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Information contained in this publication is subject to change without prior notice and shall not constitute a binding agreement on the part of the College.

10/16/2020
GENERAL INFORMATION

History and Accreditation

Founded in 1927, Moberly Area Community College is a co-educational, two year community college located in Moberly, Missouri. The average enrollment at Moberly Area Community College is approximately 5,000 students, distributed between the day and evening programs and distance learning. Moberly Area Community College offers the student individualized instruction and a strong sense of personal involvement. Moberly Area Community College is accredited by the Higher Learning Commission and a member of the North Central Association, State Board of Nursing, and the Department of Elementary and Secondary Education-Division of Vocational and Adult Education.

Mission

MACC provides dynamic and accessible educational opportunities that empower our students and enrich our communities.

Admissions

All graduates from accredited high schools or individuals presenting a certificate of high school equivalency through the HiSET test, formerly General Education Development (G.E.D.), are eligible for admission. Additionally, college graduates (Associate Degree or higher) may provide college transcripts (degree/graduation date) in place of a high school record. All transcripts must be on file by the completion of the first ten days of class in a 16-week semester or the equivalent in a shorter session. Students not meeting the above requirement may be admitted to audit regular college courses or to non-credit college courses and programs.

Dual Enrollment/Dual Credit

College credit courses may be taken by high school students who have completed their sophomore year. Guidelines and applications are available from the Office of Student Affairs.

Degrees Available

Areas of study available at MACC and recommended degree maps are listed in the Degrees and Certificates section on the MACC website. You can choose programs that last anywhere from four months to two years. You can go straight to work from here or continue your education at a college or university. For more detailed information on MACC programs, you can also review the current MACC College Catalog.

Credit by Articulation

Students completing selected programs at area vocational-technical schools may be eligible for credit through an articulation agreement. Contact the MACC Dean of Workforce Development and Technical Education for further information.

Career & Placement Services

Career and Placement Services (CAPS) offers free career counseling and assessment. Assistance is provided for each step of the career development process. Many resources are available to help individuals plan careers and educational plans that offer job satisfaction and security. Students may also participate in career development and life skills workshops, learn how to conduct a job search, and access student support groups. The CAPS office is located in the Career Center on the Moberly campus, but the director, Sonda Stuart, regularly schedules visits to other MACC campuses to meet with students by appointment. You can contact her at (660) 263-4110 ext. 11232.
New Traditions

New Traditions is part of a statewide network of resource centers that provide free vocational and educational counseling for people pursuing careers that are non-traditional for their gender, as well as other special populations such as single parents, dislocated workers, displaced homemakers, and individuals with disabilities, economic disadvantages, or limited English proficiency. Services include scholarships, tuition waivers, individualized career counseling, vocational assessment, information and referral, and workshops to foster career development and academic success.

Student Organizations/Housing

Moberly Area Community College has active student organizations. Eligibility for membership is based on interest and in some cases, academic achievement. Student participation in activities and organizations is encouraged as a part of the total college experience. Moberly Area Community College provides limited on-campus housing for men and women.

Food/Vending

Area 27 Café is located on the lower level of the Main Building on the Moberly campus. Breakfast and lunch are provided five days per week (7:30 a.m. to 1:45 p.m.) during fall and spring semesters. Also, a variety of vending machines are available at each campus.

Special Features

Activity Center, Art Gallery, Outdoor Classroom, Multi-media Center, ACT Center, 600 hour POST Training Program, NJCAA Women and Men's Basketball, Online classes, Musical Performing Arts, Theatrical Productions, New Traditions, Learning/Resource Center (free tutoring), Student Newspaper, and state-of-the-art instructional facilities.

Pets in the Classroom

Pets are not allowed except as required for individuals with a medical disability.

Firearms Policy

For legal and safety reasons, the use or possession of firearms, pistols, rifles, pellet guns, tasers, ammunition, fireworks or explosives is prohibited in any higher education facility. The prohibition does not apply to law enforcement officials or others authorized by law and the College President to carry firearms. The College President will report all such authorizations to the Board of Trustees. Possession of a firearm in a vehicle on the premises of any higher education institution shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

Recovered Property Procedure

This is an outline of the procedures to be followed in recording, storing and disposing of items turned in as recovered property at all MACC sites. The Director of Security will administer the campus-wide recovered property program. The President has given the Director of Security the responsibility and authority to ensure that recovered property procedures are appropriately followed. This procedure applies to all employees of Moberly Area Community College and follows Missouri Revised Statutes, chapter 447.

Collection/Storage of Found Items & Disposal of Unclaimed Property

All items found by faculty, staff and students or items turned in to any College department shall be turned over to the Security Office, located inside the Office of Student Affairs. All recovered property should be reported to the Security Office within 24 hours of receiving it. Departments should attempt to determine:

- Name of the person finding the property
- Where the property was found
Any other relevant information pertaining to the discovery of the property

This information shall be recorded on a Moberly Area Community College Report Form (form GI 601) by the employee receiving the recovered property.

In addition, if the recovered property is a wallet or purse, the contents should be inventoried in front of the person turning in the property, and any currency contained within should be counted. If valuable, the property should be locked in a safe location until Security can retrieve it. Property should not be sent via campus mail.

After taking possession of the recovered property, the Director of Security will log the property into record and check against any lost inquiries made. Every attempt will be made to contact the owner of the property by using identification obtained within the property. The recovered property will then be stored in a secure location. Any item that has the potential of spoiling or creating an unclean or unsafe situation will be disposed of immediately (e.g. plastic ware, soiled clothing, undergarments, toiletry items and prescription drugs) if owner cannot be contacted. These items will not be logged in. Moberly Area Community College ID cards will not be logged in and will be turned over to Student Affairs. Vehicle license plates and driver's licenses will not be logged in and will be turned over to the Department of Revenue.

After items of value have been held for a period of at least 60 (sixty) days and go unclaimed, the College will sell the property at a public auction. Proceeds from the auction shall be used by the College for a cause or purpose associated with the aims and endeavors of the College, as approved by the President. Items valued under $20.00 and clean clothing items will be donated to a local charity after 60 (sixty) days.

**Parental Responsibility for Children**

Students who are parents have the responsibility to arrange for suitable care of their children while they attend class. Students should not bring children to class nor should children be left unattended anywhere on any campus. Procedures to protect the safety and welfare of unattended children will be handled by the College.

**Student ID**

Photo identification cards may be obtained/validated in the Office of Student Affairs on the Moberly Campus or in the main office at other MACC Campuses. The first ID card is issued free, but there is a charge of $5 for subsequent cards. The ID serves as a library card and allows the student access to MACC computer labs, athletic events, and student activities. Identification cards are the property of MACC and must be produced upon request of a College official.

**Hound Alerts**

Hound Alerts are emergency alerts, campus cancellations and weather related information that are sent to your phone. To sign up for hound alerts go to mymacc.edu. On the Home Page, under Stay Connected, click the Hound Alerts link. Complete the sign up form for text messaging and/or e-mail notifications.

**Nondiscrimination Policy**

Moberly Area Community College is committed to a policy of non-discrimination on the basis of race, color, national origin, gender, sexual orientation, disability, age, marital or parental status, religion, genetics, ancestry, or veteran status, in admissions, educational programs, activities, and employment. All inquiries concerning nondiscrimination, including equal opportunity and Title IX, should be directed to the Title IX Coordinator: Cheryl Lybarger Director of Health Sciences 101 College Avenue Moberly, MO 65270 (660) 263-4100 ext. 11369 Inquiries concerning Section 504 of the Rehabilitation Act of 1973, which guarantees access to education regardless of disability, should be directed to: Stacy Donald, Director Office of Access and ADA Services Moberly Area Community College Columbia Higher Education Center, Room 119 601 Business Loop 70 West L-2 Columbia, MO 65203 (573) 234-1067, ext. 12120.
WHISTLEBLOWER POLICY

Definitions

1. A whistleblower, as defined by this policy, is an employee or student of Moberly Area Community College, or any other person providing services to the college, who reports in good faith an activity that a reasonable person would consider to be a violation of college policies or procedures or of federal, state or local laws, including fraudulent financial reporting.

2. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Reports of Suspected Improper Activities

1. Any employee or student of MACC is encouraged to come forward in good faith with reports or concerns about suspected violations of college policies or illegal practices and may do so without fear of reprisal or retaliation. Any employee or student with a question about the propriety of any practice under the college’s policies and procedures should seek guidance from his/her supervisor or the college official who has responsibility for overseeing compliance with the particular policy or procedure.

2. Any employee or student who becomes aware of or has reason to suspect a violation of college policies or illegal practices should report that suspected violation, regardless of whether he/she is personally involved in the matter. Employees or students are encouraged to report any violation to their supervisor or the college official who has responsibility for overseeing compliance with the particular policy, procedure, regulation or law. If the concern is regarding an employee’s supervisor, the employee will meet with the Director of Human Resources for guidance. Any complaint regarding financial misconduct should be directed to the Vice President for Finance. Reports received by the college officials will be handled with as much confidentiality as possible with discretion and regard for the privacy of the reporting individual. Employees and students are encouraged to report suspected M-53 violations in person, by mail to the attention of Director of Human Resources, or by emailing the concern to whistleblower@macc.edu. This email will be managed by the Director of Human Resources.

3. No employee or student who, in good faith, reports a violation of policy, procedure, regulation, or law will be subject to any adverse employment, academic, or educational Consequences for making the report. Any employee who retaliates against someone who has reported a violation in good faith, is subject to discipline up to and including termination of employment.

4. All suspected violations will be investigated and proper steps to correct any deficiencies or address issues will be taken by the appropriate Officer in consultation with legal counsel and Human Resources if appropriate.
REGISTRATION, SCHEDULE CHANGE AND REFUNDS

Policies and procedures in this publication are generally in effect for the current semester. However, the College reserves the right to make changes in its policies and procedures through appropriate College processes. Students have the responsibility to be aware of and understand College policies.

General Registration

1. Dates for regular registration for each semester and summer classes are announced in advance of the beginning of each term. Other off-schedule course offerings will be publicized with the news media and in the Student Affairs office. A late registration fee of $75 will be charged to students enrolling in a class or classes on or after the first day of the semester. Please see the academic calendar at www.macc.edu.

2. Fees and tuition must be paid by the first day of the semester, unless otherwise designated, or unless guaranteed by financial aid. MACC offers a deferred payment program to students. This program is administered by Nelnet, in accordance with guidelines established and approved by the President's Council.

3. Fees, tuition, and other charges assessed during a semester that remain unpaid shall be subject to collection efforts. Additionally, grades and academic transcripts will be held, and students with delinquent balances will not be allowed to enroll in subsequent semesters. In addition to unpaid charges, students with delinquent balances will be required to reimburse the College for collection fees (up to 40% of outstanding balance) and pay a $50 late payment fee prior to reinstatement in good standing.

4. Moberly Area Community College retains the right to cancel course offerings when enrollment is too low to make a course educationally sound and economically efficient. Course cancellation will result in refund of tuition for the canceled class.

Transcripts

1. All first-time applicants must contact the high school from which they graduated and request that an official copy of their high school transcripts be sent to the Office of the Registrar at MACC. Persons with proof (transcript) of an associate degree or higher are excluded from this requirement. An official copy of HiSET test scores (formerly G.E.D.) may substitute for this requirement.

2. If you are transferring to MACC from another institution, submit transcripts from EACH college/university previously attended. An official copy of your high school transcript or of your HiSET test scores (formerly G.E.D.) must also be submitted.

3. The Office of Student Affairs will release an official transcript only on written authorization of the student. Financial obligations to the College must be met before a transcript is released. Written requests for transcripts shall be filed with the Registrar in the Office of Student Affairs. There is no charge for the regular processing and mailing of transcripts up to 5 copies. Or using the National Student Clearinghouse to provide transcript ordering via the web. You can order transcripts using any major credit card for a fee of $6.00.

Transfer Credit from Other Institutions

Transfer credit from any post-secondary institution will be considered if regional, national, professional and/or specialized accreditation has been awarded and recognized by the U.S. Secretary of Education or the Council of Higher Education (CHEA). The Higher Education Directory (HED) lists the accredited, degree-granting institutions of post-secondary education in the United States and its outlying areas.

Placement Assessment Program

MACC uses multiple measures to assess language usage, math, algebra, and reading skills. Initial placement in English and math-related courses is made according to ACT or Accuplacer placement assessment results. Therefore, an ACT or Accuplacer score is required for all students who plan to enroll in English or math-related courses. Also, degree- and certificate-seeking students required to complete developmental coursework must
enroll in the required developmental course(s) prior to or immediately following their first six hours of enrollment at MACC.

Students enrolled in the Law Enforcement Training Center program are exempt from the placement assessment requirement. Transfer students who have successfully completed an English or math course may waive the equivalent ACT/Accuplacer requirement for placement purposes. No student will be denied admission solely on the basis of a placement assessment score.

**Additional Assessments**

Credit examinations are also provided on-campus through the CLEP test. The Test of Essential Academic Skills (ATI-TEAS) is offered to those who wish to apply to the Health Sciences programs. The National League for Nursing (NLN) is offered to those who wish to apply to the Virtual Accelerated ADN Nursing. C-BASE exams are provided for MACC education majors.

**Academic Course Load**

For the fall and spring semesters, a student enrolled in a minimum course load of 12 semester hours is considered full-time. The maximum load for the fall and spring semesters is 18 semester hours. An overload in the fall and spring semesters is defined as more than 18 hours.

A student taking six semester hours in any summer session is also considered full-time. An overload in the summer session is defined as more than six semester hours during any 4-week session, nine semester hours for any 8-week session, or three semester hours over any intersession. For overload purposes, intersession courses are considered separate from the 8-week and 4-week summer sessions.

When requesting a course overload, students are expected to demonstrate evidence of prior academic success. Students who have a college cumulative GPA of 3.00 or higher and have earned a minimum of 15 college-level credit hours may be approved by their advisor to enroll in up to 21 hours in a fall or spring semester or 12 hours in an eight-week session. Students who do not meet this prerequisite must obtain permission from the Dean of Academic Affairs or Dean of Workforce Development and Technical Education to enroll in more than the maximum semester hours.

**Transfer Credit to Other Institutions**

Educational requirements vary from one institution to another. For this reason, it is extremely important that students who plan to transfer to another institution work closely with the Office of Student Affairs in planning their course schedule. Individual contact with college representatives from the receiving institution and campus visits are important to prepare for a smooth transition. Transfer problems can be minimized if special consideration is given when preparing a class schedule.

**Adding Classes**

Students may register for and/or add courses through the first week of a 16-week semester or the equivalent proportion of class time during a shorter session. Students who register for classes on or after the first day of the semester will be charged a late fee.

**Check Before Withdrawing**

Students are advised to check what impact withdrawing from a class may have on completion of degree requirements as well as eligibility for financial aid, health insurance benefits, veteran's benefits, scholarships, etc.
Dropping Classes

1. Students are eligible for a 100% refund/reversal of tuition and fees if the student drops courses within two weeks of class start.

2. Students may drop classes until Stop Day (the Friday preceding finals week) in a regular 16-week semester. For shorter sessions (e.g., 8-week) or off-schedule programs (e.g., Health Sciences and LETC), the last day to drop typically falls on the Friday preceding the last class meeting day, but dates may vary. Students should follow the dates designated within the College’s academic calendar for these courses and programs. To drop a class, a student may complete a schedule change form and submit it to the Office of Student Affairs or the Site Director’s office. A student may also drop classes by sending a letter or an email from students MACC email, which clearly states the course(s) to be dropped and the date the student last attended the course(s), to the Dean of Student Affairs and Enrollment Management. Phone calls will not be accepted in lieu of the written letter. The student’s official transcript will reflect the dropped course as “W”.

3. Students may drop classes, or be administratively dropped, after the designated last date to drop only due to extenuating circumstances as approved by the Vice President for Instruction, the Dean of Academic Affairs, the Dean of Workforce Development and Technical Education, or the Dean of Student Affairs and Enrollment Management.

4. Students will be dropped from the next class in a course sequence if they fail to earn the required grade in the prerequisite course.

5. Students who wish to appeal a drop must first contact their instructor to discuss reinstatement into the course. All reinstatements must be approved by one of the following: the Vice President for Instruction, Dean of Student Affairs and Enrollment Management, Dean of Academic Affairs, Dean of Workforce Development and Technical Education, the Dean of Health Sciences, or an appropriate designee.

Refund Policy

Tuition and fees may be refunded according to the following policy.

1. Official withdrawal initiated by the student through the Office of the Dean of Student Affairs & Enrollment Management within the two weeks of classes for regular fall and spring 16-week semesters or the equivalent ratio of regularly scheduled two-, four-, or eight-week sessions-100% refund (Refer to academic calendar for applicable deadline dates.);

2. Withdrawals after the first two weeks of classes for regular fall and spring 16-week semesters or the equivalent ratio of regularly scheduled two-, four-, or eight-week sessions-No refund;

3. Students unable to begin classes after they have enrolled must initiate withdraw from all classes to be eligible for a reduction of tuition and fees charged. Official withdrawals after the first two weeks will be subject to a $200 administrative fee;

4. Refunds for students called to military service are authorized on an individual basis by the President of the College;

5. Refunds will not be given for business and industry courses and adult and community education courses;

6. An international student who has not yet enrolled in classes will be eligible for a 100% refund of the $1,200 deposit upon his/her release of the I-20 which the College provided to the student. If the student is unable to obtain the original I-20 document, a signed statement by the student declaring his/her intent not to enroll at Moberly Area Community College will be required. Upon receipt of this letter (declaration of intent) the College will provide a 100% refund of the student's deposit. This declaration of intent will be forwarded to Immigration and Naturalization Service (INS) in order to change his/her visa status. An international student who has enrolled in classes is subject to the refund policy as stated in the catalog. Additionally, these students should be approved by the Dean of Student Affairs and Enrollment Management prior to dropping any or all courses registered for that semester.

7. If a student receives financial aid from federal Title IV programs (Federal Pell, Federal SEOG, Federal Stafford Loans) and withdraws from all classes prior to completing more than 60% of the enrollment period, he or she may be required to return federal Title IV funds. Under the Reauthorization of the
Higher Education Amendments of 1998, the amount of a student's federal aid is adjusted, based on the length of time that student is enrolled. Students will be required to repay aid they have received that exceeds the adjusted federal aid amount.

8. In the event of extreme extenuating circumstances and with proper written documentation, a partial or total refund may be granted to a student beyond the standard refund terms. Such refund requests will be reviewed by the President of the College and will be determined on a case-by-case basis.

You will owe tuition and fees unless you officially withdraw within the add/drop period specific to your class. Failing to attend a class, ceasing to attend a class, or calling the college does not constitute an official withdrawal.

FINANCIAL RESPONSIBILITY

Financial Responsibility Agreement

1. I am financially obligated and responsible for paying all college charges. If my financial aid award, scholarship or payment from an external source becomes unavailable or is insufficient to pay charges, I am responsible to pay the balance.

2. Failure to attend classes does not relieve me of the responsibility of paying my balance. To have charges removed or reduced, I must officially drop classes by the designated refund dates published in the academic calendar.

3. I understand MACC reserves the right to cancel my registration for delinquent payment, partial payment, or nonpayment.

Delinquent Accounts

Fees, tuition, and other charges assessed during a semester that remain unpaid at the end of the semester shall be subject to collection efforts. Additionally, grades and academic transcripts will be held, and students with delinquent balances greater than $200 will not be allowed to enroll in subsequent semesters. In addition to unpaid charges, students with delinquent balances will be required to pay collection fees and a $50 late payment fee prior to reinstatement in good standing. Any exception to this policy must be approved by the President of the College or designee.

Returned Checks

If a check is returned by the bank for insufficient funds, I will be charged an additional $25 fee and lose check-writing privileges at MACC. Any returned check not paid may be sent to an outside collection agency or prosecuting attorney.

Communication

1. MACC uses student email accounts as an official method of communication with students. I am responsible for reading emails I receive from MACC on a timely basis.

2. I authorize MACC and its contracted agents to contact me at: any phone number I provide or may provide in the future, including cell phone numbers, or any email addresses I provide, regarding my obligation to pay any debt I owe to MACC, or to receive general information from MACC. I authorize MACC and its contracted agents to use automated telephone dialing equipment, artificial or pre-recorded voice or text messages, and personal calls and emails, in their efforts to contact me.

3. I am responsible for keeping MACC records up to date with my current physical address, email addresses, and phone numbers. Upon leaving MACC from any reason, it is my responsibility to provide MACC with updated contact information for purposes of continued communication regarding any amounts that remain due to MACC.
FINANCIAL AID CHECKLIST

1. APPLY EARLY AND INVESTIGATE ALL DEADLINES!

2. Apply for admission to MACC in Student Affairs or online.

3. Register for a program of study that will lead to a Certificate, Associate of Applied Science, Associate of Science, Associate of Arts degree, or an Associate of Arts in Teaching.

4. Submit an official copy of your high school transcript be sent to the Office of the Registrar at MACC. A copy of HiSET/GED scores may be substituted for this requirement.

5. Submit official transcripts from EACH college/university previously attended.


7. Complete the Free Application for Federal Student Aid (FAFSA) (http://www.fafsa.gov) and list MACC’s federal school code, 002491, in step six (6).

8. Register for classes that are required for the degree you are currently seeking at MACC. Financial aid will not cover courses that are not required for your degree. Some financial aid programs have minimum credit hour requirements (i.e. student loans require enrollment in at least six (6) credit hours).

9. If applying for a loan, do all of the above, and also:
   a. Read the MACC Student Loan Application Guide. Refer all questions and concerns to the Financial Aid Office for resolution so you fully understand the process before proceeding to the next step.
   b. Complete Federal Direct Student Loan Entrance Counseling.
   c. If you are borrowing a loan at MACC for the first time, you must complete Student Loan Entrance Counseling in a live, in-person counseling session.
   d. Complete a Federal Direct Student Loan Master Promissory Note.
   e. Print a MACC Federal Student Loan Data Sheet. Complete the form and submit it to the Financial Aid Office via mail, fax or in-person.

10. Submit any additional documentation requested; such as, but not limited to, a Verification Worksheet and Tax Return Transcript.

11. All Financial Aid forms can be found here (http://www.macc.edu/financial-aid-forms).

Please Note that you must meet certain eligibility standards established by the federal, state, institutional and private aid sources. These may include but are not limited to the following: You must be making satisfactory academic progress as defined by MACC’s Satisfactory Academic Progress Policy; if you are currently in default on a previous student loan, you may not be eligible to receive any Title IV Aid (i.e., Federal Pell Grant, Stafford Loans, Work-Study, etc.); you must be a U.S. citizen or eligible non- citizen; and you must be registered with Selective Service (http://www.sss.gov) if male, at least 18 years of age and born after December 31, 1959 , and not currently a member of the active armed forces. (Register online at www.sss.gov).

Scholarships

Moberly Area Community College makes scholarships available to new and returning students on the basis of academic performance, financial need, or special aptitude. To complete the scholarship application, view the scholarships that are available and deadlines go to: https://www.macc.edu/financial-aid-types/scholarships
ADDITIONAL PAYMENT OPTIONS

Payment Plan

College Policy requires fees and tuition to be paid in full on or before the first day of semester unless the student has guaranteed financial aid on the system. MACC offers a deferred payment plan for students unable to pay in full or that do not have their financial aid in place. This program is administered by Nelnet.

To enroll in the payment plan:

1. Go to www.macc.edu
2. Log on to myMACC
   a. Select Student Tab
   b. Select Billing Information
   c. Select Pay Online, click e-Cashier FACTS Payment Plan

Cost to participate:
• $40 per semester (nonrefundable enrollment fee)

Payment Methods:
• Automatic bank payment (ACH) or Credit/debit card

Advantages:
• Easy online enrollment
• Monthly payment plan
• Flexible payment options
• No interest

Payments are processed on the 5th or 20th of each month and will continue until the balance is paid in full. For additional help, please call Nelnet at (800) 609-8056.

Be sure to check with your advisor or Business Office regarding the target dates to enroll by each semester.
CLASSROOM AND ACADEMICS

Attendance Policy

Students are expected to attend all class sessions for which they are enrolled. The College reserves the right to drop or withdraw students from courses due to lack of attendance.

Students need to be aware that dropping/being dropped from a course and their last date of attendance in the course may impact their financial aid.

MACC faculty are required to track attendance and report lack of attendance. An instructor must complete the appropriate steps to drop a student within one week following the student’s violation of the attendance policy. Additionally, a student’s attendance rate will be calculated based upon the first day the academic session begins (not the student’s date of enrollment in the course). If a student does not attend a course as defined below, the student will be dropped as “Never Attended.”

Term Length Drop Calculations

16-week: Any student who misses two (2) consecutive weeks of class will be dropped from the course by the instructor unless acceptable justification is provided by the student and the student still has the opportunity to be successful in the course.

8-week: Any student who misses one (1) consecutive week of class will be dropped from the course by the instructor unless acceptable justification is provided by the student and the student still has the opportunity to be successful in the course.

4-week: Any student who misses two (2) consecutive days of class will be dropped from the course by the instructor unless acceptable justification is provided by the student and the student still has the opportunity to be successful in the course.

Intersession: Any student who misses one (1) day of class will be dropped from the course by the instructor unless acceptable justification is provided by the student and the student still has the opportunity to be successful in the course.

Definition of Course Attendance

In Seat Course: Physically attending scheduled, face-to-face, class meetings

Virtual Course: Being present, via appropriate platform, for scheduled class meetings/activities

Hybrid Course: Physically attending scheduled, face-to-face, class meeting and active participation in the online portion of the course which may include any or all of the following:

• Completion of quizzes or exams during class meetings and online
• Submission of assignments during class meetings and online
• Participation in discussions during class meetings and online

Online Course: Active participation in an online course includes the following:

• Completion of quizzes or exams
• Submission of assignments
• Participation in threaded discussions

Simply logging into the Learning Management System (Canvas) and/or accession the course and course related material does not constitute active participation for the online component of hybrid courses or for online courses.
**Student Conduct Policy**

MACC expects student conduct to be appropriate, ethical, and legal at all times. Students who exhibit rude or disruptive behavior may be dropped from one or all of their classes, placed on probation, or suspended for a period of time determined by the Vice President for Instruction, Dean of Student Affairs & Enrollment Management, Dean of Academic Affairs, Dean of Workforce Development and Technical Education or Dean of Health Sciences. The following steps will be taken when students exhibit inappropriate behavior:

1. The instructor/staff member will attempt to discuss the behavior with the student and will provide documentation of the incident to the appropriate dean. In cases of extremely disruptive or flagrantly disrespectful student conduct, the instructor/staff member may immediately dismiss the student from the current setting and will provide documentation of the incident to the appropriate dean.

2. The dean’s office will send the student a letter indicating that disruptive behavior will not be tolerated and that future offenses may result in disciplinary sanctions, up to and including expulsion from the college. The dean’s office may request a meeting with the student accused of inappropriate conduct in lieu of or in addition to a letter. In cases of flagrantly unethical, illegal, or threatening behavior, the dean’s office may impose disciplinary sanctions upon the first offense involving this behavior.

3. If another offense occurs in any campus setting, the instructor/staff member may dismiss the student for that day and notify the appropriate dean. The dean will send the student a letter indicating disciplinary sanctions to be imposed for his or her inappropriate conduct, up to and including probation, suspension, or expulsion from one or more classes or campus settings.

4. The student has the right of appeal through the Student Due Process Grievance Procedure (see page 19).

5. If the instructor/staff member perceives that a student poses a physical threat to himself or herself or others in the class or on campus, the instructor/staff member may take immediate action and notify the dean and/or the appropriate authorities.

6. The dean’s office will forward copies of all documentation regarding student conduct to the Vice President for Instruction’s Office. Should a pattern of disruptive behavior become evident, the Vice President for Instruction will request a meeting with the student to discuss his or her conduct and resulting disciplinary sanctions.

**Academic Dishonesty Policy**

Moberly Area Community College will not tolerate academic dishonesty. "Academic Dishonesty" includes violations of copyright law, plagiarism, fabrication, cheating, collusion, and other academic misconduct.

U.S. copyright law states that an author owns his or her words the minute they are "fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device" (U.S. Code: Title 17, Section 101). Students should be careful to honor copyright law especially when they are using electronic mediums of communication. Students should not electronically or otherwise publish-without the permission of the copyright owner-any material that they did not write themselves.

Plagiarism is the false assumption of authorship. All student use of quoted material, paraphrased material, "cut and pasted" material, speeches, music, creative writing, projects, drawings, and/or artwork must be accompanied by proper credit (for papers, a citation in the text and in bibliography citation). Students are still responsible for their own work and must be wary of depending too heavily on editing work done by others. Also, obtaining a paper from a "paper mill" (i.e., purchasing a paper through an Internet site) or other source is an intentional violation of MACC's Academic Dishonesty Policy.

Fabrication is a purposeful act of misrepresentation, such as using invented or falsified information with the intent to deceive. The act of fabrication includes, but is not limited to, misrepresenting the truth in order to extend a deadline for submitting an assignment or taking a test, inventing sources for research citations, and intentionally misquoting or misrepresenting sources. Students should carefully represent their sources in their full context. "Fair representation of sources" means that students represent the intended meaning of the originator.
of the work.

Cheating is an act of deceit and fraud. The act of cheating includes, but is not limited to, copying another student’s work, using unauthorized sources during a test or assignment, submitting the work of another as one’s own work, altering grades, and gaining unauthorized access to exams or other materials. Students must maintain the integrity of their academic performance. A student’s work must accurately represent his or her own knowledge and skills.

Collusion occurs when a student conspires with or knowingly assists another student in committing an act of academic dishonesty. Students have the responsibility of understanding whether the parameters of an assignment, project, or test allow for collaboration with other students. Students who aid other students by allowing them to copy work or by completing work for them are also guilty of academic dishonesty when these actions are unauthorized by the instructor.

Academic misconduct is an intentional transgression and/or abuse of the integrity of the academic policies and procedures of the institution.

Accusation of academic dishonesty puts the burden of proof on the student, not the instructor. Whether intentional or unintentional, all instances of academic dishonesty could have one of the following consequences (this list is not exclusive): reduction of paper/test/project grade; failure of paper/test/project with a rewrite or re-creation; failure of paper/test/project without a rewrite or re-creation; reduction of course grade; expulsion from the course; or expulsion from MACC.

Moberly Area Community College’s emphasis on academic responsibility ensures academic freedom, critical intellectual inquiry, and accurate assessment of student knowledge while providing a basis for a lifelong practice of integrity.

**Academic Dishonesty Appeal Procedure**

The Academic Dishonesty Appeal Procedure is as follows: If the student wishes to contest the charge of academic dishonesty, s/he may appeal the action to the appropriate Dean within ten scheduled class days of receipt of the Academic Dishonesty Incident Form from the Dean’s office. This appeal will be in the form of a typed letter in which the student explains why s/he disagrees with the charge and/or sanction. The letter of appeal may include documentation of support and names of witnesses to the alleged incident. The letter must include the date, the student’s mailing address, e-mail address, phone number, and student ID. The student must sign the letter. A copy of the appeal letter and support documents will be sent to the faculty member who filed the Academic Dishonesty Incident Form.

The Dean will forward the appeal to the Academic Dishonesty Appeals Committee (to be comprised of three of the following: Vice President for Instruction, Dean of Academic Affairs, Dean of Career and Technical Education, Dean of Student Affairs & Enrollment Management, Faculty) within 10 class days of receiving the appeal. If deemed necessary or appropriate, the Dean may schedule a conference with the student and/or the instructor in an effort to resolve the appeal prior to the appeal going to the Appeals Committee for consideration.

Within 10 class days of receipt of the written appeal, the Academic Dishonesty Appeals Committee will review and render a decision regarding the appeal. The Academic Dishonesty Appeals Committee’s decision will be communicated to the student by the appropriate Dean within 10 class days of the decision. The decision of the Academic Dishonesty Appeals Committee is final.

**Copyright Compliance Policy**

Moberly Area Community College is committed to operating in compliance with U. S. copyright law and enjoining copyright compliance by its instructors, staff, and students in the performance of College-related activities. Moberly Area Community College’s Director of Library Services oversees activities including, but not limited to the following:

1. Posting copyright compliance notices at appropriate locations in College facilities.
2. Providing copyright compliance information and in-service activities as needed to instructors, staff, and patrons.

3. Presenting copyright compliance guidelines in College publications such as the faculty, employee, and student handbooks.

The College promotes an awareness and understanding of “fair use,” “works for hire,” and other copyright concepts that are of special significance in instructional activities and materials so that students and instructors are better able to comply with U.S. copyright law, which can be found at [http://copyright.gov/fair-use/more-info.html](http://copyright.gov/fair-use/more-info.html). College faculty, staff, and students who infringe copyright by using “fair use” do so at their own risk.

Work that is created by an employee (faculty or staff) within the scope of employment or at the direction of the employer under a written agreement (such as a course development contract) is considered “works for hire.” For these works, MACC and the employee have shared ownership, unless otherwise specifically agreed to in advance in writing by both parties. As a general rule regarding copyright ownership of classroom materials, it is MACC’s practice to follow the guidelines recommended by the American Association of University Professors:

It has been the prevailing academic practice to treat the faculty member as the copyright owner of works that are created independently and at the faculty member’s own initiative for traditional academic purposes. Examples include class notes and syllabi; books and articles; works of fiction and nonfiction; poems and dramatic works; musical and choreographic works; pictorial, graphic, and sculptural works; and educational software, commonly known as “courseware.” (AAUP)

In these cases, the faculty member retains copyright to these works unless agreed to otherwise in a written contract between the faculty member and the College. Course syllabi submitted by faculty to their dean’s offices may be shared with dual credit and new adjunct faculty unless the faculty member specifically opts out, in writing, of sharing these documents.

**Electronic Communication Policy**

1. Purpose
   The purpose of this policy is to establish rules for accession and using MACC electronic communication systems.

2. Scope
   This policy applies to all MACC faculty, staff, students, retirees and visitors who utilize MACC’s communication systems.

3. Agreement
   All electronic communications should not contain remarks that would be inappropriate in formal communication. Derogatory remarks will not be tolerated. Electronic communication should not violate the college’s policies on harassment and discrimination.

   A. Email
      All MACC students and employees, excluding temporary employees, are provided an email account by the college. Authorized users of MACC’s email system are subject to the following rights and responsibilities:
      - Email is an official communication of MACC for faculty, staff and students. It is the responsibility of all users to check/review messages sent to their MACC email account on a frequent and consistent basis and respond as necessary.
      - Users are responsible for managing their account efficiently and ensuring there is sufficient space for email to be delivered. Users are responsible for archiving, retention and deletion of all emails within their accounts. See Retention Policy in Policy Manual.
      - Employee email addresses are not confidential.
      - Attempts to send threatening or abusive email to another user are prohibited. MACC reserves the right to review any material stored in files or programs to which all users have access and to edit or remove any material which it deems unlawful, obscene, abusive or otherwise objectionable.
B. Social Media

Social Media communications on behalf of MACC must be professional, open, transparent and readily acknowledge connection to Moberly Area Community College. MACC faculty, staff and students must follow MACC’s “Best Practices for Use of Social Media” in their work or educational capacity. Faculty, staff, and students are also encouraged to adhere to these guidelines in their personal capacity as well. The “Best Practices for Use of Social Media” document may be found in the Student Handbook, Faculty Handbook, and the Policy Handbook.

4. Security and Management

5. It is important to realize that any form of electronic communication is by no means completely secure. Whether you are sending e-mail, talking on a telephone, or transmitting over air waves, most mediums can be either monitored or “tapped.” The college will strive to make sure that electronic communications are as secure as possible. Computer services personnel, in the course of their job responsibilities, may occasionally view e-mail files, or other electronic communication records. The need for doing so would include, but not be limited to, routing improperly addressed email and repairing damaged user mail directories, etc. This will only occur when absolutely necessary, and the person receiving the message will be notified in those instances. Any faculty or staff who are concerned about any aspect of e-mail should contact the Chief Information Officer or the College President.

Grading

Grade reports giving the letter grade earned in each course attempted are available to students after the completion of each semester. Final grades can be viewed on myMACC. Grade point averages are calculated by grade points per credit hour. Grade points are assigned as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Explanation</th>
<th>Grade Points Per Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Superior Work</td>
<td>4</td>
</tr>
<tr>
<td>B</td>
<td>Above Average</td>
<td>3</td>
</tr>
<tr>
<td>C</td>
<td>Average Work</td>
<td>2</td>
</tr>
<tr>
<td>D</td>
<td>Below Average</td>
<td>1</td>
</tr>
<tr>
<td>F</td>
<td>Failing Work</td>
<td>0</td>
</tr>
<tr>
<td>P</td>
<td>Pass</td>
<td>Not Computed</td>
</tr>
<tr>
<td>W</td>
<td>Withdraw</td>
<td>Not Computed</td>
</tr>
<tr>
<td>I</td>
<td>Incomplete Work</td>
<td>Not Computed</td>
</tr>
</tbody>
</table>

By dividing the total number of grade points, 40, by the total number of hours attempted, 16, the CGPA is 2.50. As the student completes additional semester hours, the grade points and hours are included in the CGPA calculation. With the exception of the first session a student completes, the GPA for the session on the grade report and the CGPA, which includes all sessions, will probably not be identical.

All college-level credits earned at MACC, as well as those transferred in from colleges previously attended, are used when calculating each student’s cumulative grade point average. Because developmental courses are not considered college-level semester hours, letter grades earned in developmental courses are by designation only

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and are not included in any grade point average calculations.

Grade Appeal

Assignment of grades is the responsibility of the instructor and presumes fairness and best professional judgment. On course syllabi, instructors should inform students of the basis on which grades in each class will be assigned. Students who choose to appeal a grade must assume the burden of proof concerning any believed error in the grade assigned.

Grade Appeal Procedure: The process by which a student may appeal a grade will be as follows: The student must appeal directly to the instructor within 60 days following the conclusion of the semester/session in which the grade was reported. Every effort should be made by both parties to resolve the matter as expeditiously as time and circumstances permit. If the instructor is no longer with the College or is unavailable to the student, the student should proceed to step two.

If the question is not resolved by step one, the student may file a written appeal to the Grade Appeals Committee (to be comprised of three of the following: Vice President for Instruction, Dean of Academic Affairs, Dean of Workforce Development and Technical Education, Dean of Student Affairs & Enrollment Management, Dean of Health Sciences, Faculty) within 10 class days after an attempt to resolve the matter with the instructor. The written appeal should clearly articulate the perceived problem or error in the assigned grade and should include any documentation in support of the appeal. The appeal should be addressed to the Dean of Academic Affairs (for grade appeals in general education courses) or to the Dean of Career and Technical Education (for grade appeals in career/technical courses).

Within 10 class days of receipt of the written appeal, the Grade Appeals Committee will review and deliver a resolution to the grade dispute. If deemed necessary, the Dean may schedule a conference with the student and/or the instructor in an effort to resolve the appeal prior to the appeal going to the Grade Appeals Committee for consideration. The Grade Appeals Committee’s decision will be communicated to the student by the appropriate Dean within 10 class days of the decision. The decision of the Grade Appeals Committee is final.

Time Limitations for Grade Appeal: Extension of Time. The time limitations specified herein may be extended by written mutual agreement by both parties or by the determination of the appropriate Dean based upon extenuating circumstances. The appeal process may be condensed and steps omitted by written mutual agreement by both parties. This may be especially important when a decision is necessary prior to the next term’s registration, and/or if instructors are unavailable and/or at off-campus sites. When an appeal is in process, the student may continue to attend classes as if the appeal had been decided in the student's favor. If the final outcome of the appeal is not in the student’s favor, the student may be administratively withdrawn from any class(es) for which the student is not eligible to enroll.

Effect of Failure to Appeal within Time Limit: If there is no written mutual agreement to extend the time limit set herein, and if the decision is not appealed to the next step of the procedure within the specified time limit, the appeal shall be deemed settled on the basis of the last decision rendered.

Exceptions to Grade Appeal Process: In the event that the instructor is unavailable for contact, or for other extenuating circumstances, a College official may deem it necessary to change a student’s grade (such as from a failing grade to a withdrawal).

General Provision for Grade Appeals: Identification. All written appeals shall include the name, student ID, address, e-mail address and phone number of the student. In the required brief statement of the nature of the appeal and the redress sought by the student, the student must identify the name of the course, section number, name of instructor, semester, and year of the course for which the grade is being appealed.

Note: Reasonable effort should be made to process a grade appeal as expeditiously as possible.

Probation and Suspension

Students attempting six or more credit hours who fall below a 1.75 cumulative grade point average will be placed
on academic probation for one semester. Students on academic probation will not be allowed to enroll in more than sixteen credit hours. Students not achieving a 1.75 or higher cumulative grade point average during the probationary semester will be placed on academic suspension and will not be allowed to enroll in classes during the subsequent spring or fall semester. A student on academic suspension may request permission to enroll in classes from the Dean of Academic Affairs or Dean of Workforce Development and Technical Education, as determined by the student’s major. A student suspended for academic reasons will be eligible to re-enroll after one semester.

**Student Due Process Grievance Procedure**

1. Definition Student Grievance: A complaint or allegation by a student that there has been a violation, misinterpretation, or misapplication of any established policy or practice. Complaints or allegations pertaining to sexual misconduct will need to follow the Sexual Misconduct Policy available in the MACC Policy Handbook.

2. Purpose: The purpose of this procedure is to secure solutions to alleged grievances.

3. Time Limits: All time limits herein will consist of work days. Every effort should be made to expedite the process. If the next step is not initiated by the student within the time limits established, the grievance will be considered resolved. However, when mutually agreed upon, the time limits may be extended.

4. Representation: A student who asserts a grievance has the right to present such grievance for settlement in the manner provided in the grievance procedure. Such student has the option to proceed with or without a representative at any step of the grievance procedure.

5. Cooperation: The administration will cooperate with the student in the investigation of any grievance.

6. Released Time: The investigation or processing of a grievance should be accomplished without interference to a student’s required classes, but should the administration, in the processing of any grievance, require that a student be released from required classes, this release is to be made without penalty.

7. Administrative decisions that become the subject of a grievance will not be stayed pending the processing of the grievance, except with the written consent of the Board or the President.

8. Nothing in this grievance procedure will preclude a student from discussing any complaint or grievance with an instructor or an administrator at mutually agreeable times in an attempt to resolve any complaint or grievance prior to the filing of a formal grievance, as long as the solution is not inconsistent with this policy. Neither will any matter set forth herein curtail communication among any persons throughout the College system.

9. This grievance procedure will not be constructed in any way to limit the rights of any student under the law.

**Procedure**

**Step I**

The student will, within 30 days of the conclusion of the semester of the alleged occurrence, put in writing and discuss the grievance or complaint with the Dean of Student Affairs and Enrollment Management. If the grievance is directed at the Dean of Student Affairs and Enrollment Management, the Dean’s supervisor will hear the grievance. The Dean of Student Affairs and Enrollment Management will document the date of such discussion in an appropriate record book or memorandum of record. The Dean of Student Affairs and Enrollment Management may, upon this initial contact, resolve the problem with the student. A copy of this record will also be sent to the President.

**Step II**

In the event the grievant is not satisfied with the decision at Step I, he/she may appeal in writing to the President within 10 working days of the conclusion of Step I. A Grievance Review Committee designated by the President within 10 working days upon the President’s receipt of the appeal will meet within 10 working days of their appointment. The grievant will be notified of the committee members. The Grievance Review Committee will elect a chairperson and secretary and receive their charge from the President. In the event that a committee wishes to disqualify himself/herself, an alternate committee member appointed by the President shall serve on
the committee. The grievant may also challenge a committee member’s appointment; the challenge may result in
the member’s removal from the committee. In that circumstance, an alternate committee member appointed by
the President shall serve on the committee. The committee will review all information submitted at Step I and
render a decision of the majority of the committee as a whole and reason(s) for that decision within 10 working
days from the hearing of the grievance. The decision will be a written finding of the committee sent to the
grievant, the Dean of Student Affairs and Enrollment Management, and the President. Any committee member
may include a written dissent. This decision is considered final absent evidence of substantial error in the process
or the production of relevant substantial new information/evidence.

**Step III**

In the event substantial error occurred in the findings from Step II or new relevant substantial evidence should be
considered, the grievant, may within 10 working days of receiving the decision, present an appeal in writing to
the Board of Trustees through the College President. The appeal should include a copy of the original grievance,
new evidence, and all applicable documentation. If this appeal is a result of substantial error in the process, the
grievant must provide a detailed explanation. This must be submitted to the Board of Trustees along with all
documentation from Steps I and II. Upon receipt of the documentation, the Board of Trustees shall review the
documentation and shall give notice to the grievant within 10 working days that a hearing will or will not be held
to consider the grievance. If a hearing is granted, it shall be held in Executive Session of the Board of Trustees, as
permitted by the Missouri State Statutes, Sections 610.021 and 610.022, within 60 working days of the date of
submission. The President of the Board of Trustees shall conduct the hearing at a designated time and place.
Should the grievant not appear for the hearing, the grievance shall be dismissed. Such hearing shall not be public
and either party may ask that all witnesses not be present while any other person is testifying. The decision of the
Board of Trustees is final.

**Americans with Disabilities Act**

Students who have disabilities that qualify under the Americans with Disabilities Act may register for assistance
through the Office of Access and ADA Services. Students are invited to contact the Access Office to confidentially
discuss disability information, academic accommodations, appropriate documentation and procedures. For more
information, please call either the Moberly office at (660) 263-4100, ext. 11240 or the Columbia office at (573)
234-1067, ext. 12120, or visit our web page at Office of Access and ADA Services.

**Academic Recognition**

At the conclusion of each session, the Office of Student Affairs compiles the President’s and Dean’s Lists. The lists
of qualifying students are given to the Director of Institutional Development, Marketing, and Public Relations for
publication in newspapers serving the students’ home towns. A copy of the lists accompanied by an informational
memo is sent to the President, Vice President for Instruction, Dean of Academic Affairs, Dean of Career and
Technical Education, and Dean of Student Affairs & Enrollment Management. Pass/Fail and developmental
courses are not included in the calculations of the grade point average for determination of the President’s and
Dean’s Lists.

**President’s List:** The President’s List recognizes students who have achieved a grade point average of 4.00 for 12
or more semester hours completed in the fall or spring session or the equivalent number of full-time hours in the
summer session. Qualifying students each session earn the honor of being placed on the prestigious President’s
List for that semester.

**Dean’s List:** The Dean’s List recognizes those students who have achieved a grade point average of 3.50 to 3.99
for 12 or more credit hours completed in the fall or spring session or the equivalent number of full-time hours in
the summer session. Qualifying students each session earn the honor of being placed on the esteemed Dean’s
List for that semester.
**Graduation Information**

Congratulations! You’ve worked hard to complete the requirements for a certificate or degree from MACC. To receive your diploma and (optionally) if you wish to participate in the May Commencement Ceremony, follow these instructions:

1. You MUST apply for graduation in order to receive your diploma!
   - Complete the Graduation Application online by logging into your MyMACC account.
   - Select the "Student" tab.
   - Select the "Graduation" tab on the left.
   - Then complete the "Graduation Application".

   Complete all parts of the application (even if you DO NOT plan to participate in Commencement).

   There is no cost to participate in the commencement ceremony.

   All follow-up correspondence from the Registrar will be via your MACC student email account.

   **Graduation Application Deadlines**

<table>
<thead>
<tr>
<th>If you will complete degree/certificate requirements by:</th>
<th>Forms are due by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>August (Summer Term)</td>
<td>August 1</td>
</tr>
<tr>
<td>December (Fall Semester)</td>
<td>December 1</td>
</tr>
<tr>
<td>May (Spring Semester)</td>
<td>May 1</td>
</tr>
</tbody>
</table>

2. Assessments / Exit Exams: Many MACC degree programs (i.e. AAT and most AAS/Certificate programs) require passing scores on various assessment/exit exams. It is the responsibility of every graduating student to review the requirements for their degree program as defined in the current college catalog and to obtain passing scores on any specified exams (e.g. HESI, MoGEA, etc.) prior to graduation. If an exit exam or other assessment is required for your degree program, sign up to take that exam as soon as possible. Contact your site office or your academic advisor for more information regarding exit exams.

3. Pass the Missouri Higher Education Civics Achievement Exam as specified in Senate Bill 807 with a score of 70% or higher.

4. Meet all other requirements for your declared degree/certificate program (e.g. minimum GPA requirements).

5. Pay in full all outstanding fees owed to MACC.

6. Apply for scholarships! There are a wide variety of scholarships available to MACC Graduates who plan to transfer to a four-year college or university. These scholarships come from the colleges and universities directly as well as private sources. You may be required to apply directly to the four-year school for some scholarships, while others may allow you to apply directly through MACC. Please go to the Transfer Scholarship Table for a summary of some of the scholarships available. Most scholarships have specific application deadlines, so you must review these documents carefully. Please go to the full list of MACC’s Non-Institutional/Endowment Scholarships offered to MACC graduates. The MACC non-institutional scholarships have a deadline of April 1; for a copy of the application or to apply online, please see our Scholarship page.

**Transcript Request: Ordering Transcripts Online**

Moberly Area Community College has authorized the National Student Clearinghouse to provide transcript ordering via the Web. You can order transcripts using any major credit card. Your card will only be charged after your order has been completed. The fee for this service is $6.00.

- To order an official transcript(s), login to the [Clearinghouse secure site](#).
- The site will walk you through placing your order, including delivery options and fees. You can order as many transcripts as you like in a single session. A processing fee will be charged per recipient.
- Order updates will be emailed to you. You can also track your order online.

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10/16/2020
MACC STUDENT USERNAME & PASSWORD

Access to College computing resources is available through a domain login (Student Username & Password). The domain login is consistently used across all campuses. Domain login information for faculty and staff is available through Computer Services.

Students may receive this information through Student Affairs or the Library & Academic Resource Center (LARC) at each MACC campus. If you have lost, or need to change your Login ID or Password please contact our Help Desk (Computer Services) at (660) 263-4100 ext. 11555. You can also reset your password by going to myMACC.

MACC STUDENT COMMUNICATION

MACC Student Email

Your MACC Student Email account is the primary communication tool MACC uses to get information out to students in a timely manner. E-mails will be sent to your student email account from MACC staff regarding financial aid, enrollment, security and other valuable information. You may also receive correspondence from your MACC instructors through this email account.

Important: It is the student’s responsibility to log into and check his/her MACC student email account on a regular basis. No additional notifications will be provided when these emails are sent.

Canvas Conversations (Canvas Inbox)

Canvas communication is used for students and instructors enrolled in the same course to communicate with each other in Canvas. In addition, mass communication may be sent from campus offices such as Financial Aid, Student Affairs or Instructional Technology to all enrolled students and faculty through Canvas instead of using MACC Student email. The Canvas Inbox is a messaging tool and not part of the MACC student email account.

Canvas Notification Preferences

We also encourage students to set up Notification Preferences in their Canvas Account. By default, Notification Preferences are sent to your MACC Student Email Account only. Students cannot delete their MACC Student Email from notification preferences, but can add additional push notifications. Replying to emails received from notifications@instructure.com from a third party email such as Gmail, Yahoo, etc. is not recommended. At this time there are some known issues that may result in messages sent not being received in Canvas as intended.

Tip: To successfully reply to a notification in your MACC email inbox, click on the blue hyperlink (View this Message in Conversations) to quickly get back into the Canvas Inbox.
Note: You may only be able to access some of these features during registration periods.

**Change your Password**

1. Log into myMACC with your current username and password.
2. Look for the Password Management section on the “Home” tab.
3. Click “Change Password”
4. Enter the required information to change your password
5. Click “Continue”

**Set Up Your Verification Email**

1. Log into myMACC with your current username and password.
2. Look for the Password Management section on the “Home” tab.
3. Click “Change Verification Email”
4. Enter the required information and click “Continue”

**Complete Registration Agreement**

1. Go to myMACC (http://my.macc.edu)
2. Log in using your myMACC username (student ID) and password
3. Click on “Student” tab
4. Click on “Registration”
5. Click on “Complete the Registration Agreement Form”
6. Read the information, check the box and click “submit this”. You will need to complete the Registration Agreement form prior to each semester or you will not be able to continue the process.

**Find Class Openings**

1. Go to myMACC (http://my.macc.edu)
2. Log in using your myMACC username (student ID) and password
3. Click on the “Student” tab
4. Click on “Course Schedules”
5. Click the “Course Search” icon. If you do not see this icon follow the directions to “Complete Registration Agreement” and try again.
6. Change TERM to appropriate semester
7. Change CAMPUS to appropriate campus (ex. COLC Campus=Columbia)
8. Change SECTION STATUS to open
9. Click “Search”

**Print Your Schedule**

1. Go to myMACC (https://my.macc.edu)
2. Log in using your myMACC username (student ID) and password
3. Click on the “Student” tab
4. Click on “Academic Information” tab on left
5. Click on “Student Schedule” tab on left (choose appropriate term, click the “View Your Schedule” button)
6. View and print your schedule (including course name, day, time, campus, building and room number)

**Check your Billing Account**

1. Go to myMACC (http://my.macc.edu)
2. Log in using your myMACC username (student ID) and password
3. Click on the “Student” tab
4. Click on “Billing Information”
5. Click on “Course and Fee Statement”
6. Select the term you want from the drop down box.
7. Click “Generate my Course and Fee Statement”
8. Open the PDF file link that comes up.

View your Unofficial Transcript
1. Go to myMACC (http://my.macc.edu)
2. Log onto myMACC using your username (student ID) and password
3. Click on the “Student” tab
4. Click on “Academic Information” on the left
5. Click on view “Unofficial Transcript”

Find Grades at the End of the Semester
1. Go to myMACC (http://my.macc.edu)
2. Log onto myMACC using your username (student ID) and password
3. Click on the “Student” tab
4. Click on “Academic Information”
5. Select “Grade Report”
6. SELECT THE correct term
7. Click on “View Final Grade Report”

View Financial Aid Awards
1. Go to myMACC (http://my.macc.edu)
2. Log onto myMACC using your username (student ID) and password
3. Click on the Student tab
4. Click on the “Financial Aid” tab
5. Click on Financial Aid Awards
6. Select an Academic Year (i.e. 2021) from the drop down box (if present). Financial Aid Programs awarded will be listed
7. Select Financial Aid Award Letter Guide. This will provide details about financial aid awards and required consumer information.

View Missing Financial Aid Documents
1. Go to myMACC (http://my.macc.edu)
2. Log onto myMACC using your username (student ID) and password
3. Click on the Student tab
4. Click on the “Financial Aid” tab
5. Click on View Financial Aid Document Tracking
6. Click on web link provided and complete the missing documents
7. Financial aid cannot be processed if documents are missing

Apply for Graduation
1. Go to myMACC (http://my.macc.edu)
2. Log onto myMACC using your username (student ID) and password
3. Click on the Student tab
4. Click on the “Graduation” tab on the left
5. Click on “Graduation Application”
6. The application will be submitted automatically once you have completed it
**What is Canvas?**

Canvas is a cloud-based Learning Management System that is very easy to use and navigate. It helps faculty share information and communicate with you during the semester.

It can be used for electronic resources, online discussions, group projects, video and audio recordings, viewing your gradebook, communicating with your instructor, and much more.

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**How Do I Login?**

1. Go to macc.edu and click on Canvas logo in upper right corner.
2. Enter the login and password that you received when you enrolled.

This is the same user name and password used to login while you are on an MACC campus.

Alternate logins: [https://macc.instructure.com](https://macc.instructure.com)
OR
Go to myMACC and choose Online Class Login

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**How Can I Get Help?**

If you are stumped or need assistance, there are multiple ways to get help.

1. Contact your instructor.
2. Click Help in the Global Navigation pane for step-by-step instructors or online videos. You can also “chat” with a Canvas technical support specialist.
3. Contact Instructional Technology at [www.int@macc.edu](mailto:www.int@macc.edu) or (660) 263-4100 ext. 11525.

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**The Dashboard**

When you log into Canvas, the Dashboard is the first thing you will see. The Dashboard gives you an overview of what is happening in all your courses and allows you to figure out what to do next. You can return to your User Dashboard at any time by clicking the Dashboard link on the Global Navigation pane.

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**How Do I Change the Courses That Appear on My Dashboard?**

1. On the menu at the left under the "Dashboard" icon you will see "Courses".
2. Click on "Courses" and then choose "All Courses".
3. The classes with the gold star are the ones that display on your dashboard.
4. You can click on the stars to choose which courses are displayed on your dashboard.

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1. **Global Navigation** - contains shortcuts to help you navigate through Canvas.
2. **Course Cards** - shortcuts to your Canvas course.
3. **Sidebar** - contains links to your upcoming events, recent feedback, and an option to view grades for all your courses.
4. **Global Announcement** - announcements that are made by your institution.
### How Do I Set Notification Preferences?

Canvas includes a set of default notification preferences you can receive for your courses. These changes apply to all of your courses—you cannot change settings for individual courses.

1. Click **Account** in the **Global Navigation** pane.
2. Click the **Notifications** shortcut in the panel that appears.
3. Make selection for each type of notification you want to change.

### What are Modules?

Modules control the entire flow of the course, along with its content.

1. Open a Course by clicking on its Course Card.
2. Click **Modules** in the **Course Navigation** pane.
3. You can advance through module items or return to previous modules using the progression bar at the bottom of the page. To advance to the next module item, click the **Next** button. To return to a previous module item, click the **Previous** button (PC only).

### How Do I Submit an Assignment?

Many of your instructors will have you submit work online.

1. Click on the Assignment.
2. Click the red **Submit Assignment** button.
3. Click the **Choose File** button to upload and then click **Submit Assignment**.
4. Once you submit an assignment, you will see “Submission Turned In”, a green check mark, and date on the right side of screen.
5. Click the **Submission Details** button to download a copy of what you submitted.

### How Do I Send a Message to my Instructor?

1. Click **Inbox** in the **Global Navigation** pane.
2. Start typing your Instructor’s name (it will appear for you after a few letters are keyed).
3. Enter your message.
4. Click **Send**.

You can also attach a file or record your message!

### How Do I Reply to a Discussion Post?

Discussions are used to simulate a traditional classroom setting and allow students to have “conversations” or “discussions” within an online environment. Your instructor may assign work in the form of discussions. Be sure to read specific information in your course syllabus regarding instructions for posting.

1. Click the **Reply** button.
2. Write your reply.
3. Click **Post Reply**.

### How Do I View My Grades?

1. View your grades for all courses from your Dashboard by clicking the **View Grades** button in the bottom right corner.
2. View grades within a course by clicking the Grades link in the left course menu.

**Tip:** Use the grade predictor tool in your course to gauge how certain scores will affect your grade!

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**Canvas Conversations (Inbox)**

Canvas Conversations is used for students and instructors enrolled in the same course to communicate with each other in Canvas. In addition, mass communication may be sent from campus offices such as Financial Aid, Student Affairs or Instructional Technology to enrolled students and faculty through Canvas instead of using MACC Student email. The Canvas Inbox is a messaging tool and not part of your MACC Student Email account.

**MACC Student Email**

MACC Student Email is the primary communication tool MACC uses to get information out to students in a timely manner. E-mails will be sent to your student email account from MACC staff regarding financial aid, enrollment, security and other valuable information. You may also receive correspondence from your MACC instructors through this email account.

Information contained in this publication is subject to change without prior notice and shall not constitute a binding agreement on the part of the College.

10/16/2020
COURSE RESOURCES & eBOOKS

When registering for courses, students should review their class schedule with their MACC advisor. This will explain which eResources are built into their courses, and which textbooks or access codes they may need to purchase.

Course Resource Fee

A Course Resource Fee is directly billed to students’ accounts at the time of registration. The fee gives students “day one” access to eResources, an eBook, and in some courses an online lab through Canvas. This fee, along with any required lab and clinical fees, is course specific and listed on the Student Data Sheet.

To see a complete list of courses with Course Fees go to the Fees and Tuition web page.

Access Code

Check the current MACC booklist, Common Syllabi Web Page, or your course syllabus to see if your instructor requires an Access Code. In the MACC bookstore, Access Codes (when required) are bundled with new textbooks at no additional charge. If you choose to purchase a used book, the Access Code can be purchased separately. You must buy the exact ISBN number listed on the MACC booklist to get the correct Access Code.

eBooks

The first time students access an eBook, it must be from within the course in Canvas. Here are some other important eBook features:

- With a Course Fee, eBooks are downloadable for offline reading on a phone, tablet, PC, or laptop using the VitalSource, MindTap, or Revel eBook app. Students who want to keep the eBook after the semester ends must download the eBook.
- Students can take notes and highlight text directly in the eBook.
- Some eBooks allow students to listen to an audio version of the text and/or share notes with classmates.
- Students can print pages and notes as needed from certain eBooks. You can also purchase, for an additional cost, a loose leaf binder copy of each eBook in the MACC bookstore.

Look for instructions in the course for details about using your eBook.

For assistance with Course Resources, Access Codes or eBooks, contact Instructional Technology at int@macc.edu or call (660) 263-4100 ext. 11525.

INTRO. TO MACC’S VIRTUAL CLASSES

What are Virtual Classes?

Virtual classes allow you the benefit of synchronous (real-time) interactions with your instructor and the convenience of attending class remotely (from home or another MACC campus). Our virtual instructional delivery system features include two-way audio with microphone and speakers, text messaging, shared whiteboard, a note-taking feature, and file sharing.

Equipment Needed For a Virtual Course

- A reliable computer & internet service. To achieve optimal results, your connection needs to be at least 256 kbps.
- Microphone/Headset combination (USB is recommended). Headsets are available in the MACC Bookstore.
Getting Started with Virtual Classes

Before the first class period, view the tutorials provided by the instructor, find out which virtual delivery system your instructor is using (Blackboard Collaborate, Blackboard Ultra, or Zoom), and set up your computer.

Getting Started in the Blackboard Collaborate Version:

- Locate the Virtual Classroom Link in your Canvas course module list.
- Download the Blackboard Collaborate Launcher to your computer 10-15 minutes before class begins.
- Review the Original Participant Guide online for more information.

Getting Started in the Blackboard Ultra Version:

- Locate the Virtual Classroom Link in your Canvas course module list.
- It is best to log into the virtual classroom in Google Chrome (the preferred browser)
- Review the Ultra Participant Guide online for more information.

Getting Started in Zoom:

- Locate the Virtual Classroom Link in your Canvas course module list.
- It is best to log into the virtual classroom in Google Chrome (the preferred browser)
- Review the Zoom Participant Guide online for more information.

Tips For Your Virtual Class

- Be sure to plug in your microphone/headset before entering the Virtual Classroom.
- Check your audio/video settings
- Once you have entered your Virtual Classroom, be sure to use the Audio Setup Wizard. You will need to do this each time you enter the classroom.

How to Access Your Virtual Course

1. Log into Canvas with your MACC login credentials (Student ID & Password).
2. Select your Virtual Course, and navigate to the Virtual Classroom Link provided by your instructor.

Blackboard Collaborate Support

For general questions contact:
MACC’s Instructional Technology Department.
Phone: (660) 263-4100 x11525
Email: int@macc.edu

For technical issues and questions contact:
Blackboard Collaborate Technical Support Online/Live Chat Support:
Go to Behind the Blackboard
Toll Free Phone: (877) 382-2293
ONLINE HELP

MACC Instructional Technology (INT) Team

Our INT team supports students and faculty in a variety of ways up front and behind the scenes. You can reach us by email at int@macc.edu or by phone at (660) 263-4100 ext. 11525. We have INT team members on every MACC campus and virtually if you would like to schedule a meeting for support.

We also have on-campus Help Desk support at each MACC campus. If the person you are trying to contact is not available when you call, please leave a detailed message so we can get back with you quickly.

Student Resources Course

This course, and the resources it contains, are provided to all MACC students free of charge. It is accessible in your Courses list when you log into Canvas. This course provides quick access to online resources and MACC personnel who can assist you with these resources. Our INT team provides a discussion forum as well as timely updates and notifications to all students through this course.

Online Course Resources & Requirements

Check the instructor’s online syllabus to make sure you have the correct Course Resources. Also, check to see if your instructor requires Proctored Exams for their online course. Proctored Exam information & registration can be accessed under Proctored Exam Information on MACC’s Online (Canvas) Login webpage.

Canvas Support Services

After you log into your course, click the Help Icon at the bottom left of your screen. The menu that pops up provides quick access to several resources, including Canvas 101 for Students, Canvas Guides, and Canvas 24/7 email, chat, and phone support (Support Hotline: 844-702-5211).

If you are new to Canvas, we encourage you to take time to review Canvas 101 for Students. This free, public course will help get you set up and ready to use Canvas. Within this canvas student tour you can also view which browsers Canvas supports, and what are the basic computer specifications for Canvas.

MACC Website

Basic information about online and hybrid learning is available at www.macc.edu under Locations. Under Admissions you can find current course offerings.

Basic technical trouble shooting and how-to resources are available 24/7 through the Help Desk link on our website. While we strive to keep the online Help Desk up-to-date, please email us at int@macc.edu if you have trouble with any of these resources.
Free Tutoring at all MACC locations

- Tutors are available to help you better understand the material in your classes. They can also help with all stages of the writing process. All tutoring services are FREE for MACC students!

- All other MACC campuses have tutors available in the LARC on their campus. Schedules for each campus can be found by going to our website (www.macc.edu). Click on Services, and then Academic Resource Center. Choose Tutoring, then In-Person Tutoring. Click an MACC Campus to see that campus’s schedule.

- Free Virtual Tutoring with MACC tutors is available as well.

- Contact a Resource Coordinator for additional information or questions (see contact information below).

LARC Resources

- The LARC is located on the Moberly campus. It is on the 2nd floor of the Main Building. The hours for the LARC are 8 a.m.-8:30 p.m. Monday through Thursday, 7 a.m.-4 p.m. on Friday, and 9 a.m.-2 p.m. on Saturday.

- Each MACC location has a smaller library collection in their LARC.

- Students can request books be delivered to their location from any other MACC location, as well as from academic and public libraries via the Mobius and Prospector online catalogs.

- Many MACC LARC resources are electronic including EBSCO and available online through Encore EDS.

- Students have access to two eBook collections and numerous collections of journal, magazine, reference, and newspaper articles. Students can also find videos and images.

- Students can contact the Director of the LARC or the Resource Coordinator for their home campus to find out more information or to receive a tutorial on using library resources.

Contact Information

Donna Monnig, Director of the LARC, (660) 263-4100 ext. 11244 donnamonnig@macc.edu

Jill Gosseen, Coordinator of the LARC, (660) 263-4100 ext. 11310 jillgosseen@macc.edu

Resource Coordinators by Location

Columbia Higher Education Center – Don Tennill, (573) 234-1067 ext. 12116 dontennill@macc.edu

Hannibal Higher Education Center - Amy See (573) 231-0941 ext. 14012 amysee@macc.edu

Kirksville Higher Education Center - Nicole Baum, (660) 665-0345 ext. 15011 nicolem@macc.edu

Mexico Higher Education Center - Rhonda Curtis, (573) 582-0817, ext. 13629 rhondac@macc.edu

Free Virtual Tutoring

1. Go to the MACC website
2. Click on Services
3. Click on Library & Academic Resource Center
4. Click on Tutoring, then Virtual Tutoring, in the menu on the left side of your screen.
5. Fill out your information to set up an appointment

Note: The first time you log into Blackboard Collaborate you may need follow the prompts to download the Blackboard Collaborate Launcher before you can start a virtual session. For best results, a headset with noise-cancelling microphone is recommended. These are available at MACC bookstores.
HEALTH & WELLNESS

Student Assistance Program

MACC offers a Student Assistance Program through H&H Health Associates. This program is a confidential service designed to help students and families with personal or student/life balance issues.

There is no charge for services provided within the Student Assistance Program. MACC has provided short-term counseling, research, consultation, and referral services for you, your family and your significant others. When necessary, you may be referred to services that go beyond the scope of this program. Charges for outside services are your responsibility. In some cases, your health insurance may cover a portion or complete cost of the services you require.

H&H Health Associates, Inc.
3660 South Geyer Road,
Suite 100 Laumeier III
St. Louis, MO 63127
(314) 845-8302 or (800) 832-8302
info@hhhealthassociates.com
www.hhhealthassociates.com

Tobacco Free Policy

MACC prohibits the use of all tobacco products on all grounds and parking areas (traditional cigarettes, e-cigarettes, chew, pipes, cigars, hookah or waterpipe smoking, snus, snuff, etc.). Exceptions may be granted for specific auxiliary enterprises, as approved by the President.

Visitors, contractors, and other individuals on campus who are in violation of the policy should be reminded of the policy and asked to comply by discarding the tobacco product. All staff, faculty, and students violating the policy should be reminded of the policy and asked to comply by discarding the tobacco product.

- If a student refuses to comply with the policy, the Dean of Student Affairs & Enrollment Management shall be contacted. That office will follow up with the student regarding the policy and available resources.
- If a staff or faculty member refuses to comply with the policy, the immediate supervisor shall be notified. The immediate supervisor will follow up with the employee to remind him/her about the policy and resources. Continued violations may also result in disciplinary action up to and including dismissal.

MACC will encourage individuals to enroll in a smoking cessation program. All students, faculty and staff are encouraged to learn more about this program. For more information, call the Employee/Student Assistance Program at (800) 832.8302 or visit the Employee/Student Assistance Program website at www.hhhealthassociates.com.

Designated staff at each campus will monitor and enforce this policy. In the event that individuals or groups are found using tobacco products, they will be given a verbal reminder with a review of the Tobacco-Free Policy and their compliance is requested. In 2013, a penalty was instituted for repeat offenders of the policy. This penalty will be invoked only after warnings by an administrator who has talked with the violator and after notification that future violations could result in a penalty. The penalty consists of a $20 fine or two hours of labor (picking up refuse on campus).
Policy on the Use of Alcohol and Other Drugs

The College is committed to the education and development of students, faculty, and staff regarding the prevention of the abuse of alcohol and other drugs. In order to provide the best possible educational environment, students are expected to attend class and employees are required to report to work in an appropriate mental and physical condition. It is the intent and obligation of the College to provide a drug- and alcohol-free, healthful, safe, and secure environment in compliance with the Drug-Free Workplace Act and the Drug-Free School and Communities Act.

All employees, including student employees, as a condition of employment, must abide by the terms of this policy and report any convictions under a criminal drug/alcohol statute for violations occurring on or off College premises, at College-sponsored activities, or while otherwise conducting College business. A report of conviction must be made to the President’s Office within five days of the conviction. This requirement is mandated for all employees by the Drug-Free Workplace Act of 1988.

Violations and Sanctions

Moberly Area Community College’s policy on the use of alcohol and other drugs is developed to provide intervention, prevention, and education to students and employees. MACC’s Student Code of Conduct outlines the procedure for handling student conduct which is disruptive, illegal, or unethical. More specifically, the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance while on College premises, while off-campus at College-sponsored activities, or while representing the College is absolutely prohibited. Violations of this policy will result in disciplinary action, which may include verbal or written warning, probation or suspension, student expulsion or employee termination, and/or satisfactory attendance in a drug/alcohol abuse rehabilitation program.

The College also has a specific policy regarding drug and alcohol testing requirements for employees required to obtain a Commercial Driver’s License. The Omnibus Transportation Employee Testing Act of 1991 requires MACC to conduct controlled substance testing for CDL drivers prior to employment, after an accident, at random times, upon reasonable suspicion, and upon return to duty following the misuse of drugs or alcohol. Violations of this policy could result in suspension of driving duties, referral for treatment, and/or termination.

Additionally, MACC student athletes are required to attend a drug awareness education program and submit to random drug testing. Athletes may also be tested when reasonable suspicion exists that they are using illegal substances. Athletes with first-offense positive tests will be suspended from intercollegiate activities for one week and must attend substance abuse counseling. These student-athletes will be randomly drug tested through one calendar year from the date of the positive test. Athletes with a second offense will be expelled from the athletic program.

Students enrolled in Allied Health programs at the College may also be required to submit to drug screening or random drug testing. Positive test results for illegal drugs or refusal to submit to drug testing may result in denial of clinical site privileges and/or dismissal from the Allied Health program.

In addition to College disciplinary actions, violators of the College’s policy on the use of alcohol and other drugs may be subject to legal sanctions. MACC upholds all federal, state, and local laws prohibiting the manufacture, possession, distribution, or use of alcohol or illicit drugs by students, employees, or visitors on College property, in the functions of the College, or as representatives of the College. Violations of such laws will result in disciplinary sanctions imposed by the College and will be reported to law authorities as appropriate.

The following are examples of violations which may result in institutional and/or legal sanctions. This list is not all inclusive.

- Consumption of alcohol by a person under the age of 21.
- Attempt to purchase alcohol by a person under the age of 21.
- Sale or provision of alcohol to a person under the age of 21 or to an intoxicated person.
• Consumption of alcohol on public streets, sidewalks, parks, or places where owners have posted signs prohibiting alcohol.
• Operation of a motor vehicle while under the influence of alcohol.
• Misuse of over-the-counter drugs.
• Misuse or sharing of prescription drugs.
• Possession, use, distribution, or manufacture of any form of illegal drug.
• Possession of paraphernalia for intended or implied use of any form of illegal drug.
• Possession of paraphernalia that contains or appears to contain illegal drug residue.
• Purchase or passage of illegal drugs from one person to another.

Violations of federal, state, and local drug and alcohol laws can result in fines, imprisonment, loss of driving privileges, and/or court-ordered rehabilitation/counseling programs. Below are links with more information regarding federal and state laws governing the use of alcohol and other drugs and potential penalties. The information below is not all inclusive but rather is meant to provide examples of the application of the law.

**Federal Laws (Title 21 United States Code Controlled Substances Act)**
• Distribution or manufacturing in or near schools and colleges [http://www.deadiversion.usdoj.gov/21cfr/21usc/860.htm](http://www.deadiversion.usdoj.gov/21cfr/21usc/860.htm)

**State Laws (Missouri Revised Statutes)**
• Possession of a Controlled Substance [http://www.moga.mo.gov/mostatutes/stathtml/57900000151.html](http://www.moga.mo.gov/mostatutes/stathtml/57900000151.html)
• Distribution, Delivery, or Manufacture of Controlled Substance [http://www.moga.mo.gov/mostatutes/stathtml/57900000451.html](http://www.moga.mo.gov/mostatutes/stathtml/57900000451.html)
• Distribution of Controlled Substance Near Schools [http://www.moga.mo.gov/mostatutes/stathtml/57900000551.html](http://www.moga.mo.gov/mostatutes/stathtml/57900000551.html)
• Trafficking of Drugs [http://www.moga.mo.gov/mostatutes/stathtml/57900000651.html](http://www.moga.mo.gov/mostatutes/stathtml/57900000651.html)
• Unlawful Use of Drug Paraphernalia [http://www.moga.mo.gov/mostatutes/stathtml/57900000741.html](http://www.moga.mo.gov/mostatutes/stathtml/57900000741.html)
• Possession of Alcohol by Minor [http://www.moga.mo.gov/mostatutes/stathtml/31100003251.html](http://www.moga.mo.gov/mostatutes/stathtml/31100003251.html)
• Driving While Intoxicated [http://www.moga.mo.gov/mostatutes/stathtml/57700000101.html](http://www.moga.mo.gov/mostatutes/stathtml/57700000101.html)
• Revocation of Driving Privileges, Over Age 21 [http://www.moga.mo.gov/mostatutes/stathtml/30200004051.html](http://www.moga.mo.gov/mostatutes/stathtml/30200004051.html)
**Prevention**

The National Prevention Council led by the U.S. Surgeon General has recommended that colleges and universities adopt policies and programs to decrease the use of alcohol or other drugs on campuses and implement programs for reducing drug abuse and excessive alcohol use. Moberly Area Community College has implemented a number of strategies to aid in the prevention of drug and alcohol abuse among its students and employees. These strategies include the following:

- Information on drug and alcohol abuse delivered during orientation sessions annually to students living in the campus housing
- Pamphlets on drug and alcohol abuse located in Student Affairs and at each off-campus site
- Poster sessions and handouts on drug and alcohol abuse disseminated annually at College Health Fair sponsored by MACC's Nursing Department
- “Under the Influence” goggles on hand at annual student fall picnic enabling students to experience the dangers of drinking and driving while impaired
- Collection of videos and DVDs about drug and alcohol abuse available to show during staff development sessions with employees or student orientation sessions
- Workshops and resources for employees and students available through H&H Health Associates, the providers of MACC’s employee and student assistance program
- Random drug testing of CDL drivers, student athletes, and students enrolled in certain academic programs

**Health Risks and Other Consequences**

Drug and alcohol dependency is an illness that can lead to major health problem. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity, and other health risks. These risks include an increased risk of accidents, which may result in death or permanent injury.

According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), the consequences of excessive drinking include death, injury, assault, sexual abuse, academic problems, vandalism, and arrests, among others. Additionally, the National Mental Health Association indicates that alcohol abuse does lasting damage. One night of heavy drinking can impair a person’s ability to think well for up to thirty days. Tens of thousands will eventually die of alcohol-related causes, such as accidents, cirrhosis of the liver, heart disease, cancer, and other diseases.

Alcohol abuse can compromise personal safety. According to the National Mental Health Association, alcohol lowers inhibitions and can make people more vulnerable to risky behavior. As many as 70% of college students admit to having engaged in sexual activity as a result of alcohol influence, and 90% of all campus rapes occur when alcohol has been used by either the victim or the assailant. People’s perceptions of potentially dangerous situations often change when alcohol is involved.

It can be particularly dangerous to mix alcohol and medications, both prescriptions and over-the-counter. Side effects can include nausea and vomiting, headaches, drowsiness, fainting, or loss of coordination. More extreme interactions can include internal bleeding, heart problems, and difficulty in breathing. Also, alcohol can make medications less effective or even harmful (Harmful Interactions: Mixing Alcohol with Medicines. U.S. Department of Health & Human Services).

Like alcohol abuse, drug abuse also has detrimental effects on the individual. For example, the long term, regular use of marijuana can have a permanent, negative effect on attention span, concentration, memory, judgment and logical thought. Marijuana use slows reaction time, interferes with coordination, and impairs mathematical, reading, and verbal skills (Texas Commission on Alcohol and Drug Abuse). Amphetamines, such as those used to treat Attention Deficit Disorder, also have serious associated health risks when abused, including brain damage, skin disorders, lung disease, delusion, paranoia, and hallucinations, to name a few (Texas Commission on Alcohol and Drug Abuse).

According to the National Mental Health Association, drug abuse can lead to behavioral changes, including depression, declining grades, loss of interest in family and friends, over-sensitivity, moodiness, nervousness,
paranoia, secretive or suspicious behavior, and excessive talkativeness. Changes associated with drug abuse are not only mental but also physical, such as puffy face, hyperactivity, tremors, excessive sweating, runny nose, hacking cough, and lack of physical coordination.

Resources, Referrals, and Treatment

The College recognizes drug and alcohol abuse as a potential health, safety, and security problem. Conscientious efforts to seek such help will not jeopardize any employee's job or student's status and will not be noted in any personnel or student record.

The Student Assistance Program (SAP) at MACC is available to all students, their family members, and significant others in need of information and/or assistance with any personal concerns, including alcohol or other drug-related problems. Through the SAP, students can access confidential, free, professional, short-term counseling, assessment and referral. Likewise, the Employee Assistance Program (EAP) is available for free to all employees and their immediate family. The SAP/EAP website (http://www.hhhealthassociates.com) offers immediate hands-on access to numerous articles, videos, and assessments regarding drug and alcohol use. Students and employees who need help in dealing with such problems are also encouraged to contact Student Services (students) or Human Resources (employees) for assistance programs, referrals, and other information, as appropriate. The Office of Human Resources maintains a list of treatment and resource centers throughout the College’s service region.

In addition, the College’s Behavior Intervention Team meets regularly to discuss students and employees whose behavior is of concern, including individuals exhibiting symptoms of drug and alcohol dependency. Students or employees may be referred to treatment by the Behavior Intervention Team.

Policy Review and Information Dissemination

As mandated by the Drug Free Schools and Communities Act, the College’s policy on the use of alcohol and other drugs must contain the following:

- Information on preventing drug and alcohol abuse
- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of drugs and alcohol by students and employees on College’s property, or as part of College activities
- A description of the sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol
- A description of any drug and alcohol counseling, treatment, or rehabilitation programs available to students and employees
- A description of the health risks associated with the use of illicit drugs and alcohol
- A clear statement that the College will impose sanctions on students and employees for violations of the standards of conduct (consistent with local, state, and federal law) and a description of these sanctions, up to and including expulsion, termination of employment, and referral for prosecution

The College conducts a biennial review of its policy on the use of alcohol and other drugs. The College’s Compliance Review Committee oversees the review process. The goal of the review is to ensure compliance with all aspects of the Drug-Free Schools and Communities Act as well as to determine the effectiveness of the policy and make improvements as necessary to promote the well-being of students and employees. This includes ensuring that disciplinary sanctions are consistently enforced.

The College’s policy on the use of alcohol and other drugs is provided regularly to students and employees of Moberly Area Community College. The College distributes the contents of this policy via email to all students and employees on or by July 1, September 1, November 1, February 1, and April 1. The Dean of Student Affairs & Enrollment Management communicates the information to students while the Director of Human Resources communicates the information to employees. The policy is also located in the student handbook and the College policy manual and is available in hard copy format upon request. Additionally, upon hire, all new employees are provided with a hard copy of the policy.
Communicable Diseases Policy

MACC endeavors to provide its employees and students with a safe work and learning environment. This policy is intended to prevent the transmission of communicable diseases for members of the MACC community. Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, Ebola Virus, meningococcal disease, and tuberculosis. A student/employee with a communicable disease may present a reasonably foreseeable risk of harm to others. Therefore, the College will take action in accordance with this policy to minimize the risk of transmission and to maintain a safe campus and educational environment. Some College departments have additional restrictions and procedures that must be followed due to the nature of the educational environment.

Responsible Conduct

Individuals who know they have a communicable disease or who have a reasonable basis for believing that they have a communicable disease have an obligation to conduct themselves responsibly for their own protection and the protection of other members of the MACC community. Employees/students with communicable diseases must not knowingly engage in any activity that creates a material risk of transmission to others.

Reporting

Members of the MACC community who know or suspect that they are infected are expected to seek expert advice about their health circumstances and are obligated ethically and legally to conduct themselves responsibly in accordance with such knowledge for the protection of others. Employees who know they are infected are urged to share that information with the Director of Human Resources. A student should contact the Dean of Student Affairs & Enrollment Management. Written notification will be provided of the procedural safeguards as set forth in the College’s compliance plan for section 504 of the Rehabilitation Act of 1973, if applicable.

Preventative Procedures

During certain communicable disease outbreaks such as a large epidemic or pandemic, all members of the MACC community may be subject to requirements imposed by federal and or state and local authorities. MACC will follow guidelines as outlined by the United States Center for Disease Control and Prevention. This may include requirements that individuals who travel to and from countries with active communicable disease outbreaks report such travel and may also include testing and screenings considered medically appropriate prior to returning to work or school. This would also apply to students coming from such countries, and students residing in MACC’s dorms (167.638 RS/MO). MACC study abroad programs may also be suspended and registration or position appointments delayed under such provisions.

Mandatory Testing for Tuberculosis (Missouri Revised Statutes 199.290)

State law mandates that all higher education institutions in Missouri implement a targeted testing program for tuberculosis on their campuses for all on-campus students and faculty upon matriculation. All MACC students who are determined through the admissions application to be at risk of tuberculosis will be required to be TB tested. All MACC faculty who are determined through the employment application process to be at risk of tuberculosis will be required to be TB tested. Testing can be done at any local county health department. Any student who does not comply with the targeted testing program shall not be permitted to maintain enrollment in the subsequent semester at the institution. Any faculty member who does not comply with the targeted testing program risks disciplinary action, up to and including termination.

Mandatory Vaccination against Bacterial Meningitis (Missouri Revised Statutes 174.335)

All students residing in MACC residence hall facilities will be required to have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the admission’s office. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician indicating that either the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement if he or she objects in writing to the institution’s administration that...
immunization violates his or her religious beliefs.

*Reporting and Review Requirements for Certain Communicable Diseases*

Individuals who know they have a communicable disease or who have a reasonable basis for believing that they have a communicable disease have an obligation to conduct themselves responsibly for their own protection and the protection of other members of the MACC community. Employees/students with communicable diseases must not knowingly engage in any activity that creates a material risk of transmission to others.

*Restrictions and Modifications on Employment or Academic Activities*

Decisions regarding restrictions on modifications of employment and academic duties/activities and access to facilities or programs as a result of a communicable disease will be made on a case-by-case basis, when possible, depending on the type and nature of the communicable disease, the nature of work or work setting, and the risk to the health of the individual or others. Such restrictions or modifications may include, among other things, changes in job function, location, course format, or work schedule, and/or change in work setting. MACC shall make efforts to implement such decisions as discreetly and confidentially as possible, with as little harm as possible to the person, his/her career/educational studies, and his/her standing in the community.

*Confidentiality*

MACC recognizes the importance of protecting, to the greatest extent possible, the confidentiality and privacy interests of all employees and students suspected of having a communicable disease. Accordingly, such information will be handled with the same degree of care and sensitivity as is accorded to other types of highly confidential information. MACC will disclose sensitive medical information of employees and students no further than is necessary to ensure the health and safety of MACC employees and students.

**Sexual Misconduct Policy**

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IX. Title IX Grievance Process (Formal Complaints of Sexual Harassment)
X. Sexual Misconduct Grievance Process
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**I. Commitment to Prohibit Sexual Misconduct**

Moberly Area Community College is committed to providing an environment for its students, faculty, staff, and visitors, regardless of sexual orientation or gender identity, that discourages and prevents sexual misconduct. MACC maintains a strict policy prohibiting sexual misconduct in any form, to include sexual harassment, sexual discrimination, and sexual violence (rape, sexual assault and other sexual offenses, dating violence, and stalking). This policy applies to students and employees as well as third parties.

Response options are available through MACC policies and/or local, state, and federal law enforcement agencies for any persons have been sexually harassed, have experienced sexual discrimination, or have been a victim of sexual assault or other sexual misconduct which impacts their educational experience or employment environment.

Any person found to be in violation of this Sexual Misconduct Policy will be subject to action by MACC, up to and including dismissal. A Complainant may wish to report to law enforcement agencies. If a report to law enforcement agencies.
enforcement agencies is desired, the Title IX Coordinator, or their designee, would be able to assist.

MACC complies with all laws and regulations governing how colleges and universities handle sexual offenses. This policy outlines institutional procedures to meet the requirements of Title IX, the Violence against Women Reauthorization Act of 2013, The Campus Sexual Violence Act (CampuSaVE Act), and the Clery Act.

If any person feels MACC is not meeting their federal regulatory requirements, regulatory complaints may be submitted to:

<table>
<thead>
<tr>
<th>Title IX and Clery Act</th>
<th>Title VII</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Petticoat Lane</td>
<td>Robert A. Young Federal Building</td>
</tr>
<tr>
<td>1010 Walnut Street, Suite 320</td>
<td>1222 Spruce Street, Room 8100</td>
</tr>
<tr>
<td>Kansas City, MO 64106</td>
<td>St. Louis, MO 63103</td>
</tr>
<tr>
<td>816.268.0550</td>
<td>800.669.4000</td>
</tr>
<tr>
<td>816.268.0559 fax</td>
<td>314.539.7894 fax</td>
</tr>
<tr>
<td><a href="mailto:ocr.kansascity@ed.gov">ocr.kansascity@ed.gov</a></td>
<td>800.669.6820</td>
</tr>
</tbody>
</table>

II. Options for Assistance

Immediate Assistance
The following non-MACC affiliated resources/shelters can provide an immediate, confidential response in a crisis situation and can assist an individual in obtaining needed resources and can provide guidance with reporting options and processes. These confidential contacts may also provide an advocate to accompany an individual to the hospital for treatment.

Safe Passage, Moberly
- Hotline: 800-616-3754
- Hotline: 660-269-8111
- Phone: 660-269-8111
  [www.safepassagemoberly.org](http://www.safepassagemoberly.org)

True North Shelter, Columbia
- Toll Free Crisis Line: 800-548-2480
- Crisis Line: 573-875-1370
- Crisis Line for Deaf: 800-380-3323
- Phone: 573-875-1370
  [http://truenorthofcolumbia.org](http://truenorthofcolumbia.org)

Audrain County Crisis Intervention Services, Mexico
- Hotline: 800-246-2280
- Phone: 800-246-2280
  [AudraincountyCrisis.org](http://AudraincountyCrisis.org)

Avenues, Hannibal
- Hotline: 800-678-7713
- Hotline: 573-221-4280
- Phone: 573-221-4280
  [http://avenueshelp.org](http://avenueshelp.org)

Coalition against Rape and Domestic Violence (CARDV), Fulton
- Help Line: 573-642-4422
- Business Office: 573-642-1418
  [http://callawaycardv.org](http://callawaycardv.org)

The following emergency numbers are available to report sexual misconduct or an emergency situation.
A victim of sexual assault should seek preventative treatment and treatment for injuries, as well as preserve evidence by being examined at a hospital. To preserve evidence, an individual should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance. The following local hospitals are trained to use rape kit and perform examinations for evidence:

- **Moberly Regional Medical Center**
  1515 Union Avenue
  Moberly, MO
  660-263-8400

- **University of Missouri-Columbia Hospitals and Clinics**
  1 Hospital Drive
  Columbia, MO
  573-882-4141

- **Hannibal Regional Hospital**
  6000 Hospital Drive
  Hannibal, MO
  573-248-1300

- **Northeast Regional Medical Center**
  315 South Osteopathy
  Kirksville, MO
  660-785-1000

**Ongoing Assistance**

The following options exist for counseling, advocacy, and support for victims of sexual misconduct. These resources are available whether or not an individual chooses to make an official report to the College or to law enforcement.

**MACC Resource:**

- **MACC Student Assistance Program**
  (provided through H&H Health Associates, Inc.)
  314-845-8302 or 800-832-8302
  info@hhhealthassociates.com
  www.hhhealthassociates.com

- **MACC Employee Assistance Program**
  (provided through United Healthcare)
  888-887-4114
  Myuhc.com

The Employee/Student Assistance Program (EAP/SAP) offers counseling services and/or legal advice for both the complainant and the respondent involved in cases of sexual assault, harassment, discrimination, or other sexual misconduct. All services are confidential and at no cost to all students, employees, family members, significant others, and anyone residing in the student’s or employee’s household. Access to the...
EAP/SAP is 24/7 by phone or in person by appointment. EAP/SAP staff will be able to connect an individual with a local counselor to meet face to face by appointment. In crisis situations, counselors are available to talk by phone 24/7. The EAP/SAP provides short-term, solution-focused counseling. Although there is no charge for services provided under the benefit, the benefit does have limits on the level of service and length of time a service will be provided at no cost. If there is a need for longer-term treatment, EAP/SAP counselors will be able to help with appropriate recommendations and referrals.

Community Resources:

Safe Passage, Moberly
Hotline: 800-616-3754
Hotline: 660-269-8111
Phone: 660-269-8111
www.safepassagemoberly.org

True North Shelter, Columbia
Toll Free Crisis Line: 800-548-2480
Crisis Line: 573-875-1370
Crisis Line for Deaf: 800-380-3323
Phone: 573-875-1370
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Help Line: 573-642-4422
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http://callawaycardv.org

III. Definitions

Consent
Consent means that both people in a sexual encounter must agree to it, and either person may decide at any time that he or she no longer consents and wants to stop the activity. Consenting to one behavior does not obligate a person to consent to any other behaviors; consenting on one occasion also does not obligate a person to consent on any other occasion; consenting to have sexual intercourse with another person; consenting means only that at this particular time, a person would like to engage in this particular sexual behavior. Consent can be withdrawn at any time, and coercion, force, or threat of either invalidates the consent. An individual who is incapacitated (e.g., due to the use of alcohol or other drugs, is injured, is asleep or unconscious, or has a physical or mental disability) cannot consent. Silence or an absence of resistance does not imply consent.

Actual Knowledge
Actual knowledge means notice of sexual harassment or allegations of sexual harassment being given directly to the Title IX Coordinator or Deputy Title IX Coordinators.

Coercion
Coercion occurs when someone is pressured, threatened, or compelled without the use of force to engage in sexual behavior. This can occur because of power imbalance between the parties. Additionally, repetition, threat of humiliation, or making someone believe they are obligated to engage in sexual behavior. Repetition of requests for sexual behavior is a common example of sexual coercion.

Complainant
Complainant is an individual who is alleged to be the victim of conduct that could constitute sexual
misconduct or sexual harassment.

Document filed by Complainant
A document or electronic submission (such as by electronic mail) that contains the Complainant’s digital or physical signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

Formal Complaint
A formal complaint is document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct or sexual harassment against a Respondent and requesting that the College investigate the allegation on sexual misconduct or sexual harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the educational program or activity at MACC in which the formal complaint is filed.

Force
Force can be threats of or actual physical violence to compel the Complainant to engage in the sexual act. Force can also take on the form of coercion, threats to others, threats to humiliate, or intimidation. In instances of force, the victim often acquiesces and provides verbal agreement to engage in the behavior when actual consent is not provided.

Hearing
A process conducted after the investigation in which the parties have the opportunity to present witnesses and evidence regarding the allegations of a policy violation. Hearings are conducted “live,” although there may be opportunity to conduct the hearings virtually in some instances. Hearings are facilitated by a decision maker which can include on person or a panel. The parties are required to have an advisor. Hearings are recorded for appeal purposes.

Incapacitation
Incapacitation is evidenced in sexual harassment and sexual violence when the Complainant has indicated through behavior they are no longer able to make reasonable or rational decisions. Incapacitation can result because a person is unconscious, asleep, under the influence of drugs or alcohol, involuntary restraint, or suffers from permanent or temporary mental or physical health concerns, or has been provided drugs which lead to incapacitation. In cases of incapacitation, it is necessary for the Respondent to have been reasonably able to tell a person was incapacitated.

Investigation
Investigations are conducted when a formal complaint is submitted regarding a violation of this policy. The investigation is completed by one or more trained investigators. The investigation gathers evidence to determine relevance to the allegations, conducts interviews, and prepares a report. The investigation report indicates the credibility of evidence and witnesses related to the allegations.

Respondent
An individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct or sexual harassment.

Supportive Measures
Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after filing of a formal complaint or where no formal complaint has been filed. Examples of supportive measures include but are not limited to, counseling; extensions of deadlines or other course related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or housing locations; increased security and monitoring of certain areas; leaves of absence; or other

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IV. **Prohibited Conduct**

**Title IX Prohibited Conduct**

**Dating Violence**
Dating violence means violence which is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors including the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse.

**Domestic Violence**
A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws or jurisdiction.

**Sexual Assault**
Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, it includes offenses that meet the definition of:

- **Sex Offenses, Forcible** – Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent. This includes attempts to commit any of the below acts.
- **Forcible Rape** – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- **Forcible sodomy** – Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will or not forcibly or against the person’s will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sexual assault With An Object** – To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will or not forcibly or against the person’s will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Forcible Fondling** – The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person’s will (non-consensually) or not forcibly or against the person’s will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sex Offenses, Nonforcible** – Nonforcible sexual intercourse. This includes attempts to commit any of the below acts.
  - Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by state law.
  - Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent where the violation occurs.
Stalking
Stalking is a course of conduct that is directed at a specific person, is unwelcome, and would cause a reasonable person to feel fear for their safety or the safety of others or suffer substantial emotional distress. The acts of a stalker may include, but are not limited to, following a person or making unwanted communication or unwanted contact with a person directly; indirectly; or through third parties.

Quid Pro Quo Sexual Harassment
By a person having power or authority over another constitutes sexual harassment when submission to sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual’s educational or employment progress, developmental, or performance. This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational or employment program.

Hostile Environment
Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college’s education program or activity or alters the conditions of employment from both a subjective (the alleged victim’s) and an objective (a reasonable person standard) viewpoint.

Sexual Misconduct Prohibited Conduct

Dating Violence
Defined as in Title IX sexual misconduct with the inclusion of behavior which occurs outside of the United States, outside of the educational program or activity, or may be severe, pervasive, objectively offensive, and has the effect of unreasonably interfering with an individual’s work or student’s performance or has the effect of otherwise adversely affecting an individual’s employment or education opportunities.

Domestic Violence
Defined as in Title IX sexual misconduct with the inclusion of behavior which occurs outside of the United States, outside of the educational program or activity, or may be severe, pervasive, objectively offensive, and has the effect of unreasonably interfering with an individual’s work or student’s performance or has the effect of otherwise adversely affecting an individual’s employment or education opportunities.

Hostile Environment
Defined as in Title IX sexual misconduct with the inclusion of behavior which occurs outside of the United States, outside of the educational program or activity, or may be severe, pervasive, objectively offensive, and has the effect of unreasonably interfering with an individual’s work or student’s performance or has the effect of otherwise adversely affecting an individual’s employment or education opportunities.

Sexual Assault
Defined as in Title IX sexual misconduct with the inclusion of behavior which occurs outside of the United States, outside of the educational program or activity, or may be severe, pervasive, objectively offensive, and has the effect of unreasonably interfering with an individual’s work or student’s performance or has the effect of otherwise adversely affecting an individual’s employment or education opportunities.

Sexual Exploitation
Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to, invasion of sexual privacy, prostituting another individual, non-consensual video or audio-taping of sexual activity, going beyond the boundaries...
of consent, engaging in voyeurism, knowingly transmitting an STD or HIV to another individual, exposing one’s genitals in non-consensual circumstances, and inducing another to expose their genitals. Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Stalking
Defined as in Title IX sexual misconduct with the inclusion of behavior which occurs outside of the United States, outside of the educational program or activity, or may be severe, pervasive, objectively offensive, and has the effect of unreasonably interfering with an individual’s work or student’s performance or has the effect of otherwise adversely affecting an individual’s employment or education opportunities.

Intimidation
Intimidation in intentional behavior on the basis of sex that would cause a person of ordinary sensibilities fear of injury or harm.

Retaliation
Accused individuals and employers shall not intimidate, harass, coerce, or otherwise retaliate against individuals who report sexual discrimination, sexual harassment, or sexual assault, file a sexual misconduct complaint, assist someone in reporting sexual misconduct or filing a complaint; participate in any manner in an investigation of sexual misconduct, or protest any form of sexual misconduct.

V. Title IX Coordinator

It is the policy of Moberly Area Community College, in accord with providing a positive, discrimination-free educational and work environment, that sexual misconduct in the workplace or the education environment is unacceptable behavior that will not be tolerated. Any student, employee, or visitor who believes he or she has witnessed or been the victim of sexual misconduct should report the incident to the Title IX Coordinator as soon as possible following the incident. If the allegation is against the Title IX Coordinator, the report should then be made to the Director of Security and Residential Life.

MACC’s Title IX Coordinator is responsible for coordinating all activities related to Title IX compliance. These responsibilities include ensuring policy compliance with federal and state laws; attending appropriate training; providing education of Deputy Title IX Coordinators, Title IX investigators and decision makers; developing and implementing educational efforts designed to prevent sexual misconduct; ensuring timely resolution to all investigations and complaints; maintaining grievance files and records; developing an annual report of the number of and nature of filed complaints; and serving as principal contact for government inquiries pursuant to Title IX.

A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. A Sexual Misconduct Report Form is available on the MACC website, on MyMACC, and in hard copy in the Office of Student Affairs at each location. The Sexual Misconduct Report Form should be submitted to the Title IX Coordinator. An anonymous Sexual Misconduct Report Form can be submitted. Anonymous reports may limit the extent to which sexual misconduct can be investigated.

The Title IX Coordinator is appointed by the President of MACC. Each coordinator receives training in state and federal laws, as well as College policy as related to Title IX. The Title IX Coordinator can be reached via phone, e-mail, or in person:

Cheryl Lybarger, Title IX Coordinator
Director of Health Sciences
Moberly Area Community College
101 College Avenue
C18 Career Center

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10/16/2020
While a sexual misconduct complaint or concern can be brought forth from many sources, they are all brought to the Title IX Coordinator for review. The Coordinator ensures that MACC’s policy is followed and that investigation is conducted promptly and thoroughly.

VI. Reporting and Confidentiality

Any person may report sex discrimination, sexual misconduct, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by any other means that results in the Title IX Coordinator receiving the persons verbal or written report. The report may be made at any time (including during non-business hours) by phone, electronic mail address, or by mail to Cheryl Lybarger, Title IX Coordinator at 660-263-4100, ext. 11369 or cheryll@macc.edu.

Responsible Employees (Mandated Reporters)

All MACC employees are considered responsible employees (i.e., mandated reporters), and as such are expected to promptly contact the Title IX Coordinator when they become aware of an incident of sexual misconduct, regardless of whether the recipient is an employee, a student, a volunteer, or a visitor to the College.

When an individual tells a responsible employee about an incident of sexual misconduct, the individual has the
right to expect that the responsible employee will notify the Title IX Coordinator. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report. A responsible employee should not share information with law enforcement without the Complainant’s consent or unless the Complainant has also reported the incident to law enforcement.

Before an individual reveals any information about sexual misconduct to a responsible employee, the employee should ensure that the individual understands the employee’s reporting obligations, and, if the individual wants to maintain confidentiality, direct the individual to confidential resources. If the individual wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the individual that the College will consider the request but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the individual’s request for confidentiality.

The information reported to the Title IX Coordinator may also be used (without the victim’s name) to issue timely warnings, which are required by the Clery Act. If applicable, the incident must be reported in the Annual Security Report (anonymously, as a statistic), which is also mandated by the Clery Act.

**Privileged and Confidential Communications**
MACC encourages victims of sexual misconduct to talk about their experience so they get the support they need. Should an individual decide not to pursue the incident by criminal or institutional processes, an individual can and should contact a confidential source to seek guidance.

Professional licensed counselors and pastoral counselors as well as non-professional counselors and advocates who provide mental health counseling or services to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim’s permission. MACC does not offer on-site professional or pastoral counseling services; however, these confidential services are available off-site through the College’s Employee/Student Assistance Program or through community agencies, such as those identified in Section II of this policy.

**VII. Complaint Procedures**

Individuals who believe that they have encountered sexual misconduct by another employee or student of the College is encouraged to report the encounter to the Title IX Coordinator or Deputy Title IX Coordinator. The individual also has the option to make a criminal report to local authorities. Any allegation of sexual harassment made by a student against a faculty member or MACC employee meeting the requirements of a Title IX complaint, must progress through the formal Title IX grievance process, informal resolution may not occur.

**Criminal Complaint**
The option to pursue criminal charges in the complainant’s choice. Victims of sexual misconduct should not assume that the College is aware of such conduct. Reporting sexual misconduct to a College official does not substitute for notification of appropriate law enforcement authorities. The Title IX Coordinator can assist a Complainant in making a report to the police.

**Complaints in Conjunction with Other Policy Violations**
In cases where an individual alleging sexual misconduct may also be involved in a violation of another MACC policy, such as the drug/alcohol policy or student conduct policy, the College will review these policy violations separately from the sexual misconduct allegation. The College encourages individuals to report when they have encountered sexual misconduct, despite their own involvement in other policy violations. The College will either grant amnesty to the Complainant or respond to the other violation as an educational matter rather than as a
disciplinary matter. The College’s policy on the usage of alcohol and other drugs may be found in the Policy Handbook, item L.090 and M.100. The College’s policy on student conduct may be found in the Policy Handbook item M.096.

**Formal Complaint**

A formal complaint of sexual misconduct, sex discrimination, sexual harassment may be filed with the Title IX Coordinator in person, by mail or by electronic mail. A Sexual Misconduct Report Form is available, located in electronic format on the MACC website and MyMACC, and in hard copy in the Office of Student Affairs at each location. All Sexual Misconduct Report Forms will be forwarded to the Title IX Coordinator. Statistical information without identifying information will be forwarded to the Director of Security and Residential Life for Clery reporting. Clery reporting does not indicate names or other identifying information of the parties involved. Information related to an ongoing threat to the campus community may also be forwarded to the Director of Security and Residential Life for a Timely Warning or Emergency Notification. In instances of a Timely Warning or Emergency Notification, Complainant information is not shared publicly.

Upon receipt of formal written complaint, allegations meeting the requirements of sexual harassment as defined in 34 CFR 106.30(a) will be processed through the formal Title IX Grievance Process, which is outlined in section IX. The alleged conduct must meet one or more of the definitions of Title IX Prohibited Conduct (Please see section IV Prohibited Conduct). Title IX Prohibited Sexual Misconduct must have occurred within the United States and within an educational program or activity sponsored by MACC. This includes locations, events, or circumstances in which MACC exercises substantial control over both the Respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by MACC.

If the allegations in the formal complaint do not meet the definition of Title IX Prohibited Sexual Misconduct or did not occur in the school’s education program or activity against a person in the United States, MACC will dismiss such allegations for purposes of Title IX. Allegations of sexual harassment which are dismissed for the purposes of Title IX for not meeting the definitions of Title IX Prohibited Conduct will be assessed for a policy violation under the definitions of Sexual Misconduct Grievance Process. If a formal complaint of sexual harassment is dismissed under the Sexual Misconduct Grievance Process, it may be pursued under other MACC policies and procedures.

**VIII. Prevention and Education**

MACC fosters a culture or respect amongst the campus community with its vision and value statements and by its setting of standards and expectations that are reinforced by the College’s conduct, complaint, and sexual misconduct policies. Literature on date rape education and risk reduction, as well as MACC response, is available through the MACC Security Office. Educational resources are available online through the Student Assistance Program and Employee Assistance Program at [http://www.hhhealthassociates.com](http://www.hhhealthassociates.com). Additionally, the Director of Security and Residential Life conducts a climate survey on an annual basis in order to better understand sexual misconduct as perceived by MACC students and employees. Information gathered from this assessment tool is used to determine further training and/or prevention efforts needed.

All MACC employees are required to complete training on preventing sexual violence and discrimination within their first thirty days of employment. An online resource is used to provide and track employee training. MACC also provides training for employees by hosting speakers on topics such as sexual harassment prevention. Additionally, key personnel attend seminars and workshops on Title IX, the Clery Act, and more.

For students, MACC also utilizes online training that covers topics related to the Clery Act, VAWA, and Title IX, such as students’ rights and responsibilities; preventing sexual violence, dating violence, stalking, harassment and bullying; navigating partying, drugs and alcohol; and acting as allies for others in need. The online resource covers a full range of topics related to the Campus SaVE Act, including Sexual Violence; Bystander Intervention; “Men as Allies;” Concepts of Consent, No-Consent, and Continuous Consent; Gender Sensitivity; and Use of Drugs and

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Alcohol. Dorm residents, student athletes, and cheerleaders are required to complete training through the online program; however, the training is available to all MACC students. Additionally, MACC educates students about sexual assault and date rape prevention during fall orientations and through informational programs available upon request.

IX. Title IX Grievance Process

In compliance with the revised Title IX regulations (34 CFR Part 106), Moberly Area Community College has developed a grievance process to address formal complaints of sexual harassment, as a form of prohibited sexual discrimination.

In order for a formal complaint of sexual harassment to be reviewed and/or resolved through the Title IX Grievance Process, it must consist of prohibited conduct outlined in section IV.

The Title IX Grievance Process is available when a formal complaint falls within the College’s Title IX jurisdiction, which includes locations, events or circumstances over which the College exercises substantial control over the Respondent and the context in which the sexual harassment occurs; the conduct is having or had negative impacts on a Complainant’s ability to effectively access and continue in the College’s educational program, and which occurs in the United States.

The Title IX Coordinator has the authority to consolidate form complaints involving more than one Complainant, or against more than one Respondent, where the allegations of sex discrimination or sexual harassment arise out of the same facts or circumstances.

Under very limited circumstances, the Title IX Coordinator may exercise the authority to sign a formal complaint and trigger the grievance process on behalf of the College. In those cases, the Title IX Coordinator is not assuming the role of the complainant or any other party and must otherwise comply with regulatory duties as prescribed in the Regulation under 34 CFR Part 106.

Initial Assessment

Upon receipt of report of sexual harassment meeting the criteria for review under this grievance process, the Title IX Coordinator will promptly respond to the Complainant and provide advice for the following:

- Availability of supportive measures with or without filing a formal complaint;
- Availability of informal resolution options;
- The process for filing a formal complaint;
- The rights and responsibilities of a Complainant throughout the grievance process.

After a formal report has been received, the Title IX Coordinator is responsible for providing written notice to the Respondent regarding all pertinent details of the report. In order to treat both the Complainant and the Respondent equitably, the Title IX Coordinator will meet with the Respondent to provide advice for the following:

- Availability of supportive measures;
- Availability of informal resolution options;
- Assumption of non-responsibility throughout the grievance process;
- The rights and responsibilities of a Respondent throughout the grievance process.

Dismissal of Complaints

Mandated Dismissals

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in 34 CFR, Section 106.8 even if proved, did not occur in a Moberly Area Community College education program or activity or it did not occur against a person in the United States, the formal complaint will be dismissed with regard to
that conduct for purposes of sexual harassment under Title IX. Such dismissal does not preclude action under another provision of another policy. Dismissal of a formal complaint occurring due to the allegation not meeting the definition of sexual harassment, yet in violation of policy will be addressed as appropriate based upon applicable policy, which includes but is not limited to student conduct; employee discipline policy; employee handbook.

**Discretionary Dismissals**
MACC may dismiss a formal complaint or any allegation therein at the discretion of the Title IX Coordinator, if at any time during the investigation or hearing, a complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegation therein; or the Respondent is no longer enrolled or employed at MACC; or specific circumstances prevent MACC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon determining that a formal complaint will be dismissed, both parties will receive written notice of the dismissal and the reason(s) simultaneously.

**Emergency Removal**
In limited situations, the Respondent may be removed from MACC’s educational program or activity on an emergency basis because they pose an immediate threat to the campus community, or cannot otherwise safely participate in an education program or activity while the Title IX Grievance Process is being conducted. In cooperation with the College’s Behavioral Intervention Team, an individualized risk/threat assessment will be conducted to determine whether an immediate physical threat to the health or safety of the Respondent or the campus community arising from the formal sexual harassment complaint would justify removal from campus.

If emergency removal of the Respondent is deemed necessary as defined above, the Respondent will be provided with written notice of the decision and an opportunity to challenge the decision immediately following the removal.

**Administrative Leave**
A non-student employee Respondent may be placed on administrative leave during any part, or the full duration, of the Title IX Grievance Process in cooperation with Human Resources.

**Informal Resolution**
Moberly Area Community College does not require the parties to participate in an informal resolution process. However, at any time prior to reaching a determination regarding responsibility, MACC will support facilitating an informal resolution process that does not involve a full investigation and adjudication provided that both the Complainant and Respondent are equally and voluntarily agreeable to participating. Additionally, the Respondent must accept responsibility for the policy violation in order to participate in informal resolution.

The option of resolving a formal complaint through Informal Resolution will be offered to both parties by the Title IX Coordinator at the initial assessment meetings if it is determined appropriate by the College. Not all allegations of sexual harassment are appropriate to be resolved in an informal resolution. The Complainant, Respondent, and College must agree it is an appropriate resolution process. The decision to stop formal proceedings and engage in an Informal Resolution may be made at any time during the grievance process, with the voluntary written consent of both the Complainant and the Respondent and agreement by the College. Likewise, a Complainant or Respondent has the right to withdraw from an Informal Resolution process and resume the Title IX Grievance Process at any time with respect to the formal complaint. After initiating and stopping the informal resolution process one time by either party, the informal resolution process is no longer an option.

Participation in an Informal Resolution process in lieu of the full investigation and live hearing associated with the Title IX Grievance Process shall not be a condition of enrollment or continuing enrollment, employment or
continuing employment, or waiver of the right to an investigation and live hearing of the formal complaint.

An Informal Resolution process is not allowed in regards to allegations that an employee sexually harassed a student.

**Investigation of a Formal Complaint**

When an Informal Resolution is not a reasonable option for resolving a formal complaint, a prompt, fair and impartial investigation will occur. The Title IX Coordinator will assign one or more Title IX Investigators, who are free from conflicts of interest or bias for or against either the Complainant or Respondent. The investigators will meet with both the Complainant and Respondent, individually, to engage in the objective collection and evaluation of relevant evidence. Both Complainant and Respondents are entitled to identification of witnesses and submission of inculpatory (demonstrates to finding of responsibility) and exculpatory (demonstrates to finding that respondent did not engage in the allegation) evidence. The parties may also suggest questions to be asked of the other party (or parties) or witnesses. It is the investigator’s discretion which questions are asked.

Investigators will provide written notice of the date, time, location, and participants prior to investigative interviews or other meetings. The party will have no less than 10 business days to prepare to participate in the interview/meeting. The parties are permitted to have an advisor of their choice at any interview.

Investigators may contact the Title IX Coordinator during the investigative process with procedural questions which are not directly related to the evidence. At no time should the investigators confer with other Title IX Grievance Process personnel regarding details of the formal complaint until the end of the appellate process. However, there is no restriction on the ability of either the Complainant or Respondent to discuss the allegations under investigation or to gather and present relevant evidence.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for sexual harassment rest with the College and not on the parties.

**Review of Evidence and Comment Period**

Once the investigation has concluded and draft report is written, both the Complainant and Respondent will have access to the draft report and all evidence gathered during the investigation, including that which the investigators did not deem relevant. The Complainant and the Respondent will have the opportunity to provide meaningful written comment on the draft report and evidence during a period of no less than 10 business days. The investigative report is not to draw conclusions of violation of policy. The investigation report should indicate which evidence, according to investigators, is relevant and analyze the evidence for credibility.

**Review of the Investigative Report**

After the 10 business day review of the draft report, the investigators should take any written comment provided by the parties and make any appropriate amendments to the final investigative report. Changes to the report are at the investigator’s discretion. The written comment provided by the parties now becomes part of the evidentiary record. The final draft of the Investigator Report will be made available to both the Complainant and the Respondent for a period of no less than 10 business days before the live hearing and cross examination.

**Title IX Grievance Process Advisors**

Both Complainants and Respondents have equal rights to engage the assistance of a grievance process advisor of their choosing during any meeting or proceeding including the live hearing. If either party is not able to identify an advisor of their choice, a Title IX Grievance Process Advisor will be appointed by the Title IX Coordinator to assist them at no cost to the individual. The presence of such a grievance process advisor, either self-selected or College-appointed, is required on behalf of both the Complainant and the Respondent to conduct cross examination during the live hearing. At no time will a Complainant or Respondent be allowed to conduct cross examination of witnesses or the other party personally. Questioning by advisors during the live hearing will be
conducted from a seated position and in a professional tone.

Pre-Hearing Conference
The hearing officer will conduct a pre-hearing conference with the parties and their advisors prior to the hearing. The conference may be conducted with all parties present or individually with each party depending on the context of the allegations and the parties. The pre-hearing conference is designed to address relevance regarding lines of questioning or specific questions (which can be reviewed at the hearing as well), the hearing agenda, process and procedure questions, and other questions the parties may have. The pre-hearing conference is not recorded.

The Complainant and Respondent are required to submit questions to the Hearing Officer in order to determine relevancy and compliance with the rules or decorum. Any questions deemed not relevant by the Hearing Officer, and thereby excluded from the live hearing, will be communicated in writing to the party submitting the question(s).

Live Hearing and Cross Examination
A live hearing will be conducted by a Hearing Officer (decision maker) as designated by the College in order to reach a finding regarding the allegation of a policy violation for sexual harassment. The Complainant and Respondent will be permitted to submit inculpatory (demonstrates to finding of responsibility) and exculpatory (demonstrates to finding that Respondent did not engage in the allegation) evidence relevant to the allegation. The parties may also provide witnesses in addition to their own testimony. The hearing officer may ask questions of the parties and their witnesses. Each witness will answer direct-examination and cross-examination questions.

At the request of either party, MACC will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

The hearing will be conducted in the following order:
1. Welcome and explanations of expectations and procedures
2. Testimony of the investigator(s)
3. Testimony of the Complainant and Complainant’s witnesses
4. Testimony of the Respondent and Respondent’s witnesses
5. Testimony of the Hearing Officer witnesses
6. Conclusion of the hearing and expected timeline for notification of finding and possible sanction.

After each question asked (direct or cross-examination) the Hearing Officer will determine relevance. The witness will not answer questions from either parties’ advisor until relevance has been determined. The appropriateness of a question is often determined by relevance to the allegation, repetition, and whether the question may be abusive. The parties’ advisors may not ask questions of past sexual history (there may be exceptions regarding past sexual history of the parties, pattern, or evidence of the Complainant’s history which would indicate someone other than the Respondent committed the act).

If a witness does not submit to cross-examination, neither their statements in the investigation or evidence submitted regarding their statements (emails, text messages, etc.) can be considered in the decision-making process. If a witness only answers some of the cross-examination questions, only the information related to the answered cross-examination questions can be considered in the decision-making process. Additionally, the Hearing Officer cannot reach a determination of responsibility solely on a party’s or witness’s absence from the live hearing or refusal to submit to cross-examination.

At no time during the investigation or the live hearing with either Complainant or Respondent be subjected to questions that constitute, or seek disclosure of information protected under a legally recognized privilege (unless such privilege has been voluntarily waived). Likewise, neither Complainant nor Respondent will be subjected to questions about sexual predisposition, previous sexual behavior or other circumstances protected under federal

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and state rape shield laws.

The live hearing will be recorded and/or transcribed only by MACC. The parties, their advisors, and anyone else present may not record any part of the hearing in any manner.

**Final Determination and Remedies**

After a thorough examination of the evidence presented, reviewing the investigative report, and direct- and cross-examination by witnesses during the live hearing, the Hearing Officer will make a final determination of “responsible” or “not responsible” for violations of this policy and regulation using the preponderance of the evidence standard. The preponderance of the evidence standard indicates the evidence demonstrates it is more likely than not the Respondent engaged in conduct that meets the College’s definition of sexual harassment or did not engage in conduct that meets the College’s definition of sexual harassment. This same standard is used for formal complaints of sexual harassment against students as well as for formal complaints of sexual harassment against employees.

The Hearing Officer is responsible for drafting a Final Determination letter, outlining the rationale for his/her decision. The letter will be distributed simultaneously to both the Complainant and the Respondent by the Title IX Coordinator. The final determination letter will include:

- Identification of the allegations constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination;
- Findings of fact supporting the determination;
- Conclusions and rationale;
- Recommendations for disciplinary sanctions and possible remedies.

The Title IX Coordinator will work with the appropriate college personnel to implement disciplinary sanctions and to provide effective implementation of any remedies.

The determination regarding responsibility becomes final on the date which an appeal can no longer be considered, if no appeal is filed. If an appeal is filed, the final determination of responsibility becomes final on the date of the appeals officers written determination is provided simultaneously to both the Complainant and Respondent.

**Appeals of Final Determinations and Dismissals**

Both parties are provided the opportunity to appeal a determination regarding responsibility, as well as, a dismissal of a formal complaint. Appeals are to be submitted in writing within 10 business days from the date written notice was provided. Appeals of such decisions within the Title IX Grievance Process are allowed on the following basis:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision maker(s) had a conflict of interest or bias for or against the complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

When an appeal is filed, the Title IX Coordinator will notify the other party in writing that the appeal has been filed. Additionally, the College will ensure that the decision maker(s) for the appeal is not the same person as the decision maker(s) that reach the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

A written decision of the appeal, describing the result of the appeal and the rationale for the result will be given
simultaneously to both parties.

**Retaliation**
No person having made a report or formal complaint, participated in or refused participation in any part of the Title IX Grievance Process should be subjected to intimidation, threats, coercion, or discrimination for the purpose of interfering with any right or privilege secured by Title IX. Such conduct is strictly prohibited. Instances of retaliation within this policy will be adjudicated through this policy.

**Retention of Title IX Grievance Process Files**
MACC will maintain copies of the following documents/records relating to formal complaints of sexual harassment for no less than 7 years:

1. Each sexual harassment investigation reports and information gathered;
2. Final determination letters and disciplinary sanctions imposed on the Respondent;
3. Audio or audiovisual recordings or transcript of live hearings;
4. Remedies provided to the complainant in order to restore or preserve equal access to the College’s education program or activity;
5. Any appeal and the result therefrom;
6. Informal resolution agreements;
7. Supportive measures offered in respond to a report or formal complaint of sexual harassment;
8. Written basis for the conclusion that the College was not deliberately indifferent in its response to reports for formal complaints of sexual harassment; and
9. The College will retain all materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

For each response to sexual harassment allegations, the College will create and maintain for a period of 7 years, records of any actions, including any supportive measures taken in response to a report or formal complaint of sexual harassment. In each instance, the College will document the basis for its conclusion and its response was not deliberately indifferent, and document that it has taken measures, designed to restore or preserve equal access to the Colleges education program or activity.

If MACC does not provide a Complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

**Remedies and Sanctions**
Upon a determination of responsibility of the Respondent, MACC may implement a range of remedies and sanctions.

Remedies are designed to restore or preserve the Complainant’s equal access to the College’s educational program or activity and may include but not be limited to the following:

- Mutual restrictions on contact between the two parties
- Modification of a class schedule
- Modification of residence hall assignments
- Modification of work schedules
- Arranging extended time to complete or retake a class or withdraw from a class without penalty

Sanctions are non-supportive measures imposed upon the respondent:
If an employee of the College is found to have violated the College’s sexual misconduct policy, possible outcomes may include but not be limited to the following: verbal warning, written warning in the individual’s personnel file, probation, suspension, reassignment of duties or location, demotion, suspension of pay increase for one or more years, required counseling or programming, restricted contact with the Complainant, and/or termination.
If a student is found to have violated the College’s sexual misconduct policy, possible outcomes may include but not be limited to the following: restricted access to college property and/or events, removal from college-sponsored teams or clubs, required counseling or programming, changes to course/class schedule, removal from or change in campus housing, restricted contact with complainant, probation, suspension, and expulsion.

X. Sexual Misconduct Grievance Process

Formal Complaints
Reports of sexual harassment must first be considered under the Title IX Grievance Process. Any formal complaint of sexual harassment which is dismissed under the Title IX Grievance Process will then be reviewed under the Sexual Misconduct Grievance Process. As the Sexual Misconduct Grievance Process only handles formal complaints which have been dismissed under the Title IX Grievance Process and therefore 34 CFR Part 106.30, the definitions of sexual harassment under Sexual Misconduct Prohibited Conduct will be used and 34 CFR Part 106.45 does not apply.

Initial Assessment
Upon receipt of report of sexual harassment meeting the criteria for review under this grievance process, the Title IX Coordinator will promptly respond to the Complainant and provide advice for the following:

- Availability of supportive measures with or without filing a formal complaint;
- Availability of informal resolution options;
- The process for filing a formal complaint;
- The rights and responsibilities of a Complainant throughout the grievance process.

After a formal report has been received, the Title IX Coordinator will conduct an initial assessment to determine if the report has the potential for a policy violation. If the report with all facts accepted indicates the potential for a violation, then an investigation will be initiated and the Respondent will be notified. If the report does not indicate the potential for a violation with all facts accepted, then the Complainant will be notified and an investigation will not be initiated with a written explanation as to why.

If an investigation is initiated, the Title IX Coordinator is responsible for providing written notice to the Respondent regarding all pertinent details of the report. In order to treat both the Complainant and the Respondent equitably, the Title IX Coordinator will meet with the Respondent to provide advice for the following:

- Availability of supportive measures;
- Availability of informal resolution options;
- Assumption of non-responsibility throughout the grievance process;
- The rights and responsibilities of a Respondent throughout the grievance process.

Emergency Removal
In limited situations, the Respondent may be removed from MACC’s educational program or activity on an emergency basis because they pose an immediate threat to the campus community, or cannot otherwise safely participate in an education program or activity while the Sexual Misconduct Grievance Process is being conducted. In cooperation with the College’s Behavioral Intervention Team, an individualized risk/threat assessment will be conducted to determine whether an immediate physical threat to the health or safety of the Respondent or the campus community arising from the formal sexual harassment complaint would justify removal from campus.

If emergency removal of the Respondent is deemed necessary as defined above, the Respondent will be provided with written notice of the decision and an opportunity to challenge the decision immediately following the removal.

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Administrative Leave
A non-student employee Respondent may be placed on administrative leave during any part, or the full duration, of Title IX Grievance Process in cooperation with Human Resources.

Informal Resolution
Moberly Area Community College does not require the parties to participate in an informal resolution process. However, at any time prior to reaching a determination regarding responsibility, MACC may offer an informal resolution process that does not involve a full investigation both the Complainant and Respondent are equally and voluntarily agreeable to participating. Additionally, the Respondent must accept responsibility for the policy violation in order to participate in informal resolution.

The option of resolving a formal complaint through Informal Resolution will be offered to both parties by the Title IX Coordinator at the initial assessment meetings if it is determined appropriate by the College. Not all allegations of sexual harassment are appropriate to be resolved in an informal resolution. The Complainant, Respondent, and College must agree it is an appropriate resolution process. The decision to stop formal proceedings and engage in an Informal Resolution may be made at any time during the grievance process, with the voluntary written consent of both the Complainant and the Respondent and agreement by the College. Likewise, a Complainant or Respondent has the right to withdraw from an Informal Resolution process and resume the Sexual Misconduct Grievance Process at any time with respect to the formal complaint. After initiating and stopping the informal resolution process one time by either party, the informal resolution process is no longer an option.

Participation in an Informal Resolution process in lieu of the full investigation associated with the Sexual Misconduct Grievance Process shall not be a condition of enrollment or continuing enrollment, employment, or continuing employment, or waiver of the right to an investigation and live hearing of the formal complaint.

Investigation of a Formal Complaint
When an Informal Resolution is not a reasonable option for resolving a formal complaint, a prompt, fair, and impartial investigation will occur. The Title IX Coordinator will assign one or more investigators, who are free from known conflicts of interest or bias for or against either the Complainant or Respondent. The investigators will meet with both the Complainant and Respondent, individually, to engage in the objective collection and evaluation of relevant evidence. Both Complainant and Respondents are entitled to identification of witnesses and submission of inculpatory (demonstrates to finding of responsibility) and exculpatory (demonstrates to finding that Respondent did not engage in the allegation) evidence. The parties may also suggest questions to be asked of the other party (or parties) or witnesses. It is the investigator’s discretion which questions are asked.

Investigators will provide written notice of the date, time, location, and participants prior to investigative interviews or other meetings. The party will have no less than five (5) business days to prepare to participate in the interview/meeting. The parties are permitted to have an advisor of their choice at any interview.

Investigators may contact the Title IX Coordinator during the investigative process with procedural questions which are not directly related to the evidence. At no time should the investigators confer with other Title IX Grievance Process personnel regarding details of the formal complaint until the end of the appellate process. However, there is no restriction on the ability of either the Complainant or Respondent to discuss the allegations under investigation or to gather and present relevant evidence.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for sexual harassment rest with the College and not on the parties.

Review of Evidence and Comment Period
Once the investigation has concluded and the draft report is written, both the Complainant and the Respondent will have access to the draft report and all evidence gathered during the investigation, including that which the
investigators did not deem relevant. The Complainant and the Respondent will have the opportunity to provide meaningful written comment on the draft report and evidence during a period of no less than 10 business days. The investigative report will include a finding and a recommended sanction. The investigator will complete a final report after receiving the feedback from the parties or once the 10 days have concluded. The final investigative report will be shared with the parties no more than 10 days after the review period has concluded.

**Final Investigative Report**

After a thorough examination of the evidence, the investigator(s) will make a final determination of “responsible” or “not responsible” for violations of this policy using the preponderance of the evidence standard in the final investigative report. The preponderance of evidence standard indicates the evidence demonstrates it is more likely than not the Respondent engaged in conduct that meets the College’s definition of sexual harassment. This same standard is used for formal complaints of sexual harassment against students as well as for formal complaints of sexual harassment against employees.

The final investigative report will be shared with the parties simultaneously. The final investigative report will include:

- Identification of the allegations constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through determination;
- Findings of fact supporting the determination;
- Conclusions and rationale;
- Recommendations for disciplinary sanctions and possible remedies.

The Title IX Coordinator will work with appropriate College personnel to implement disciplinary sanctions and to provide effective implementation of any remedies.

The determination regarding responsibility becomes final on the date which an appeal can no longer be considered, if no appeal is filed. If an appeal is filed, the final determination of responsibility becomes final on the date the appeals officer’s written determination is provided simultaneously to both the Complainant and the Respondent.

**Appeals of Finding**

Both parties are provided the opportunity to appeal a finding of in violation or not in violation. Appeals are to be submitted in writing within 10 business days from the date written notice was provided. Appeals of such decisions within the Sexual Misconduct Grievance Process are allowed on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility that could affect the outcome of the matter; and
3. The Title IX Coordinator or investigator(s) had a conflict of interest or bias for or against the Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

When an appeal is filed, the Title IX Coordinator will notify the other party in writing that the appeal has been filed. Additionally, the College will ensure that the decision maker(s) for the appeal is not the same person as the investigator(s) or the Title IX Coordinator.

A written decision of the appeal, describing the result of the appeal and the rationale for the result will be provided simultaneously to both parties and within 10 business days of the appeal.

**Retaliation**

No person having made a report or formal complaint, participated in or refused participation in any part of the Sexual Misconduct Grievance Process should be subjected to intimidation, threats, coercion, or discrimination.
Such conduct is strictly prohibited. Instances of retaliation within this policy will be adjudicated through this policy.

**Retention of Sexual Misconduct Grievance Process Files**
MACC will maintain copies of the following documents/records relating to formal complaints of sexual harassment for no less than 7 years:
1. Each sexual harassment investigation reports and evidence gathered;
2. Final determination letters and disciplinary sanctions imposed on the Respondent;
3. Audio or audiovisual recordings or transcript of live hearings;
4. Remedies provided to the Complainant in order to restore or preserve equal access to the College’s education program or activity;
5. Any appeal and the result therefrom;
6. Informal resolution agreements;
7. Supportive measures offered in response to a report or formal complaint of sexual harassment;
8. Written basis for the conclusion that the College was not deliberately indifferent in its response to reports for formal complaints of sexual harassment; and
9. The College will retain all materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.
10. If MACC does not provide a Complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

**Remedies and Sanctions**
Upon a determination of responsibility of the Respondent, MACC may implement a range of remedies and sanctions.

Remedies are designed to restore or preserve the Complainant’s equal access to the College’s educational program or activity and may include but not be limited to the following:
- Mutual restrictions on contact between the parties
- Modification of a class schedule
- Modification of residence hall assignments
- Modification of work schedules
- Arranging extended time to complete or retake a class or withdraw from a class without penalty

Sanctions are non-supportive measures imposed upon the Respondent:
If an employee of the College is found to have violated the College’s sexual misconduct policy, possible outcomes may include but not limited to the following: verbal warning, written warning in the individual’s personnel file, probation, suspension, reassignment of duties or location, demotion, suspension of pay increase for one or more years, required counseling or programming, restrict contact with the Complainant, and/or termination.

If a student is found to have violated the College’s sexual misconduct policy, possible outcomes may include but not be limited to the following: restricted access to College property and/or events, removal from College-sponsored teams or clubs, required counseling or programming, changes to course/class schedule, removal from or change in campus housing, restrict contact with Complainant, probation, suspension, and expulsion.
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