Revised 6/25/2007, 8/18/15
Reviewed 1/2013, 7/2021

600.8.4 Instructional Work Load and Working Hours

A. Preparation for instruction

Quality classroom instruction requires adequate preparation. Each instructor should devote the major portion of non-classroom hours each week preparing for the instruction of assigned classes. To meet these objectives, faculty shall prepare and adhere to an Office Hours Schedule each semester and shall post such schedule on their office doors.

B. Overload

Full-time faculty members will be allowed to teach up to 18 load hours per semester. Summer session is overload except in the case of a faculty member who has not met the required 30 load hours per contract year; summer courses will be used to make-up the difference. Any exceptions to this require permission from the Vice President of Academic Affairs.

C. Independent Study

The Vice President of Academic Affairs must approve all independent study courses. If a regularly scheduled course is being offered, that course cannot be taken as an independent study for that semester/term.

Policy History
Revised 8/20/2007
Reviewed 1/2013, 7/2021

600.9 Family and Medical Leave

Employees shall be eligible for family and medical leave if they have at least 12 months of service, have worked at least 1,250 hours within the preceding 12-month period, and work at a worksite where there are at least 50 employees within a 75-mile radius. If eligible, an employee may be able to take up to 12 weeks of unpaid leave during a 12-month period for the following reasons:

- A. The birth of a child or to care for a child within the first 12 months after birth;
- B. The placement of a child with the employee for adoption or foster care and to bond with and care for the child (within the first 12 months after placement);
- C. To care for an immediate family member who has a serious health condition;
- D. For a serious health condition that makes the employee unable to perform the functions of his/her position; or
- E. If the employee experiences a qualifying exigency that arises out of the fact that a spouse, parent, or child has been called to or is on active military duty as a member of the National Guard or military reserves.

The College shall use the 12-month period measured forward from the date an employee's first FMLA leave begins as the method for determining the period of FMLA protection.

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A. Military Caregiver Leave

An employee who is the spouse, parent, child, or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty may be eligible for up to 26 weeks of FMLA leave in a 12-month period, including the types of leave listed above.

B. Notice of Leave

When requesting leave, the employee shall:

1. Supply sufficient information to the Vice President of Administrative Services and HR to determine if the FMLA applies to the leave request, as well as information regarding the anticipated timing and duration of leave;
2. Provide notice of the need for leave far enough in advance to provide sufficient coverage for the employee's responsibilities, or as soon as feasible;
3. Cooperate with all requests for information regarding whether or not absences are FMLA-qualifying.

Failure to comply with the notice of leave requirement may result in leave being delayed or denied.

C. Intermittent Leave

When medically necessary, employees may take FMLA leave intermittently or on a reduced schedule basis for their own serious health condition, the serious health condition of a family member, or for military caregiver leave. Employees are required to cooperate with the College to arrange reduced work schedules or intermittent leave so as to minimize disruption of college operations.

Qualifying exigency leave may be taken intermittently without regard to medical necessity or disruption of college operations.

Leave due to the birth or adoption of a child may not be taken intermittently and must be completed within the 12-month period beginning on the date of birth or placement of the child.

D. Medical and other Certifications

Employees shall be required to provide a medical certification if the leave request is: 1) for the employee's own serious health condition; 2) to care for a family member's serious health condition; or 3) for military caregiver leave. Failure to provide the requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied and the employee may be subject to disciplinary procedures, up to and including termination.

The College, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical certification provided by the employee. In lieu of a second opinion, the College may contact the health care

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provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

E. Fitness for Duty Certifications

Employees returning from FMLA leave for their own serious health condition shall provide a Fitness for Duty (FFD) certification signed by their health care provider. Employees who fail to provide an FFD certification shall be prohibited from returning to work and may be subject to discipline or termination.

FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his/her duties safely.

F. Concurrent Leave

Employees shall use any accumulated sick leave, vacation time, or personal leave to the extent available during FMLA leave unless such leave is covered under workers' compensation, in which case the employee may use accumulated leave time only for the purpose of satisfying any waiting period. Absences in excess of these accumulated days shall be treated as FMLA leave without pay.

G. Maintenance of Benefits

The College shall maintain health care benefits for the employee while on FMLA leave, but the employee is responsible for paying the normal monthly contribution. If the employee elects not to return to work at the end of the leave period, and has exhausted his/her paid-leave options, the employee shall be required to reimburse the College for the cost of premiums paid for maintaining coverage during the unpaid-leave period. All other benefits cease to accrue during the unpaid portion of the leave.

H. Married Couples Who Work for Miles Community College

If an employee and his/her spouse both work for the College, they are both eligible for leave. The married employees may be limited to a combined total of 12 weeks of FMLA leave in a 12-month period if the leave is taken for:

1. The birth, adoption, or foster placement of a child;
2. To care for a parent with a serious health condition; or
3. A combination of the above.

For military caregiver leave, the married employees may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leave listed above in this paragraph.

I. Absenteeism

FMLA leave may be counted as an absence under the College's leave policy.

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J. Return from Leave

Upon return from leave, the employee shall be restored to his/her original or an equivalent position. An employee who fails to return at the end of FMLA leave shall, in most cases, be considered to have voluntarily resigned from his/her position at the College unless he/she is entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

Policy History
Reviewed 1/2013, 7/2021

600.10 Evaluation

All permanent employees shall undergo regular and systematic evaluation.

Policy History
Reviewed 1/2013
Revised 9/27/2021

600.10.1 Staff Evaluation

All permanent staff shall be evaluated before the end of the six-month probationary period and annually thereafter prior to end of the contract year (June 30th). Part-time employees may be evaluated as determined by supervisor. Staff evaluation procedures are specified on the evaluation form provided by the Human Resources office.

Policy History
Revised 11/24/2008, 8/26/11, 9/27/2021
Reviewed 1/2013

600.10.2 Faculty Evaluation

The Vice President of Academic Affairs is responsible for the evaluation of all faculty and making recommendations to the President on matters of retention. Faculty evaluation procedures are specified in the Faculty Master Agreement and are available at the office of the Vice President of Academic Affairs.

Modifications to the evaluation process may be made for nursing faculty to meet State Board and National League of Nursing requirements. The Director of Nursing shall administer any such modifications.

Policy History
Revised 9/19/1988, 6/25/2007, 8/26/11
Reviewed 1/2013, 7/2021

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600.11 Benefits

Miles Community College offers benefits for full-time faculty and staff, and permanent part-time staff based on eligibility criteria.

Policy History
Revised 7/23/2007, 9/27/2021
Reviewed 1/2013

600.11.1 Insurance

The College shall arrange for participation in the Montana University System Group Benefits Plan for all eligible employees. The College shall contribute the employer contribution as established by the Montana University System Group Insurance Plan and applicable state law. Any additional cost shall be borne by the employee and paid through payroll deduction.

Policy History
Adopted 12/22/1976
Revised 03/15/1999, 7/23/2007, 01/26/2009, 01/27/2020
Reviewed 1/2013, 7/2021

600.11.2 Retirement

Employees separating from employment may elect to retire if eligible under their respective program.

All eligible employees are covered by the benefits of Social Security and the Montana Public Employees Retirement System (MPERA) or Montana Teachers Retirement System (MTRS) in accordance with Title 19 Montana Code Annotated. Deductions are made from the wages of all employees according to Federal and State statutes.

In accordance with Montana Code Annotated, the College does not participate in “buyback” benefits when former or present employees make application for retirement benefits and request retroactive employer contribution.

Employees considering retirement may contact Human Resources for information about retirement programs and the benefits that apply to retirees, however, Human Resources cannot provide specific information about individual benefits. Employees considering retirement will need to contact their retirement program directly for any details related to their account and the process for initiating any retirement benefits.

Retirement is accomplished by submitting written notification to an employee's immediate supervisor indicating their decision to retire and the proposed effective date. The College provides retirement resources to assist retiring employees.

Policy History
Revised 10/27/2008, 2/23/2009, 9/27/2021
Reviewed 1/2013

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600.11.2.1 Emeritus Status

Miles Community College supports granting Emeritus status to retiring or retired faculty and may confer the title “Emeritus Status” on any member of the College faculty on or after retirement in recognition of services to the College.

A. Process

1. The President’s Cabinet may confer Emeritus status on an eligible faculty member or retired faculty member.
2. The President’s Cabinet shall develop the criteria by which faculty can be nominated.
3. To be eligible for Emeritus status, the faculty member must be within six months of retirement or has retired.
4. Any faculty or staff may nominate an eligible faculty member any time within the year of retirement or any faculty member who has retired.
5. In considering whether a faculty member shall receive the Emeritus status, the President’s Cabinet will review the nomination and take into account services rendered that have contributed to the academic work and development of the College. The President’s Cabinet will then submit the nomination to the Board of Trustees for final approval.
6. Emeritus status shall be effective immediately after the last day of teaching duty; or if the faculty member has already retired, the effective date will be after the Board of Trustees’ final approval.
7. For all purposes of courtesy and on ceremonial occasions, an Emeritus Faculty shall be regarded as a faculty member of the College.

B. Privileges

1. A permanent college identification card (Golden Pass--Emeritus) for all athletic and student body activities.
2. The use of college recreational facilities under conditions applicable to the faculty.
3. The use of the Library and computing services facilities under condition applicable to the faculty.
4. Inclusion in the College Catalog, Student Handbook, and other formal listings of faculty.
5. An invitation to all formal faculty events including College commencement.
6. Eligibility to request post-retirement employment.

Policy History
Adopted 9/16/2002
Revised 7/29/2009
Reviewed 1/2013, 2/9/2022

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600.11.3 Industrial Accident and Workers' Compensation

All College employees are covered by Industrial Accident Insurance and by Workers' Compensation. All work-related accidents and near misses, no matter how minor, must be immediately reported to the employee's supervisor and a First Report of Injury Form needs to be completed and returned to the Vice President of Administrative Services and HR.

Workers' Compensation benefits are set by statute: the College does not set the requirements for this insurance.

Policy History
Revised 2/23/2009
Reviewed 1/2013, 7/2021

600.11.4 Faculty Leave

In the event that an instructor is absent from assigned classes, whether from illness or other causes, notice of such absence shall be given to the Vice President of Academic Affairs. Measures shall be taken to insure that instructional requirements of the affected courses and/or programs are fully met during the instructor's absences.

Revised 8/20/2007, 7/22/2009

A. Sick Leave

Each full-time faculty member shall earn nine (9) days of sick leave per academic year. Annual sick leave shall accrue monthly as it is earned on a proportionate basis to the employee's work year.

Sick leave absences must be reported to the employee's immediate supervisor using forms provided by the Human Resources Office.

1. Sick leave may be taken for a sickness suffered by an employee or his/her immediate family or member of the household (as defined in [policy 600.1 – Definitions](#)).
2. An employee shall be permitted to utilize the annual sick leave in advance of accrual. In the event that sick leave days are utilized prior to the accrual thereof, such days will be deducted from future accumulations. In the event that an employee who has been permitted to utilize sick leave in advance of accrual under this provision should leave the employ of the College, he/she shall be liable to the College for any sick leave pay advanced beyond his/her earned accrual.
3. Sick leave granted herein will be in units of ½ or full days only.
4. Sick leave attributable to a pre-existing condition will not be allowed for 90 days following the first starting date of employment.
5. The College may require an employee to furnish a medical certificate from a qualified physician as evidence of illness, indicating the employee's absence was due to an illness, in order to qualify for sick leave pay.

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6. Upon an employee's request, an employee injured on the job in the service of the College and collecting worker's compensation insurance may draw sick leave from the College for the worker's compensation waiting period.
7. Paid sick leave shall not be granted for illness or disability occurring during the course of any other leave provided herein unless specifically provided by the provisions of such leave.
8. When an employee resigns, retires, loses a position due to reduction of force, or dies, the employee or the employee's beneficiary or estate shall be entitled to a cash payment equaling one-fourth of the employee's accumulated sick leave. The computation shall be based on the employee's salary as provided in the salary schedule for the last school year of employment and shall not include any additional compensation whatsoever.
9. Abuse of sick leave may be considered grounds for dismissal and forfeiture of a "lump-sum" payment of unused sick leave upon termination.

B. Sick Leave Bank

An employee may, at the employee's discretion, donate sick leave to another employee who is in need. The sick leave recipient shall have exhausted all sick leave due to a personal illness or an illness in the immediate family. Donors shall notify the Vice President of Administrative Services and HR, on forms provided, of the intention to make such a donation. Donated leave shall be used in the order of date of receipt. Unused sick leave shall be credited to the donors at the end of each fiscal year. The Vice President of Administrative Services and HR will maintain records of donations, usage, credits, and, will review requests for donated sick leave and where appropriate approve requests.

Revised 7/27/2015

C. Jury Duty

1. Employees should notify the College Administration Office promptly upon receipt of a jury duty summons.
2. An employee will be released to serve on a jury if adequate substitute service can be provided for the day or days of proposed jury duty. If adequate substitute service cannot be provided, the employee will be requested to ask to be excused from jury duty. In the event an employee serves on jury duty on a day in which he/she would otherwise be performing job related duties, the employee shall receive his/her regular salary but shall remit to the college any jury duty fees.

D. Parental Leave

1. Maternity/Paternity leave shall be granted according to the terms of the Family Medical Leave Act of 1993 ("FMLA").
2. In applying the provisions of the FMLA, the 12-month period used to measure leave shall be the 52-week period immediately preceding the commencement of the leave under the FMLA.

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3. Each employee on unpaid leave under the FMLA shall remain responsible for paying the employee's share of any health care or other premiums applicable to any coverage elected by or provided to the employee under this agreement and shall submit directly to the College, not later than the employee's normal pay day, the amount of premium owed by the employee.

E. Bereavement Leave

Five (5) days at full salary will be allowed each employee for each death of an immediate relative or member of the household. Additional time, if requested by the employee, shall be deducted from accumulated sick leave.

F. Personal Leave (refer to Article 600.6.6)

Four (4) days of personal leave may be taken per contract year without loss of salary for personal needs, including funerals and medical appointments. Leaves must be taken in either full-day or half-day increments. Written approval for such leave shall be obtained one week in advance, except in emergencies from the employee's supervisor. The supervisor shall send a copy of the written approval to the Vice President of Administrative Services and HR for the purposes of record keeping.

G. Military Leave

Military leave shall be granted to employees of at least 6 months employment for a period of time not to exceed 10 working days per academic year for attending regular encampments, training, cruises, and similar training programs of the organized militia of the military forces of the United States.

H. Legislative Service Leave

Employees elected or appointed to the State Legislature shall be granted leave of absence, commensurate with the Legislative session, including any extensions or special sessions that may be imposed, without pay or benefits during the period of time they are performing public service as a member of the legislature. During Legislative leave, an employee has the option of retaining for him/herself any insurance benefit program specified in this Agreement by assuming the monthly payments of the entire premium cost.

I. Holidays

Faculty will be provided holidays in accordance with the College calendar for the academic year.

A committee consisting of exempt, classified and faculty personnel will recommend an academic calendar which meets Northwest Accreditation and Montana Board of Regents standards to be approved by the Board of Trustees annually. The calendar will be presented to the Board of Trustees six months prior to publication.

600.11.5 Staff Leave

A. Sick Leave

Eligible employees shall earn sick leave according to established State Laws for Montana Public Employers (MCA 2-18-618).

Each full-time staff member shall earn one day of sick leave per contracted month for each year of service. Part-time staff members shall earn sick leave on a pro-rated basis. Hours worked beyond forty hours per week do not earn additional sick leave.

Sick leave absences must be reported to the employee's immediate supervisor using forms provided by the Human Resources Office.

Abuse of sick leave may result in disciplinary action up to and including termination.

1. Sick leave may be taken for a sickness suffered by an employee or his/her immediate family or member of the household (as defined in [Policy 600.1 Definitions](#)).
2. An employee shall be permitted to utilize the annual sick leave in advance of accrual. In the event that sick leave days are utilized prior to the accrual thereof, such days will be deducted from future accumulations. In the event that an employee has utilized sick leave in advance of accrual under this provision and leaves the employ of the College, he/she shall be liable to the College for any sick leave pay advanced beyond his/her earned accrual.
3. Sick leave shall be taken in units of ½ or full days for exempt staff and in hourly increments for non-exempt staff.
4. Sick leave attributable to a pre-existing condition will not be allowed for 90 days following the first starting date of employment.
5. Upon an employee's request, an employee injured on the job in the service of the College and collecting worker's compensation insurance may draw sick leave from the College for the worker's compensation waiting period.
6. Paid sick leave shall not be granted for illness or disability occurring during the course of any other leave provided herein unless specifically provided by the provisions of such leave.
7. When an employee resigns, retires, loses a position due to reduction of force, or dies, the employee or the employee's beneficiary or estate shall be entitled to a cash payment equaling one-fourth of the employee's accumulated sick leave. The computation shall be based on the employee's current salary.
8. If abuse of sick leave results in dismissal, then the cash payment equaling one-fourth of the employee's accumulated sick leave shall be forfeited.

Revised 8/25/2008, 4/30/2012, 9/27/2021

B. Sick Leave Bank

An employee may, at the employee's discretion, donate sick leave to another employee who is in need. The sick leave recipient shall have exhausted all sick leave due to a personal illness or an illness in the immediate family. Donors shall notify the Vice President of

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Administrative Services and HR on forms provided, of the intention to make such donation. Donated leave shall be used in the order of date of receipt. Unused sick leave shall be credited to the donors. The Vice President of Administrative Services and HR will maintain records of donations, use, and credits. The Vice President of Administrative Services and HR will review requests for donated sick leave.

Revised 7/25/2015

C. Jury Duty

1. Employees shall notify the College Administration Office promptly upon receipt of a jury duty summons.
2. An employee shall be released to serve on a jury if adequate substitute service can be provided for the day or days of proposed jury duty. If adequate substitute service cannot be provided, the employee will be requested to ask to be excused from jury duty. In the event an employee serves on jury duty on a day in which he/she would otherwise be performing job related duties, the employee shall receive his/her regular salary but shall remit to the college any jury duty fees.
3. In accordance with MCA 2-18-619, an employee may elect to use annual leave while serving jury duty, in which case he/she shall not be required to remit the juror fees to the college.

Revised 8/25/2008

D. Parental Leave

1. Maternity/Paternity leave shall be granted according to the terms of the Family Medical Leave Act of 1993 ("FMLA").
2. In applying the provisions of the FMLA, the 12-month period used to measure leave shall be the 52-week period immediately preceding the commencement of the leave under the FMLA.
3. Each employee on unpaid leave under the FMLA shall remain responsible for paying the employee's share of any health care or other premiums applicable to any coverage elected by or provided to the employee under this agreement and shall submit directly to the College, not later than the employee's normal pay day, the amount of premium owed by the employee.

E. Bereavement Leave

Five (5) days at full salary will be allowed each employee for each death of an immediate relative or member of the household. Additional time, if requested by the employee, shall be deducted from accumulated sick leave.

F. Personal Leave

Full-time staff may take up to five (5) days of personal leave per contract year without loss of salary for personal needs, including funerals and medical appointments. Leaves must be taken in either full-day or half-day increments. Written approval for such leave shall be obtained at a minimum of one day in advance, except in emergencies, or circumstances as

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deemed appropriate by the employee's supervisor. The supervisor shall send a copy of the written approval to the Human Resources Office for the purposes of record keeping.

Revised 10/24/2011, 5/2013, 4/21/2014, 3/28/2016

G. Military Leave

Military leave shall be granted to employees of at least 6 months employment for a period of time not to exceed 10 working days per academic year for attending regular encampments, training, cruises, and similar training programs of the organized militia of the military forces of the United States.

H. Legislative Service Leave

Employees elected or appointed to the State Legislature shall be granted leave of absence, commensurate with the Legislative session, including any extensions or special sessions that may be imposed, without pay or benefits during the period of time they are performing public service as a member of the legislature. During Legislative leave, an employee has the option of retaining for him/herself any insurance benefit program specified in this Agreement by assuming the monthly payments of the entire premium cost.

I. Holidays

Full-time and eligible part-time staff receives seventeen (17) holidays off with pay per year at the employee's regular rate of pay. A committee consisting of exempt, classified and faculty personnel will recommend an academic calendar which meets Northwest Accreditation and Montana Board of Regents standards to be approved by the Board of Trustees annually. The calendar shall be presented to the Board of Trustees six months prior to publication.

Revised 7/23/2007, 10/24/2011, 5/20/2013, 7/27/2015, 3/28/2016, 11/28/16

J. Annual Leave

Eligible staff members shall earn annual leave according to established State Laws for Montana Public Employers (MCA 2-18-611). Part-time staff members accrue leave on a pro-rated basis. It is intended that annual leave should be taken during the year in which it is earned, with not more than the amount earned in two years accumulating at any one time.

Revised 7/23/2007, 9/27/2021

K. Annual Leave Procedure

<u>Years of Employment</u>	<u>Annual Leave Credits Per Year</u>
1 day through 10 years	15 days
11 years through 15 years	18 days
16 years through 20 years	21 days
21 years +	24 days

Annual leave may be accrued up to twice the maximum number of days allotted within a fiscal year. Annual leave in excess of the cap must be taken by September 30th of the following fiscal year or it shall no longer accrue.

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Annual leave shall be taken in units of ½ or full days for exempt staff and in hourly increments for non-exempt staff.

Before annual leave may be taken, a Leave Request Form must be submitted to the appropriate supervisor for approval. Written approval for such leave shall be obtained at a minimum of one day in advance, except in emergencies, or circumstances as deemed appropriate by the employee's supervisor.

Upon an employee's separation, accrued annual leave shall be paid at his/her current salary.

Policy History

Revised on 2/15/1999, 7/23/2007, 1/25/2010, 9/26/11, 4/21/14

Reviewed 1/2013, 7/2021

600.11.6 Centra Use

Centra memberships are available at no cost to the following:

- A. Permanent and temporary full-time employees: are entitled to a free annual family membership to the Centra. This includes faculty and staff and their immediate family members: spouses and dependent children (as defined in [policy 600.1 Definitions](#)).
- B. Part-time employees: are entitled to an individual monthly membership. Families of part-time employees may purchase a membership at the current rate.
- C. Current Board Members: are entitled to full membership privileges. These include all that are granted to full-time employees, their spouses and dependent children (as defined in [policy 600.1 Definitions](#)).
- D. Retired Faculty and Staff: are entitled to full membership benefits, including those granted to full-time employees.

Policy History

Adopted 5/21/1999

Revised 1/22/2002, 9/16/2002, 8/16/2004, 2/23/2009, 3/24/2014

Reviewed 1/2013, 7/2021

600.11.7 Tuition Waivers

As defined in [policy 600.1 Definitions](#), trustees, permanent full-time faculty and staff, and their spouses shall have 100 percent of their tuition waived when enrolled in Miles Community College credit courses. All other expenses shall be the responsibility of the student. Dependents as defined in [policy 600.1 Definitions](#) shall receive 100 percent tuition waivers provided they meet the minimum standards as defined by the Financial Aid Satisfactory Academic Progress Policy stated in the Miles Community College catalog.

Policy History

Revised 10/18/99, 9/19/2005, 2/23/2009, 12/21/2009, 3/24/2014

Reviewed 1/2013, 7/2021

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600.12 Job descriptions

Current position descriptions shall be on file for all employees.

Policy History
Revised 4/27/2009
Reviewed 1/2013, 7/2021

600.13 Working Hours

The regular workweek begins on Monday and ends on Friday. A normal instructional day begins at eight (8:00) a.m. and ends at ten (10:00) p.m. Whereas employees will work between the hours of eight (8:00) a.m. until ten (10:00) p.m., assignments will vary according to the needs of the position held.

Rest periods are paid time and full-time employees are encouraged to take a few minutes each morning and afternoon at a time convenient to the department. At no time should employees be absent from their workstation for more than twenty (20) minutes for this purpose. Care should be taken to ensure that services are provided for during their absences.

The receptionist in the main office should be notified when employees find it necessary to be away from their normal workstation.

Policy History
Revised 8/20/2007, 6/22/2009
Reviewed 1/2013, 7/2021

600.14 Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking

State and federal laws and regulations prohibit certain kinds of discrimination in employment and in educational services. This policy is intended to comply with the following laws and regulations: Titles IV, VI, and VII of the Civil Rights Act of 1964; 34 C.F.R. pt. 100; Title IX; 28 C.F.R. pt. 54 and 34 C.F.R. pt. 106; Section 504 of the Rehabilitation Act; 34 C.F.R. pt. 104; Age Discrimination Act of 1975; 34 C.F.R. pt. 110; and Titles I and II of the Americans with Disabilities Act; 28 C.F.R. pt. 35; Montana Human Rights Act and Governmental Code of Fair Practices, Title 49, Montana Code Annotated.

In addition, Title IX of the Education Amendments of 1972 and its implementing regulation, at 34 C.F.R. § 106.31 (a), provide that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by Miles Community College.

Policy History
Revised 1/16/1989, 4/27/2009, 9/26/2011, 3/24/14, 7/27/2020
Reviewed 1/2013, 7/2021

600.14.1 Policy Statement

The college is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at the college. Acts of discrimination, harassment, sexual misconduct, dating violence, domestic violence, stalking, and retaliation shall be addressed consistent with this policy.

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

600.14.2 Definitions of Discriminatory Conduct

The following are common definitions of terms used throughout this policy:

- A. **Discrimination** is conduct that is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a college program. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.
- B. **Harassment** is covered under this policy if it is based upon an individual's race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Harassing conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones, social media, or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Sex-based harassment includes sexual harassment, which is further defined below, and non-sexual harassment based on stereotypical notions of what is female/feminine v. male/masculine or a failure to conform to those gender stereotypes.
- C. **Sexual Harassment** can include unwelcome: sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including sexual misconduct. Sexual harassment, including sexual misconduct, can involve persons of the same or opposite sex.

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Consistent with the law, this policy prohibits two types of sexual harassment:

1. Tangible Employment or Educational Action

This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a college program is conditioned upon, either explicitly or implicitly, submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting that individual's employment, education, living environment, or participation in a college program. Generally, this type of sexual harassment will involve agents or employees with some authority from the college.

2. Hostile Environment

A *Hostile Environment* based on race, color, religion, national origin, creed, service in the uniformed services, veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation exists when harassment:

- is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from the college's programs, services, opportunities, or activities; or
- when such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance.

A hostile environment can be created by anyone involved in a college program or activity (e.g., administrators, faculty members, students, and even campus guests). Mere offensiveness is not enough to create a hostile environment. Although repeated incidents increase the likelihood that harassment has created a hostile environment, a serious incident, such as a sexual assault, even if isolated, can be sufficient.

In determining whether harassment creates a hostile environment, the harassment shall be considered not only from the perspective of the individual who feels harassed, but also from the perspective of a reasonable person in a similar situation. Also, the following factors shall be considered:

- The degree to which the conduct affected one or more students' education or individual's employment;
- The nature, scope, frequency, and duration;
- The location, event, or circumstances, whether or not these items are on a school's campus, includes where the school has substantial control over the

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context of the alleged harassment and the person accused of committing sexual harassment;

- The identity, number, and relationships of persons involved;
- The perspective of a “reasonable person” in the same situation as the person harassed; and
- The nature of higher education.

- D. **Sexual Misconduct** includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, and dating violence.

Sexual Assault means an actual or attempted sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to:

- Involvement in any sexual contact when the victim is unable to consent.
- Intentional and unwelcome contact with the breasts, buttock, groin or genitals or touching another with any of these body parts or coercing or forcing or attempting to coerce or force another to touch the perpetrator or themselves with or on any of these body parts.
- Any other intentional bodily contact in a sexual manner, including contact by a penis, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact).
- Sexual intercourse without consent, including acts commonly referred to as “rape.”

- E. **Consent** is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. If coercion, intimidation, threats, or physical force are used there is no consent.

There is no consent if a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact of, or make a reasonable judgment as to the nature or harmfulness of the conduct, or extent of the sexual situation. This includes impairment or incapacitation due to mental disability, alcohol or drug consumption, or being asleep or unconscious. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent. Effective consent may not be given by minors less than 16 years old.

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- F. **Inducing incapacitation for sexual purposes** includes using drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent (as “consent” is defined in this policy) to sexual contact.
- G. **Sexual Exploitation/Coercion** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone’s advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of sexual exploitation include:
- Prostituting another person;
 - Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
 - Non-consensual distribution of photos, other images, or information of an individual’s sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
 - Going beyond the bounds of consent (such as letting others hide in the closet to watch you having consensual sex);
 - Engaging in non-consensual voyeurism;
 - Knowingly transmitting a sexually transmitted disease, such as HIV to another;
 - Exposing one’s genitals in non-consensual circumstances, or inducing another to expose his or her genitals; and
 - Possessing, distributing, viewing or forcing others to view illegal pornography.
- H. **Dating Violence** is abuse or violence between, partners or persons in a social relationship of an intimate or romantic nature involving one or more of the following elements:
- Battering that causes bodily injury;
 - Emotional abuse creating apprehension of bodily injury or property damage;
 - Repeated telephonic, electronic, or other forms of communication -- anonymously or directly -- made with the intent to intimidate, terrify, harass, or threaten.

The existence of such a relationship shall be determined based on consideration of the following factors:

- The length of the relationship;

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- The type of relationship; and
 - The frequency of interaction.
- I. **Stalking** includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death. To the extent applicable as provided in 600.13.4 Off Campus Conduct, allegations of stalking, regardless of whether they are based on discrimination, shall be addressed and considered in accordance with this Policy and the Discrimination Grievance Procedure.
- J. **Domestic Violence** is an act of partner or family member assault (as defined in Section 45-2-206 Montana Code Annotated) A person “commits . . . partner or family member assault if the person:
- a. purposely or knowingly causes bodily injury to a partner or family member;
 - b. negligently causes bodily injury to a partner or family member with a weapon; or
 - c. purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.”

“Partners” are spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship. “Family member” means mothers, fathers, children, brothers, sisters, and other past or present family members of a household.

To the extent applicable as provided in 600.13.4 Off Campus Conduct, allegations of domestic violence, regardless of whether they are based on discrimination, shall be addressed and considered in accordance with this Policy and the Discrimination Grievance Procedure.

¹ While sexual assault and other sexual misconduct is often considered a subset of “sexual harassment,” for purposes of this policy and the consequences that may result from violating this policy, the terms are distinct.

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

600.14.3 Disability Discrimination

The College is committed to eliminating disability-based discrimination against persons with disabilities and making reasonable accommodation for any known disability that interferes with an applicant's ability to compete in a selection process, an employee's ability to perform the essential functions of a job, a student's ability to meet the essential requirements of an academic program, or a person's ability to benefit from a college service or participate in a college sponsored or hosted event. Applicants,

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employees, students or participants with a disability seeking an accommodation should contact the appropriate person identified below:

Students or student applicants:

Coordinator of College Success and Disabilities Support Services,
Center for Academic Success,
Room 208
Phone (406) 874-6100 or (800) 541-9281
DSS@milescc.edu

Employees, employment applicants or participants:

Vice President of Administrative Services and HR,
Office 218
Phone (406) 874-6292
HumanResources@milescc.edu

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

600.14.4 Off Campus Conduct

Conduct that occurs off campus can be the subject of a complaint or report and shall be evaluated to determine whether it violates this policy or student code of conduct, e.g., if off-campus harassment has continuing effects that create a hostile environment on campus. Allegations of off-campus sexual misconduct, where the school has substantial control over the context of the alleged harassment and the person accused of committing sexual harassment should be brought to the attention of the Responsible Official (RO).

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

600.14.5 Applicability

This policy prohibits discrimination and harassment of employees by the employer and between members of the Miles Community College community more generally: for example, between an employee and another employee, instructor and a student, between two students, or between a student and an applicant or campus guest. The policy applies in all college programs and activities, including, but not limited to, discrimination in athletics, instruction, campus sponsored travel, grading, housing, clubs, organizations, and employment.

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

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600.14.6 Reporting Violations of This Policy

All reports or any concerns about conduct pertaining to sexual harassment or discrimination that may violate Policy 600.13 and retaliation should be reported to official responsible for receiving reports of discrimination referred to throughout this Policy as the Responsible Official (“RO”).

The MCC Responsible Official (ROs) is:

Kylene Phipps
Title IX Coordinator
Office 218
2715 Dickinson
Miles City, MT 59301
Phone: (406) 874-6292
TitleIX@milesc.edu

Richard DeShields
Deputy Title IX Coordinator
Student Services Office
2715 Dickinson
Miles City, MT 59301
Phone: (406)874-6226
deshieldsr@milesc.edu

Erin Niedege
Deputy Title IX Coordinator
Student Services Office
2715 Dickinson
Miles City, MT 59301
Phone: (406) 874-6211
niedegee@milesc.edu

Jessica Lofland
Deputy Title IX Coordinator
Student Services Office
2715 Dickinson
Miles City, MT 5930
Phone: (406)874-6480
Loflandj@milesc.edu

Guidance concerning means and methods of reporting, criminal reporting, confidentiality and anonymous reporting are found in the Discrimination Grievance Procedure.

Upon receiving a report, the RO shall follow the procedures described in the Discrimination Grievance Procedure.

Please do not wait to report conduct of concern until harassment becomes sufficiently serious (i.e., severe, pervasive, or persistent) to create a hostile environment. The RO can take proactive steps to prevent harassment from continuing and perhaps escalating and to protect or otherwise assist the person harassed. For example, in the case of a student experiencing harassment, the Vice President of Student Engagement and Auxiliary Services, or designee, can arrange for no-contact orders, counseling and changes in class schedules, living arrangements, class requirements, testing schedules as needed, and other supportive measures. The RO can also provide expertise and advice to help identify conduct that might be a warning sign of or constitute sexual harassment or hostile environment harassment prohibited by this policy and address concerns appropriately.

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

600.14.7 Mandatory Employee Reporting of Sexual Harassment and Sexual Misconduct Involving Students

To enable the college to respond effectively and to stop instances of sexual harassment and sexual misconduct involving students proactively, all employees are identified as Mandatory Reporters and must promptly (normally within 24 hours) report information they have about alleged or possible sexual harassment and sexual misconduct involving students to the RO. Employees, such as licensed health-care professionals and victim advocates who have a statutory privilege under Montana law, are exempt from these reporting requirements.

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

600.14.8 Sanctions and Corrective Action

Violations of this policy shall be addressed through the Discrimination Grievance Procedures. The college utilizes a preponderance of evidence standard in all cases pertaining to Policy 600.13. Consequences for violating this policy shall depend upon the facts and circumstances of each particular situation.

The respondent is presumed not responsible at the onset of the process and can only be found responsible after the grievance process concludes.

In determining the severity of sanctions or corrective actions, factors such as the frequency and severity of the offense and any history of past discriminatory, harassing or retaliatory conduct are relevant. A finding of discrimination, harassment that creates a hostile environment or results in a tangible employment or educational action, or sexual misconduct may be cause for disciplinary action up to and including the discharge of employees and the expulsion of students, in accordance with applicable college policies and procedures and collective bargaining agreements. Other possible terms of disciplinary action are identified in the Discrimination Grievance Procedures.

Policy History
Adopted 3/24/14
Revised 7/27/2020
Reviewed 7/2021

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600.14.9 Amnesty for Drug or Alcohol Possession and Consumption Violations

The college strongly encourages students to report instances of sex-based discrimination, sexual harassment, and sexual misconduct involving students. Therefore, students who provide information about sex-based discrimination, sexual harassment, sexual misconduct, domestic violence, or stalking involving students shall not be disciplined by the college for any violation of the college's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident.

Policy History
Adopted 3/24/14
Reviewed 5/20/2020, 7/2021

600.14.10 Free Speech and Academic Freedom

This policy shall not be construed or applied to restrict academic freedom at the college, nor shall it be construed to restrict constitutionally protected expression, even though such expression may be offensive, unpleasant, or even hateful.

In addressing all complaints and reports under this policy, the college shall take all permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees.

Policy History
Adopted 3/24/14
Reviewed 5/20/2020, 7/2021

600.14.11 External Complaints

As an employee or student, if you filed a complaint with the RO and believe the college's response was inadequate, or otherwise believe you have been discriminated against by the college on the basis of race, color, national origin, sex, including sexual harassment, disability, age, or retaliation, you may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Seattle or the Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice, and a complaint based on religion with EOS of the U.S. Justice Department. Contact information for the Office for Civil Rights is as follows:

U.S. Department of Education Office for Civil Rights

Seattle Office

915 Second Avenue, Room 3310

Seattle, WA 98174-1099

OCR.Seattle@ed.gov

Voice: 206-607-1600

Fax: 206-607-1601

TDD: 206-607-1647

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As an employee or student, if you filed a complaint with the RO and believe the college's response was inadequate, or you otherwise believe you have been discriminated against by the college on the basis of race, color, national origin, sex, including sexual harassment, disability, age, religion, creed, pregnancy, marital status, familial status (housing only), or political beliefs, or retaliation, you may file a complaint with the Montana Human Rights Bureau.

Contact Information is as follows:

Montana Human Rights Commission

1625 11th Ave.

PO Box 1728

Helena, MT 59624-1728

Voice: 406-444-2884

Toll free: 800-542-0807

<http://erd.dli.mt.gov/human-rights-bureau.html>

Policy History

Adopted 3/24/14

Reviewed 5/20/2020, 7/2021

600.14.12 Discrimination, Harassment, and Title IX Training

To educate staff and faculty on the importance of non-discrimination and the prevention of sexual harassment in the work environment and classroom, the college requires all employees (faculty, administrators, and staff members) to:

- complete discrimination and harassment prevention training on a biennial basis; and
- complete Title IX on-line training.

New employees must complete the training within 45 days of employment. Temporary employees and student employees are required to complete the training program only at the discretion of the RO or Human Resources and/or in conjunction with the department of hire.

Supervisors shall support the employee in providing a reasonable amount of work time for the employee to complete the training program. Training programs can be selected from resources such as online programs, presentations or self-study options as determined and pre-approved by the responsible college officials.

The college requires primary prevention, risk reduction and awareness training programs for all incoming students and new employees concerning sexual misconduct, domestic violence and stalking. The college shall maintain ongoing primary prevention, risk reduction, and awareness campaigns concerning sexual misconduct, domestic violence, and stalking for students and employees.

The RO will send an annual notice regarding policies, reporting mechanisms, and grievance procedures to every student, applicant for admission or employment, employees and faculty association representative.

Policy History

Adopted 3/24/14

Revised 7/27/2020

Reviewed 7/2021

600.14.13 Confidentiality of Reporting Parties and Other Necessary Parties

Except where specifically identified in written policies and/or procedures, such as the Grievance Process, the College has the responsibility to protect the confidentiality of victims/complainants and other necessary parties in the following ways:

- 1) Complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim/complainant, as defined in section 40002(a)(2) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20).
- 2) Maintain as confidential any accommodations or protective measures provided to the victim/complainant, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
- 3) Whenever possible, the College shall inform victims/complainants before sharing personally identifiable information about the victim/complainant that the institution believes is necessary to provide an accommodation or protective measure.

The institution will, upon written request, disclose to the alleged victim of a crime of violence, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator or such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. Additional information regarding the release of information pertaining to reports of discrimination, harassment, sexual misconduct, domestic violence, and stalking are located in 600.16 Grievance Procedures. In those cases where a formal complaint is made involving Discrimination, Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and/or stalking, as defined in the final Title IX Rules of the Education Amendments of 1972, the College will share information with any respondent and advisor of choice.

Policy History
Adopted 11/23/2020
Reviewed 7/2021

600.14.14 Retaliation

Retaliation against an individual for taking any of the actions in support of this policy is prohibited. It is central to the values of the college that any individual who believes they may have been the target of unlawful discrimination or harassment feel free to report their concerns for appropriate investigation and response, without fear of retaliation or retribution.

Retaliation is action taken by an accused individual or an action taken by a third party against any person because that person has opposed any practices forbidden under this policy or because that person has filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or

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participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

Policy History
Adopted 3/24/14
Revised 7/27/2020, 7/2021

600.15 Drug and Alcohol Abuse Prevention

- A. Miles Community College seeks to maintain an effective Alcohol/Drug Prevention Program; to provide a Drug-Free Workplace environment for its employees and students; and to comply with all federal and state laws and requirements relating to Drug Prevention and a Drug Free Workplace. The College will annually publish and distribute in writing to all employees and students:
 - 1. Notification that college policy prohibits the unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and alcohol in the Miles Community College workplace, on college property, or as part of any college activities or program affiliations.
 - 2. A description of the applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
 - 3. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
 - 4. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.
 - 5. A clear statement that the institution will impose disciplinary sanctions on employees and students (consistent with local, State and Federal law), and a description of those sanctions, up to and including termination of employment or expulsion and referral for prosecution for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.
- B. Miles Community College shall conduct a biennial review of its Drug Prevention and Drug-Free Workplace programs to determine their effectiveness, implement changes as needed, and ensure that disciplinary sanctions are consistently enforced.
- C. Miles Community College shall comply with all federal and state laws and regulations governing Drug Prevention and the maintenance of a drug-free workplace, including those required for certification as a recipient of federal and/or state grant funds.
- D. Miles Community College shall comply with all Drug Prevention and Drug-Free Workplace policies that may be established for institutions of higher education by the Montana State Board of Regents and the Office of the Commissioner of Higher Education.

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Policy History
Adopted 4/10/1989
Revised 9/10/1990
Reviewed 1/2013

- E. Possession or consumption of alcoholic beverages shall be prohibited on campus, or in any college facility, except as may be specifically authorized in [Policy 900.10](#).
- F. Smoking in any form is prohibited inside all college-owned or leased buildings, including student housing. In addition, smoking is prohibited in any college-owned or rented vehicles. Individuals who choose to smoke outside must stand at least 25 feet away from any campus building to prevent smoke from entering the building.

Any violations shall be brought to the attention of the facilities manager

Policy History
Adopted 10/20/1980
Revised 4/27/2009
Reviewed 1/2013, 7/2021

600.16 Timely Warning and Emergency Notification Policy

Miles Community College is committed to providing a safe learning, working and living environment for its students, faculty, staff and visitors. As part of this commitment, this policy is created in order to ensure the issuance of Timely Warnings and Emergency Notifications regarding safety and security matters that may pose a serious or ongoing threat to the campus community. The policy complies with the requirements and regulations of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) by establishing procedures for MCC regarding the circumstances and delivery of warnings of serious or ongoing threats.

MCC is responsible for issuing Timely Warnings and Emergency Notifications to the campus community. Anyone with information warranting a Timely Warning or Emergency Notification, should report that information to the Vice President of Student Engagement or the Vice President of Administrative Services and Human Resources.

Timely warnings are triggered when the College determines from a report filed by a campus security authority (CSA) that a crime required by CLERY reporting presents a serious or continuing threat to students and employees. This includes criminal offenses such as murder, manslaughter, rape, domestic violence, dating violence, stalking fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson.

Emergency notifications are triggered by any significant emergency or dangerous situation involving a broader range of potential threats than the timely warning notifications. This could include items like weather emergencies, campus closures, etc. and shall include follow up information.

MCC will issue Timely Warnings or Emergency Notifications as appropriate to keep the campus community informed about safety and security matters on an ongoing basis and to prevent similar crimes from occurring. The decision to issue a Timely Warning or Emergency Notification will be made

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by the Vice President of Student Engagement or designee, in consultation with the Behavioral Intervention Team and/or the President's Executive Team in compliance with the Clery Act and considering all available information. Timely Warnings and Emergency Notifications, will be distributed via methods reasonably likely to reach the entire campus community; however, emergency notifications may be limited to only certain populations. These communications are typically accomplished via the RAVE Alert system and by email but may also include notification and/or bulletins posted on building entrances and exits and on the college website at www.milesc.edu.

Crime related information exclusively reported to a pastoral or professional counselor is exempt from timely warning notifications.

Policy History
Adopted 11/23/2020
Reviewed 7/2021

600.17 Employee Grievance Procedure

A. DEFINITIONS

1. Grievance

A grievance is a claim of injustice or discrimination against the Board of Trustees, administration, a faculty or staff member, or a student employee arising from an event, or decision which affects the conditions of employment or welfare of an employee or group of employees.

2. Grievance Committee

The Grievance Committee is a group of individuals who are called to hear a grievance. The President shall appoint the Vice President of Administrative Services and HR, as the chair of the Grievance Committee, and four other committee members, with representation from administration, faculty, and staff. If the grievance is against the Vice President of Administrative Services and HR, the President shall serve as the chair.

3. Representation

The grievance party or parties may represent themselves or may be represented by anyone of their choice at Level 2 and beyond.

4. Days

Days shall refer to working days. A working day is defined as all week days which are not designated as holidays. In computing any period of time prescribed herein, the date of the act, event, or default for which the designated period of time begins to run shall not be included. Time limits specified herein may be extended by mutual agreement of the parties involved at each step of the grievance process.

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The grievant carries the burden of moving the grievance forward within the time period specified for that step, unless the time period has been extended by mutual agreement of the parties. Failure of the grievant to comply with the established time limits shall result in dismissal of the grievance.

B. GRIEVANCE PROCESS

Employees are encouraged to present work-related issues to their immediate supervisor. It is expected that most issues will be resolved informally by discussing the problem.

All employees shall be protected from discrimination and retaliation in initiating either informal or formal action.

A grievance must be initiated within twenty (20) working days of the occurrence of the incident being grieved. Failure to file the grievance within the above timeframe and failure to follow the process outlined hereafter shall deem the grievance invalid.

Revised 7/23/2007

The levels of the formal grievance process are as follows:

LEVEL 1

If after informal discussion, the grievant does not feel that the problem has been satisfactorily resolved and wishes to proceed to the formal grievance process, the grievance must be initiated within twenty (20) working days of the occurrence of the incident, or the employee's initial knowledge of the incident being grieved. Failure to file the grievance within the above timeframe and failure to follow this process shall deem the grievance invalid.

An Employee Grievance Form shall be submitted to the Vice President of Administrative Services and HR, who will forward it to the supervisory Vice President, who shall be designated as the grievance respondent. If the supervisory Vice President is one of the principals in Level 1, the President shall respond to the grievance. If the President is one of the principals in Level 1, the Board of Trustees shall respond to the grievance.

The grievance shall contain a complete statement of the situation being grieved and the remedy being sought. The grievance respondent shall meet with the parties involved. The meeting shall be held in good faith by all parties with the goal of reaching a fair resolution. The respondent shall provide the employee a written resolution within twenty (20) working days of receipt of the grievance.

LEVEL 2

The grievant may request a hearing by a grievance committee if the grievant can provide additional evidence that has not been satisfactorily resolved at Level 1. A formal written request for a hearing must be made to the Vice President of Administrative Services and HR within five (5) working days of the receipt of the Level 1 response. The Vice President of Administrative

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Services and HR shall forward the request to the President, who shall appoint the grievance committee members within five (5) working days of receipt of the formal written request. After the Chairperson has been notified that the committee has been appointed, the Chairperson shall have five (5) working days to set a hearing date. The hearing date that the Chair sets shall be no more than twenty (20) working days from the date of receipt of the formal written request for a hearing.

A written decision along with the reasons for the decision shall be submitted to the grievant and the President by the Vice President of Administrative Services and HR within five (5) working days of a decision being made.

Failure of the grievant to initiate Level 3 within five (5) working days of the receipt of the written decision from the Vice President of Administrative Services and HR shall end the grievance process.

LEVEL 3

If the grievant wishes to appeal the decision of the Grievance Committee, a written request shall be made to the President within five (5) working days of the Level 2 decision. No additional evidence shall be introduced. The President shall review all grievance materials to ascertain that correct procedures and processes were followed and that previous decisions were in accordance with College policies. The President, or designee, shall review the appeal and respond in writing to the grievant within ten (10) working days of receipt of the appeal. The President's decision shall be final and binding.

A copy of the written decision shall be filed with the Vice President of Administrative Services and HR and shall conclude the grievance procedure within the College.

Policy History
Revised 5/20/2013
Reviewed 1/2013, 7/2021

600.17.1 Employee Grievance Committee Hearing Procedures

The Vice President of Administrative Services and HR shall be responsible for convening the Grievance Committee and serving as Committee Chair. The following duties and responsibilities shall be adhered to when a hearing is requested:

- 1.) Grievance Committee hearings are open to the public unless, in the opinion of the Committee Chair (which may be overruled by a majority vote of the full committee), the right of individual privacy outweighs the public's right to know. The grievant and any individual person, against whom the grievance is lodged, may waive the right to privacy.
- 2.) All persons directly involved in the incident shall be given an opportunity to testify, to present evidence and witnesses, and to question adverse witnesses. Committee members are not permitted to submit evidence.

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- 3.) The Committee Chair must provide the safeguards for due process, including the right to adequate notice of charges and proceedings; the right to appear personally and with counsel; the right to confront, present and cross examine witnesses; and the right to an impartial decision maker. The hearing must be fair to both parties and allow both sides to be heard in full and in the presence of the other party. The Committee Chair shall remind committee members that privileged information is confidential and that all reports of committee decisions must come from the Chair.
- 4.) All matters upon which the committee's decision is to be based must be introduced into evidence at the grievance hearing. The decision must be based solely upon such evidence.

The hearing procedures shall be as follows:

- 1.) The Committee Chair shall call the hearing to and present an opening statement regarding the grievance request and the procedures to be followed.
- 2.) The Committee Chair shall inform all present of the following:
 - a.) Proceedings are not adversary in nature.
 - b.) Rules of evidence shall not be applied.
 - c.) Relevancy of testimony or evidence shall be determined by the committee.
 - d.) Witnesses shall not be present until called to testify.
 - e.) The grievant will first be permitted to present any testimony, evidence, or witnesses and make any statement. After testifying, the grievant may be questioned by other persons directly involved and then by the committee members.
 - f.) The representative of the accused may subsequently present testimony, evidence, or witnesses in explanation of the matter. After testifying, the accused may be questioned by other persons directly involved and then by the committee members.
 - g.) After each witness testifies, other persons directly involved in the grievance and committee members may question the witness.
 - h.) Each side may make a concluding statement, after which the parties shall be dismissed while the committee deliberates.
- 3.) All materials made available to the committee during the course of the hearing shall be collected and filed with the committee hearing proceedings in the human resources

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office. The Committee Chair shall not duplicate materials and committee members' personal notes shall be destroyed.

- 4.) The committee shall render a decision within (5) five working days of the hearing date and forward the written decision and recommendations to the President with copies to the grievant, Vice President of Administrative Services and HR, and other affected college personnel.

Policy History
Revised 5/20/13
Reviewed 1/2013, 7/2021

600.18 Progressive Discipline

The Vice President of Administrative Services and HR shall be available to assist in dealing with employee problems prior to the commencement of formal disciplinary action and in administering discipline.

Faculty disciplinary procedures are specified in the Faculty Master Agreement.

Classified and exempt employees shall be subject to discipline or termination for reasons including, but not limited to:

- A. Violation of College policies or procedures.
- B. Neglect of duty.
- C. Failure to obey a reasonable order by a supervisor.
- D. Refusal or inability to perform assigned duties.
- E. An act hostile to the purpose of the College.

Supervisors shall, when appropriate, have discretionary authority to use progressive discipline. Progressive discipline involves applying disciplinary actions which may progress from less serious to more serious actions based upon the initial severity, an employee's overall work history, and the repeated nature or pattern of misconduct or unsatisfactory performance.

Progressive discipline may range from corrective counseling to termination of employment. The number of steps may vary and steps may be repeated or skipped. The specific disciplinary actions taken and the order in which disciplinary actions are taken depend on the nature and severity of the performance deficiency or behavior and the employee's work history. Any employee, except a probationary employee, may file a grievance according to the Grievance Procedure [Policy, 600.17](#). Termination shall not be an initial disciplinary action except in severe cases of unsatisfactory performance or behavior. The College President shall make the final determination to suspend or terminate an employee.

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Types of Progressive Discipline

A. Verbal Warning:

A verbal warning is informal corrective counseling or suggestion for performance improvement. Verbal warnings include, but are not limited to: routine performance errors, tardiness, inappropriate use of work time, unprofessionalism, or inappropriate work attire. A Verbal Warning form is available from the Vice President of Administrative Services and HR.

B. Written Warning:

A written warning is formal corrective action that is issued when an employee fails to correct a problem after receiving a verbal warning, or as the first step of progressive discipline for more serious misconduct including, but not limited to: violation of safety rules, displays of anger or disrespect, performance issues, neglect or damage of property.

C. Suspension:

A paid leave of absence may be imposed when it is necessary to remove the employee from the workplace during an investigation or while information is being gathered. If during an investigation the employee is exonerated, the employee shall be reinstated without discipline. If misconduct is verified, the employee shall be subject to formal discipline, up to and including termination. A Vice President may immediately suspend an employee with pay for no more than one workday. No employee of the College may be suspended for more than one workday, without the approval of the College President. The employee shall be notified by the Vice President of Administrative Services and HR or designee of his/her employment status within 24 hours of the suspension.

Revised 9/27/2021

D. Termination:

Termination is used in situations when other forms of disciplinary action fail to remove or correct the problem, or it may be used as the first and only step of discipline in response to the most serious types of offenses. Termination may be appropriate in situations including but not limited to the following:

1. endangering or threatening the health or safety of others,
2. using alcohol or illegal drugs on college property or during work hours or reporting for duty under the influence thereof,
3. falsifying official records,
4. leave abuse or unauthorized absence from work in excess of five days,

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5. using or authorizing another to use any state owned or leased vehicle or other property for other than official purposes,
6. physical violence or fighting on the employer's premises,
7. brandishing any firearm or weapon on the employer's premises,
8. immoral or indecent conduct on the employer's premises,
9. serious or pervasive sexual harassment,
10. theft,
11. willful destruction or abuse of the employer's or another employee's property or materials,
12. failure to maintain licensure that is necessary to perform job requirements (e.g. valid driver's license and professional licensure)

The Vice President of Administrative Services and HR shall be consulted prior to any termination. While on suspension, employees shall be given an opportunity to respond in writing to the charges against them prior to imposing termination.

Any employee, except a probationary employee, who is suspended, or dismissed, may file a grievance according to the Grievance Procedure, Policy, 600.17.

Upon termination of service to the College, a written report shall be made to the President explaining the reasons for such termination. A final accounting shall be made of any unused sick leave and/or vacation leave and a computation recorded of any compensation due the employee. The Vice President of Administrative Services and HR or designee showing dates of employment, position, classification and salary at the time of separation shall keep an employee history card.

Policy History
Revised 7/23/2007, 4/27/2009, 12/20/2010, 9/27/2021
Reviewed 1/2013, 7/2021

600.19 Professional Development

Within reasonable limits, and contingent upon available financial resources and administrative approval, the College shall pay for professional development.

Policy History
Revised 6/22/09
Reviewed 1/2013, 7/2021

600.20 Employment of Relatives (Nepotism)

A Miles Community College employee may not function as a judge or advocate or immediate supervisor in specific situations involving members of his/her immediate family, such as the employee's spouse, child, parent, grandparent, brother, sister, mother-in-law, father-in-law, or daughter-in-law. Employees of Miles Community College should neither initiate nor participate in institutional decisions involving a direct benefit, such as initial appointment, supervision, retention, promotion, salary or leave of absence, to members of their immediate families. Exceptions to the policy may occur at the recommendation and approval of the College President, and the Board of Trustees. Only the College President and the Board of Trustees may recommend exceptions to this policy.

Policy History
Adopted 5/22/2000
Reviewed 1/2013, 7/2021

600.22 Service Animals

The College abides by federal and state regulations provided by the Americans with Disabilities Act in reference to service animals.

A. Dogs

Beginning on March 15, 2011, only dogs and miniature horses are recognized as service animals under Titles II and III of the ADA. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. If an animal meet this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government training program.

B. Miniature Horses

A miniature horse can be considered a service animal for use by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability subject to an assessment of the type, size, and weight of the miniature horse and whether the facility can accommodate these features. The same provisions that apply to service dogs also apply to miniature horses.

Therapy, companion, emotional support animals and pets are not service animals according to the ADA definition, as they have not been individually trained to perform disability mitigating tasks. Thus their handlers do not legally qualify for public access rights. Employees seeking accommodations for support animals shall work with the Vice President of Administrative Services and HR for approval.

Policy History
Adopted 1/22/2018

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Reviewed 7/2021

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SECTION 700: COMPENSATION

700.1 Salary Schedule

Information pertinent to faculty salaries is detailed in the Faculty Master Agreement.

Staff salaries shall be based upon job classification, which includes consideration of the difficulty of the position, the technical skills required, and the amount of management responsibility. Previous work experience, and/or training may be considered upon hire.

Policy History
Adopted 4/19/1999
Revised 8/20/2007, 6/22/2009, 9/27/2021
Reviewed 1/2013

700.2 Direct Deposit

Miles Community College offers direct deposit to all full-time and permanent part-time employees. Those full-time and permanent part-time employees employed by the College prior to April 1, 2004 are not required to participate in the College's direct deposit program although everyone is encouraged to do so.

Full-time and permanent part-time employees, including employees with a separation in service, employed by the College after April 1, 2004 are required to participate in the College's direct deposit program as a condition of employment at Miles Community College.

Policy History
Adopted 8/16/2004
Reviewed 1/2013, 9/2021

700.3 Overtime/Compensatory Time

The college has adopted the [Montana Department of Administration's rules on overtime and nonexempt compensatory time](#) and this policy is intended to be in compliance with those rules.

Policy History
Adopted 9/27/2021

700.3.1 Employees Eligible for Overtime

Non-exempt employees are individuals covered by the federal Fair Labor Standards Act and are entitled to overtime pay or compensatory time in specified situations. Non-exempt status is based on assigned duties and responsibilities and is determined in accordance with the Fair Labor Standards Act, state and federal law. Compensatory time is leave with pay approved for time worked beyond the standard forty (40) hour workweek.

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The overtime designation of Exempt and Non-exempt is a determination made by Human Resources based on the Fair Labor Standards Act.

Each department determines the employee work schedules necessary to conduct its operations. The department may request reasonable amounts of overtime to meet its operational needs. Overtime must be authorized in advance by the supervisor in consultation with the Vice President of Administrative Services and HR.

Policy History
Adopted 11/28/2016
Revised 9/27/2021

700.3.2 Overtime Compensation Rates

Overtime compensation rates will be one and one-half times the employee's regular rate of pay for all work time in excess of forty (40) hours per week, unless the supervisor and employee agree to the use of nonexempt compensatory time in lieu of overtime pay.

Policy History
Adopted 11/28/2016
Revised 9/27/2021

700.3.3 Reporting Overtime: Non-Exempt

Non-exempt employees are required to report all hours actually worked and any leave taken each pay period on their timesheet. Calculation of the 40-hour week for employees eligible for overtime is based on actual hours worked during the week, excluding any holiday, annual leave, and sick leave. **Overtime should be recorded in minimum of half-hour increments.**

Policy History
Adopted 11/28/2016
Reviewed 7/2021

700.3.4 Compensatory Time for Non-Exempt Employees

Non-exempt employees may request compensatory time in lieu of overtime pay for hours worked that exceed the employee's regular working hours. Mutual agreement between the supervisor and the employee is required for overtime hours to be compensated as "compensatory time." Compensatory time may not be earned or used at the employee's discretion; the supervisor shall approve in advance all compensatory time earned and taken.

Compensatory time is earned at one and one-half times for hours worked in excess of forty (40) hours per week excluding any holiday, annual leave, and sick leave. All compensatory time earned and taken should be indicated on the timesheet. **Compensatory time earned during one pay period should also be used during that pay period whenever possible. In the event that this is not possible, the**

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compensatory time must be used before the end of the next pay period. Compensatory time should be recorded in minimum of half-hour increments.

Policy History
Adopted 11/28/2016
Reviewed 7/2021

700.4 Holiday Pay

The college shall follow Montana Statute regarding holiday pay.

Eligibility

- A. *Fulltime Employees* - To be eligible for holiday pay, an employee must be in an active pay status on the regularly scheduled work day before the holiday. Holiday benefits will not exceed 8 hours

Holidays occurring while an employee is on sick or annual leave are considered paid holidays and are not charged as sick or annual leave.

- B. *Part-time Employees* - For part-time employees, holiday benefits will be based on the employee's FTE for the pay period in which the holiday falls. Holiday benefits will not exceed 8 hours.

If a part-time employee is not in an active pay status when a holiday occurs, the employee is not eligible for holiday benefits.

- C. *Temporary Employees* - Temporary employees are not eligible for holidays.

- D. *Short-term Worker or Student Worker* may not receive holiday pay.

Policy History
Adopted 11/28/2016
Revised 9/27/2021

700.4.1 Compensation for Work Performed on Holidays

An employee whose position is nonexempt from overtime (i.e., eligible for overtime) who works on a recognized holiday will be compensated at the rate of one and one-half times the regular hourly rate in addition to the regular pay for the holiday.

Policy History
Adopted 11/28/2016
Reviewed 7/2021

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700.5 Payroll Periods

Salaried Employees

The payroll period begins on the first working day of the month and ends on the last working day of the month. Payment for each month will be made on the 25th day of the month unless the 25th falls on a holiday or weekend, in which case payment is made on the last working day prior to the 25th. Absence Reports and other required paperwork shall be submitted by 5:00 p.m. on the 16th. If the 16th falls on a weekend or holiday, paperwork is due the last working day prior to the 16th.

Hourly Employees

The payroll period begins on the 16th day of the month and ends on the 15th day of the following month. Payment for each month will be made on the 25th day of the month unless the 25th falls on a holiday or weekend, in which case payment is made on the last working day prior to the 25th. Time sheets showing the number of hours worked each day must be approved and signed by the employee's supervisor. The deadline for submission of timesheets and other required paperwork is 5:00 p.m. on the 16th. If the 16th falls on a weekend or holiday, paperwork is due the last working day prior to the 16th. Timesheets and other required paperwork shall be submitted to the Business Office.

Policy History
Adopted 11/28/2016
Reviewed 7/2021

700.6 Individual Time and Attendance Reporting

The college has a legal obligation to pay employees for services performed during the pay period on the established payday and to maintain records of actual hours worked on a daily basis for all employees eligible for overtime under the Fair Labor Standards Act (FLSA). Accurate and timely reporting of an employee's time and attendance is a direct responsibility of both the employee and the employee's immediate supervisor.

Records indicating approval of additional hours must be maintained by the employing department for a period of two years.

Any individual who falsely reports time worked or leave used will be subject to disciplinary action, up to and including termination. Employees will be required to repay the College or have subsequent paychecks docked for any wages received for hours not worked.

Policy History
Adopted 11/28/2016
Reviewed 7/2021

700.7 Salary Adjustment Eligibility Guidelines

Miles Community College administers an annual process for salary adjustments. Salary adjustments for non-exempt and exempt staff shall adhere to the following parameters.

- A. Eligibility Cut-off Date: March 31st is the cut-off date for new hires to be eligible for a salary increase. Non-exempt or exempt staff with a start date later than March 31st will not be included in the salary increase implemented in the next fiscal year.
- B. Eligibility of current staff assuming additional permanent responsibilities: Staff assuming additional responsibilities and compensation prior to April 1st shall be eligible for a salary adjustment based on new compensation. Staff assuming additional responsibilities and compensation on April 1st or after shall be eligible for a salary adjustment based on compensation prior to April 1st.
- C. New Hires are defined as non-exempt or exempt employees hired through a formal search process.
- D. Temporary Employees are not eligible for a salary adjustment.
- E. Exemptions shall be at the discretion of the President.

Policy History
Adopted 4/27/2015
Revised 9/27/2021

SECTION 800: FINANCIAL AFFAIRS AND BUSINESS OFFICE

800.1 Budgeting and Accounting

The College President is responsible for the financial welfare of the college. The College President shall make a preliminary appraisal of the financial needs of the college and submit a tentative budget to the Board in accordance with Montana law. The Board of Trustees shall adopt the final budget at its annual budget meeting in July. Annually by September 1, the Board shall submit the approved budget to the Board of Regents for their review (MCA 20-15-312).

The business management of the college shall be centered in the Office of the CFO, who shall have power to delegate functional responsibility to other employees. The CFO shall be responsible for the collection and disbursement of all college funds. All expenditures shall be made in accordance with the approved budget. No transfers of expenditures within the general fund shall be made between program divisions without prior approval of the CFO.

Policy History
Revised 9/22/1986, 1/25/2010, 12/21/2015
Reviewed 1/2013

800.1.1 Planning, Budget and Assessment

Alignment and prioritization of initiatives and their relationship with annual budget allocations throughout the college is facilitated through the Planning, Budget, and Assessment Committee (PBA). The PBA ensures funding priorities align with the Miles Community College Strategic Plan and Core Themes as identified with the Northwest Commission on Colleges and Universities (NWCCU) and annual goals.

The college, as well as its divisions, follows a planning model in which annual objectives, strategies, and action plans are defined and progress is assessed through self-evaluations and environmental scans of the operating environment. Based on assessment, strategic initiatives are developed and prioritized in support of long-term goals and annually identified college-wide areas of focus. The PBA conversations provide a forum to promote collaboration, alignment, integration, and transparency in discussing initiatives, priorities, and the annual allocation of resources. To facilitate the process, a PBA Committee is developed to review, assess, and approve the various department, unit, and program plans.

The PBA Committee consists of the following positions:

- President
- Vice President for Academic Affairs
- Associate Dean of Academic Affairs
- Associate Dean of Instruction and Distance Education
- Vice President of Enrollment Management and Educational Support Services
- Vice President of Student Engagement and Auxiliaries
- Vice President of Administration and Human Resources

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- Budget Director
- Staff Representative
- Faculty Association Representative
- Student Representative

Units, departments, and programs will complete an annual PBA Review, Request and Budget Form that includes mission, environmental scanning, strategies/objectives/action plans, assessment planning, and resource investment needs, including decreased need.

Policy History
Adopted 9/27/2021

800.2 Purchasing

Requisitions for purchases shall be approved only after availability of funds has been established and quotations, if required, have been obtained. A minimum of one approval signature on purchase requests is required. The person initiating purchases shall obtain approval from his/her supervisor and/or Vice President, as evidenced by the signature on the Purchase Request/Authorization Form. The Vice President of Administrative Services and HR may approve purchase orders in the absence of, or in addition to, a direct supervisor and/or Vice President. No invoice shall be approved for payment unless orders are placed in accordance with the above process and on official Miles Community College purchase order forms. The College shall not be obligated for any purchase made without proper approval. The cost of unauthorized purchases shall be charged to the individual making such purchases.

All purchases of supplies and equipment must be made only by authorized personnel using official purchase orders supplied by the Business Office. When the Business Office places an employee's order, the employee will receive a copy of the purchase order. The purchaser shall sign and date the receiving copy and return it to the Business Office in order for the claim to be paid. If received by the purchaser, the invoice shall be attached to the receiving copy.

Purchases shall be made locally whenever possible. Purchases from out-of-town vendors shall be made only when items are not locally available, or when type, quality, price, service, or state or federal purchasing guidelines necessitate seeking outside sources of supply.

Purchases shall only be made with responsible providers who have the ability to supply or perform under the terms and conditions of the proposed procurement. Consideration shall be given to supplier integrity, history of past performance, type, quality, price, service, financial and technical resources, and accessibility to other necessary resources.

Policy History
Revised 12/21/2015
Reviewed 1/2013

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800.2.1 Credit Card Purchases

A college credit card shall be used only for college-related expenses and travel. Inappropriate use or abuse of college credit cards may result in disciplinary action, up to and including termination.

A college credit card shall be used by authorized personnel for college related purchases. Credit cards are available for check-out from the Business Office. A form provided by the Business Office shall be completed prior to check-out. When the purchase is complete, or upon return to campus, the credit card shall be returned to the Business Office immediately.

Individual Miles Community College credit cards.

A college credit card shall be issued to the college President, Vice Presidents and appropriate personnel as determined by the CFO.

Policy History
Adopted 12/21/2015

800.2.2 Large Purchases (Purchases in Excess of \$25,000)

When the proposed purchase/contract cost exceeds \$80,000 sealed bids or requests for proposals shall be solicited, for the period of time required by law ([MCA 20-15-104](#)).

Bid specifications shall include a description of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics and/or minimum acceptable standards.

No purchase/contract in excess of \$25,000 shall be let except upon approval of a majority of the Board of Trustees at a regular or special meeting.

Policy History
Revised 5/18/2015, 12/21/2015
Reviewed 1/2013

800.2.3 Limited Solicitations (\$5,000 - \$25,000)

When the proposed purchase/contract cost is between \$5,000 and \$25,000, at least three informal bids shall be solicited from viable sources. If three viable sources are not available, a note of explanation is required. Limited solicitation bids must be reviewed and approved by the appropriate Vice President prior to purchase.

Procurement records and files for limited solicitations must include the following: (a) price or rate quotations; (b) basis for contractor selection; (c) justification for lack of competition when competitive bids or offers are not obtained; (d) basis for award.

Policy History
Revised 12/21/2015
Reviewed 1/2013

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800.2.4 Small Purchases (Under \$5,000)

Purchases under \$5,000 do not require a bid process. However, prudent purchasing practices shall be followed and competitive quotations obtained where practical.

Policy History
Reviewed 1/2013

800.2.5 Purchases with Federal and Grant Funds

All purchases made with federal funds shall comply with federal procurement procedures.

All expenditures made with grant funds must be allowable according to grant requirements.

Policy History
Revised 10/21/1996, 1/25/2010, 12/21/2015
Reviewed 1/2013

800.2.6 Purchase of Books and Reference Materials

Textbooks and instructional materials shall be ordered through the Bookstore. Professional reference materials shall be ordered through the Library.

Policy History
Reviewed 1/2013

800.3 Payment of Bills:

The following positions have warrant signing authority: President, Vice President of Academic Affairs, Vice President of Student Engagement and Auxiliary Services, Vice President of Enrollment Management and Educational Support Services, Vice President of Administrative Services and HR, and Athletic Director.

Warrants require two signatures. The employee who initiates a purchase by signing a voucher or purchase order shall not sign the corresponding warrant.

The President shall submit to the Board a list of all paid bills (Claim Report), together with such explanations as deemed necessary by the Board. The Board shall approve the payment of bills by motion at its regular monthly meetings unless otherwise specifically provided for. The Board Chair and the Board Secretary or Board members appointed to perform said function must sign Voucher List of paid bills.

No bill shall be submitted as part of the Claim Report to the Board until the materials or services purchased have been received in the quality and quantity required, and is accounted for properly. Verification of all items received shall be submitted to the Business Office.

Policy History
Revised 7/22/98, 1/25/2010, 12/21/2015

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Reviewed 1/2013

800.4 Financial Reports

The following financial reports shall be prepared for the regular meetings of the Board:

- A. Monthly General Fund Budget Report
- B. Quarterly Auxiliary Financial Statements for the following funds:
 - 1. Bookstore
 - 2. Dining Service
 - 3. Centra
 - 4. Student Housing
- C. Semiannual summary reports for all other funds

Policy History
Revised 12/21/2015
Reviewed 1/2013

800.5 Audits

All financial records of the college, budgeted and non-budgeted, shall be audited annually. Where required, specifications shall be followed as set forth by statute and the State Legislative Audit Division.

Policy History
Revised 9/22/1986, 1/25/2010
Reviewed 1/2013

800.6 Capitalization

The following conditions shall be followed for capitalization of College property.

- A. Major tangible items costing \$5,000 or more and having a useful life of more than one year shall be capitalized and depreciated over the useful life of the item when applicable for purposes of property management and this policy. The useful life of an item shall be determined by Business Office personnel. Items costing less than \$5,000 shall be expensed.
- B. Software costing \$25,000 or more and having a useful life of more than one year shall be capitalized and depreciated over the useful life of the software when applicable for purposes of property management and this policy. The useful life of the software shall be determined by Business Office personnel. Items costing less than \$25,000 shall be expensed.
- C. Library books shall be treated as a collection. Books shall be capitalized and reported at their historical cost. In the absence of historical cost information, the book's estimated historical cost shall be used. Donated books shall be capitalized and reported at their estimated fair value at the time of donation.

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All capitalized individual books shall be depreciated over their estimated useful life using the straight-line method for depreciation, with no salvage value; and the collection shall be depreciated over its estimated useful life using one type of group or composite depreciation method, with no salvage value. The estimated useful life shall be determined by Business Office personnel.

- D. Buildings and building improvements costing \$25,000 or more shall be capitalized, and the useful life determined by the structure type defined in a current useful life table maintained by Business Office personnel. Buildings and building improvements costing less than \$25,000 shall be expensed.
- E. Land purchases shall be capitalized, regardless of cost.
- F. Land improvements and infrastructure costing \$25,000 or more shall be capitalized, and the useful life determined by the category of improvement as defined in a current useful life table maintained by Business Office personnel. Land improvements and infrastructure costing less than \$25,000 shall be expensed.

Policy History
Adopted 11/27/2006
Revised 1/25/2010
Reviewed 1/2013

800.7 Disposal of College Property

Whenever the trustees determine that college property is or is about to become abandoned, obsolete, undesirable, or unsuitable for the purposes of the College, the trustees shall adopt a resolution to sell or otherwise dispose of the real or personal property in accordance with [MCA 20-6-604](#). If such property has a value of less than \$1,000, the President or designee shall be authorized to dispose of the property at his/her discretion.

Revised 3/26/2012
Reviewed 1/2013

800.8 Travel

Travel may be authorized for the following purposes:

- A. To transact College business;
- B. To attend educational and professional meetings;
- C. To travel with student groups for student activities;
- D. Any other travel by employees, consultants, or advisors that the President believes to be in the best interest of the College.

Employees shall travel in the most reasonable, efficient, and cost-effective manner possible. To minimize costs, employees may utilize expanding technologies whenever feasible. Budgetary limitations must be considered for potential travel expenditures. College credit cards are available for check-out in

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the Business Office. Use of College credit cards is preferred to receiving cash advances to the extent possible.

All travel arrangements, including registration fees, mode of transportation, lodging, and meals must be approved by the employee's supervisor before the trip occurs. Exceptions to this policy must have prior approval of the President.

Reimbursement shall be paid only upon the submission of a completed Travel Reimbursement Form to the Business Office and must be accompanied by appropriate receipts. The Travel Reimbursement Form contains the federal rate for mileage. Other federal rates, if needed, may be found at www.gsa.gov. If business and personal travel is combined, only the portion that is directly related to College business shall be reimbursed. The Travel Reimbursement Form is to be submitted to the appropriate supervisor within three working days.

A. Registration Fees

Registration fees for professional development, events, or conferences shall be reimbursed at actual cost if authorized in advance by the employee's supervisor.

B. Mode of Transportation

Employees must use the most efficient mode of transportation.

1. Public Transportation:

Employees shall be reimbursed for actual expenses for coach airfare, train, bus, shuttle services, or taxi.

2. Fleet Vehicles

Use of College vehicles shall be restricted to authorized employees, students, and persons conducting College business or other approved activities.

The following shall not be allowed in College vehicles without prior approval by the President:

- a. Non-employees
- b. Pets
- c. Use of tobacco products
- d. Firearms and other weapons

Use of cell phones without a hands-free device shall be prohibited while driving.

3. Private Vehicles

Use of College vehicles is preferred. If a College vehicle is not available, use of a private vehicle is allowed and will be reimbursed at the current federal rate for in-state and out-of-state travel. If a College vehicle is available, use of a private vehicle is allowed at the reduced federal rate. If two or more people travel together in a personal vehicle, only the driver may claim mileage. The current mileage rate is available on the travel reimbursement form.

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4. Rental Cars

Employees shall be reimbursed for College-related rental car expenses. Costs incurred for the personal use of rental cars shall be the responsibility of the employee.

C. Lodging

Actual expenses for lodging shall be reimbursed at the conference, state, or best rate possible. Receipts shall be required for lodging reimbursement. Sharing rooms is not required but is permitted for budgetary purposes.

D. Meals

Adhering to MCA 2-18-501, the College reimburses employees. Out-of-state meals shall be reimbursed at the Federal standard per diem allowance (www.gsa.gov).

If meals are provided as part of a conference or meeting, additional meal expenses shall not be reimbursed. There shall be no reimbursement for alcoholic beverages. Expenditures beyond the established rates shall not be reimbursed

Policy History
Revised 4/25/2011, 12/21/2015
Reviewed 1/2013

800.9 Student Organization Funds

All money received from student organizations and activities shall be remitted to and recorded by Business Office personnel. A complete and uniform system of permanent accounting shall be employed, and provision shall be made for an annual audit.

Policy History
Reviewed 1/2013

800.10 Bonding of Employees

All persons charged with responsibility for the funds of the college shall be covered by a blanket bond purchased by the college.

Policy History
Reviewed 1/2013

800.11 Solicitation of Funds, Gifts, In-Kind Donations

Acting in conjunction, where appropriate, with the College Endowment, the college President shall supervise and coordinate solicitation of funds, gifts, in-kind donations, and other contributions to the college.

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Such solicitation shall be restricted to approved college purposes and activities, and shall not be undertaken except upon specific and prior approval by the President or designee.

Any individual, employee, or organization affiliated with the college wishing to solicit contributions in the name of the college shall complete a Fund Raising and Solicitation Request Form.

Policy History

Adopted 5/14/1990

Revised 10/21/1996, 2/15/99, 8/21/2000 (all of the chapter), 12/15/2003 (all of the chapter), 1/25/2010

Reviewed 1/2013

800.12 Debt

All debt shall be incurred and serviced according to the following criteria:

- A. Maintain a balanced relationship between debt service requirements and current operating needs;
- B. Maintain and enhance the College's ability to obtain access to credit markets at favorable interest rates in amounts needed for capital improvements;
- C. Provide essential learning services;
- D. Effectively manage debt to minimize costs to the taxpayers;
- E. Ensure that current decisions do not adversely affect future generations;
- F. Preserve the College's flexibility in capital financing by maintaining an adequate margin of statutory debt capacity.

The College shall not incur any debt in excess of \$25,000 except upon approval of the Board of Trustees. No employee or student shall incur any debt against the College without prior approval.

Business Office personnel shall prepare an annual amortized principle and interest report to be reviewed by the Board of Trustees Finance Committee.

Policy History

Adopted 3/26/2007

Revised 1/25/2010

Reviewed 1/2013

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SECTION 900: PHYSICAL PLANT

900.1 Use of College Property, Facilities, and Equipment

The use of property, facilities, and equipment shall be available to Trustees, employees, students, and the public as long as such use is appropriate to the purpose and mission of the College.

Policy History
Revised on 1/22/2018
Reviewed 1/2013

900.1.1 Trustee and Employee Use

Use of College equipment, facilities, and land by Trustees or employees for profit-making purposes shall be permitted only upon specific approval by the President. In such cases a fee may be charged.

Limited and reasonable use of College equipment, facilities, and land by Trustees or employees for personal use may be permitted upon approval by the President. Any denial by the President may be appealed in writing to the Board of Trustees within 10 working days. The Trustees' decision shall be final.

Policy History
Revised on 1/22/2018
Reviewed 1/2013

900.1.2 Student Use

Student use of College facilities and/or equipment outside of normal operating hours must be under the immediate supervision of a College instructor or a College employee at all times. Use of equipment and facilities for personal or personal profit-making purposes is prohibited.

Policy History
Revised on 1/22/2018
Reviewed 1/2013

900.1.3 Public Use

Use of College equipment, facilities, and land by the public must be approved prior to use under the provisions of 900.2 and 900.3.

Policy History
Adopted 10/20/1980
Revised 10/19/1987, 10/18/2004, 08/23/2010
Reviewed 1/2013

900.2 Building Rental

All public use of campus facilities (except Residence Halls as defined in [900.2.1](#)), as well as additional amenities associated with the facility rental such as food, audio/visual, room setup, and other

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conference services shall be scheduled through Executive Assistant to the President. Rental rates shall be charged according to user categories defined in 900.2.2.

Any use of campus facilities on Sundays, or when the campus is closed for holidays shall only be permitted with administrative approval, and an additional fee shall be assessed.

Policy History
Revised 1/22/2018
Reviewed 1/2013

900.2.1 Pioneer Village Rental

The following guidelines shall be adhered to when renting residence hall facilities.

- A. Summer rental of the Pioneer Village shall be allowed as approved by the Vice President of Student Engagement and Auxiliary Services.
- B. Groups that include minors using the Pioneer Village must have appropriate adult supervision as determined by the Vice President of Student Engagement and Auxiliary Services.
- C. Groups using the Pioneer Village must abide by the same rules in place for students during the academic year
- D. A payment schedule and rental rates shall be determined by the Board of Trustees. Special considerations shall be determined by Vice President of Student Engagement and Auxiliary Services or designee. Occupants shall be responsible for damages incurred during their stay.

Policy History
Revised 3/22/2010; 1/22/2018, 8/24/2020
Reviewed 1/2013

900.2.2 User Categories

User categories are defined by structure, nature and intent of the utilization.

Category I – No Charge

- A. All classes, events, meetings, or other activities co-sponsored by the College.
- B. Academic classes offered by approved partner colleges.

Category II – Possible Charge

(See Fee Schedules Below)

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- A. Meetings, events or other activities whose purpose is to provide (at no charge) public information, cultural enlightenment, or general instruction.
- B. Meetings, events, or other activities sponsored by public agencies or public institutions (at no charge) for the purpose of training, informing, or up-grading employees or the general public.
- C. Meetings by non-profit groups, which are open to the general public and whose purpose is not to promote any particular political or religious viewpoint.

Policy History
Revised 1/22/2018
Reviewed 1/2013

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**Category II
Room Rental
SCHEDULE A**

(Use of less than 4 hours with no special setup or equipment)

	Room 106 or Single Academic Classrooms	Small Conference Rooms	Room 106/107 316/317/322	Room 314 or other Computer Labs	Smith Center (SUB) And Centra	AAC Classroom and Arena
1-20 people	No Charge	No Charge	Not Available	Fee Assessed	Negotiated and Per Facilities Use contract	Per Facilities Use contract
20-60 people	No Charge	Not Available	Not Available	Fee Assessed	Negotiated and Per Facilities Use contract	Per Facilities Use contract
60-120 people	Not Available	Not Available	Fee Assessed	Not Available	Negotiated and Per Facilities Use contract	Per Facilities Use contract
>120 people	Not Available	Not Available	Fee Assessed	Not Available	Negotiated and Per Facilities Use contract	Per Facilities Use contract

Policy History
Revised 1/22/2018
Reviewed 1/2013

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**Category II
Room Rental
SCHEDULE B**

(Fees for room use 4 or more hours with no special setup or equipment use)

Prices listed accrue in increments of 4 hours.

	Room 106 or Single Academic Classrooms	Small Conference Rooms	Room 106/107 316/317/322	Room 314 or other Computer Labs	Smith Center (SUB) And Centra	AAC Classroom and Arena
1-20 people	Fee Assessed	Fee Assessed	Not Available	Fee Assessed	Negotiated and Per Facilities Use contract	Per Facilities Use contract
20-60 people	Fee Assessed	Fee Assessed	Not Available	Fee Assessed	Negotiated and Per Facilities Use contract	Per Facilities Use contract
60-120 people	Not Available	Not Available	Fee Assessed	Not Available	Negotiated and Per Facilities Use contract	Per Facilities Use contract
>120 people	Not Available	Not Available	Fee Assessed	Not Available	Negotiated and Per Facilities Use contract	Per Facilities Use contract

Policy History
Revised 1/22/2018
Reviewed 1/2013

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900.3 Additional Rental Services

All users shall be assessed the following fees for additional services.

Computer lab set-up charges to include installations and removal of software, and/or equipment changes.	\$20.00 per hour
Special conference arrangements, monitoring and setup	\$20.00 per hour
Tables and chairs for other public space including hallways when not renting a room.	\$20.00 per hour

The College shall cater all breaks, meals, and drinks. No outside food or beverages may be brought onto the campus by the public agency, organization, or community group scheduling the meeting without prior approval from the Dining Services Director.

Additional staffing requirements for unlocking, and locking the doors during weekends, College holidays, or other days when the campus is normally closed.	\$35.00 per hour
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Regular operating hours for the college during the academic year are to be considered as:

7:00 a.m. -- 10:00 p.m.	Monday - Friday (excluding holidays)
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Policy History
Adopted 9/19/1983
Revised 2/15/1999, 6/27/2000, 6/28/2010; 1/22/2018
Reviewed 1/2013

900.4 Maintenance of Equipment and Facilities

Instructional equipment in need of repair or replacement should be reported to the Division Vice President.

Maintenance needs for audio-visual equipment and materials should be reported to the Library. Broken or damaged equipment, burned out lamps for overhead projectors should be reported immediately to facilitate repair or replacement with as little interruption in utilization of equipment as possible.

For general maintenance problems (heat, lights, water, etc.) notify the Facilities Director or the Student Services office if facility staff is not available so that the matter can be taken care of properly and as promptly as possible.

Policy History
Revised 1/22/2018
Reviewed 1/2013

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900.4.1 Food/Drink in Classrooms

In the interest of maintenance and cleanliness of classrooms, it is the policy of the College that food/beverages, eating/drinking, etc. are not permitted in designated classrooms, except when special occasion might warrant, and then only upon the specific approval of the administration.

Policy History
Revised 1/22/2018
Reviewed 1/2013

900.4.2 Use of College Facilities

- A. Persons attending meetings for which college facilities are rented must confine themselves to the rooms and corridors assigned for such purpose.
- B. Adequate supervision of rented college facilities must be provided by the user to protect the best interests of the college.
- C. If tickets are sold, the user must not oversell the capacity of facilities rented. The user must assume responsibility for payment of any tax that may apply under such circumstances.
- D. Persons or organizations making application for the use of college facilities must agree to pay the college for any damage to college property by any person or persons during such use.
- E. Applicants granted the use of college facilities may cancel same by notifying authorities at least forty-eight hours in advance of the date of proposed use. Failure to cancel in the time required shall necessitate the payment of rental fees. Fees are determined according to an established schedule. Payment of fees shall be made in advance of the use of the facilities. (See Building Rental Fee Procedure, 9.2).
- F. The college shall supply custodial help for a fee to open and close the buildings. (See Appendix for custodial payment schedule)
- G. The college president or designee shall approve the use of the Smith Center (SUB) food service facilities and equipment by other than contracted college employees and shall be limited to significant public or college events. Use of such facilities and equipment shall be in strict accord with established regulations, procedures, and cost schedules. (See Appendix for details.)
- H. Permission shall normally not be granted for use of college buildings on Saturdays, Sundays, and holidays unless special circumstances as approved by the President and/ or his/her designee warrant such use and these approvals shall require a reasonable rental charge.

Policy History
Revised 1/22/2018
Reviewed 1/2013

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900.4.3 College Equipment

In general, the College does not rent or loan small portable equipment. Such equipment may be used by authorized personnel to perform work or services directly associated with a college-sponsored activity or instructional program.

Upon approval by the college administration or their designees, small equipment items may be used for specific and temporary purposes by public agencies and service organizations for public meetings, programs or activities that are consistent with the college's mission to serve the community. A User Fee may be charged for such use to assist in the maintenance and repair of equipment items to assure their continued availability for the programs, operations and services of the college.

Use of college computers and computer-related equipment shall be restricted to college faculty and staff, and to currently enrolled students who have paid the required Computer Fee. Exception to this restriction shall be granted only upon specific approval by the college administration under the guidelines and conditions established in paragraph (2), above.

Policy History
Revised 10/19/1987, 11/23/1987, 12/21/1987, 1/22/2018
Reviewed 1/2013

900.4.4 Promotional Material

Miles Community College shall not allow advertisements (including flyers, brochures, etc.) in the student newspaper, student campus mailboxes, or campus bulletin boards, which promote alcohol, tobacco products, controlled substances, or gambling, in any way without prior approval by the President or his/her designee.

Policy History
Adopted 10/20/1997
Revised 1/22/2018
Reviewed 1/2013

900.5 Vehicles

When college vehicles are used, the sponsoring organization or department must pay for such use on a mileage basis according to an established schedule. Drivers must have current valid driver's licenses; and for buses, qualified college-approved drivers with current valid CDL licenses must be employed or contracted.

Policy History
Revised 9/22/1986, 1/22/2018
Reviewed 1/2013

900.5.1 Vehicle Rental Schedule

When approved by the Administration for College-related purposes, the sponsoring organization or department shall be charged at the per-mile rate established by the college. The sponsor shall also pay

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the driver \$50 for each overnight stay as well as the driver's hotel accommodations. The Executive Assistant to the President handles all vehicle arrangements. Any maintenance concerns should be directed to the Facilities Director.

The College bus is available for school related functions to include Miles Community College, Custer County District High School and Unified School District effective throughout the school year. The College may also consider other options with permission from the current insurance carrier.

Policy History
Revised 4/17/2000, 1/22/2018
Reviewed 1/2013

900.6 Privately Owned Equipment

- A. Students shall not use college equipment to work on private or personal projects except when such projects have been approved as an integral part of the instructional program. Exception granted for computers in computer labs and the MCC Library.
- B. Repair of personal or privately-owned vehicles, equipment, appliances, etc., shall not be permitted, except upon specific approval by a Division Vice President as an integral part of the instructional program.
- C. All equipment, supplies, parts, repair materials, etc., other than those required by the college in carrying out established instructional and training programs, shall be purchased by the student. In those instances where privately-owned property items have been approved as objects of the instructional program, the purchase of all such equipment, supplies, parts, repair materials, etc., shall be made by the owner of said property items. Under no circumstances will the college purchase such equipment, supplies, parts, repair materials, etc., nor will the college establish charge accounts for same.
- D. The college shall not agree to any time limitations or specifications for repair completion or work performed on privately owned vehicles, equipment, appliances, etc., whenever such have been accepted as an integral part of the instructional program.

Policy History
Revised 9/22/1986, 6/27/2000, 1/22/2018
Reviewed 1/2013

900.7 Naming of College Buildings/Facilities

The following criteria shall be followed in the naming of College buildings and facilities.

A. Types of Names

Facility names shall be of three basic types or a combination thereof:

1. Descriptive names that identify the facility by function, e.g. Vo-Tech Building.

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2. Historic or generic names that have local meaning or significance, e.g. Pioneer Village.
3. Honorific names which recognize an individual, family, group or organization for significant contributions to the College, e.g. Smith Center.

B. Criteria

Criteria for naming facilities in honor of an individual, family, group or organization shall include but not be limited to:

1. Extraordinary service to the College as a member of the faculty or staff or volunteer.
2. Significant financial contributions to the construction or renovation of a facility or to some program or project which is part of the mission of the College.
3. Facilities shall not be named for current employees of the College.

C. Call for Nominations

The College President shall have the sole authority (with the approval of the Board of Trustees) in calling for nominations for a facility or facilities.

D. Nomination

Nominations for facility names shall be submitted in writing along with a rationale to a Campus Facilities Naming Committee. In consultation with the Faculty Association President, Chair of the Classified/Exempt Staff Committee, and ASMCC President, the President will appoint faculty, staff, and students to the Campus Facilities Naming Committee.

E. Authority for Naming

The naming of any facility shall include an advisory vote of the campus naming committee. A recommendation shall then be made to the President's Cabinet. Upon approval of the President's Cabinet, the recommendation shall be forwarded to the Board of Trustees, who shall have the final authority for naming.

F. Duration

If a previously named facility or property must be replaced or substantially renovated, or the use of a previously named area re-designated, it may be named for a new donor at the discretion of the Board of Trustees (subject to the specific terms and conditions set forth in any gift agreements related to the prior naming action) and such name changes shall be subject to review and approval under this naming process.

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G. Rescinding a Name

The Trustees may decide to rescind a naming action if the person after whom the building is named commits a violation of public trust, or if a donor refuses to honor a pledged financial commitment.

Policy History
Adopted 11/16/1998
Revised 2/23/2009, 1/22/2018
Reviewed 1/2013

900.8 Hours of Operation

Except for special events, office or custodial work by college faculty and staff, or other facilities use specifically approved by appropriate administrative supervisors, the hours for use and operation of college buildings and facilities shall be limited as follows:

- A. During regular academic semesters and the Summer Session, facilities use shall be 7:00 a.m. to 10:00 p.m. on weekdays, evenings, and weekends during which official college classes or activities are being conducted.
- B. On all other days, facilities use shall be 8:00 a.m. through 8:00 p.m. Use of facilities on Saturdays, Sundays and holidays is discouraged and should be restricted to occasions of exceptional need and circumstance, as approved by the President or his/her designee.

Policy History
Revised on 1/22/2018
Reviewed 1/2013

900.9 Distribution and Consumption of Alcoholic Beverages on MCC Properties

The President **must approve** any request for an event at which alcohol will be served/sold. Such requests must be made at least 30 days prior to event. Any denial by the President may be appealed in writing to the Board of Trustees within 10 working days. The Trustees' decision shall be final.

In order for the president to approve a request the following conditions must be met:

- A. The LESSEE shall sign such agreements/assurances as may be necessary to guarantee that the college is protected from any legal actions resulting from the consumption of alcoholic beverages at the event. The Lessee is required to show proof of an insurance rider that protects the college from liability due to alcohol consumption on the part of the Lessee.
- B. The LESSEE shall provide mechanisms to assure that no individual under the legal drinking age will be served or will consume alcoholic beverages.
- C. The event shall have a purpose other than solely the consumption of alcohol.

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- D. Advertising of the event shall focus on the event itself (i.e. dance, movie); not the fact that alcohol is available.
- E. The sales of alcoholic beverages will be conducted through an authorized licensed agent and must provide the college a copy of its license and insurance. The serving of alcoholic beverages for college functions will be provided by a TIPS trained individual.
- F. LESSEE shall make active efforts to prevent the excessive consumption of alcohol by any individual.
- G. At no time shall any admission fee be structured so as to force a non-alcohol-drinking attendee to underwrite another person's consumption of alcohol.
- H. It is the responsibility of the LESSEE to abide by all state laws regarding the serving of alcoholic beverages.
- I. Non-alcoholic beverages shall be available.

Policy History
Revised 6/27/2000 (all of chapter), 3/24/2008, Revised Section 900.11; 1/22/2018
Reviewed 1/2013

900.10 Service Animals on Campus

MCC abides by federal and state regulations provided by the Americans with Disabilities Act in reference to service animals. Refer to Section 600.21.

Policy History
Revised 1/22/2018
Reviewed 1/2013

900.11 Non Service/Non Support Animals on Campus

Non service/nonsupport animals shall not be allowed in campus buildings and all grounds and buildings of the BLM patented land at the West End Campus or the community track unless required by academic programs. Exceptions may be approved by the President.

Documented support animals shall be allowed in campus facilities as approved by the Disability Support Services office.

Faculty and staff who choose not to abide by this policy will be referred to their supervisor for disciplinary action. Students found in violation will be referred to the Vice President of Student Engagement and Auxiliary Services.

Policy History
Adopted 2/21/2005
Revised 1/22/2018
Reviewed 1/2013

SECTION 1000: Information Technology

The College shall provide access to local, national, and international sources of information and an environment that encourages the free exchange of ideas and sharing of information. Access to the College's information technology resources is a privilege and must be utilized in an ethical, respectful, and responsible manner. Occasional personal use of technology is allowed as long as it does not affect job performance. All employees shall respect the rights and privacy of others, the integrity of facilities and controls, and all pertinent laws, College policies, and standards.

The following standards for acceptable use include, but are not limited to, equipment, software, internal or external networks, and data whether owned, leased, or otherwise provided by the College. Because of the dynamic nature of technology, the President shall have discretionary authority to rule on issues not delineated in this policy.

Employees shall:

- A. Use computing and information technology resources only for their intended purpose.
- B. Protect the access and integrity of computing and information technology resources.
- C. Use only those computing and information technology resources for which they have authorization.
- D. Abide by applicable laws including, but not limited to, copyright, intellectual property, and licensed software
- E. Respect the privacy and personal rights of others.

Violation of this policy may lead to disciplinary action up to and including termination.

The President may limit or restrict use based on institutional priorities, financial considerations, or evidence of a violation of College policies, contractual agreements, or applicable state and federal laws.

The College's network and equipment is not private. Although employees have passwords that restrict access to their voice mail, computers, and websites, only personnel authorized by the President may monitor online activity, and access files, voice mail, or e-mail messages stored on and deleted from the College's network or equipment.

Employees shall not use the College's network or equipment in ways that may be inflammatory or disruptive. Examples include but are not limited to the display or transmission of sexually explicit images, messages, or cartoons, or any transmission or use of communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, gender, gender identity, sexual orientation, age, disability, marital or domestic partner status, religion, or political beliefs.

Policy History
Adopted 11/26/12
Reviewed 1/2013

1000.1 Acceptable Use Guidelines

These guidelines are intended as a minimum set of standards to assist in the interpretation and administration of policy.

Employees shall use computing and information technology resources only for their intended purposes. For example: it is a violation

- A. to upload, download, or distribute pornography;
- B. to use privileged access for other than official duties;
- C. to use former privileges after retirement, job loss, or termination.

Employees shall protect the access and integrity of computing and information technology resources. For example: it is a violation

- A. to intentionally release a virus or worm that damages or harms a system or network;
- B. to prevent others from accessing an authorized service;
- C. to attempt to deliberately degrade performance or deny service;
- D. to alter or destroy information without authorization.

Employees shall use only those computing and information technology resources for which they have authorization.

For example: it is a violation

- A. to use unauthorized resources;
- B. to access files, data, or processes without authorization;
- C. to use someone else's account and password or share your account and password with someone else;
- D. to purposely look for or exploit security flaws to gain system or data access.

Employees shall abide by applicable laws including, but not limited to, copyright, intellectual property rights, and licensed software

For example: it is a violation

- A. to download, use, or distribute pirated software, music, or movies;
- B. to upload, download, distribute, or possess child pornography;
- C. to post information protected by the *Family and Educational Rights Privacy Act* (FERPA).

Employees shall respect the privacy and personal rights of others.

For example: it is a violation

- A. to tap a phone line or run a network sniffer;
- B. to access or copy another user's e-mail, data, programs, or other files;
- C. to post or share incriminating information or inappropriate media.

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1000.2 External Devices

The College shall not be responsible for any damage caused to personal devices including, but not limited to, external hard drives, zip drives, CD drives, cameras, memory, printers, and smart phones, that are connected to College owned computers or other devices. Employees who use external devices do so at their own risk.

Policy History
Reviewed 1/2013

1000.3 Software

All software installed on College computers is licensed for use on College workstations only. This software shall not be copied to disk or otherwise transferred and installed to personal computers.

Software authorized by a supervisory Vice President shall be installed on College computers by IT Department personnel. Employees shall not install software on College workstations either by downloading or from external media.

Policy History
Reviewed 1/2013

1000.4 File Sharing and Copyright Violations

Illegal file sharing and copyright violations shall not be allowed. An investigation shall be initiated upon receipt of a reputable claim of illegal file sharing or copyright infringement. If there is evidence that illegal file sharing or copyright violations have occurred, access to network services shall be terminated until the suspected violator meets with the supervisory Vice President, or in the event the violator is a Vice President, the President. If the Vice President or President determines a violation has occurred, the employee shall be subject to disciplinary procedures up to and including termination.

Violators may also be subject to civil and criminal punishment. The College shall cooperate with criminal investigations related to illegal file sharing or copyright infringements.

Policy History
Reviewed 1/2013

1000.5 Security Camera

Security cameras are installed to deter and identify criminal activity. Use of security cameras shall not violate established privacy laws.

Information obtained from the cameras shall be used exclusively for policy and/or law enforcement.

Requests for installation of security cameras shall be made to the Director of Information Technology and approved by the Vice President of Administrative Services and HR.

Policy History
Reviewed 1/2013

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1000.6 Copy/Print

Employees using the printers and copiers on campus shall only print using their authorized account(s). Network printing is preferred using shared printers located on campus. The use of stand-alone printers is discouraged and must be approved by the supervisory Vice President.

Policy History
Reviewed 1/2013

1000.7 Email

College email is provided for business use. Occasional personal use is allowed as long as it does not affect job performance. Each employee shall be provided an email account. The account is the responsibility of the user, who shall be accountable for any unauthorized use thereof.

Inappropriate use of email shall result in disciplinary action up to and including termination. Inappropriate use shall include but shall not be limited to:

- A. Violations of College policies and procedures
- B. SPAM
- C. Downloading or distributing pornography
- D. Harassment (See Policy 600.13—hot link here)
- E. Personal subscriptions (e.g. daily jokes, daily trivia, daily horoscopes, sweepstakes entries, vacation information, etc.)
- F. Initiating or forwarding chain letters
- G. Promoting personal business

Employees receiving suspicious emails may refer to the Technology Plan, which is located on the H-Drive, or to the IT Department.

Policy History
Reviewed 1/2013

1000.8 Telephone

College telephones are provided for business use. Occasional personal use is allowed for local calls as long as it does not affect job performance.

Each employee shall be issued a long-distance PIN. The long distance PIN shall not be used for personal telephone calls. The PIN is the responsibility of the user and the user shall be held accountable for any unauthorized use thereof. Employees shall not share their PIN with other employees.

Policy History
Reviewed 1/2013

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1000.9 Purchase

All information technology-related purchasing shall be coordinated through and approved by the Information Technology Committee as outlined in the Technology Plan.

Policy History
Reviewed 1/2013

1000.10 Internet

Access to the internet is intended to allow electronic communication, research, and browsing for business related matters. Occasional personal use is allowed as long as it does not affect job performance.

Policy History
Reviewed 1/2013

1000.11 Password

All employees who have access to the College network shall adhere to the password procedures as defined in the Technology Plan. The proper use of passwords shall be the responsibility of the user, who shall be accountable for any unauthorized use thereof.

Policy History
Reviewed 1/2013

1000.12 Website

Suggested changes to the website shall be approved by the supervisory Vice-President and submitted to the Information Technology department through a HelpDesk request.

Policy History
Reviewed 1/2013

1000.13 Banner Self-Service

Due to the sensitive nature of information in Banner Self-Service, sessions shall automatically disconnect after 30 minutes of idle time. Users shall keep logon/pin information secure at all times.

Security setting changes must be approved by the Banner Team and Vice President.

Policy History
Reviewed 1/2013

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1000.14 Cooperation with IT Personnel

Activities which interfere with the operation of any IT systems, even though not explicitly prohibited by this policy, shall be immediately discontinued by the IT department until fully investigated and resolved. Failure to comply may result in disciplinary action up to and including termination.

Policy History
Reviewed 1/2013

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SECTION 1100:

SECTION 1900: MISCELLANEOUS

1900.1 Political Activities

Miles Community College, as a public institution, recognizes the need to be fair to all those seeking or holding public office. To guarantee that this is the case, the following policies relative to politics/politicians on campus are established:

- A. **POLITICIANS/OFFICEHOLDERS IN THE CLASSROOM** -- At the invitation of faculty members, politicians/officeholders may make presentations to classes. During political campaigns, no candidate shall be allowed such access unless all candidates are given an equal opportunity. Other than at election time, officeholders may be invited to speak provided that the materials they present relate directly to their duties as public officials.
- B. **PUBLIC POLITICAL FORUMS ON CAMPUS** -- Public forums/debates featuring political candidates may utilize college facilities if the event is structured so as to guarantee equal and fair presentation of all candidates and/or points of view.
- C. **INFORMAL STUDENT CONTACT** -- Candidates or their representatives may, at the discretion of the administration, be allowed to set up tables in the Smith Center so long as they are not disruptive to the normal functioning of that facility.
- D. **EXCLUDED POLITICAL ACTIVITIES** -- To assure against disturbance of the educational process, the following activities will not be allowed on campus:
 - 1. the placing of political literature in student mailboxes;
 - 2. the display of political posters; and,
 - 3. in-person campaigning by candidates or their representatives in the halls.

Policy History
Adopted 2/21/1983
Revised
Reviewed 1/2013

1900.2 Prohibition Against Distribution or Posting of Unauthorized, Inappropriate, or Discriminatory Materials on College Property or at College Activities

Miles Community College seeks to prohibit the distribution or posting of unauthorized, inappropriate, or discriminatory materials which are contradictory to existing policies established to promote equality of treatment and opportunity and to prevent discrimination or harassment of any kind. To this end the following guidelines and processes are established:

- A. The Director of Student Services is authorized to approve the distribution or posting of materials on the college campus or at college activities -- including, but not limited to signs, posters, mailboxes, and bulletin boards.
- B. The object is to provide for the orderly distribution and posting of appropriate materials while at the same time prohibiting human rights violation and/or discrimination of any kind.
- C. Periodic checks by appropriate Student Services staff shall be made to assure compliance with such procedures. Violators shall be subject to established disciplinary measures.

Policy History
Adopted 1/14/1991
Revised
Reviewed 1/2013

1900.3 Prohibition of Solicitation on College Property or at College Activities

Miles Community College seeks to prohibit unauthorized, inappropriate, or disruptive solicitation on college property or at college activities. To this end the following guidelines and procedures are established:

- A. All solicitations on college property or at college activities must be approved by the Vice President of Student Engagement and Auxiliary Services. Requests for all solicitation must be made at least ten (10) college working days in advance of the activity. Appeals to the decision may be made in writing to the College President.
- B. Anyone wishing to hold fund-raising activities must obtain prior approval from the Vice President of Student Engagement and Auxiliary Services, in conjunction with the Director of Institutional Advancement.
- C. To protect the privacy of the student residents, no solicitation may be conducted in the college residence halls without prior approval by the Vice President of Student Engagement and Auxiliary Services.
- D. The MCC Bookstore, Food Service, and Centra have exclusive primary franchise to conduct mercantile activity on campus. All other mercantile activities must avoid conflict with the Bookstore, Food Service, and Centra, and shall be permitted only for recognized student organizations, faculty or administrative units, or other approved college groups and

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organization. Prior approval for all these groups must be obtained from the Vice President of Student Engagement and Auxiliary Services.

E. Violators shall be subject to established disciplinary measures.

Policy History
Reviewed 1/2013
Revised 8/24/2020, 11/23/2020

1900.3.1 Raffles

Student Organizations or administrative units wishing to hold a raffle shall submit an online raffle registration form with the Vice President of Student Engagement and gain approval prior to conducting a raffle. Educational organizations and meets the Montana Department of Justice's Gambling Control division for the College.

Rules pertaining to the operation of a raffle are described in the Montana Code Annotated (MCA 23-5-112 and MCA 23-5-158 and MCA 23-5-413, as well as in the Administrative Rules of the State of Montana (ARM 23.16.202 and 23.16.2602.

Records shall be maintained for a period of 12 months from the date of the raffle drawing in the office of the employee of record for the raffle.

Policy History
Adopted 8/24/2020

1900.4 General Record Retention Schedule

The General Record Retention Schedule is intended to create a uniform set of schedules for the retention and disposition of records, created or maintained in the course of the College's business

MCC utilizes the Montana University System's General Record Retention Schedule found at <https://www.mus.edu/che/directives/GeneralRecordRetentionSchedule.pdf>.

Policy History
Adopted 9/27/2021

1900.5 Hazing

Miles Community College is committed to fostering an environment of respect and safety, free from hazing practices. This policy defines hazing, outlines institutional responsibilities, and ensures compliance with the federal Stop Campus Hazing Act.

Policy History
Adopted 4/28/2025

1900.5.1 Definition of Hazing

Hazing includes any intentional, knowing, or reckless act committed by a person, individually or in concert with others, against another person or group, regardless of their willingness to participate, that:

- 1) Occurs in the course of initiation into, affiliation with, or maintenance of membership in student government, a student organization, or an athletic team.
- 2) Causes or creates a risk of physical or psychological injury beyond the reasonable risks encountered during participation at MCC or within the organization (e.g., physical preparation for athletic participation).

Policy History
Adopted 4/28/2025

1900.5.2 Prohibited Conduct

All forms of hazing are strictly prohibited, whether occurring on or off campus, and regardless of the individual or groups involved.

Policy History
Adopted 4/28/2025

1900.5.3 Reporting and Transparency

1. Statistics Reporting
 - a. MCC will include statistics of reported hazing incidents in the Annual Security Report (ASR) in compliance with the Clery Act.
 - b. These statistics will cover incidents occurring within Clery geography, including on campus, in non-campus buildings or properties, and on certain public properties.
2. Campus Hazing and Transparency Report (CHTR)
 - a. MCC will maintain a publicly accessible Campus Hazing Transparency Report (CHTR) on its website.
 - b. The report will summarize findings concerning recognized student organizations or athletic teams found responsible for hazing violations, including:
 - i. The name of the organization or team.
 - ii. A general description of the violation, including whether it involved alcohol or drugs.
 - iii. Findings of the investigation.
 - iv. Sanctions imposed.
 - v. Relevant dates, including the date of the alleged incident, the investigation initiation and conclusion, and notice provided to the organization or team.
 - c. The report will be published in accordance with the Family Educational Rights and Privacy Act (FERPA) to protect student privacy.

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- d. The Report will cover a rolling period of five calendar years and will be updated at least twice yearly when there are finding of hazing violations.
- 3. Campus Website Page
 - a. MCC will maintain a site on the web that documents incidents and provides information about policy, training, and other educational opportunities that prevent hazing.

Policy History
Adopted 4/28/2025

1900.5.4 Availability of Hazing Statistics and Policies

Miles Community College will publish a statement in the Annual Security Report (ASR) notifying the public about the availability of hazing statistics, the campus hazing policy, and applicable local and state laws related to hazing.

A link to the ASR and additional resources will be prominently displayed on the MCC website.

Policy History
Adopted 04/28/2025