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A.005 - RULES AND REGULATION CHANGES
The rules and regulations of Moberly Area Community College designated in this handbook may be suspended or amended at any regular meeting of the Board of Trustees by majority consent of the members present except as otherwise provided by law.
This policy handbook is intended to provide Board policy and information about Moberly Area Community College. Policies and procedures contained in this handbook pertain to all personnel unless otherwise designated by job description, classification, or other Moberly Area Community College employment responsibilities.

Employees and students should feel free to consult with department chairs, deans, and/or supervisors regarding matters about the policy handbook or other areas in relation to the College.

Brief History

Moberly Junior College was founded in 1927 as part of the Moberly Public School System. One of the first two-year colleges of this type, the College initially held classes in temporary quarters above a downtown store. Library and laboratory facilities were shared with the Moberly High School.

In the fall of 1931, the College moved into a new facility located at College and Rollins Streets, situated on 32 acres. Classes for high school juniors and seniors and junior college students continued in this building until 1968, the year when a new four-year high school building was completed. The availability of the "Junior College" building exclusively for college programs enabled an expansion of college programs and services to meet the needs of greater numbers of students. The Main Building, as it came to be known, houses much of the general education program as well as Area 27 Commons & Café', the Library and Academic Resource Center (LARC), Access and ADA Services, Instructional Technology, and other support services departments.

An election on April 6, 1982, officially separated the junior college and the public school district, thereby establishing a new college district. The Junior College District of the Moberly Area, Moberly, Missouri, was adopted. The boundaries of the junior college district remained the same as the Moberly Public School District. In the organization meeting of the new district, the official name of Moberly Area Junior College was adopted. On July 23, 1990, the Board of Trustees voted unanimously to change the name of Moberly Area Junior College to Moberly Area Community College to accurately reflect its mission and services.

In the spring of 1984 the addition of an Academic Fine Arts Wing to the Main Building was completed. This Academic Fine Arts Wing, which was in the original building plan, was finished through community donations approximating two million dollars. It houses the Kate Stamper
Wilhite Library, an Auditorium, as well as classrooms, conference rooms, and offices. A former classroom in this wing was remodeled as the Alumni Museum in 2007. In the spring of 2002, the renovation of the old gymnasium located in the north wing of the Main Building was completed. This wing now houses a Fine Arts Center and the Evelyn E. Jorgenson Fine Arts Gallery, named in recognition of Dr. Evelyn E. Jorgenson who served as president of the College from 1996 to 2013.

Two additions have been added to the original 6,300 square-foot vocational building which was built in 1972. A 12,300 square-foot wing was added in 1987 to house additional business classrooms and offices. In 1989, the Health Sciences Department, which includes the Associate Degree Nursing and Practical Nursing programs, was moved into a second 10,000 square-foot addition. This facility, known as the Career Center, houses classrooms and computer training labs, as well as Career and Placement Services and the Law Enforcement Training Center.

In 1986, a two-story brick house was purchased, located at 959 West Reed Street, Moberly, to be renovated as a men’s dormitory. This facility was used as a dormitory until 2007 when it was repurposed as a business incubator and the location of Workforce and Technical Education, originally housed at the Career Center. In May, 2009, the renovation was completed and the building was renamed as the Entrepreneurship and Business Development Center. It was renamed the Workforce Development Center in 2018.

In 1989, a 30-bed women’s dormitory was constructed. Approximately 128 additional parking spaces near the women’s dormitory were also provided. In 2007, a 10,000 square-foot facility was joined with the women’s dormitory to create a large adjoining commons and a new 24-bed men’s dormitory. In January, 2007, a grand opening was held for the newly constructed McCormick Commons and Residential Center. The facility was named for Dr. and Mrs. Harold McCormick, who dedicated much of their time to the Greyhound Basketball programs.

As the College grew and expanded, parking lots and additional facilities were needed. In 1991 a 150-vehicle parking lot was constructed. In 1993 another 135-vehicle parking lot was added. In the fall of 1993, College Hall was completed. In June 1996 College Hall was renamed Andrew Komar, Jr. Hall in recognition of the many years of dedicated service by Dr. Andrew Komar, Jr. who served as president of Moberly Area Community College from 1976 to 1996. This 29,500 square-foot building sits adjacent to the original Moberly Area Community College building. Andrew Komar, Jr. Hall houses biology, physics, and chemistry classrooms, business and accounting classrooms, lecture rooms, Student Affairs, as well as the Office of the President. In 2011, the Financial Aid Office was moved to the first floor of Komar Hall, across from the Student Affairs Office.

A new Bookstore was completed in the summer of 1996. This facility, located on the south end of the campus near the Women’s Dormitory, also housed the Central Processing Center; and provided an additional 4,000 square feet for storage. In August 2018, The Greyhound Bookstore moved into the Main Building to be closer to student traffic and Instructional Technology.
In June 1998, a multipurpose Activity Center building was completed. The 57,000 square-foot facility has two levels. The upper level houses conference and meeting rooms and a 3,100 square-foot lobby which includes ticket booths, concessions, offices, and casual seating. A one-eighth mile walking concourse is also located on this level. The lower level has a full-size basketball court/two volleyball courts, stage, coaches’ offices, locker rooms, exercise/fitness room, and other offices.

As a result of a cooperative effort of Moberly Area Community College, Linn State Technical College, University of Missouri Outreach and Extension, and the City of Mexico, the Advanced Technology Center in Mexico was completed in the spring of 1999. The 40,000-square-foot facility houses classrooms and instructional labs, administrative offices, a resource room, student commons, faculty offices and workroom. A 17,000 square-foot addition to the original building was added in 2006. It was named the Christopher S. Bond Annex. In 2017, State Technical College of Missouri moved out of the facility and the Advanced Technology Center was rebranded the MACC-Mexico Higher Education Center.

In the early 1990’s, MACC started offering dual credit courses at nine high schools in the service region. In spring of 2016, MACC became National Alliance of Concurrent Enrollment Partnerships (NACEP) accredited. The College offers dual credit coursework in almost 50 area schools.

MACC’s online program has experienced tremendous and almost continuous growth since the College began offering online courses in fall of 2000 in conjunction with the Tri-State Community College Training Consortium composed of MACC, John Wood Community College, and Southeastern Iowa Community College.

In the summer of 2001, a new 10,000 square-foot facility was completed in Edina, Missouri. This new facility was named Jim Sears Northeast Technical Center after the late First District State Representative Jim Sears. The Center houses classrooms, administrative offices, and leased spaces for community agencies. MACC sold the Jim Sears Northeast Technical Center in August, 2017.

Situated on twenty acres of land purchased by MACC, a 30,000 square-foot permanent facility, the MACC-Kirksville Higher Education Center, opened in spring 2002. Courses had previously been offered at the vocational school in Kirksville and in temporary modular classroom units.

During the summer of 2000, spaces were leased in Hannibal and Columbia, Missouri, for the purpose of offering classes in those communities. Since that time both sites have grown tremendously and moved on to locations that provide more appropriate facilities.

In the spring semester of 2006 the Columbia Higher Education Center was moved to a 16,000 square-foot facility located at 1805 East Walnut. After that time enrollment grew so much that additional space was leased from University of Missouri-Columbia and Stephens College. In fall 2010, the MACC-Columbia Higher Education Center moved to a 37,000 square-foot area in the
Parkade Center. To meet higher demand, a 16,500 square-foot addition to the facility was added in spring 2014. In spring 2016, an additional 2,455 square feet was added to provide space for the Occupational Therapy program. In 2020, an additional 13,278 square feet was renovated to relocate and expand the Mechatronics program and to create a Makerspace.

In a partnership with Columbia Public Schools, in fall 2018, MACC began offering a Practical Nursing program at the Columbia Area Career Center (4203 S. Providence Road) and a Surgical Technology program in fall 2020.

In 2009, the Hannibal site was moved to a leased space located at 141 Communications Drive, Hannibal, Missouri. This 16,000 square-foot facility was leased from AT&T as an interim location while a new permanent facility was being built. Thanks to the support of community members, the Affordable Community Education committee and visionary leadership at local and state levels, a permanent 18,000 square foot facility for MACC became a reality in 2014. The facility also serves as a storm shelter for the Hannibal community.
MISSION, VISION AND VALUES

C.005 - MISSION
(Revised November 24, 2008) (Revised February 23, 2015)

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

Institutional Purposes

In order to anticipate and respond to the changing educational needs of the various communities the college serves, MACC will pursue this mission by providing:

**Educational Programs and Services** including college transfer, academic, and career/technical programs, as well as developmental education, continuing education, and other services that prepare students to be successful in the global community. Key to MACC degree programs is a general education component that ensures breadth of knowledge and promotes intellectual inquiry.

**Support Services for Students** to facilitate the development of skills needed to achieve their educational, professional, and personal goals. These services include but are not limited to academic advisement, assessment, articulation, career planning and placement, library and learning resources, and financial aid.

**Open Admissions** to ensure access to learning opportunities for students regardless of their diverse cultural, socio-economic, or academic background.

**Commitment to Excellence** in instruction and service by recruiting and retaining professional faculty and support staff and by providing appropriate facilities, equipment and technology.

**A Collegiate Environment** that creates opportunities for student engagement by offering co-curricular activities that enable learning and encourage student success in a safe atmosphere.

**Community Partnerships and Cooperative Efforts** with other educational institutions, business and industry, labor, governmental entities, private agencies, civic groups and organizations for educational and cultural development in the College service region. MACC provides opportunities for community participation in social, cultural and intellectual activities.

**Support of Economic Development** by offering innovative degree programs, credit and non-credit courses, entrepreneurial and small business services, workforce development
activities, funding and partnership options, and the evaluation of opportunities to enhance the economic climate of our region.

C.010 - VISION AND VALUES

Vision Statement

MACC will be a dynamic institution noted for academic excellence, accessibility, innovation, and service to students and the community.

Institutional Values

We value learning.
We emphasize a supportive learning environment that fosters student success. Student learning and development are central to our mission. Quality instruction and innovative instructional approaches allow all students not only to prepare for careers but also to embrace learning as a lifelong process. We recognize that learning is a holistic process involving all members of the campus community. We participate in a culture of assessment to improve the effectiveness of teaching and learning.

We value people.
We respect our students, faculty, staff, alumni, and other supporters for their personal and professional worth and dignity. We honor academic freedom and encourage professional growth, individual development, and personal initiative. We protect individual privacy and safety.

We value our reputation for excellence.
We operate with and expect academic, personal, and professional integrity and are guided by high standards. Coalescing from leadership across all levels, this excellence focuses on honesty, respect, and dedication to the quality of our service to the students, our fellow employees, and the community. We solicit regular feedback to ensure that we are maintaining our reputation for excellence.

We value accessibility.
We provide affordable, convenient, and flexible educational opportunities for all learners. An open admissions philosophy is the foundation of accessibility.

We value diversity.
We encourage respect for individual differences in cultural, academic, and socioeconomic backgrounds. We strive to create global awareness by bringing global experiences to our students, faculty, staff, and community.

We value community outreach.
We are responsive to the needs of our constituents and are committed to the development and posterity of our service region. Seamlessly linked to institutions, businesses, and other
stakeholders, we work collaboratively with these entities to satisfy the educational and training needs of our service region and to improve the quality of life for the citizens we serve.

We value participatory decision-making. We emphasize a team approach as we work to achieve our educational mission. Communication and shared governance are central to building mutual trust and respect across all levels within the institution.

We value forward thinking. We are prepared to meet the future. Innovative thinking and state of the art technology allow us to embrace growth and change.

We value our heritage. As one of the oldest community colleges in the state, we respect the traditions and customs of our campus community.

We value stewardship. We embrace sound management policy and practice responsible and efficient use of federal, state, and local resources.
## D.005 - ORGANIZATIONAL STRUCTURE

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MOBERLY AREA COMMUNITY COLLEGE
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E.030 - ELECTIONS
(Revised March 31, 2008)

After organization, the voters of the junior college district will vote for trustees and on all other propositions provided by law for submission at school elections which are applicable to junior college districts. An election of two trustees is held every two years unless otherwise not required by law. The first election was held in April, 1982. Subsequent elections have been held for two trustees during even-numbered years. Regular elections in junior college districts will be held on municipal election days in the years in which trustees are to be elected or propositions must be voted upon.

If trustees are elected other than at large throughout the entire district, then only those voters within the subdistrict from which the trustee or trustees are to be elected will cast their ballots for the trustee or trustees from that subdistrict. All candidates for the office of trustee will file their declarations of candidacy with the Secretary of the Board of Trustees.

A majority of the then qualified members of the Board of Trustees will declare and certify the candidates receiving the greatest number of votes for terms of six years each and until their successors are elected and qualified and will declare and certify the results of the votes cast on any question presented at the election. If the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they has been elected.

Any vacancy occurring in the board shall be filled by appointment by the remaining members of the board, and the person appointed shall hold office until the next election held by the junior college district when a trustee shall be elected for the unexpired term.

Qualifications Candidates for the office of trustee will be citizens of the United States, at least 21 years of age, who have been voters of the district for at least one whole year preceding the election, and if trustees are elected other than at large, they will be voters of the subdistricts for at least one whole year next preceding the election.

Organization of the Board
The Board will organize in the following manner:

1. New members must take the oath of office presented by Article 7, Section 11 of the Constitution of Missouri.
2. The Board must elect the president, vice president, secretary and treasurer. The secretary and treasurer need not be members of the board.
3. There may also be an assistant Secretary and/or an assistant Treasurer, who may be, but need not be, members of the Board, and who will perform the duties of the
Secretary and/or the Treasurer in the event of such officers' inability or absence. A majority of the Board must be present to transact business.

4. The Board may choose to have a recording Secretary for the purpose of preparing minutes of Board meetings.

**Powers and Duties** The chief responsibility of the Board of Trustees is to formulate the policies under which the College will operate. Its powers are executive rather than administrative. The Board must perform those functions required by law and may perform other functions they deem advisable or necessary unless prohibited by law.

The Board of Trustees will:

1. Appoint a President of the College to administer the policies of the Board of Trustees;
2. Determine the broad general policies which will govern the College;
3. Consider and approve policies relating to the welfare of the College;
4. Assume exclusive responsibility, after administrative recommendations, for making decisions concerning appointment, retention, disciplinary action, and dismissal of all personnel;
5. Approve the annual budget and the payment of all expenditures;
6. Function as the legislative and policymaking body of the College;
7. Insure that policies adopted are consistent with the provisions of law;
8. Serve as a court of final appeal for students, employees, and citizens of the College District on matters of policy and policy interpretation;
9. Approve College programs;
10. Conduct necessary elections;
11. Establish such committees as deemed necessary and desirable;
12. Perform other functions as required by law.

The Trustees' authority is a group authority. They have powers only when they meet in a properly called meeting in which there is a quorum. Individually, they have no authority except advisory or suggestive.

**E.050 - LEGISLATIVE AUTHORITY (RSMO. SECTION 178.770)**

*(Revised March 31, 2008)* *(Revised August 31, 2009)*

Organization of community college districts—standards—corporate powers of districts.

178.770. 1. In any public school district, or in any two or more contiguous public school districts* in this state, whether in the same county or not, the voters resident therein may organize a community college district in the manner hereinafter provided. Prior to the organization of a district under sections 178.770 to 178.890, the coordinating board for higher education shall establish standards for the organization of the districts which shall include among other things:

(1) Whether a community college is needed in the proposed district;
(2) Whether the assessed valuation of taxable, tangible property in the proposed district is sufficient to support adequately the proposed community college; and

(3) Whether there were a sufficient number of graduates of high school in the proposed district during the preceding year to support a community college in the proposed district.

2. When a district is organized, it shall be a body corporate and a subdivision of the State of Missouri and shall be known as "The Community College District of ..............., Missouri" and, in that name, may sue and be sued, levy and collect taxes within the limitations of sections 178.770 to 178.890, issue bonds and possess the same corporate powers as common and seven-director school districts in this state, other than urban districts, except as herein otherwise provided.

*According to the Missouri Revised Statutes, Section 178.890, a school district not adjoining or contiguous with an established and existing community college district may become part of such an established and existing community college district.

E.060 - MEETINGS AND RECORDS
(Revised March 31, 2008)
Introduction It is the public policy of Moberly Area Community College that meetings, records, votes, actions, and deliberations of Moberly Area Community College Board will be open to the public unless otherwise provided by law and that all public records will be made available for inspection and copying by citizens of the District and other interested parties except as otherwise provided by law. Moberly Area Community College does, however, reserve the right to make a reasonable charge for expenses incurred in retrieving and reproducing records as authorized by law. Approved open and closed meetings of the Board of Trustees and other official procedures of the Board of Trustees such as public notice of meetings, minutes of meetings to be kept, and voting records shall abide by RSMo.1961 sections 610.020, 610.021, and 610.022, the Missouri Sunshine Law (http://ago.mo.gov/sunshinelaw), as amended hereafter.

Meetings are considered to be open unless otherwise designated by the Board of Trustees as authorized.

Other conditions relative to meetings are herein described.

1. Regular Meetings
The Board of Trustees will meet in regular session on the fourth Monday night in each calendar month at 7:00 p.m. Meetings will be held in College facilities unless otherwise designated by the Board.

2. Special Meetings
Special meetings may be held:
   a. On the call of the President or Vice President of the Board of Trustees; or
b. On the call of any two members of the Board of Trustees. Each member may be notified of special meetings by telephone and/or e-mail.

E.060.1 MEETINGS AND RECORDS - AVAILABILITY OF PUBLIC RECORDS
Approved minutes of the Board of Trustees and other official records of the College District such as budgets, audits, records of revenue and expenditures, bids and other contracts, and election information will be made available for inspection by citizens of the District and other interested parties subject to the limitations listed in Sections 610.023 and 610.024 of RSMo.1961 as amended hereafter.

E.060.2 - MEETINGS AND RECORDS - CUSTODIAN OF PUBLIC RECORDS
The Administrative Assistant to the President of Moberly Area Community College will be responsible for the maintenance of the Board's records.

E.060.3 - MEETINGS AND RECORDS - QUORUM
As provided by law, a quorum for the transaction of business will consist of a majority, i.e., four of the trustees. In order to let a contract, approve a bill, or employ personnel, four members must vote favorably.

E.060.4 - MEETINGS AND RECORDS - VOTING
The President of the Board will have a vote upon all questions. All members will vote upon all questions unless excused by the Board.

In case of an emergency, any one of the rules and regulations of the Board may be suspended by a majority vote of the members, except as otherwise required by law. Such suspension will be for the consideration of a specific question and when such questions will have been concluded, the regular rules will again be in force.

E.070.1 - OFFICERS OF BOARD OF TRUSTEES - DUTIES AND RESPONSIBILITIES - PRESIDENT
The President will:

1. Preside at meetings of the Board of Trustees;
2. Appoint persons to the committees of the Board;
3. Sign documents, contracts, and other instruments where the signature of the President of the Board is required or appropriate;
4. Order approval of the minutes of the Trustees' meetings where there are no corrections or additions;
5. Perform duties required by law or by the Board;
6. Authorize the Secretary or Vice President to call Board meetings;
7. Perform such other duties as are usually associated with the position of President of the Board.

E.070.2 - OFFICERS OF BOARD OF TRUSTEES - DUTIES AND RESPONSIBILITIES - VICE PRESIDENT
The Vice President will:
1. Preside at meetings of the trustees in the absence of the President, and in event of a vacancy, will succeed to the position of President for the unexpired portion of the term of that office;
2. Perform such other duties as are usually associated with the position of Vice President of the Board.

E.070.3 - OFFICERS OF BOARD OF TRUSTEES - DUTIES AND RESPONSIBILITIES - SECRETARY
The Secretary will:

1. Be the official custodian of the proceedings and records of the Trustees;
2. Sign documents, contracts, and other instruments where the signature of the Secretary is required or appropriate;
3. Supervise the keeping of the financial records;
4. Supervise the safekeeping of all contracts, deeds, and other valuable papers of the District;
5. Call meetings of the Board when ordered by the President or Vice President;
6. Perform such other duties as required by law or by the Board or as are usually associated with the position of Secretary of the Board.

E.070.4 - OFFICERS OF BOARD OF TRUSTEES - DUTIES AND RESPONSIBILITIES - TREASURER
(Revised January 23, 2017)
The Treasurer will:

1. Be responsible for all documents pertinent to the financial affairs of the College, receive monies due the College, deposit funds in appropriate accounts, and authorize disbursements;
2. Present or designate staff to present the Treasurer's report of cash receipts and disbursements for the preceding month at the Board meeting of each month;
3. Sign checks as approved by the Board;
4. Be responsible for coordinating and supervising the audits of the District;
5. Be bonded according to law and fully responsible to maintain continuous bond coverage during employment. The bond will be paid from the funds of the District.

E.070.5 - OFFICERS OF BOARD OF TRUSTEES - DUTIES AND RESPONSIBILITIES - COMMITTEES
The following rules will apply to all committees:

1. Committees will be temporary and not standing;
2. Committee members will be appointed by the President of the Board as seen advisable;
3. All committees will be fact-finding and advisory only and not executive;
4. The President of the Board will be an ex officio member of all committees.

E.080 - TRAVEL SAFETY
(Approved November 23, 2009)
The President shall travel with no more than two members of the Board of Trustees in the same aircraft, railcar, automobile or other modes of transportation. Also no more than two Board members may travel together due to safety concerns and the need to preserve a quorum.

In addition, no more than three members of the President’s Council shall travel together in the same aircraft, rail car, personal vehicle or other modes of transportation.
F.010 - PRESIDENT OF THE COLLEGE
The chief administrative officer will be selected by the Board of Trustees and will bear the title of President. The contract of the President will not exceed three years, and the annual salary will be fixed on or before the regular meeting in February.

The President will:

1. Assume the duties and responsibilities, as chief executive officer, for management and administration of the affairs of the College;
2. Make all policy recommendations to the Board of Trustees on matters affecting the College and its personnel;
3. Make all recommendations relating to personnel changes;
4. Submit an annual budget and administer the budget as approved by the Board of Trustees;
5. Execute and administer college policies along guidelines established by the Board of Trustees;
6. Recommend site utilization options and strategies for the College to the Board of Trustees;
7. Direct the development of the College campus building programs;
8. Be responsible for the formation of all reports required by the Board of Trustees and local, state, regional, or national agencies;
9. Be active in the development of higher education at the local, state, regional, and national levels;
10. Be active in local, state, regional, and national organizations;
11. Represent the College at local, state, regional, and national meetings;
12. Preside over all College personnel activities unless otherwise delegated by the President;
13. Appoint, with assistance of administrative personnel, all faculty committees and serve as an ex-officio member of all committees;
14. Recommend all College personnel appointments, along with salaries to be paid and other terms of employment, including any employee discharges from employment;
15. Supervise the public relations activities of the College;
16. Assume and perform any other duties and responsibilities that may be associated with the Office of the President including any as required by law or actions of the Board of Trustees.

F.014 - VICE PRESIDENT FOR INSTRUCTION
(Approved June 20, 2005) (Revised March 31, 2008) (Revised April 23, 2018)
The Vice President for Instruction will be appointed by the Board of Trustees upon the recommendation of the President. The salary and term of office will be fixed by the Board of Trustees upon the recommendation of the President. This position reports to the President.
The Vice President will assume overall responsibility for the supervision and evaluation of all academic and workforce and technical programs, and personnel, student affairs and student affairs personnel, and other areas as designated by the President.

In assuming these responsibilities, the Vice President for Instruction will:

1. Oversee the operations of Academic Affairs, Workforce Development and Technical Education, Health Sciences, Student Affairs, Off-Site Locations, Instructional Technology, and Library and Academic Resource Center;
2. Work with the President in all matters related to instruction and the quality of faculty and curriculum, off-site operations, and student affairs;
3. Work with Dean of Academic Affairs, Dean of Workforce Development and Technical Education, Dean of Health Sciences, and Site Directors in preparing class schedules and utilizing instructional resources;
4. Work with the Dean of Student Affairs and Enrollment Management regarding student advisory program and other student support services;
5. Assist with accreditation activities, including serving as the institutional Accreditation Liaison Officer for the Higher Learning Commission;
6. Review and submit to the President an annual budget for all assigned areas of supervision;
7. Recommend to the President the employment of all certified personnel in assigned areas of supervision;
8. Work with deans to establish and maintain an evaluation system for all academic and workforce and technical programs;
9. Conduct research relating to instructional services and facilities in coordination with the deans and site directors;
10. Assume responsibility in cooperation with the instructional deans for determining overload pay and the issuing of contracts;
11. Work with the instructional deans in the acquisition and use of data on community educational and workforce development needs;
12. Work to further establish the College as the cultural and educational center of the community;
13. Approve requisitions for instructional supplies and equipment to be used in assigned areas of supervision;
14. Approve leave requests for personnel in assigned areas of supervision;
15. Ensure compliance with mandates of regulatory agencies pertinent to areas of supervision;
16. Provide leadership for state-level initiatives and activities through MCCA and MDHE, as related to areas of supervision;
17. Develop and provide support for College retention and completion initiatives;
18. Assist with strategic planning and ensure progress is made toward institutional goals;
19. Monitor and revise College policies and procedures for continuous improvement;
20. Serve on President’s Council;
21. Serve as Chair of the Curriculum Committee;
22. Assume responsibility for maintaining active professional membership in local, state, and national organizations;
23. Perform other duties as assigned by the President.

F.017 - VICE PRESIDENT FOR FINANCE
(Approved June 20, 2005)
The Vice President for Finance shall be appointed by the Board of Trustees upon the recommendation of the President. The salary and terms of employment shall be fixed by the Board of Trustees upon the recommendation of the President. This position reports to the President or as designated by the President.

The Vice President for Finance shall:

1. Serve as Treasurer of the Board of Trustees;
2. Sign checks as approved by the Board;
3. Assume primary responsibility for the College’s financial accounting and reporting function;
4. Be responsible to the President of the College for all reports and documents pertinent to the financial affairs of the College;
5. Conduct research relating to financial analysis and special needs;
6. Supervise the functions and activities of the Activity Center, Business and Accounting Services, Financial Aid, and Human Resources/Payroll;
7. Assist the President in submitting an annual budget and administering the budget as approved by the Board of Trustees;
8. Assume primary responsibility for the preparation of monthly and annual financial statements of cash receipts and disbursements for the President of the College and the various state and federal reports;
9. Prepare a comprehensive annual report for publication covering the fiscal year’s financial activities;
10. Assume primary responsibility for financial compliance with regulations and policies of applicable Federal and State entities and College Policy;
11. Coordinate and supervise the audits of the district;
12. Be bonded according to law and be fully responsible to maintain personnel bond coverage;
13. Assume primary responsibility for compliance with College bid policy;
14. Assume primary responsibility for all College insurance coverage;
15. Serve on the President’s Council;
16. Perform other duties as assigned by the President.

F.020 - DEAN OF ACADEMIC AFFAIRS
(Revised October 1, 2001) (Revised May 23, 2005) (Revised March 31, 2008)(Revised June 22, 2020)
The Dean of Academic Affairs will be appointed by the Board of Trustees upon recommendation of the President. The salary and term of office will be fixed by the Board of
Trustees upon the recommendation of the President. This position reports to the Vice President for Instruction or as designated by the President.

The Dean of Academic Affairs will assume primary responsibility for the supervision and evaluation of all academic programs, personnel, and other areas designated by the President.

In assuming these primary responsibilities, the Dean of Academic Affairs will:

1. Recommend to the Vice President for Instruction academic course schedules, faculty, and room assignments;
2. Work with the Dean of Workforce Development and Technical Education and the Dean of Student Affairs and Enrollment Management in preparing class schedules and utilizing instructional resources;
3. Conduct research relating to instructional services and facilities in coordination with the Dean of Workforce Development and Technical Education;
4. Prepare an annual budget for the academic areas;
5. Serve on the Curriculum Committee;
6. Serve as Co-Chair of the Division Chair meetings;
7. Develop and promote Global Education;
8. Serve as ex-officio member of Assessment Advisory Committee;
9. Collect, interpret, and present data for the continuous evaluation and revision of academic programs;
10. Recommend to the Vice President for Instruction the employment of all certified personnel relating to academic areas;
11. Assist the Vice President for Instruction in determining overload pay and issuing contracts;
12. Work with the Dean of Workforce Development and Technical Education and the Dean of Student Affairs and Enrollment Management in the accumulation and organization of data on community educational needs;
13. Recommend to the Vice President for Instruction the selection of textbooks and other educational materials to be used in academic classes;
14. Review, and approve as appropriate, requisitions for instructional supplies and equipment to be used in academic programs;
15. Assume responsibility for the evening academic program;
16. Work with the Dean of Student Affairs and Enrollment Management regarding the student advisory program;
17. Recommend to the Vice President for Instruction all academic professional leave requests;
18. Serve on the President's Council;
19. Maintain and supervise updating of course syllabi for academic course offerings;
20. Assist the President in accreditation activities of the Higher Learning Commission;
21. Assume responsibility for maintaining active professional membership in local, state, and national organizations;
22. Work to establish instructional sites within the service area outside of the community college district;
23. Work to further establish the College as the cultural and educational center of the community;
24. Oversee quality of instruction and course content of all academic out-of-district courses and programs;
25. Oversee quality of instruction and course content of distance learning academic courses and programs;
26. Assume responsibility for establishing and maintaining an evaluation system for all academic programs, including oversight of the assessment process, data collection and analysis for continuous evaluation and revision of academic programs, use of assessment results to improve student learning, and allocation of budgeted resources to support and sustain the assessment program;
27. Perform other duties as assigned by the President or person designated by the President.

F.030 - DEAN OF STUDENT AFFAIRS AND ENROLLMENT MANAGEMENT
(Revised September 25, 2000) (Revised October 1, 2001) (Revised March 31, 2008) (Revised June 22, 2020)
The Dean of Student Affairs and Enrollment Management will be appointed by the Board of Trustees upon the recommendation of the President. The salary and term of office will be fixed by the Trustees upon the recommendation of the President. This position is directly responsible to the President or as designated by the President.

The Dean of Student Affairs and Enrollment Management will assume primary responsibility for supervision and evaluation of institutional Student Affairs, personnel, and other areas so designated by the President.
In assuming these primary responsibilities, the Dean of Student Affairs and Enrollment Management will:

1. Coordinate with the Director of Marketing and Public Relations for the planning and implementation of a student marketing plan;
2. Work cooperatively with the Dean of Academic Affairs and Dean of Workforce Development and Technical Education in maintaining articulation arrangements with colleges and universities;
3. Work closely with MACC administration in curriculum evaluation, collection of test data and research studies concerning student achievement and student demographics;
4. Work cooperatively with all departments in the administration of student scholarships;
5. Serve on the President's Council;
6. Serve as a member of the Curriculum Committee;
7. Coordinate policies and procedures in cooperation with the administration concerning the registration of students;
8. Prepare an annual budget request for Student Affairs;
9. Work cooperatively with the Dean of Academic Affairs and Dean of Workforce Development and Technical Education in coordinating the issuance and review of all applications for graduation;
10. Recommend procedures regarding the admission policies of international students;
11. Work cooperatively with the Dean of Academic Affairs and Dean of Workforce Development and Technical Education in the administration of institutional assessment;
12. Lead in departmental self-study process and implement effective feedback loops in the institutional effectiveness process;
13. Allocate budgeted resources to support and sustain the assessment program;
14. Assist in the development and enforcement of discipline and codes of conduct for the student body;
15. Be responsible for the operation and supervision of student housing;
16. Coordinate the activities of the Student Government Association;
17. Work with the Dean of Academic Affairs and Dean of Workforce Development and Technical Education in organization and administration of the evening program;
18. Assume responsibility for maintaining active professional membership in local, state, and national organizations;
19. Approve requisitions for Student Affairs and student activities;
20. Provide for the development, maintenance, and updating of a Student Affairs Operations Manual;
21. Assume responsibility for college security;
22. Assist the President in accreditation activities of the Higher Learning Commission;
23. Perform other duties as assigned by the President or person designated by the President.

F.040 - DEAN OF WORKFORCE DEVELOPMENT AND TECHNICAL EDUCATION
(Revised October 1, 2001) (Revised May 23, 2005) (Revised March 31, 2008)(Revised June 22, 2020)
The Dean of Workforce Development and Technical Education will be appointed by the Board of Trustees upon recommendation of the President. The salary and term of office will be fixed by the Board of Trustees upon recommendation of the President. This position reports to the Vice President for Instruction or as designated by the President.

The Dean of Workforce Development and Technical Education will assume primary responsibility for the supervision and evaluation of all Workforce Development and Technical Education programs and personnel and other areas as designated by the President.

In assuming these primary responsibilities, the Dean of Workforce Development and Technical Education will:

1. Recommend to the Vice President for Instruction Workforce Development and Technical Education course schedules, faculty, room assignments, and utilization of instructional resources;
2. Conduct research relating to instructional services and facilities in coordination with the Dean of Academic Affairs;
3. Prepare an annual budget request for the Workforce Development and Technical Education areas;
4. Serve on the Curriculum Committee;
5. Serve as Co-Chair of the Division Chair meetings;
6. Pursue approval and accreditation of workforce and technical programs as necessary and appropriate;
7. Serve as ex-officio member of Assessment Advisory Committee;
8. Collect, interpret, and present data for the continuous evaluation and revision of Workforce Development and Technical Education programs;
9. Recommend to the Vice President for Instruction the employment of certified personnel relating to Workforce Development and Technical Education areas;
10. Work with the Workforce Development and Technical Education staff in the accumulation and organization of data on community educational needs;
11. Assist the Vice President for Instruction in determining overload pay and issuing contracts;
12. Recommend to the Vice President for Instruction selection of textbooks and other educational materials to be used in Workforce Development and Technical Education classes;
13. Review, and approve as appropriate, requisitions for instructional supplies and equipment to be used in Workforce Development and Technical Education programs;
14. Assist in the supervision of the evening and other adult/Workforce Development and Technical Education classes, workshops, and programs;
15. Work with the Dean of Student Affairs and Enrollment Management regarding the student advisory program;
16. Recommend to the Vice President for Instruction professional leave requests pertaining to the Workforce Development and Technical Education area;
17. Serve on the President's Council;
18. Maintain and supervise updating of course syllabi for Workforce Development and Technical Education course offerings;
19. Assume responsibility for maintaining active professional membership in local, state, and national organizations;
20. Supervise the New Traditions Program, Career and Placement Services, Adult Education and Literacy, Business and Industry Program, and Continuing Education;
21. Supervise preparation and submission of all vocationally-funded report requirements for state and federal funds;
22. Work to establish instructional sites within the service area outside of the community college district;
23. Assume responsibility for all Workforce Development and Technical Education out-of-district courses and programs;
24. Assume responsibility for establishing and maintaining an evaluation system for all Workforce Development and Technical Education programs, including oversight of the assessment process, data collection and analysis for continuous evaluation and
revision of Workforce Development and Technical Education programs, use of assessment results to improve student learning, and allocation of budgeted resources to support and sustain the assessment program;

25. Assume responsibility for the evening Workforce Development and Technical Education programs;

26. Assist the President in accreditation activities of the Higher Learning Commission;

27. Perform other duties assigned by the President or person designated by the President.

**F.045 - DEAN OF HEALTH SCIENCES**  
*(Approved April 23, 2018)*

The Dean of Health Sciences shall be appointed by the Board of Trustees upon the recommendation of the President. The salary and terms of employment shall be fixed by the Board of Trustees upon the recommendation of the President. This position reports to the Vice President for Instruction or as designated by the President.

The Dean of Health Sciences will assume primary responsibility for the supervision and evaluation of all Health Sciences programs and personnel and other areas as designated by the President.

In assuming these primary responsibilities, the Dean of Health Sciences will:

1. Plan, implement, and evaluate the schedule for all Health Sciences classes and clinical laboratory periods;
   a. Coordinate scheduling with Health Sciences faculty;
   b. Plan for rotation of students from health programs through the various agencies;
   c. Initiate and maintain written agreements between the College and selected agencies;

2. Implement, assess, evaluate, and revise the Health Sciences curricula as indicated by faculty committee action, based on trends in Health Sciences education, community need, and recommendations by accrediting bodies and other regulating agencies;
   a. Maintain current outlines for courses offered by the Health Sciences division;
   b. Maintain standards as required by the Missouri State Board of Nursing, NAACLS, and other accrediting agencies;
   c. Assist the Health Sciences faculty as indicated in the implementation of the curriculum;

3. Assist in the instruction and advising of students as needed;

4. Provide leadership in securing and maintaining accreditation for all Health Sciences programs;

5. Serve on the Curriculum Committee;

6. Serves as co-chair of the Division Chair meetings;

7. Serve as ex-officio member of the Assessment Advisory Committee;

8. Serve on President’s Council;

9. Recommend to the Vice President for Instruction the employment of certified personnel in the Health Sciences Division;
10. Assist the Vice President for Instruction in determining overload pay and issuing contracts;
11. Prepare and/or assist in the preparation of reports for local, state, regional, and federal agencies as required;
12. Promote Health Sciences programs to the community, college, and participating agencies;
13. Attend regional and state meetings as needed;
14. Provide oversight of student admission processes for all Health Sciences programs;
15. Promote professional development and scholarly activity among Health Sciences faculty;
16. Promote, support, and integrate up-to-date technology and best practices into the teaching/learning process;
17. Attend all college faculty meetings and staff development sessions as required;
18. Collaborate with various program advisory committees and maintain positive relationships within the community and professional field;
19. Investigate opportunities for new or expanded programs within the Health Sciences field and assist in the development of these programs as approved by the Vice President for Instruction;
20. Provide assistance with and guidance in grant writing and securing outside funding for all Health Sciences programs;
21. Review and approve as appropriate requisitions for instructional supplies and equipment for Health Sciences programs;
22. Make departmental budget recommendations to the Vice President for Instruction;
23. Assist in the coordination of programs offered through the Missouri Health Professions Consortium;
24. Assist the President in accreditation activities of the Higher Learning Commission;
25. Perform other duties as assigned by the Vice President for Instruction or the President of the College.

F.050 EMPLOYEE CLASSIFICATIONS
The employee’s primary job responsibility determines the employee’s classification: Administrative Officer, Certified Instructional Staff, Certified Support Staff, or Classified Support Staff. The classification is a major determinant of 1) the type of retirement plan for which the employee is eligible: The Public School Retirement System of Missouri (PSRS) or the Public Education Employee Retirement System of Missouri (PEERS) and 2) the type of College meeting the employee is expected to attend: Faculty Meeting or Classified Staff Meeting.

All full-time employees who hold a valid Missouri teaching certificate, regardless of their classification, will participate in the PSRS. Part-time employees holding a valid Missouri teaching certificate will participate in the PSRS and Social Security. The definitions below are general; exceptions may occur in each classification. To be eligible for the retirement program, employees must work on a regular basis a minimum of 17 hours per week for PSRS or 20 hours per week for PEERS and be employed to serve at least 600 hours for the school year.
Administrative Officers include the President of the College, the Vice President for Instruction, the Vice President for Finance, the Dean of Academic Affairs, the Dean of Workforce Development and Technical Education, the Dean of Health Sciences, and the Dean of Student Affairs and Enrollment Management. These positions are eligible to participate in the Public School Retirement System of Missouri. The President attends faculty and classified staff meetings. The Vice President for Instruction, the Dean of Academic Affairs, and the Dean of Workforce Development and Technical Education attend faculty meetings. The Dean of Student Affairs and Enrollment Management and the Vice President for Finance attends classified staff meetings.

Certified Instructional Staff refers to any employee whose primary responsibility is to provide instructional services for the College. Although these positions may have some support staff assignments, their primary responsibility is an instructional role. Certified Instructional Staff are eligible to participate in the Public School Retirement System of Missouri and attend regularly scheduled College faculty meetings.

Certified Support Staff refers to any employee in a supervisory or educational administrative position which is certified by the executive officer of the institution for such full-time duties. Although these positions may have some instructional assignments, their primary responsibility is in a non-instructional role. Examples are directors, coordinators, supervisors and department heads. Certified Support Staff participate in the Public School Retirement System of Missouri and attend regularly scheduled classified staff meetings.

Classified Support Staff refers to all positions that cannot be categorized as certified positions of the Public School Retirement System of Missouri. Examples are secretarial, clerical and maintenance/custodial positions. These positions provide support services for the teaching and learning mission of the College. Classified Support Staff are eligible to participate in the Public Education Employee Retirement System of Missouri and attend all regularly scheduled classified staff meetings.

Also see Policy No. G.070, Retirement Program.
EMPLOYEE BENEFITS

“Full-time employment,” for the purposes of employee benefits, is defined as a full-time teaching load or a minimum of a 37 ½-hour work week for at least 9 ¼ months per year.

G.010 - ADMISSION TO COLLEGE ACTIVITIES
(Revised February 20, 2001)
Full-time employees are entitled to free admission to College events such as MACC Music Department concerts, MACC Drama Department plays, and all regular-season home games of the Greyhounds and Lady Greyhounds basketball teams. Through a partnership between MACC and the Moberly Area Council on the Arts, employees also enjoy free admission to visual arts exhibits, films, and a performing arts series presented annually.

G.020 - BOOKSTORE DISCOUNT
All employees of MACC are entitled to a twenty percent discount on regularly priced items of memorabilia sold in the campus bookstore. Memorabilia is defined as any article of clothing or general merchandise bearing the College logo, the words “Moberly Area Community College” or the letters “MACC.” This discount does not apply to sale items.

G.030 - EDUCATIONAL BENEFIT FOR EMPLOYEES, SPOUSES/DOMESTIC PARTNERS, DEPENDENTS, AND RETIREES
Full-time employees and their spouses/domestic partners may attend MACC developmental and college classes with a waiver of incidental fees and tuition, technology fee, and student activity/support services fee. Attendance is subject to approval of the employee’s supervisor/dean. The cost of books, supplies, and laboratory fees is the responsibility of the individual.

In addition, full-time employees are eligible to apply for participation in one non-credit course/workshop per semester. If approved by the employee’s supervisor/dean, all fees and tuition will be waived. Books, workbooks, manuals, software, luncheon and/or dinner costs must be borne by the employee.

If a supervisor/dean requests that an employee take either a non-credit course or a regularly-scheduled course in relation to the individual’s employment responsibilities, instructional materials and supplies will be provided by the College. These materials and supplies are to be returned to the respective departments at the end of the course.

Part-time employees, as approved by their respective supervisor/dean, are eligible for a fee and tuition waiver on an individual basis for courses or workshops that relate to Moberly Area Community College employment. Instructional materials will be provided by the College and returned to respective departments at the end of the course.
Dependents of full-time employees of MACC may attend MACC developmental and college-credit courses (including dual credit and dual enrollment) with a waiver of incidental fees and tuition, technology fee, and student activity/support services fee. The cost of books, supplies, and laboratory fees is the responsibility of the individual. Dependents are those members of the employee’s family meeting the IRS definition of a dependent. Dependents who are eligible and meeting criteria for the Missouri A+ scholarship may receive an MACC voucher for college textbooks, course fees and lab fees in the fall and spring semesters for up to $500 and an MACC voucher for college textbooks, course fees and lab fees in the summer semester for up to $250.

Specialized credit-bearing programs such as LETC, MLT, and OTA will be covered at the highest tuition rate for out-of-district courses for employees, dependents, and spouses/domestic partners.

Should the dependent’s parent cease to be employed at MACC, whether through resignation or termination during the course of a semester in which the dependent is enrolled at MACC, in accordance with this policy, the dependent will be allowed to complete the semester but will not be allowed to use the dependent tuition/fee waiver for future enrollment.

Retirees of Moberly Area Community College may also attend MACC courses with a waiver of incidental fees and tuition, technology fee, and student activity/support services fee. Courses may be audited or completed for credit.

G.040 - INSURANCE
(Revised May 21, 2018) (Revised June 22, 2020)
Group health and life insurance benefits for full-time employees are considered by the Board of Trustees on an annual basis. This coverage becomes effective at the beginning of the first month following the employee's starting date. Voluntary group life, short-term and long-term disability, dental, vision, accident, and hospital indemnity benefits funded by employee premiums are also available. Current coverages, premiums, and other information about insurance benefits are available in the Human Resources Office.

G.040.1 - INSURANCE - HEALTH INSURANCE - EMPLOYEE TERMINATION
(Revised June 22, 2020)
Insurance coverage for employees and their dependents who were covered under the College's group health insurance policy will be discontinued in the event of termination of employment. The effective dates for ending insurance coverage are presented below:

1. Resignation of a contracted staff at the end of a contract: insurance ends on the final day of the contract for which service was rendered, regardless of when the notice of resignation was given to the College. This includes resignation by a formerly contracted staff who was given a letter of non-employment due to funding, enrollment, etc. A letter of resignation submitted during the summer would cause a retroactive adjustment in coverage to the final day of the contract.
2. Termination of a contracted staff at the end of a contract due to funding, enrollment, or any other reason: insurance ends on the final day of the contract for which service was rendered.

3. Resignation or termination of a contracted staff during a contract period: insurance ends on the last day of the month in which services are rendered by the employee, including approved vacation days.

4. Resignation or termination of a non-contracted staff: insurance ends on the last day of the month in which services are rendered by the employee, including approved vacation days.

5. Retired employees and their dependents who were covered under the College's group health insurance policy will have the option of continuing coverage at the group rate paid by the College. College-paid insurance will continue for retired employees until the last day of the month of the final payment date of the last completed contract, at which time this option of continuing coverage, at the employee's expense, must be declared by the retiring employee.

Federal and state laws require that former employees have an opportunity to continue coverage for a specified period of time under the College's group health policy and at group rates adjusted by two percent.

**G.050.1 - LEAVES OF ABSENCE - BEREAVEMENT**
See *Leaves of Absence Sick Leave, Policy No. G.050.7*.

**G.050.15 - LEAVES OF ABSENCE - FAMILY AND MEDICAL LEAVE ACT (FMLA)**
*(Approved January 22, 2001) (Revised June 22, 2020)*
Employees are eligible for FMLA leave if they have completed at least one year and at least 1,250 hours of service as specified by law. The duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence shall be determined by the College in conjunction with applicable federal and state law.

Eligible employees are entitled to:
- Twelve workweeks of leave in a 12-month period for:
  - The birth of a child and to care for the newborn child within one year of birth;
  - The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
  - To care for the employee’s spouse, child, or parent who has a serious health condition;
  - A serious health condition that makes the employee unable to perform the essential functions of his or her job;
  - Any qualifying exigency arising out of the fact that the employee’s, spouse, son, daughter, or parent is a covered military member on “covered active duty” or
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember’s spouse, son, daughter, parent, or next of kin (military caregiver leave).
Employees must provide at least 30 days notice when the need for leave or extension of leave is foreseeable, as in the case of an expected birth or adoption, or as early as is practicable by completing the Non-Professional Absence/Notification form.

The employee will be required to use all accrued sick leave while on FMLA leave. The employee may request to use any accrued vacation leave. Any time off not covered by accrued leave will be unpaid leave. If an employee’s occupational injury also meets the definition for a serious health condition, time off under workers’ compensation leave may run concurrently with FMLA leave; however, the employee may not receive pay for sick leave in conjunction with workers’ compensation payments.

In the case of the birth of a child or placement of a child with the employee due to adoption or foster care, if both parents are employees of the College, FMLA leave for both employees will total 12 weeks.

The College requires certification of an employee’s need for sick leave, both before the leave begins and on a periodic basis thereafter, by the employee’s health care provider or, in the case of an illness of a family member, by the family member’s health care provider.

Full-time employees are responsible for their share of the health insurance premiums while on leave. The College will pay the share normally paid by the College; however, in the event that the employee does not return to work after the leave, the employee will be required to reimburse the College for the amount paid by the College as provided by law.

Requests for a reduced leave schedule, part-time work or work from home will be based on the individual circumstances and must be approved by the President.

At the end of the approved leave, the employee must either return to work or provide written notice of the intent not to return, specifying the reasons for his/her decision. Failure to return from leave will result in termination of employment. On return to work, the employee must provide a statement from the health care provider indicating fitness for duty if the leave was for a serious health condition of the employee. The employee will be reinstated to the same position or an equivalent position with equivalent pay and benefits as provided by law.

G.050.2 LEAVES OF ABSENCE - JURY DUTY/SUBPOENAED WITNESS LEAVE
(Revised May 23, 2005) (Revised June 22, 2020)
Jury duty/subpoenaed witness leave will be allowed without loss of leave days. The amount of money paid to the employee for serving on a jury or as a witness will be forfeited by the employee in return for the granted leave. The employee is responsible for submitting such earnings to the business office for deposit to the College.

G.050.3 LEAVES OF ABSENCE - MILITARY LEAVE
Any employee who is a member of the National Guard or any reserve component of the United States armed forces will be entitled to leave, without loss of rights or benefits to which otherwise entitled, when engaged in active duty. Notice must be given as early as possible, including approximate beginning and ending dates of leave, to the employee’s supervisor, Human Resources Office, and President of Moberly Area Community College. Any employee serving 30 days or less must return to work at his or her next scheduled report time following completion of duty. An employee serving 31 to 180 days must apply for reinstatement within 14 days of completion of duty. Individuals serving more than 180 days must reapply for work within 90 days of completion of service. Such leaves of absence shall not be considered a break in service; however, for an absence of more than 30 days, the employee shall not accrue leave during this period and may elect to continue participation in the College’s group health insurance program but will be responsible for payment of premiums.

During military leave for active duty with the National Guard or military reserves, the employee will be entitled to receive regular pay, limited to 120 hours per federal fiscal year (October 1 to September 30). Payment will not be made until an official order from the appropriate military authority, as evidence of the need for leave, is on file in the Human Resources Office.

G.050.4 LEAVES OF ABSENCE - PERSONAL LEAVE  
Personal leave days will be deducted from accumulated sick leave. All personal leave, not to exceed three days during a fiscal year, must be approved in advance by the employee’s appropriate supervisor.

Requests for personal leaves of absence are discouraged during peak usage times throughout departments, such as the week just prior to the beginning of the fall or spring college semester and for the first week of that semester. Supervisors may deny personal leave requests that will impede the ability of their departments to function at full capacity during peak usage times.

G.050.5 - LEAVES OF ABSENCE - PROFESSIONAL/EDUCATIONAL LEAVE  
(Revised September 29, 2003)  
Leave will be allowed for field trips, College business trips, professional conferences, and other educationally beneficial meetings, contingent upon prior approval by the administration. This type of leave is granted without a loss of pay or sick leave.

Requests for professional leaves of absence are discouraged during peak usage times throughout departments, such as the week just prior to the beginning of the fall or spring college semester and for the first week of that semester. Supervisors may deny professional leave requests that will impede the ability of their departments to function at full capacity during peak usage times. Professional leave required by institutional need or institutionally required by state, federal, or other agencies, and as determined by the President, may be granted as approved by the President, during any period of the fiscal year.
G.050.6 - LEAVES OF ABSENCE - SABBATICAL LEAVE  
(Revised May 23, 2005)  
The sabbatical leave policy appears in Section I, Policy No. I.210. Applications may be obtained from the Vice President for Instruction.

G.050.7 - LEAVES OF ABSENCE - SICK LEAVE  
Sick leave will be granted to all full-time employees. The rate of 1 1/3 sick leave days per month during the period of contract or employment is allowed. Any unused portion of sick leave days each year will be accumulative to 72 days maximum.

Sick leave may be granted for employee illness as well as immediate family illness or immediate family bereavement. For the purposes of sick leave, "immediate family" is defined as spouse/domestic partner, children, parents, grandparents, grandchildren, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, and sister-in-law.

1. When four or more consecutive sick leave days are used by an employee, a statement from a physician may be required by Human Resources or employee’s supervisor stating the nature and extent of the illness; in addition, a release to return to work may be required by Human Resources;
2. Sick leave days may be used for absences due to childbirth, prenatal and postnatal care. Certification of the time needed will be required from the attending physician. Such a report will be submitted to Human Resources;
3. An employee will not receive sick leave allowances while actively engaged in gainful employment for someone other than the Moberly Area Community College during the period of illness;
4. A retiring employee who has been employed by Moberly Area Community College for ten consecutive years will receive payment for all accumulated days upon retirement. The rate of pay for all accumulated days is $20 per day.

The following Medical Leave Pool was approved by the Board of Trustees on June 30, 2003, as a pilot program for a two-year period effective with the 2003-2004 college year. The Board of Trustees voted to adopt the Medical Leave Pool as a policy on August 1, 2005.

MEDICAL LEAVE POOL

The Medical Leave Pool is a way to provide salary continuation during an extended absence due to catastrophic illness or injury or maternity situations after the College employee has used all earned leave.

1. **Contributions**
Employees become eligible to contribute to the Medical Leave Pool on their one-year anniversary of full-time employment with Moberly Area Community College, and they must have accrued at least ten (10) unused sick days.

In order to participate employees of the College must contribute at least one (1) day to the Pool during their employment. Employees may contribute one (1), but not more than two (2), sick days per year to the Pool.

Employees must complete a participation form, which may be obtained from the Director of Human Resources, to make their contribution to the Pool.

Days contributed to the Pool may not be reclaimed.

2. Use of Pool
   Only full-time employees of the College who have made contributions to the pool are eligible to use days from the Pool. Exceptions may be granted based on extenuating circumstances and upon approval of the President’s Council.

   Employees of the College are eligible to request use of the Pool resources if they meet eligibility guidelines and have exhausted all paid sick leave, personal leave, vacation leave, compensatory leave, and any other paid leave to which they are entitled.

A catastrophic illness or injury is defined as a severe condition or combination of conditions affecting the mental or physical health of an employee or his/her immediate family that requires absences as recommended by a licensed physician in a medical field.

A person who meets the eligibility guidelines of a catastrophic illness or injury and has exhausted all leave MAY be allowed no more than fifteen (15) days from the Pool PER FISCAL YEAR and MAY be allowed no more than thirty (30) days from the Pool over a three- (3-) year period.

Employees of the College MAY use the Pool for maternity leave after all paid sick leave, personal leave, vacation leave, compensatory leave, and any other paid leave to which they are entitled are exhausted.

Employees must submit a completed participation form to their supervisor to request days from the Pool. The approval process will parallel that which is used for vacation and personal leave requests.

If the Director of Human Resources determines the employee’s request does not meet policy requirement, the request will be denied with a written explanation to the employee.

3. Management of the Pool
The days in the Pool will be distributed on a first-come, first-served basis. If the Pool drops to fewer than twenty (20) total days, the Director of Human Resources may request from President’s Council an allowance for additional donations from eligible employees in addition to their two- (2-) day maximum.

**G.050.75 - LEAVES OF ABSENCE - UNPAID LEAVE**
*(Approved March 31, 2014)*
Employee not otherwise eligible for Family and Medical Leave (FMLA) may be eligible for unpaid leave of up to twelve weeks per year for care of a domestic partner with a serious health condition or a qualifying exigency. The same guidelines and procedures as required by FMLA will apply in these instances.

**G.050.8 - LEAVES OF ABSENCE - VACATION**
A vacation day will be defined as a day during the term of employment, other than paid holidays, in which the employee has earned accumulated time to be used at the employee's discretion.

All full-time staff members will be entitled to five working days of vacation with pay upon employment, provided the staff member remains employed for a minimum of 11 ½ months. Ten working days of annual vacation with pay will accrue after 11½ months of full-time employment. These staff members are also eligible for one additional vacation day awarded at the end of each year of twelve-month full-time service that exceeds five years. The first additional day will be earned upon completion of the sixth year of employment. The maximum additional vacation days that may be awarded is five (5).

All vacation time must be approved by the appropriate supervisor. Employees are allowed to carry-over up to five (5) unused vacation days beyond the annual accrual date (however, the initial five days must be taken prior to first accrual date). Vacation leave is discouraged during peak usage times throughout departments, such as the week just prior to the beginning of the fall or spring college semester and for the first week of that semester, except for programs with specifically designated vacation times. Supervisors may deny vacation leave requests that will impede the ability of their departments to function at full capacity during peak usage times.

Staff who are paid on an hourly basis may take vacation leave during spring break and Christmas break. Those who elect to do so will be paid at the normal rate of pay for the vacation days used during these break periods.

**G.060 - PROFESSIONAL GROWTH OPPORTUNITY**
All full-time employees of Moberly Area Community College who have completed two successive years of full-time employment are eligible to apply to the President's Council for reimbursement for college credit classes. Maximum reimbursement is $150 per credit hour or the actual credit-hour fee, whichever is less, for college coursework from accredited institutions.
beyond the Associate's Degree or Bachelor's Degree. Reimbursement is limited to six credit hours per academic year and may not be allowed if the employee is receiving another form of financial aid for the coursework. The college coursework is to be taken outside of the employee's designated work schedule or the employee's hours of work may be adjusted with approval of the supervisor.

Requests for this benefit must be made before enrolling in the course. To qualify for reimbursement, the applicant must earn a grade of C or higher. Application procedures and final authorization and reimbursement will be determined by the President's Council.

G.070 - RETIREMENT PROGRAM
All full-time certified support staff are members of the Public School Retirement System of Missouri (Teachers' Retirement). Contributions are determined by the Public School Retirement System (PSRS) and are withheld from salary payments and are matched by College funds. Full-time employees covered under PSRS do not contribute to the Social Security System. Additionally, full-time certified support staff hired after April 1, 1986, are subject to a Medicare deduction paid by the employee and District. Part-time employees meeting eligibility requirements for PSRS will pay 2/3 of the contribution rate for PSRS as well as contributions to the Social Security System and Medicare.

Classified support staff employed for at least 20 hours per week and at least 600 hours for the year are members of the Public Education Employee Retirement System of Missouri (PEERS). The contribution rate is determined by the Public Education Employee Retirement System of Missouri (PEERS) and is matched by College funds. The PEERS deduction is in addition to Social Security deductions. Contributions are withheld from salary payments.

If an individual is a member of PEERS when his or her public two-year college employment requires the member to become a member of PSRS, that member can choose to remain in PEERS. This is true even if employed full-time in a certificated position, or holding a teaching certificate, at the public two-year college.
To be eligible, the individual must be a member of PEERS at the time PSRS membership is required. If the person is a member of PEERS, working at the college at such time that the person's employment mandates PSRS coverage, the member can choose to remain covered by PEERS. This election is only good for public two-year colleges. This election, or lack of election, is binding until/unless the member changes public two-year colleges or leaves covered employment and returns at a later date. If this person were to leave the college and go to work for a K-12 employer, this election is no longer valid.

If a person holds a valid Missouri educator certificate, but is not employed in a certified position at the public two-year college, the person is still required by law to be a PSRS member, if employed full-time. If employed less than full time, but more than 17 hours per week on a
regular basis, PSRS membership would still be required, but this member may have the option
to elect PEERS membership.

Employees retired under PSRS or PEERS and their dependents who were covered under the
College’s group health insurance policy will have the option of continuing coverage at the group
rate paid by the College. College-paid insurance will continue for retired employees until the
final payment date of the last completed contract, at which time this option of continuing
coverage, at the employee’s expense, must be declared by the retiring employee.

In addition, a retiring employee who has been employed by Moberly Area Community College
for ten consecutive years will receive payment for all accumulated sick leave days upon
retirement. The rate of pay for all accumulated days is $20 per day. After ten years of service,
retiring employees are also provided a retirement reception.

Retirees of Moberly Area Community College may also attend MACC courses with a waiver of
incidental fees and tuition, technology fee, and student activity/support services fee. Courses
may be audited or completed for credit.

**G.080 - WORKERS’ COMPENSATION**
*(Revised July 22, 2019)*
MACC employees are covered by Workers’ Compensation Insurance. Worker’s Compensation is
basically no fault insurance for injuries that are sustained while in the course and scope of
employment, subject to applicable Missouri Law. Any injuries on the job should be immediately
reported to the appropriate supervisor and security, and both a security incident report and a
workers’ compensation report will be provided to the Director of Human Resources, who will
arrange for initial medical treatment. In cases of serious injury, MACC Security protocol should
be followed. MACC is not responsible for payment of any unauthorized medical treatment.
H.020 - ADVISORY COMMITTEES
(Revised November 25, 2002) (Revised October 26, 2009) (Revised June 20, 2016)
Advisory committees are established for academic programs and MACC locations for the purpose of providing insight into educational and programmatic needs. These committees are composed of people from business and industry, teachers at the secondary level and faculty from other two- and four-year post-secondary institutions who are professionals in the field for which they are asked to serve. In addition, general advisory committees are designated as needs arise.

H.030 - BEHAVIOR INTERVENTION TEAM
(Added April 25, 2011)
The Behavior Intervention Team provides a systematic response to identify students whose behavior is of concern in order to support student success and to assist in protecting the health, safety, and welfare of the students and members of the MACC community. Committee membership shall consist of administration, faculty, and staff members. Co-chairs for the team will be the Director of Security and the Vice President for Instruction.

H.035 – COMPLIANCE COMMITTEE
(Approved June 22, 2020)
The Compliance Committee will monitor the evolving set of laws and regulations governing higher education. The committee will assist with educating MACC faculty, staff and administrators about compliance-related issues in higher education and review MACC policies, procedures and practices to determine their alignment with local, state and federal laws and regulations. Membership of the Compliance Committee will include supervisors of departments which operate under state and federal compliance requirements. The committee will be chaired by the Director of Financial Aid.

H.040 - CRISIS MANAGEMENT TEAM
The Crisis Management Team is responsible for implementation of the College’s Crisis Management Plan and deals directly with emergency situations affecting the College. Team members are appointed by the Director of Security and represent key buildings or areas at all MACC sites.

H.050 - CURRICULUM COMMITTEE
(Revised November 26, 2001) (Revised July 22, 2002)
The Curriculum Committee will meet monthly throughout a calendar year, or as needed, to review and recommend curricular proposals to the President’s Council. Upon approval by the President, recommendations related to courses will be reported as informational items to the Board of Trustees. Addition or deletion of programs will require Board approval.
Membership of the Curriculum Committee will reflect representation from faculty, students, staff, and administration. Membership will be reviewed and approved as needed by the President’s Council to reflect MACC’s needs.

**H.055 – CYBERSECURITY COMMITTEE**  
*(Approved June 22, 2020)*

The Cybersecurity Committee is responsible for developing policies and procedures to protect the College’s systems and data. The committee has general oversight of data governance, privacy, and compliance. Members are appointed by the committee co-chairs and represent administration, faculty and staff members. Co-chairs for the committee will be the Chief Information Officer and Vice President for Finance.

**H.060 - DEPARTMENT COORDINATORS**  
*(Approved May 24, 2010) (Revised June 20, 2016) (Revised August 27, 2018)*

Department Coordinators and Program Coordinators within the Academic Affairs area will be recommended to the Vice President for Instruction for appointment by the Dean of Academic Affairs. They will be appointed for a term of one academic year for the areas of Communications, Developmental English, Mathematics, Non-STEM Mathematics, STEM Mathematics, History, Science, Fine Arts/Humanities, Psychology/Sociology, the Associate of Science Program, and the Associate of Arts in Teaching Program and will report to the Dean of Academic Affairs. Salary will be according to the salary schedule.

**H.070 - DIVISION CHAIRS**  

Division Chairs will be recommended to the Vice President for Instruction for appointment by the Dean of Academic Affairs, Dean of Workforce Development and Technical Education, and Dean of Health Sciences. They will be appointed for a term of one academic year, and salary will be according to the salary schedule. Division Chairs will serve as liaisons between the faculty and administration. Division Chairs communicate regularly with the Dean of Academic Affairs, the Dean of Workforce Development and Technical Education, Dean of Health Sciences and hold a minimum of two meetings per semester.

**H.080 - FACULTY FORUM**  
*(Approved November 25, 2002)*

Faculty Forum is open to all full-time faculties. The Forum’s primary responsibility is to advance the mission of MACC, specifically to foster excellence in learning. Representatives from each division serve in elected positions. Forum representatives work to formulate and review policies and procedures that affect the faculty. The faculty chair of the Faculty Forum serves on President’s Council and functions as faculty voice.

**H.090 - ASSESSMENT COMMITTEE**  
*(Added November 25, 2002) (Revised June 20, 2016) (Revised September 28, 2020)*

The Assessment Committee assists in the assessment of general education and course level outcomes. The committee helps to shape the assessment activities for the general education program and is responsible for publishing the General Education Assessment Program Report
each summer. Committee members include faculty from the academic divisions and department coordinators from Psychology/Sociology, Humanities/Fine Arts, Math, History, Communications, Science, and Education.

**H.100 - LARC (LIBRARY AND ACADEMIC RESOURCE CENTER) COMMITTEE**
*(Added February 25, 2008) (Revised October 26, 2009) (Revised July 22, 2019)*
The LARC Committee advises the LARC Director regarding the information resource needs of faculty and students. The Committee may also provide suggestions for improving or expanding library services. The Committee is open to all faculty and staff.

**H.110 - LOGOS PROJECT COMMITTEE**
*(Added May 18, 2015)*
The MACC Logos Project Committee was created for the purpose of promoting writing, reading, and critical thinking across the curriculum. The committee directs the Logos Project, which is designed to help students develop proficiency in college-level communication and to serve faculty from across the college by encouraging them to integrate critical thinking activities as well as reading and writing assignments into their courses, and to provide education and resources in support of their endeavors.

**H.120 - PRESIDENT’S COUNCIL**
The President’s Council consists of the President of the College; Vice President for Instruction; Vice President for Finance; Chief Information Officer; Dean of Academic Affairs; Dean of Workforce Development and Technical Education; Dean of Health Sciences; Dean of Student Affairs and Enrollment Management; Director of Business Services; Faculty Forum Chairperson; Director of Marketing and Public Relations and Director of Institutional Reporting and Compliance. This Council assists the President in formulating and administering programs and activities of the College.

**H.130 - PRESIDENT’S FACULTY ADVISORY COUNCIL**
*(Revised November 25, 2002) (Revised October 26, 2009) (Revised June 20, 2016)*
The President’s Faculty Advisory Council consists of representatives from Library and Academic Resource Center (LARC), the Moberly Area Community College Association, and faculty from each College division. This council serves in an advisory capacity to the President in matters pertaining to instruction and academic affairs. Members of this committee serve two-year terms.

**H.140 - PRESIDENT’S STAFF ADVISORY COUNCIL**
*(Revised November 25, 2002) (Revised October 26, 2009)*
The President’s Staff Advisory Council consists of a variety of staff members from all MACC sites and meets with the President each semester to discuss pertinent topics relating to the daily operations of the College. Members of this council serve one-year terms.
H.150 - PRESIDENT'S STUDENT ADVISORY COUNCIL  
(Revised February 20, 2001)  
The President’s Student Advisory Council consists of a random selection of up to 25 students attending Moberly Area Community College. This group will meet as scheduled to advise the President and discuss pertinent topics. Normally there is no set agenda, and discussion topics are initiated by members of the Council.

H.155 – RESEARCH REVIEW PANEL  
(Approved June 22, 2020)  
The Research Review Panel is responsible for reviewing internal and external requests to conduct research at MACC to ensure that projects are in compliance with federal guidelines that protect human subjects. Membership will consist of two permanent members, the Vice President for Instruction and the Director of Institutional Reporting and Compliance, and at least one faculty representative from each of the following areas: Social Science, Math/Science, Workforce and Technical Education, and Health Sciences. The minimum length of service will typically be two academic years.

H.160 - SABBATICAL LEAVE COMMITTEE  
(Revised June 20, 2016) (Revised August 27, 2018)  
1. The Sabbatical Leave Committee is a standing committee of Moberly Area Community College and meets only when a sabbatical leave request has been initiated.
2. The purpose of this Committee is to review all sabbatical leave applications and forward them with recommendations to the President's Council.
3. The Committee will review all requests for sabbatical leave. See Section I, Policy No. I.210.
4. Upon review of the application, the Committee may request the applicant to appear before the Committee for the purpose of clarifying the request.
5. After Committee review, all applications with Committee recommendations will be forwarded to the President of Moberly Area Community College for presentation to the President’s Council. The application is to then be acted upon by the President's Council and forwarded to the President with all recommendations.
6. The President of Moberly Area Community College will present the request with all recommendations to the Board of Trustees for final action.
7. The Sabbatical Leave Committee members will be elected/selected from the following areas:
   a. One member from each division, to be elected by the membership of each division;
   b. The Dean of Academic Affairs;
   c. The Dean of Workforce Development and Technical Education;
   d. The Dean of Health Sciences
   e. The Dean of Student Affairs and Enrollment Management; and
   f. One member to be elected from certified staff, other than full-time faculty.

The President of Moberly Area Community College is an ex-officio member of this Committee.
H.170 - STRATEGIC PLANNING COMMITTEE
(Added November 25, 2002) (Revised June 20, 2016)
The Strategic Planning Committee is responsible for reviewing and recommending revisions to
the existing Strategic Plan. The Committee proposes specific plans to meet the College’s stated
goals and prepares a three-year strategic plan, which is reviewed by President’s Council and
approved by the Board of Trustees.

H.180 - STRATEGIC PLAN WORK GROUP – MARKETING
(Added August 27, 2018)
The Strategic Plan Work Group – Marketing is charged with developing and implementing
strategies to meet the established Marketing goals in the MACC’s 2018-2021 Strategic Plan. The
committee should be interdepartmental and include faculty, staff and administration across
locations.

H.190 - STRATEGIC PLAN WORK GROUP – ENROLLMENT AND STUDENT ENGAGEMENT
(Added August 27, 2018)
The Strategic Plan Work Group – Enrollment and Student Engagement is charged with
developing and implementing strategies to meet the established Enrollment and Student
Engagement goals in the MACC’s 2018-2021 Strategic Plan. The committee should be
interdepartmental and include faculty, staff and administration across locations.

H.200 - STRATEGIC PLAN WORK GROUP – STRUCTURED SCHEDULES
(Added August 27, 2018)
The Strategic Plan Work Group – Structured Schedules is charged with developing and
implementing strategies to meet the established Structured Schedules goals in the MACC’s
2018-2021 Strategic Plan. The committee should be interdepartmental and include faculty, staff
and administration across locations.

H.210 - STRATEGIC PLAN WORK GROUP – TEACHING AND LEARNING
(Added August 27, 2018)
The Strategic Plan Work Group – Teaching and Learning is charged with developing and
implementing strategies to meet the established Teaching and Learning goals in the MACC’s
2018-2021 Strategic Plan. The committee should be interdepartmental and include faculty, staff
and administration across locations.

H.220 - STRATEGIC PLAN WORK GROUP – STUDENT SUCCESS
(Added August 27, 2018)
The Strategic Plan Work Group – Student Success is charged with developing and implementing
strategies to meet the established Student Success goals in the MACC’s 2018-2021 Strategic
Plan. The committee should be interdepartmental and include faculty, staff and administration
across locations.

H.230 - STRATEGIC PLAN WORK GROUP – DEVELOPMENTAL AND COREQUISITE EDUCATION
(Added August 27, 2018)
The Strategic Plan Work Group – Developmental and Corequisite Education is charged with developing and implementing strategies to meet the established Developmental and Corequisite Education goals in the MACC’s 2018-2021 Strategic Plan. The committee should be interdepartmental and include faculty, staff and administration across locations.

H.240 - STRATEGIC PLAN WORK GROUP – WORKFORCE DEVELOPMENT AND TECHNICAL EDUCATION
(Added August 27, 2018)
The Strategic Plan Work Group – Workforce Development and Technical Education is charged with developing and implementing strategies to meet the established Workforce Development and Technical Education goals in the MACC’s 2018-2021 Strategic Plan. The committee should be interdepartmental and include faculty, staff and administration across locations.

H.250 - STRATEGIC PLAN WORK GROUP – EMPLOYEE ENGAGEMENT
(Added August 27, 2018)
The Strategic Plan Work Group – Employee Engagement is charged with developing and implementing strategies to meet the established Employee Engagement goals in the MACC’s 2018-2021 Strategic Plan. The committee should be interdepartmental and include faculty, staff and administration across locations.

H.260 - STRATEGIC PLAN WORK GROUP – FISCAL SUSTAINABILITY
(Added August 27, 2018)
The Strategic Plan Work Group – Fiscal Sustainability is charged with developing and implementing strategies to meet the established Fiscal Sustainability goals in the MACC’s 2018-2021 Strategic Plan. The committee should be interdepartmental and include faculty, staff and administration across locations.

H.270 - TECHNOLOGY COMMITTEE
(Added November 25, 2002) (Revised June 20, 2016)
The Technology Committee studies college-wide technology issues and provides input for technology planning. Membership consists of faculty, support services staff, coordinators, and directors across MACC locations. This Committee assists in making major technology decisions for the College.
INTRODUCTION
Certified Instructional Staff refers to any employee whose primary responsibility is to provide instructional services for the College. Although these positions may have some support staff assignments, their primary responsibility is an instructional role. Certified Instructional Staff are eligible to participate in the Public School Retirement System of Missouri and attend regularly scheduled College faculty meetings. Also see Policy No. F.050.

I.010 - ABSENCE
(Revised December 17, 2001)
Instructors are required to meet all scheduled classes and maintain all scheduled office hours. Written requests to be absent from assigned duties should be channeled to the appropriate dean. In each instance, the absence should be reported in advance, if possible, but in case of emergencies or illness, the written report will be made upon date of return to the College.

I.020 - ACADEMIC FREEDOM
(Revised June 30, 2014)
In order to promote mutual understanding of the responsibilities and rights inherent in academic freedom, it is desirable to define these responsibilities and rights.

The American Association of University Professors stated the principles of academic freedom which have since been adopted by a long list of learned societies and colleges. The statement is as follows:

Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.

3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that they are not speaking for the institution.
I.022 - ACADEMIC RANK
The Board approved the program as permanent on March 29, 2005. This proposal lists three different levels of rank: Assistant Professor, Associate Professor, and Professor.

ELIGIBILITY
All full-time faculty are eligible for rank. Other full-time positions with significant teaching responsibilities may be considered.

ACADEMIC RANK

Assistant Professor – all teaching and related experience should be documented.

Option A
- Doctorate degree in subject or related field
- 15 points

Option B
- Master’s degree in subject or related field
- 2 years’ full-time or full-time equivalent college teaching experience *
- 15 points

Option C
- Bachelor’s degree in subject or related field
- 15 approved graduate semester hours
- 2 years’ full-time or full-time equivalent college teaching experience *
- 15 points

Option D
- Bachelor’s degree in subject or related field
- 2 years’ full-time or full-time equivalent college teaching experience *
- 5 years’ full-time related work experience (must be documented separately)
  - It is the applicant’s responsibility to provide evidence to the rank committee of this experience
- Any required certification for position
- 15 points

Associate Professor

Option A
- Doctorate degree in subject or related field
- 3 years’ full-time or full-time equivalent college teaching experience*
- 25 points

**Option B**
- Master’s degree in subject or related field
- 5 years’ full-time or full-time equivalent college teaching experience
- 25 points

**Option C**
- Bachelor’s degree in subject or related field and/or minimum degree/certification requirements for position (as verified through Dean’s office)
- 7 years’ full-time or full-time equivalent college teaching experience*
- 30 points

**Professor**

**Option A**
- Doctorate degree in subject or related field
- 6 years’ full-time or full-time equivalent college teaching experience*
- 40 points with points coming from every category (education, leadership, service to college, and professional development)

**Option B**
- Master’s degree in subject or related field
- 15 approved additional graduate semester hours in the subject field or related area
- 8 years’ full-time or full-time equivalent college teaching experience*
- 40 points with points coming from every category

**Option C**
- Master’s degree in subject or related field and/or minimum degree/certification requirements for position (as verified through Dean’s office)
- 10 years’ full-time or full-time equivalent college teaching experience*
- 50 points with points coming from every category and at least 10 points from professional development category as well as at least 10 points from leadership category

*Documented adjunct faculty experience is eligible toward “full-time equivalent college teaching experience.” Thirty credit hours of college courses shall be considered the equivalent of one full-time year of experience. Up to 60 hours of documented adjunct faculty experience may be considered. It is the responsibility of the applicant to provide evidence of adjunct faculty experience outside of MACC experience.
POINT SYSTEM
*Partial credit may be awarded at the Rank Committee’s discretion.

I. Education
Individuals will earn points for their appropriate hours completed and additional points for the single highest degree earned. (Only one line can be chosen from each Education category to count toward point total.) This formula allows those with multiple degrees to earn credit (in the hour column) for those degrees.

A. Hours Earned Category*
   Graduate Hours
   91 hours + 10 points
   76-90 hours 9 points
   61-75 hours 8 points
   46-60 hours 7 points
   31-45 hours 6 points
   16-30 hours 5 points
   6-15 hours 4 points
   Undergraduate Hours
   129 hours + 3 points
   65-128 hours 2 points
   15-64 hours 1 point
   Other
   Appropriate five-year state vocational education teaching certificate 2 points
   Union Certification 2 points
   *Points earned at highest level of education only

B. Degree Points Category*
   Doctorate 7 points
   Specialist Degree 6 points
   Terminal Master’s Degree 5 points
   Master’s Degree 4 points
   Bachelor’s Degree 3 points
   Associate’s Degree 2 points
   *Points are earned for highest degree only.

II. Service to College and Community
(Note: All service credit must have taken place at MACC.)

4 Points
   • Participation in TLP or President’s Leadership Academy One time only

3 Points
   • Advisor to Student Club/Organization One time only

2 Points
   • Designed online/hybrid course
   • Organized lecture series 4 points max.
   • Served on grant review panel
1 Point

• Teach via online, Elluminate, virtual, or ITV delivery 4 points max.

1 Point

• Application of recognized area of expertise in the community without pay 4 points max.
• Participation in college-sponsored outreach activities 4 points max.
• Presented through Speaker’s Bureau 4 points max.
• Staff development presentation 4 points max.
• Lead Instructor in adjunct evaluation process (per semester) 3 points max.
• Lead CTE course instructor (per semester) 3 points max.
• Active participation on college-wide committees 2 points max.

III. Professional Development Category (Scholarly and/or Creative Activities Completed During Professional Career)

5 Points

• Published a new edition of a book
• Holds patent or patent pending

4 Points

• Completion of formal apprentice program
• Performed, directed, exhibited, or presented a media production in a professional venue
• Published an article, short story, or poem in a scholarly or technical publication
• Served as an editor for a scholarly or technical publication
• Holds current licensure in discipline 4 points max.

3 Points

• Gave presentation at a professional conference
• Published a book review in an appropriate scholarly or technical publication

2 Points

• Led student group abroad* 4 points max.
• Served on committee of professional organization* 4 points max.
• Served on discussion roundtable/panel* 4 points max.

*Denotes work that must have taken place at MACC

1 Point

• Attended educational or discipline specific conference* 3 points max.
• Continuing Education: 1 point for every 25 hours 4 points max.
• Discipline specific certification: Microsoft, Novell, oncology, etc. 4 points max.
• Held current membership in professional organization* 3 points max.
• Participated in college production* 3 points max.
• Performed, directed, exhibited, or presented a media production at MACC 3 points max.
• Published an article, short story, or poem in a nonscholarly publication
• Published comment, note, or letter to the editor in a scholarly or technical publication
• Reviewed manuscript for publication

*Denotes work that must have taken place at MACC

IV. Leadership Category
(Note: All leadership credit must have taken place at MACC.)

5 Points
• Division chair One time only
• Department Coordinator One time only
• Faculty Forum chair One time only
• New program development (outside primary job description) including new courses

4 Points
• Held an elective or appointed office or chaired a committee of a state or local professional organization, or regional or national professional organization
• Received an award, artistic commission, or fellowship
• Significant contributor to writing a competitive award grant

3 Points
• Committee chair/co-chair (3 points earned per committee) 9 points max.
  o Faculty Forum chair not eligible to be counted

2 Points
• Leader of college-wide or community workshops, courses, or presentations 4 points max.
• New course development for existing programs

1 Point
• Elected Faculty Forum representative One time only
• Mentor to new or part-time faculty 3 points max.
• Awarded MACC mini grant 2 points max.

MACCA committees not applicable toward rank.

I.025 - APPOINTMENT TO CERTIFIED INSTRUCTIONAL STAFF: FULL-TIME

There are three types of faculty appointments to full-time certified instructional staff positions:

1. Temporary Appointment - A temporary appointment will be made for one year or less but may be renewed, as needed, at the discretion of the Board of Trustees. This classification is to be used for programs funded by grants, awards, or other temporary funding sources, for a temporary replacement for a full-time faculty member on a leave of absence, or other similar circumstances.

2. Annual Appointment - An annual appointment will be made for the initial employment when the position can be regarded as a permanent position. An annual appointment may be renewed or terminated at the end of the contract year. After instructors have been employed full time for a period of five consecutive years, they may apply for a multi-year contract.
3. Multi-Year Appointment - A multi-year appointment will be a three-year, full-time appointment of full-time instructional staff who have met the criteria of having successfully completed full-time annual appointments for five consecutive years.

I.030 - APPOINTMENT TO CERTIFIED INSTRUCTIONAL STAFF: PART-TIME
There are two types of appointments to part-time certified instructional staff:

1. Continuing Part-Time Appointment - A continuing part-time appointment applies to certified instructional staff who are less than full-time.
2. Temporary Part-Time Appointment - A temporary part-time appointment applies to certified instructional staff employed on a short-term assignment. These assignments are usually on an individual course basis.

I.040 - BENEFITS
Employee benefits (vacation, insurance, educational benefits, etc.) are described in Section G, Employee Benefits.

I.050 - CONTRACT YEAR
The period of appointment will be subject to contract terms. Certified instructional staff are granted such holidays as are designated by the Board of Trustees and included in the College calendar. Certified instructional staff are required to work according to the College calendar, as well as other days during their contract period, as designated by the administration.

Full-time certified instructional staff contracts are subject to annual renewal and require Trustee election by April 15 of each year. Any conflict resulting from differing calendars at off-campus sites will be resolved in such a way that the full amount of required class time is achieved.

I.060 - COURSE SYLLABI
Instructors will prepare detailed course syllabi and submit typed copies of these to the appropriate dean. Syllabi of courses taught by more than one instructor should be cooperatively developed and followed with reasonable uniformity.

I.070 - CREDENTIALS
Each certified instructional staff member will have on file with the Human Resources Office, prior to September 30 of each year, an official transcript of all college work completed, as well as current vocational teaching certification.

I.080 - DIVISION CHAIRS
(Revised May 23, 2005) (Revised May 24, 2010)
Division Chairs will be recommended to the Vice President for Instruction for appointment by the Dean of Academic Affairs and Dean of Workforce Development and Technical Education. They will be appointed for a term of one academic year, and salary will be according to the salary schedule. Division Chairs will serve as liaisons between the faculty and administration.
Division Chairs will report to the appropriate dean or as designated by the President. The Division Chairs will have the following duties and responsibilities within their respective divisions:

1. Attend Division Chair meetings;
2. Schedule and chair a minimum of two meetings per semester with division members;
3. Attend meetings as appropriate with Department Coordinators and Dean;
4. As appropriate, recommend Department Coordinators for the division to the Dean;
5. Assure representation of division on College committees and serve as liaison with committees and the division member to assure effective communication;
6. Make recommendations to the deans for curriculum and syllabus revision, working with Department Coordinators as appropriate;
7. Work with division members and Department Coordinators as appropriate in budget recommendations;
8. Work with the faculty and Department Coordinators as appropriate in textbook adoption;
9. Work with division members in staff development and professional growth opportunities;
10. Assist in catalog revision, working with Department Coordinators as appropriate;
11. Assist in coordinating faculty-student advisement and training;
12. Perform other duties as assigned by the appropriate dean or person designated by the President.

I.085 - DEPARTMENT COORDINATORS
(Approved May 24, 2010)
Department Coordinators will be recommended to the Vice President for Instruction for appointment by the Dean of Academic Affairs. They will be appointed for a term of one academic year for the areas of Communications, Mathematics, History, Science, Fine Arts/Humanities, and Psychology/Sociology and will report to the Dean of Academic Affairs. Salary will be according to the salary schedule. Department Coordinators will have the following duties and responsibilities within their respective departments:

1. Schedule and chair department meetings as necessary.
2. Attend meetings as scheduled with the division chair and dean.
3. Assist with the promotion and coordination of assessment activities within the department including recommendations to the division chair/dean on assessment, curriculum, textbooks or other instructional issues.
4. As appropriate, coordinate work for faculty in one- or two-person disciplines to assure participation in assessment, curriculum, and textbook issues.
5. Assist with communication with adjunct faculty within the department and serve as the contact/resource person for adjunct and dual-credit faculty in the department.
6. Assist Lead Instructors on an as-needed basis with discipline-specific expertise.
7. Perform other duties as assigned by the appropriate dean or person designated by the President.
I.090 - ATTENDANCE AND SCHEDULE CHANGE POLICIES


Purpose
MACC recognizes the connection between student attendance and retention, achievement, and success in academics. Any class session or activity missed reduces the opportunity for learning and may adversely impact a student’s achievement. Therefore, MACC requires student attendance in order for students to remain enrolled in classes.

Scope
This policy applies to all MACC students.

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.

Acceptable justification may include, but is not limited to, family emergencies, illness or injury, college-approved co-curricular and extra-curricular activities, and religious holidays.

**Definition of Course Attendance**

<table>
<thead>
<tr>
<th>In Seat Course</th>
<th>Physically attending scheduled, face-to-face, class meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virtual Course</td>
<td>Being present, via appropriate platform, for scheduled class meetings/activities</td>
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</table>
| Hybrid Course                  | Physically attending scheduled, face-to-face, class meetings 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 accessing the course and course related material does not constitute active participation for the online component of hybrid courses or for online courses.

**Adding Classes**

Students may register for and add classes 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.

**Dropping Classes**

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

b. 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, 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”.

c. 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, the Dean of Health Sciences, or the Dean of Student Affairs and Enrollment Management.

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

e. 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.

**Student Financial Obligations**

Students who drop classes or are administratively dropped for any reason may still have financial obligations to Moberly Area Community College.

Students who fail to meet financial obligations to the College within the financial agreement guidelines may be dropped from classes.

**I.091 - CONDUCT, STUDENT RUDE AND DISRUPTIVE BEHAVIOR**


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 and Enrollment Management, Dean of Academic Affairs, Dean of Workforce Development and Technical Education, or the Dean of Health Sciences. The following steps will be taken when students exhibit inappropriate behavior:

a. 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.
b. 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.

c. 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.

d. The student has the right of appeal through the Student Due Process Grievance Procedure.

e. 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.

f. 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.

I.100 - DUTIES AND RESPONSIBILITIES: FULL-TIME FACULTY

Full-time faculty will have the following duties and responsibilities:

Teaching and Instruction

1. Teach classes assigned by the administration which could include but are not restricted to day, evening, dual credit, distance education, or any campus location.;
2. Provide effective instruction that encompasses active and meaningful learning activities and frequent and timely feedback to students regarding their progress;
3. Develop course curriculum, materials/handouts, lectures, and labs, and update regularly to ensure relevancy and currency;
4. Select required course resources and textbooks, working in conjunction with other faculty as appropriate, and provide this information to the appropriate dean’s office;
5. Utilize course-adopted textbook(s) and/or course resources;
6. Provide students with a course syllabus which aligns with the common course syllabus and provides information detailing learning expectations, major assignments, and methods of evaluation, and provide a copy of this syllabus to the appropriate dean’s office;
7. Participate in the development/revision and implementation of program assessment plans and utilize feedback to improve learning outcomes,
8. Maintain a total of ten office hours per week at assigned instructional site(s) as approved by the appropriate dean and post information on office door (up to two virtual/online office hours per week via an approved delivery format may be held in lieu of traditional hours, and office hours may be adjusted by the appropriate dean for other approved activities, such as administratively-assigned travel to other sites that extends normal work hours);
9. Keep adequate course records (including grades and attendance) and submit required records to the designated office by the established date.
10. Follow college-wide student attendance policy and drop non-attending students in a timely manner;
11. Refer at-risk students to available support resources and interventions; and
12. Submit annual budget request to the appropriate dean’s office for supplies, equipment, travel, and other instructional expenditures.

Service and Leadership
1. Attend all faculty meetings;
2. Be available on a campus, or by virtual office each college day;
3. Assist and mentor new and/or adjunct faculty;
4. Participate in committee assignments or other service or leadership opportunities at the local, regional, or state level;
5. Serve as directed as sponsor of student clubs and organizations;
6. Promote the College in the community through participation in community activities and organizations as appropriate;
7. Support students and activities of the College through attendance at College events and functions;
8. Be available to serve as consultants or advisers to students or prospective students and assist with communication of enrollment and course/degree planning information to students;
9. Assist with student recruitment, registration, and orientation functions as assigned or appropriate;
10. Collaborate with colleagues and administrators to achieve shared goals and strategic plan priorities; and
11. Participate in commencement activities in academic attire unless excused by the President.

Professional Development
1. Participate in professional growth activities;
2. Stay current in discipline, in teaching methodologies, and with industry standards as appropriate;
3. Demonstrate self-reflection and growth through the faculty evaluation process which includes completion of a teaching portfolio, end-of-course student evaluations, classroom and peer observations, and administrative conferences; and
4. Submit updated/current college transcripts to the Human Resources Office showing all college work earned at both the graduate and undergraduate level, along with all degrees granted.

Other
1. Carry out the policies developed by the Board of Trustees as executed and interpreted by the administration; and
2. Perform other duties assigned by the appropriate dean, Vice President for Instruction, or the President.

I.110 - DUTIES AND RESPONSIBILITIES: ADJUNCT FACULTY
(Revised October 1, 2001) (Revised September 29, 2003) (Revised October 24, 2016)
The part-time (adjunct) faculty will have the following duties and responsibilities:

1. Teach classes assigned by the administration which could include, but are not restricted to, day, evening, dual credit, distance education, or any campus location;
2. Provide effective instruction that encompasses active and meaningful learning activities and frequent and timely feedback to students regarding their progress;
3. Develop course materials/handouts, lectures, and labs, and update regularly to ensure relevancy, currency, and alignment with common course syllabus;
4. Provide students with a course syllabus which aligns with the common course syllabus and provides information detailing learning expectations, major assignments, and methods of evaluation, and provide a copy of this syllabus to the appropriate dean’s office by the second week of each semester;
5. Utilize course-adopted textbook(s) and/or course resources;
6. Keep adequate course records (including grades and attendance) and submit required records to the designated office by the established date;
7. Maintain three office hours per week (if teaching at least nine credit hours), and provide a copy of office hours to the appropriate dean;
8. Follow college-wide student attendance policy and drop non-attending students in a timely manner;
9. Refer at-risk students to available support resources and interventions;
10. Participate in the development/revision and implementation of program assessment plan as appropriate or directed and utilize feedback to improve learning outcomes;
11. Attend faculty meetings if requested by the dean;
12. Check college email regularly and maintain effective communication/contact with students, administrators, lead instructors, faculty colleagues, etc.;
13. Participate in professional growth activities and appropriate service opportunities as appropriate/approved;
14. Collaborate with colleagues and administrators to achieve shared goals and strategic plan priorities;
15. Submit updated/current college transcripts to the Human Resources Office showing all college work earned at both the graduate and undergraduate level, along with all degrees granted;
16. Carry out the policies developed by the Board of Trustees as executed and interpreted by the administration; and
17. Perform other duties assigned by the appropriate dean, Vice President for Instruction, or the President.

I.120 - EVALUATION AND GRADES
Faculty are expected to evaluate students frequently enough to get a sound measure of the quality of their work and to give them ample opportunity to improve their grades. The type of testing found frequently in graduate school, only one or two tests per semester, is considered unsuitable for community college courses.

The use of fixed quotas or "curves" on grading is not encouraged. Should faculty encounter problems in assigning grades, they should feel free to consult with their Division Chair. The deans will also consult with faculty members when analysis shows that grades awarded in particular courses or by particular instructors are consistently at variance from those found in most other courses.

I.130 - EVALUATION AND RETENTION OF CERTIFIED INSTRUCTIONAL STAFF MEMBERS
Written evaluation of the faculty member will be made by the appropriate dean at least one time each year or, if conditions and circumstances warrant, as necessary. A copy of the written evaluation will be given to the faculty member evaluated, if requested. Each faculty member will be notified by April 15 of official Board action concerning reemployment.

I.140 - FACULTY APPOINTMENT POLICY
A policy designed to provide the options of temporary appointments, annual appointments, and multi-year appointments was adopted by the Board of Trustees on December 21, 1998.

Introduction

As we enter the twenty-first century, we believe it is imperative that institutions of higher education transform themselves in order to adapt to rapidly changing technological forces, growing demands for accountability, and changing demographics in the global society. Moberly Area Community College is committed to the teaching/learning process and to responding to the challenges of a new era.

I. Faculty Appointment Classifications
Appointment to the full-time instructional staff may be temporary, annual, or multi-year. (Those faculty members currently tenured will retain tenure status.)
A. Temporary Appointment
A temporary appointment will be made for one year or less but may be renewed, as needed, at the discretion of the Board of Trustees. This classification is to be used for programs funded by grants, awards, or other temporary funding sources, for a temporary replacement for a full-time faculty member on a leave
of absence, or other similar circumstances. A temporary appointment expressly stated as such, will be sufficient notice that the faculty member will not be recommended for reappointment.

B. **Annual Appointment**

An annual appointment will be made for the initial employment when the position can be regarded as a permanent position. An annual appointment may be renewed or terminated at the end of the contract year. After instructors have been employed full time for a period of five consecutive years, they may apply for a multi-year contract.

1. Persons without teaching experience will be given a contract for one academic year.
2. Persons with previous college teaching experience may be granted credit by the Board of Trustees based on the recommendation of the President of Moberly Area Community College. A maximum of two years’ credit may be granted. When granted, such credit will be equal to not more than one year of credit for each two years of previous teaching experience.
3. An instructor on annual appointment will be retained only if the President reports to the Board of Trustees that the instructor is demonstrating that he/she has reached an appropriate level of professional competence. This appropriate level of professional competence is based upon written evaluation reports and supervisory observation as specified in the criteria and procedures developed by the institution.

Supervision throughout the period that a full-time instructor is on annual appointment will be conducted in a constructive manner designed to help the individual realize his/her highest potential. An instructor on annual appointment who is not to be recommended for reappointment will be notified in writing by April 15 of the year in which the recommendation of non-reappointment is made.

4. The non-reappointment of a full-time instructor on annual appointment will carry no implication that either his/her work or his/her conduct has been unsatisfactory. For this reason, it will not be necessary for his/her immediate supervisor to provide him/her with any statement of causes or reasons for not recommending reappointment. The provisions of this section will not be interpreted to preclude the right of an instructor to appear before the Board of Trustees on matters related to his/her employment.

C. **Multi-Year Appointment**

A multi-year appointment will be a three-year, full-time appointment of full-time instructional staff who have met the criteria of having successfully completed full-time annual appointments for five consecutive years.

1. A multi-year appointment will not be automatic after the five consecutive-year appointments but, when granted, will be the result of
specific action by the Board of Trustees. A faculty member may initiate the application process by writing a letter of intent to the appropriate dean by January 1st.

2. Recommendations for multi-year appointments will be made by the appropriate dean to the president. The president will review the recommendations of the dean and make a recommendation to the Board of Trustees at the March Board of Trustees’ meeting.

3. Faculty evaluations will occur on an annual basis and will be conducted in a constructive manner designed to help the individual realize his/her highest potential. Faculty will be evaluated in two broad areas: instruction and professional development and practice.
   a. Evaluation of instruction will be based on yearly teaching portfolios, self evaluation, student evaluations, peer evaluations, observation, and instructional goals.
   b. Evaluation of professional development and practice should be based on professional and scholarly goals, publications, participation in service, research, conferences, speeches, and other evidence of continued growth and practice in the applicant’s discipline.

4. If a multi-year contract is denied, the faculty member may be dismissed or may continue to be employed under annual appointments. Those continuing under annual appointments will be eligible to reapply for multi-year appointments.

5. An instructor on a multi-year appointment who is not to be recommended for reappointment will be notified in writing no later than March 31 of the year in which the recommendation of non-reappointment is made. This allows for a maximum amount of time for the instructor to make improvements based on his/her annual evaluations.

II. Distinguished Educator Status

The attainment of three consecutive multi-year contracts may result in the designation of Distinguished Educator and an additional step on the salary schedule. The recommendation for this designation will be made by the dean and a Faculty Evaluation Committee consisting of the division chair and selected faculty currently employed under a multi-year contract or tenure (granted prior to 1998). The designation of Distinguished Educator is awarded to those faculty members who have exhibited professional excellence and outstanding abilities.

III. Method of Appointment

All appointments will be made by the Board of Trustees after receiving the recommendations of the President of the College. Contracts will be offered annually on or before the 15th day of April. An instructor who is not to be recommended for reappointment at the end of any term of appointment will be notified in writing prior to April 15 of the year in which the recommendation of non-reappointment is made as outlined above.
An instructor who is not notified of termination of employment will be deemed to have been appointed for the next college year under the terms of the contract for the preceding year. An instructor who is informed of reelection by written notice of tender of contract on or before the 15th of April will, within 15 days, present a written acceptance or rejection of the employment tendered. Failure to present the acceptance within such time constitutes a rejection of the Board’s offer.

IV. Faculty Resignations
A faculty member who resigns after July 31 after signing a contract to teach for that college year will be assessed a severance fee of two percent of the (annual) contracted amount.

V. Termination
The services of a member of the instructional staff may be terminated at any time for any one or more of the following:
A. Physical or mental condition unfitting the individual to perform assigned duties;
B. Immoral conduct or conviction of a felony or any crime involving moral turpitude;
C. Willful or persistent violation of, or failure to obtain or maintain required licensure and/or certification, or to obey the laws of the state of Missouri, or the regulations of the Board of Trustees of the Moberly Area Community College District;
D. Falsifying any information supplied to Moberly Area Community College, including but not limited to information supplied on application forms, employment records, or any other district records;
E. Excessive or unreasonable absence from performance of duties;
F. Incompetency, inefficiency, or insubordination in the line of duty including behavior that is deemed adverse to the mission of the College, welfare of the students or the instructional process.

VI. Procedures for Termination
A. Termination
1. Notice of Charges When the President has information that might serve as grounds for termination, and such information appears to be substantial, the President will discuss it with the person concerned and will make such further investigation as is appropriate. If, after making such further investigation, the President determines that further action is warranted, the President will prepare a written statement of the charges which will be presented to the person charged.
2. Request for Hearing Final action will not be taken on such charges until after 30 days from the date that the person charged receives the written statement during which time the person charged may make a written request to the President for a hearing. If the person charged makes such a request, a hearing will take place not less than 20 nor more than 30 days after notice of a hearing has been furnished the instructor. If the person charged does not request a hearing, the President may direct that such a
hearing be held. When a hearing has been requested, final action on the charges will not be taken until the hearing has been held and the matter presented to the Board of Trustees. The procedure of a hearing will be according to the Due Process Grievance Procedure approved by the Board of Trustees. See Tab 1.

3. Other Terminations

Other terminations, including Board retirement regulations or extraordinary circumstances because of low enrollment, program modifications, or financial exigencies, will be by notification of the President in writing to the employee prior to April 15 of the year in which the termination will be recommended to the Board of Trustees.

VII. Amendments

These regulations will be subject to amendment by the Board of Trustees.

I.150 - FIELD TRIPS/OTHER COLLEGE TRAVEL

Permission for off-campus field trips or other college travel must be obtained from the appropriate dean prior to the trip. Release of liability forms are to be signed by all students and filed with Student Affairs prior to these activities.

Unless otherwise agreed upon in advance by the appropriate dean, the cost of the activity will be borne by students involved.

I.160 - GRADE REPORTS

1. Semester grades are to be reported to the Office of Student Affairs on the forms provided and on the dates announced.

2. Grade changes due to errors and other grade changes are to be submitted to the Office of Student Affairs on the appropriate forms provided by that office. Incomplete grades are to be finalized by the end of the following regular semester. It is the responsibility of the student to take the necessary steps to insure removal of the incomplete grade status.

I.170 - GRADING SCALE

(Revised February 25, 2008) (Revised July 22, 2019)

Grades are issued at the close of each semester on a letter basis indicating quality of academic work as follows:

- A - Superior Work - excellence in the following: Originality of work, accuracy and grasp of content, independence in completing work, literate expression of ideas, imagination, and initiative;
- B - Above Average - high achievement in the following: Originality, knowledge and grasp of work, effective use of knowledge, independence of work, competence in expression;
C - Average Work - average attainment in the following factors: Familiarity with course content, participation in class work, evidence of intellectual growth and thinking, intelligible expression of ideas;
D - Below Average - meager achievement in both quantity and quality of work difficulty in understanding principles, slow progress, instructor direction needed to meet requirements;
F - Failing Work - failure to achieve the minimum requirements for passing, inaccurate results, faulty reasoning, irresponsible, vague, disorganized, lack of initiative;
I - Incomplete Work - "Incomplete" means that a student has been unable to complete the required work by the close of the semester for approved extenuating circumstances by the Dean of Academic Affairs, Dean of Workforce Development and Technical Education, or the Dean of Health Sciences. Incomplete is permissible only when the student, prior to his/her incompletion, has maintained a passing grade as revealed by the class record. In no instance will a student be awarded an incomplete who has not completed work through three-fourths of a session. All incomplete grades must be completed within the next semester of the regular academic year. After this time if the incomplete grade has not been completed, it will automatically become a grade of F. It is the responsibility of the student to take appropriate steps to complete the course;
W - Withdraw
P - Pass - The grading system for some courses is indicated by Pass/Fail. Pass/Fail grades are not computed in the overall grade point average.

Letter grades earned in developmental courses are by designation only and are not computed when figuring grade point average.

I.180 - MASTER SCHEDULE OF CLASSES
The schedule of classes will be developed each semester under the direction of the Dean of Academic Affairs, the Dean of Workforce Development and Technical Education, the Dean of Health Sciences, the Dean of Student Affairs and Enrollment Management, and the Director of Instructional Technology and Book Services. The Vice President for Instruction will give final approval to all schedules.

I.190 - OTHER EMPLOYMENT POLICIES
Other employment policies relating to certified instructional staff are described in Section L, “General Employee Policies and Procedures” beginning on Page L-1.

I.200 - RECORDS, STUDENT AND CLASS
Permanent student records are on file in the Office of Student Affairs and are available for faculty members to use as references. Records of class grades and attendance are the responsibility of each faculty member.

I.210 - SABBATICAL LEAVE
A revised sabbatical leave policy was adopted by the Board of Trustees on July 21, 1992. Sabbatical leaves may be granted, subject to available funds, by the Board of Trustees of Moberly Area Community College under the following provisions:

1. Any contracted certified full-time employee of the Moberly Area Community College who has completed a sequence of six full years of satisfactory professional services may be eligible.

2. A sabbatical leave may be granted for an entire contractual year, or for one-half of the contractual year, during which time the employee will receive one-half of the regular salary for that period. When funding by the College is not available, it will be the prerogative of the employee to request sabbatical leave without salary for that period. However, when this method is elected, the employee will not be eligible for retirement benefits during this period. (See current Benefits Guide of the Public School Retirement System of Missouri.)

Sabbatical leave granted without salary will not interrupt progress on the salary schedule, Board-paid insurance, or any other rights and privileges of full-term certified employees of the Moberly Area Community College District.

3. An employee who is granted sabbatical leave will agree to return to Moberly Area Community College for at least two years. Should the employee remain only one year, one-half of the money received on the sabbatical will be repaid. Should the employee not be offered a contract prior to completion of the committed time, repayment will not be required. Should the employee not fulfill the contractual obligation, money received by the employee from the District will be repaid to the District per contracted agreement.

4. Sabbatical leave granted with half salary will count as regular service and will not interrupt progress on the salary schedule, accumulated benefits, or any other rights and privileges of full-time certified employees of the Moberly Area Community College District.

5. Application for sabbatical leave will be made in writing and addressed to the President and the chair of the Sabbatical Leave Committee by March 1 proceeding the academic year within which the leave is desired.

6. Applicant will be notified in writing by the chair of the Sabbatical Leave Committee by June 15 of the application year as to approval or disapproval of request. Upon receipt of approval, the recipient will complete a contract of agreement that will outline the responsibilities and obligations of both parties.

7. No more than 5% of the total number of full-time certified employees may be granted sabbatical leave in any given semester.

8. A sabbatical leave may be granted for the purpose of:
   a. Continuing Education:
      (1) Advanced Study (graduate/undergraduate)
         (a) Acceptance into a degree program at an approved college or university; degree must be in a major area directly related to employment at Moberly Area Community College. A proposal detailing
objectives, time frames, and benefits to Moberly Area Community College must be submitted with application.

(2) Vocational/work experience related directly to employment assignment at Moberly Area Community College.

b. Approved research and/or travel study program that would expand a current educational program or develop a new educational program at Moberly Area Community College.

9. Evidence of completion of the planned program of study will be submitted to the President and the chair of the Sabbatical Leave Committee (Section H, Policy No. H.0160) for review within 90 days of the employee’s return to duty.

I.220 - TEACHING LOAD

A teaching load for full-time instructors will be 15 lecture or equivalent hours per week.

1. For the purpose of computing load, one hour of laboratory is equivalent of .70 hour of lecture.

2. Any combination of courses taught in the same time period will be computed as one course.

Full-time instructors not assigned to 15 lecture or equivalent hours will be given additional responsibilities determined by the President commensurate with their professional training.

In the case of emergency or large enrollment, full-time instructors may be required to teach additional hours. The instructional salary will be adjusted for teaching more than 15 lecture or the equivalent hours per week per current college salary policy. Full-time instructors may be required or may volunteer to teach overload credit hours each semester as approved by the appropriate dean.

Full-time faculty members are to be available on campus at an out-of-district site or by virtual office each college day. In addition to their assigned teaching responsibilities, full-time faculty members are to schedule a total of ten office hours per week at assigned instructional site(s) as approved by the Dean of Academic Affairs, the Dean of Workforce Development and Technical Education, or the Dean of Health Sciences (exception: see “Duties and Responsibilities: Full-Time Faculty,” Policy No. I.100, Item No. 11). Office hours are to be used primarily for student consultation and assistance but may also be used for other College activities, such as committee meetings. Consideration should be given to students’ schedules in determining when to hold office hours. Non-scheduled times may be arranged by appointment.

The maximum teaching load for adjunct faculty is 11 credit hours for each fall or spring semester. The maximum teaching load for adjunct faculty is 7 credit hours in the summer semester which includes intersession courses. Exceptions to this policy must have prior approval from the College President. Adjunct faculty may be assigned additional duties such as
tutoring, advising, or course development in addition to their teaching load. Such duties must have prior approval from the Vice President for Instruction.

For purposes of public school retirees, up to 17 credit hours per academic year is the maximum number allowed to meet retirement guidelines. If the retiree teaches at least one semester in which he or she is also required to hold office hours, then the maximum hours per year will be capped at 15.

I.230 - TEXTBOOK ADOPTION  
(Revised July 22, 2019)

Instructors will recommend the selection of textbooks, digital content, and supplementary materials for their courses for final approval of the appropriate Dean. Textbook adoptions will be submitted by faculty through the textbook adoption procedure determined by the MACC Bookstore. It is expected that textbooks for courses taught by two or more instructors will be adopted in concert for all sections.
CERTIFIED SUPPORT STAFF

Introduction
Certified Support Staff refers to any employee whose primary responsibility is to provide support services for the teaching and learning mission of the College. Although these positions may have some instructional assignments, their primary responsibility is in a non-instructional role. Examples are directors, coordinators, supervisors and department heads. Certified Support Staff participate in the Public School Retirement System of Missouri as long as they work a minimum of 20 hours per week for at least one month. Certified Support Staff attend regularly scheduled classified staff meetings. See Policy No. F.050.

Salaries for certified support staff may be set up on a contractual basis, annual basis, or on an hourly wage scale, depending upon job classifications.

Divisions of certified support staff are as follows:

1. Full-Time Employee
Certified support staff working 40 hours per week for a period of nine or more months per year are considered full-time employees. Full-time certified support staff employed by the Board of Trustees are regarded as probationary employees for the first 90 days of employment.

2. Part-Time Employee
Certified support staff working fewer than 37.5 hours per week are considered part-time employees. There are two types of part-time employees:
   a. Regular Part-Time Employee
      Certified support staff on a less than full-time assignment where the intent is to continue with the College district.
   b. Temporary Part-Time Employee
      Certified support staff hired to complete a temporary assignment.

J.010 - BENEFITS
Employee benefits (vacation, insurance, educational benefits, etc.) are described in Section G, “Employee Benefits”.

J.020 - COMMENCEMENT ATTENDANCE
Members of the certified support staff take part in the commencement exercises unless excused by the President.

J.030 – CREDENTIALS
(Revised June 22, 2020)
Each certified support staff member will have on file with the Human Resources Office, prior to September 30 of each year, an official transcript of all college work completed.

J.040 - EVALUATION
Performance evaluations will be completed at least annually with certified support staff. Support staff will complete annual self-evaluation and goals and submit to the appropriate supervisor for review. The appropriate supervisor will use this information, along with input from other supervisors where applicable, to aid in completing an annual performance evaluation with certified support staff. Final records will be maintained in Human Resources. Following each employee evaluation, an evaluation conference will be conducted by the appropriate supervisor. The administrative staff and certified support staff will be notified by April 15 of official Board action concerning reemployment.

The President of MACC and members of President’s Council, all of whom have completed at least one full year of employment, will be evaluated by employees of the College on a three-year cycle.

J.050 - MEETINGS
Certified staff meetings will be scheduled on a regular basis. All certified support staff are required to attend these meetings unless excused by the President of the College.

J.060 - OTHER EMPLOYMENT POLICIES
Other employment policies relating to certified support staff are described in Section L, General Employee Policies and Procedures beginning on page L-1.

J.070 - SABBATICAL LEAVE
A revised sabbatical leave policy was adopted by the Board of Trustees on July 21, 1992. (See Section I, Policy No. I.210.)
CLASSIFIED SUPPORT STAFF

Introduction
Classified Support Staff refers to all positions that cannot be categorized as certified positions of the Public School Retirement System of Missouri. Examples are secretarial, clerical and maintenance/custodial positions. These positions provide support services for the teaching and learning mission of the College. Classified Support Staff are eligible to participate in the Public Education Employee Retirement System of Missouri (PEERS) and attend all regularly scheduled classified staff meetings. Also see Policy No. F.050.

Divisions of classified support staff are as follows:

1. Full-Time Employee
   Classified support staff working a minimum of 37 ½ hours per week for a period of 9 ¼ months are considered full-time employees. Full-time classified support staff employed by the Board of Trustees are regarded as probationary employees for the first 90 days of employment.

2. Part-Time Employee
   Classified support staff working fewer than 37 ½ hours per week are considered part-time employees. There are two types of part-time employees:
   a. Regular Part-Time Employee
      Classified support staff on a less than full-time assignment where the intent is to continue with the college district. Part-time classified support staff employed by the Board of Trustees are regarded as probationary employees for the first 90 days of employment.
   b. Temporary Part-Time Employee
      Classified support staff hired to complete a temporary assignment.

K.010 - BENEFITS
Employee benefits (vacation, insurance, educational benefits, etc.) are described in Section G, Employee Benefits.

K.020 – EVALUATION
(Revised June 22, 2020)
Performance evaluations will be completed at least annually with classified support staff. Support staff will complete annual self-evaluation and goals and submit to the appropriate supervisor for review. The appropriate supervisor will use this information, along with input from other supervisors where applicable, to aid in completing an annual performance evaluation with classified support staff. Final records will be maintained in Human Resources. Following each employee evaluation, an evaluation conference will be conducted by the appropriate supervisor. The administrative staff and certified support staff will be notified by April 15 of official Board action concerning reemployment.
The President of MACC and members of President’s Council, all of whom have completed at least one full year of employment, will be evaluated by employees of the College on a three-year cycle.

**K.030 - MEETINGS**
Classified staff meetings will be scheduled on a regular basis. All classified support staff are required to attend all meetings unless excused by the appropriate dean/supervisor.

**K.040 - OTHER EMPLOYMENT POLICIES**
Other employment policies relating to classified support staff are described in Section L, “General Employee Policies and Procedures”.

**K.050 - SALARY/PAY RATES**
(Revised May 21, 2018)
Classified support staff will be compensated on the basis of the job assignment, training, and experience. See Section L, Policy No. L.180.

Pay rates for hourly classified support staff are governed by pay rate classifications as outlined in the Classified Staff Hourly Pay Rate Schedule.

1. All hourly classified support staff will be considered for a merit raise each year, contingent on funds available.
2. Any classified employee of Moberly Area Community College may be considered for any vacancy in any classification through the job application process. Qualifications and experience will be the deciding factor on all positions.
3. Beginning salaries for new employees will be according to job classifications. Previous employment in related job experiences will be taken into consideration for classifications.
4. Insurance benefits, sick leave benefits, and paid vacation will be granted according to Board policy for employees as designated in Section G Employee Benefits.
5. Paid holidays and other additional days will be granted according to the yearly work schedule for hourly personnel/classified staff as designated by the President.

**K.070 - WORK SCHEDULE/ATTENDANCE**
(Revised May 21, 2018)
The work schedule for hourly classified support staff will be determined by the appropriate dean/supervisor and approved by the President. The normal workweek consists of the period of time between 12:01 a.m. Sunday through 12:00 a.m. the following Sunday.

For the purposes of this policy, hours worked means all hours during which the individual is required to be on duty—generally from the required starting time to normal quitting time—and all hours an employee is permitted to work, in accordance with law. Meal periods of 30 minutes or longer and break periods of 20 minutes or longer do not count as hours worked as long as
the employee is relieved of all duties and is free to leave his or her duty post. Breaks for nursing mothers to express breast milk are also not considered as hours worked.

In accordance with law, the College will provide a reasonable break time for an employee to express milk for her nursing child each time the employee has a need to express for one year after the child’s birth.

All nonexempt employees are required to complete a daily time record showing actual hours worked. Employees shall use an appropriate type of paid leave when absent from regularly scheduled working hours. Employees absent from regularly scheduled working hours do not have the option of making up hours at a later time unless approved in advance by appropriate dean/supervisor. Supervisors of nonexempt employees must verify the accuracy of such records on a semi-monthly basis. Failure to maintain or verify such records or falsification of these records will be grounds for disciplinary action.

On certain occasions, additional time beyond regularly scheduled hours will be required. For example, many classified support staff will be required to begin work at 7:30 a.m. on the first two days of classes in the fall and spring semesters, as determined by the respective supervisor. Other than these occasions, overtime should be avoided. Nonexempt employees who work more than their assigned hours without prior authorization from their immediate supervisor are subject to discipline, including possible termination.

For nonexempt employees, time and one-half wages will be paid for additional hours worked beyond 40 hours or compensatory time will be given during regular working hours when it is mutually agreeable to the employee and his/her supervisor. Compensatory time must be requested on the Overtime/Compensatory Time Request form and approved by their supervisor and the College President. This policy constitutes an agreement or understanding in advance that these employees may be given compensatory time off for overtime work at a rate of 1.5 hours for each hour of overtime worked.

A reasonable effort will be made to permit the use of compensatory time at a time mutually agreed upon by the individual and his or her supervisor. However, when the individual’s absence would unduly disrupt the department’s operations, the College retains the right to postpone compensatory time usage.

A reasonable effort will be made to use accrued compensatory time within the pay period earned, and when necessary within the following pay period.

Upon leaving the College, employees will be paid for any unused comp time at a rate not less than the higher of the average regular rate received by the employee during his or her last three years of employment or his or her final regular rate of pay.
L.001 - ACCEPTABLE USE POLICY
(Approved June 22, 2020)
This policy defines the requirements and responsibilities that all users connecting or using MACC technology resources must follow. This policy provides notification of what is deemed to be acceptable use of college technology resources. It is important to make sure that these resources are properly used in order to avoid risks including virus attacks, compromise of network systems, and legal issues.

Scope
This policy applies to all users, including employees, students, consultants, visitors, and third party vendors that have access to or utilize MACC technology resources.

Policy
MACC encourages the use of information technology resources to support the college mission. Computing resources are available to all members of the campus community. Access to and use of MACC computing resources will accord with all MACC policies and local, state, federal, and international laws.

Acceptable Use
Use of computing resources is a privilege. In order to maintain this privilege, users agree to comply with the provisions of this policy and will:

1. Exhibit responsible behavior consistent with MACC’s mission and any applicable codes of conduct.
2. Accounts are to be used only by the authorized owner of the account
3. Follow all applicable policies regarding account security, social media, data governance, and any related training
4. Respect the privacy, confidentiality, and personal rights of others
5. Respect the intellectual property rights of creators, owners, contributors, and publishers
6. Protect assigned computing resources from unauthorized use
7. Immediately notify Computer Services of suspected unauthorized use or if account credentials have been/or are potentially compromised
8. Adhere to the terms of software licenses and other contractual agreements
9. Comply with all applicable MACC polices, laws, and regulations

Appropriate administrators will make determinations on whether specific uses of computing resources are consistent with the acceptable use policy.

Privacy and Monitoring
By using MACC computing resources, users agree and acknowledge that records of internet access, stored files, and email accounts may be monitored by MACC at any time with no expectation of privacy.
Compliance
MACC values academic freedom and privacy and does not condone casual inspection of the information contained in or transmitted within its computing resources. However, such information is subject to examination and inspection when deemed appropriate by Computer Services, the Chief Information Office, and other appropriate administrators.

Individuals found to have violated the Acceptable Use policy may have system privileges suspended or revoked and may face additional disciplinary action. MACC reserves the right to advise appropriate authorities of any violation of the law.

L.005 - ACCOUNTING AND REQUISITIONS
Each department has a budget, and all supplies requisitioned by members of that department are charged to that departmental budget. Departments are asked to submit budget requests each year and to confer with the appropriate dean or supervisor concerning the special needs of the department. Final approval of the budget rests with the Board of Trustees upon recommendation of the President of the College.

L.010 - ANIMAL, SERVICE/EMOTIONAL SUPPORT POLICY
(Approved July 22, 2019)
Service Animals
A service animal is a dog or miniature horse that has been trained to do work to support an individual with a disability.

- Students who are using a service animal do not have to register the animal with the office of Access and ADA Services.
- Service animals are not considered an accommodation and so students do not need to have this listed on their Student Accommodation Plan to utilize their service animal.

MACC follows the ADA and the most recent guidance from the Department of Justice (DOJ) regarding service animals. In accordance with ADA and DOJ, MACC suggest the following guidelines for service animals on campus.

Questions for a Service Animal Handler:
In order to protect the privacy of the individual with a service animal, ADA law restricts employees to only two questions that can be legally asked:
1. Is the service animal required because of a disability?
2. What work or task has the animal been trained to perform?

Definition of a Service Animal
Service animals are defined by the ADA and DOJ as follows:
“Service animals are defined as dogs that are individually trained to do work or perform task for people with disabilities” (DOJ)

Per Missouri state statutes:
“Any person who knowingly impersonates a person with a disability for the purpose of receiving the accommodations regarding service dogs under the Americans with Disabilities Act, 42 U.S.C.
Section 12101, et seq., is guilty of a class C misdemeanor and shall also be civilly liable for the amount of any actual damages resulting from such impersonation. Any second or subsequent violation of this section is a class B misdemeanor. For purposes of this section, “impersonates a person with a disability” means a representation by word or action as a person with a disability or a representation of a dog by word or action as a service dog.” (Missouri Revised Statutes 209.204)

Handler’s Responsibilities
1. “Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.” (Missouri Revised Statues 209.204)
2. The handler is financially responsible for the actions of the approved service animal. These actions include bodily injury and/or property damage and handlers must take appropriate precautions to prevent injury and/or property damage. Any damage to MACC property caused by the service animal or above and beyond normal maintenance cleaning will be charged to the handler’s MACC student account.
3. At all times, the cost of care and maintenance of health and well-being are the sole responsibility of the handler. Service animals must be in good health and meet all local ordinances regarding vaccinations and proper licensure.
4. Out of curtesy to others, as much as possible the handler should ensure that the service animal does not approach and sniff other individuals, dining tables, or the personal belongings of others.
5. The handler must assure that the service animal does not block identified fire/emergency exits.
6. It is the handler’s responsibility to assure that the service animal does not display behaviors or noises that are deemed disruptive to others, unless said noise/behaviors are part of the needed disability service to the handler.
7. Waste cleanup is the sole responsibility of the handler. If the handler is not physically capable of cleaning up after the service animal, the handler must hire someone who is physically capable and incur the cost of such hire. Service animal waste cleanup should include appropriate waste clean-up equipment and proper disposal of waste in an appropriate container. An appropriate container is an outside receptacle (i.e. dumpsters)

Service Animals in Residence Halls and on campus
Service animals may travel freely with their handler throughout the Residence Halls and MACC property. MACC may restrict the use of Service Animals in certain locations based on health and safety restrictions. These instances will be evaluated on a case-by-case basis. Please contact the Access office with any concerns or questions.

Removal of a Service Animal
Service animals may be removed from MACC premises if:
1. The service animal is out of control and the handler does not take effective action to control it. If improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any college facility until the handler can demonstrate that she/he has taken significant steps to mitigate the behavior.
2. The service animal is not housebroken.
3. The service animal is a direct threat. A handler may be directed to remove an animal MACC determines to be a substantial and direct threat to the health and safety of individuals.

When there is a legitimate reason to ask that a service animal be removed, Access office staff will work with the person with the disability to obtain goods or services without the animal’s presence.

Emotional Support/Therapy Animals
An emotional support or therapy animal is an animal that does not work, but whose presence provides some kind of support to a student.

- Students may only bring approved Emotional Support Animals on campus, and this accommodation must be registered with the Access office.
- Use of an Emotional Support Animal is considered an accommodation and documentation must be presented to the MACC Access and ADA Services office.
- Documentation must come from a medical professional and must document the student’s disability, the reason for the emotional support animal, and the individual needs of the student.
- The documentation will be evaluated by the Director of Access and ADA Services and a determination will be made regarding the allowance of this accommodation.
- If students are dissatisfied with the decision of the Director, they can appeal this decision using the ADA Grievance Procedure listed in this handbook.
- Use of an emotional support animal on campus must be listed as an accommodation on the Student Accommodation Plan.

- Students may not bring an Emotional Support Animal on campus without going through the process listed above.
- Emotional Support Animals are held to the same rules listed for service animals at all MACC locations.

L.015 - BENEFITS
Employee benefits are outlined in Section G, “Employee Benefits”.

L.020 - BOOKSTORE
Regulations and procedures for operating the bookstore will be recommended by bookstore personnel and approved by the President’s Council. Bookstore layout, merchandising, and promotional strategies will be planned and implemented by the bookstore staff.

All individual purchases made at the bookstore by employees are at retail price, with the exception of memorabilia, which will be sold to employees at a discount of twenty percent.
Memorabilia is defined as any article of clothing or general merchandise bearing the College logo, the words "Moberly Area Community College" or the letters "MACC." This discount does not apply to sale items.

L.035 - CIVIL RIGHTS NONDISCRIMINATION
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
Columbia, MO 65203
573-234-1067, ext. 12120

L.037 - COLLEGE CREDIT CARD, USE OF
(Approved July 22, 2019)
Policy Regarding Use of College Credit Card
Moberly Area Community College issues College credit cards to eligible employees for job-related expenses. Being a Moberly Area Community College cardholder is a special privilege.

1. Employees shall use their corporate credit cards to charge business-related expenses. Expenses must be for approved budget items only. Any items not budgeted must be authorized by the Vice President for Finance.
2. Personal purchases of any type are strictly prohibited.
3. In accordance with Moberly Area Community College’s policy, no alcoholic beverages may be purchased with the corporate credit card.
4. Employees may NOT take cash advances on credit cards.
5. The employee is responsible for all charges made to the card. The employee will be held liable for any unauthorized items appearing on the credit card statement.
Cardholders are required to sign the “cardholder agreement” indicating they accept these terms. Individuals who do not adhere to these policies and procedures risk revocation of their credit card privileges and/or disciplinary action.

L.040 - COLLEGE EQUIPMENT, USE OF
The College has available for loan to community organizations a limited amount of equipment such as risers, AV equipment, spotlight, etc. Before any equipment can be loaned, an application must be completed and approved by a designated College official.

L.050 - COLLEGE FACILITIES, USE OF
(Revised October 1, 2001) (Revised June 25, 2002)
MACC encourages the use of College facilities by College and community groups. The policy and fee schedule for the use of general College facilities appears in Tab 2, followed by the policy and fee schedule for use of the MACC Activity Center.

L.060 - COLLEGE VEHICLES, USE OF
(Revised June 25, 2002) (Revised February 26, 2018) (Revised June 22, 2020)
The scheduling of College-owned vehicles is organized by the Director of Plant Operations or other designee of the President. Employees who wish to use a vehicle for College-related purposes must schedule a vehicle with the appropriate office, depending on location. Mileage logs, keys and receipts for gas must be obtained and returned to that office. Department budgets will be charged per mile at the fleet rate. Personally-owned vehicles should only be used when no College-owned vehicles are available, or when it is the College’s most cost-effective option, as approved by the supervisor. Employees who choose to use their personal vehicle when a College vehicle is available will be reimbursed at the fleet rate. When a College vehicle is not available, the employee will be reimbursed at the standard rate for approved College-related travel, as approved by their supervisor.
In the event that no vehicles are available or in extenuating circumstances, employees may, with the approval of their supervisor, rent a vehicle form a local vendor following the College’s purchasing policy. Rental of vehicles should only be made if it is the College’s most cost-effective option.
Moberly Area Community College will use the same mileage reimbursement rates as the State of Missouri. These are anticipated to be determined by July 1st of each year and consist of a “fleet rate” for use of a College-owned vehicle and a “standard rate” for use of a personally-owned vehicle.

L.070 - COMMUNITY PARTICIPATION
Employees of Moberly Area Community College are encouraged to take an active part in those organizations and community activities in which they feel interested or qualified. These activities can be either professionally or non-professionally related with different expectations for each. For purposes of evaluation, professionally related college/community activities may include: public relations; advisory committees; speaking to service clubs, government agencies or community groups; and serving on boards and commissions.
Non-professionally related activities may include any non-college activities that reflect positively on the College.

L.080 - CONFLICT OF INTEREST AND FINANCIAL STATEMENT DISCLOSURE
Moberly Area Community College recognizes the importance of avoiding conflicts of interest and properly reporting any transactions that occur between the College and any entity that may be related to a board member, faculty, or staff. The Conflict of Interest Policy and the Financial Statement Disclosure Policy appear in Tab 3.

L.085 - CRIME AWARENESS AND CAMPUS SECURITY
(Revised April 28, 2008) (Revised April 6, 2015)
The Board of Trustees of Moberly Area Community College intends to comply with the requirements of the Crime Awareness and Security Act of 1990, as amended and retitled “The Jeanne Clery Act.” MACC will provide:

1. Procedures for students to report criminal activities;
2. Security at campus facilities;
3. Campus law enforcement, as needed;
4. Programs available to inform students about security and prevention of crime;
5. An annual report of campus crime statistics;
6. Disclosure of crime statistics for the campus, unobstructed public areas adjacent to the campus and certain non-campus facilities; and
7. A “Timely Warning Policy.”

Policy statements, statistical reports and procedures will be available in publications and electronically for students and employees, as well as prospective students and the higher education community.

Timely Warning Policy:

All students and employees are to report any criminal activity or emergency that is observed on campus. Depending on the nature of the criminal activity or emergency, this report should be made to a security officer or directly to 911. The local police department, fire department or ambulance service may be requested for assistance. Following the incident, a written report will be submitted by the proper authorities.

Any time an incident is reported; it will be addressed in the most expedient manner and resolved as soon as possible. All incidents will be entered on a daily log to include the nature, date, time, general location of the occurrence and, if known, the disposition of the complaint. This log will be maintained by the Security Director on the Moberly campus, and by the Site Director at the Columbia, Edina, Hannibal, Kirksville and Mexico campuses. It will be open for public inspection within two business days of the initial report being made to the campus security authority. Further, any new information received will be recorded within two days after it becomes available.
In addition to the Daily Log, MACC shall issue campus wide “timely warnings” to students and staff regarding crimes that are listed in the Clery Act, and situations that may pose a threat to the campus community. These timely warnings will be issued via mymacc.edu, which is a web link from macc.edu and open to public viewing. Faculty and staff of MACC will be directed to this information via email. In all situations that could pose an imminent threat to the campus community, Security may also utilize the emergency messaging system for a more immediate notification of all students, faculty and staff enrolled in the messaging program.

Moberly Area Community College does not recognize any off-campus student organizations or off-campus housing facilities at any of our MACC locations. Crime Statistics are gathered from local law enforcement according to the rules put in place by the Clery Act, and report statistics that occur on campus property, in residence halls, and on adjacent non-campus and/or public property.

Anyone with information regarding a crime should report the incident to the Director of Security at (660)651-9011 or (660)263-4100 x11247 on the Moberly campus. Information can be reported in person at Student Affairs, located inside Andrew Komar, Jr. Hall. All other campuses should report the information to the Site Director.

In addition to crime reports, MACC also addresses concerns related to fire education and fire safety. A fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. The cause of a fire is defined as the factor or factors that give rise to a fire. The cause may be the result of an unintentional or intentional act, or it may be undetermined.

- An unintentional fire is a fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be.
- An intentional fire is a fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire.
- An undetermined fire is a fire in which the cause cannot be determined.

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, Moberly Area Community College will begin making immediate contact with students and employees via Timely Warnings, banner alerts, email, Hound Alerts, myMACC, and the MACC website. Information will be given regarding the emergency or dangerous situation, as well as directions on whether or not to evacuate, and if evacuation is called for, where the campus community should go for shelter and more information. Those emergencies and dangerous situations may include crimes, fires, severe weather, infectious diseases, and other situations that affect the campus community. Federal compliance requires at minimum, one test of the emergency response procedures annually. The Director of Security and Residential Life will randomly choose the date and time of the test, and all students, employees and visitors will be expected to respond to the test without hesitation.
A separate test will be conducted for McCormick Commons and Residential Center. Moberly Fire Department will work annually with the residents of MCRC during the fall orientation to discuss potential threats and evacuation procedures for their area.

Moberly Area Community College main campus is the only campus to offer housing to its students. Fire safety education programs for all students living in on-campus housing and employees associated with on-campus housing (security, dorm supervisors, RA’s) are held at the beginning of each semester during the dorm orientation. These programs are designed to:

- Familiarize residents and employees with the fire safety system
- Train residents and employees on the procedures to be followed in case there is a fire
- Distribute information on McCormick Commons and Residential Center fire safety policies

Evacuation routes will be demonstrated and the location of fire equipment will be identified. MACC emphasizes that participation in fire drills is mandatory, regardless of the time of day, or the weather outside. Students with disabilities will be given special instructions on where to meet campus officials in an evacuation, to insure they get out safely.

Fire safety education and training programs are taught by local fire authorities.

If a fire occurs or an alarm sounds, residents and employees should leave the building via evacuation routes and get to a predetermined location before calling 911. They should remain in that area and not leave until given permission by Security or a dorm supervisor so that everyone in the building can be accounted for. Alarms should be pulled as residents and employees are leaving the building if they can do so safely.

All fires and all fire alarms should be reported as soon as possible to the on-duty security officer at (660)651-9011, or to the Director of Security and Residential Life at (660)263-4100 or (660)833-6990.

L.087 – CYBERSECURITY INCIDENT RESPONSE PLAN
(Approved June 22, 2020)

1. Purpose
   This policy is designed to provide a rapid response to data security incidents, to improve incident reporting and related communications, to mitigate any damages caused by incidents, and to improve overall data security systems.

2. Scope
   This policy applies to users of all Moberly Area Community College information assets, information systems, and/or the networks that deliver the information at and/or owned by the college, regardless of location. Users include, but are not limited to, faculty, staff, students, vendors, and visitors that utilize the network infrastructure.
3. Policy

Moberly Area Community College will maintain guidelines and procedures to provide the basis for appropriate responses to incidents that threaten the security, confidentiality, integrity, and/or availability of information assets, information systems, and/or the networks that deliver the information. A Critical Incident Response Team will be maintained to manage security incidents. Data security guidelines and procedures will be reviewed routinely and updated as necessary.

An incident is any event that threatens the security, confidentiality, integrity, and/or availability of the information assets, information systems, and/or the networks that deliver the information. Any violation of computer security policies, acceptable use policies, or standard computer security practices in an incident.

Critical Incident Response Team (CIRT) membership will include:
- President
- Vice President for Finance
- Vice President for Instruction
- Chief Information Officer
- Director of Marketing and Public Relations
- Director of Security and Residential Life
- Dean of Academic Affairs
- Dean of Workforce Development and Technical Education
- Dean of Health Sciences
- Dean of Student Affairs and Enrollment Management
- College Legal Counsel (if needed)

Participation by individual members may vary by incident as appropriate. Members of the Critical Incident Response Team are expected to respond immediately and fully when called upon. Responding to a critical incident, in general, takes precedence over all other work. If a member is unavailable at the time the team is assembled, a substitute member may be named by the President or other executive leadership.

Steps that will be taken at Moberly Area Community College in the event of an incident are as follows:

A. Determination of the nature and scope of a breach

An employee who discovers a breach is to notify his or her immediate supervisor and the Chief Information Officer. If neither are available, the employee must notify a member of President’s Council. The following information will be documented:
- identification of the person reporting the breach (name, contact info, etc.)
- record of the location, timeframe, and apparent source of the breach
- preliminary identification of confidential data that may be at risk

B. Communication regarding the breach will occur with
• Chief Information Officer
• Director of Security and Residential Life (if physical access to hardware is involved)
• President and other members of the Critical Incident Response Team (depending on sensitivity and scope of data exposed)
• Legal Counsel (depending on sensitivity and scope of data exposed)
• Law Enforcement (depending on the nature/scope of theft)
• Cyber Risk Insurance carrier (retained by MACC to assist)
• If credit card data is involved, notify bankcard holder within 24 hours of confirmed breach discovery

C. Investigation

• retain a third party to facilitate the process, if deemed necessary
• identify ongoing vulnerability of data to exposure from breach source (if circumstances warrant, Chief Information Officer may take immediate action to mitigate further damages.)
• conduct preliminary forensic analysis (retain outside assistance as needed)
• prepare inventory of data risk
• determine if exposed data were encrypted
• identify security measures that were defeated (and by what means)

D. Assessment of breach

• identify affected individuals at risk of identity theft or other harm
• assess financial, legal, regulatory, operational, reputational and other potential institutional risks

E. Remediation

• implement password changes and other security measures to prevent further data exposure
• determine if exposed/corrupted data can be restored from backups; take appropriate steps
• determine if value of exposed data can be neutralized by changing account access, ID information, or other measures

F. Notification

Based on regulatory requirements and other factors, the Critical Incident Response Team (in consultation with legal counsel as appropriate) determine whether notifications are indicated for:
• government agencies
If the Critical Incident Response Team determines that notifications are needed:

- the CIO will contact cyber risk insurance carrier who will coordinate notifications to affected individuals. Unless directed otherwise by law enforcement, such notifications will be made without delay.
- the Vice President for Finance and/or CIO will notify government agencies and business partners.
- the Director of Marketing and Public Relations will coordinate notifications to the MACC community, the public, and others as necessary.

**Communications will address the following points:**

- nature and scope of breach
- general circumstances of the breach (e.g., stolen laptop, hacked database etc.)
- approximate timeline (e.g., date of breach discovery)
- steps the college has taken to investigate and assess the breach
- any involvement of law enforcement or other third parties
- appraisal of any misuse of the missing data
- college-provided *credit-watch* service for affected individuals
- steps on behalf of affected individuals
- steps that the college is taking to prevent future breaches of this nature

**Post-Incident Follow Up**

In the wake of a data security breach MACC will:

- take steps to ensure that missing data cannot be used to access further information or cause harm in other ways to MACC’s electronic or other resources;
- pursue with law enforcement all reasonable means to recover lost data and equipment;
- review and modify as needed all procedures governing systems administration, software management, database protections, access to hardware, etc., to prevent future data breaches of a similar nature;
- take appropriate actions if staff negligence or other’s behavior contributed to the incident.
- modify procedures, software, equipment, etc., as needed to prevent future data breaches of a similar nature;
- take appropriate actions if personal negligence caused or contributed to the incident.

**L.090 - USE OF ALCOHOL AND OTHER DRUGS POLICY**

*Revised March 31, 2014* *(Revised April 6, 2015)*
The College is committed to the education and the 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 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.

Training and Education

All employees and students are encouraged to participate in the courses that MACC provides for alcohol and drug training. During the 90-minute course participants will navigate issues related to partying, drugs, and alcohol. The course includes discussion on the dangers of alcohol, alcohol and the law, knowing what is in a drink and signs of drunkenness, social pressures and drinking, the effects of drugs on the brain, date rape drugs, and penalties for violating the law. The training also covers myths about drugs and alcohol, and bystander tips for assisting someone under the influence.

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 Health Sciences 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 Health Sciences 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)


State Laws (Missouri Revised Statutes)

- Possession of a Controlled Substance [http://moga.mo.gov/statutes/C100-199/1950000202.HTM](http://moga.mo.gov/statutes/C100-199/1950000202.HTM)
- Fraudulent Attempt to Possess Controlled Substance [http://www.moga.mo.gov/statutes/C100-199/1950000204.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000204.HTM)
- Distribution, Delivery, or Manufacture of Controlled Substance [http://www.moga.mo.gov/statutes/C100-199/1950000211.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000211.HTM)
- Distribution of Controlled Substance Near Schools [http://www.moga.mo.gov/statutes/C100-199/1950000214.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000214.HTM)
- Trafficking of Drugs [http://www.moga.mo.gov/statutes/C100-199/1950000222.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000222.HTM)
- Possession of Alcohol by Minor [http://www.moga.mo.gov/statutes/C300-399/3110000325.HTM](http://www.moga.mo.gov/statutes/C300-399/3110000325.HTM)
- Driving While Intoxicated [http://www.moga.mo.gov/statutes/C500-599/5770000010.HTM](http://www.moga.mo.gov/statutes/C500-599/5770000010.HTM)
- Revocation of Driving Privileges, Over Age 21 [http://www.moga.mo.gov/statutes/C500-599/5770000505.HTM](http://www.moga.mo.gov/statutes/C500-599/5770000505.HTM)

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 DVD’s 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 problems. 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 30 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 and 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 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, oversensitivity, 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 are also encouraged to contact Student Affairs (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 or alcohol dependency. Students or employees may be referred to treatment by the Behavioral 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 its 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 insuring 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 and 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.

L.093 - USE OF ALCOHOLIC BEVERAGES ON COLLEGE PROPERTY
(Approved March 21, 2016)
The possession, use, or distribution of alcoholic beverages on property owned or leased by the College is strictly prohibited unless approved by the College President for unique and special Events. Approval must be granted by the President in advance for each Event at which alcohol will be served.

1. The College observes and enforces all applicable laws and regulations governing the sale, purchase, distribution, consumption, and possession of alcoholic beverages, and
expects that all members of its community adhere to these laws and regulations both on and off campus.

2. College funds may not be used to purchase alcohol.


4. When alcohol use is approved by the College President, all faculty, staff, students, and visitors are expected to observe and obey the laws of the State of Missouri, including, but not limited to, those which prohibit any person under the age of 21 from purchasing, attempting to purchase, possessing, or from being served any intoxicating beverage, and RSMo.311.325 (4), which pertains to college students enrolled in a culinary course.

5. Violations of applicable law and/or this Policy will be handled in accordance with applicable law enforcement or College disciplinary procedures.

6. Requests to serve alcohol at Events on College Property must be submitted in written form to the College President for consideration. Request must include information explaining the purpose of the proposed Event, the identity of the entity serving the alcohol, as well as written affirmation that the Event will comply with all applicable laws and licensing requirements. A request to serve alcohol at an Event shall be approved by the College President before the use of alcohol is permitted in accordance with this Policy.

L.095 - DRUG/ALCOHOL TESTING POLICY
In compliance with the Omnibus Transportation Employee Testing Act of 1991, MACC is required to ensure testing for the use of alcohol or controlled substances by employees who are required to obtain a Commercial Driver’s License. (See Tab 4.)

L.096 - COMMUNICABLE DISEASES POLICY
(Approved May 18, 2015)
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 and 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.

L.098 - COMPLAINT POLICY

(Approved September 26, 2011) (Revised April 6, 2015)

The MACC Complaint Policy is available to students and other stakeholders who have a complaint regarding the College not covered by existing academic policies, student conduct policy, sexual misconduct policy, etc. When possible, an individual with a complaint should attempt to resolve the concern with the personnel having direct responsibility at the source of the complaint. If the complaint is not resolved through this informal process, the complaint should be put in writing using the MACC Complaint Form. The completed Complaint Form and supporting documentation as appropriate should be sent to the Vice President for Instruction for review and resolution, which may include forwarding the complaint to the appropriate department for action. The office of the Vice President for Instruction will keep a log of all complaints and record the date received, the name of the complainant, a brief description of the complaint, and the date and nature of its disposition, as relevant.

The College also has a formal Due Process Grievance Procedure for students who claim they have been mistreated in some aspect of their educational plan, and for employees who claim there has been a violation, misinterpretation, or misapplication of contract terms of any
established policy or practice, or of the right to equitable treatment. The Grievance Procedure is located in the MACC Policy Manual.

L.098.5 - COMPLIANCE POLICY PCI DSS  
(Approved February 24, 2020)  
The College policy requires all personnel and departments (i.e. merchants) accepting and processing credit and debit cards to comply with the current version of the Payment Card Industry’s Data Security Standards (PCI DSS) set by the PCI Security Standards Council.  
https://www.pcisecuritystandards.org/pci_security/  
MACC will comply with the PCI requirements below as required for merchants using Point-to-Point Encryption (P2PE) solutions:

1. **Protect stored cardholder data.**  
   Cardholder data refers to any information printed, processed, transmitted or stored in any form on a payment card. Sensitive authentication data should not be stored. Primary Account Numbers (PAN) should be masked so that only authorized people with a legitimate business need can see more than the first six/last four digits of the PAN. All employees that interact with cardholder data must receive documented PCI training upon employment and annually. Employees must be aware of procedures to properly handle cardholder data as well as to detect and report attempted tampering of devices.

2. **Restrict physical access to cardholder data.**  
   Physical access to data or systems that house cardholder data should be appropriately restricted. Physical access to sensitive areas should be controlled. Devices that capture payment card data will be protected from tampering and periodically inspected to detect tampering.

3. **Maintain a policy that addresses information security for all personnel.**  
   All employees should be aware of the sensitivity of cardholder data and their responsibilities for protecting it. See the Cybersecurity Policy for details on data security incident response plan.

L.099 - COPYRIGHT COMPLIANCE POLICY  
(Approved February 22, 2016) (Revised July 22, 2019)  
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 the Library and Academic Resource Center 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. 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.

**L.100 - DUE PROCESS GRIEVANCE PROCEDURE**
*(Revised December 17, 2001)*

The purpose of the Due Process Grievance Procedure is to resolve in a fair and equitable manner misunderstandings, disagreements, and questions that might arise. (See Tab 1.)

**L.101 - DISCIPLINE POLICY**
*(Approved November 26, 2018)*

**GENERAL:**

To ensure the College’s business is conducted properly and efficiently, all employees must conform to certain standards of attendance, conduct, work performance, and other work rules and regulations. In many instances when a concern arises, the supervisor will coach the employee in an effort to develop an effective solution. In the event a concern continues to exist, the disciplinary procedure may be implemented.

There may be situations in which the seriousness of the concern justifies the omission of coaching and omission of one or more of the disciplinary steps. Likewise, there may be times when the College may decide to repeat a disciplinary step.
INVESTIGATION/DISCIPLINARY PROCEDURE:
Concerns are investigated in a thorough, reliable, and impartial manner prior to disciplinary action being taken.

For concerns of discrimination, harassment, sexual harassment, and sexual violence, investigation procedures, see the Sexual Misconduct Policy in Section I, Policy No. L.190.

Violation of the College’s performance standards, policies, procedures, and practices or standards of conduct generally, but not always, may be handled in the following progressive manner:

Step One: Verbal Warning
• The supervisor will meet with the employee to communicate the concern and the expected remedy. The purpose of this conversation is to serve as a reminder of a rule or a performance expectation, and to clarify the employee’s responsibility to meet expectations. Documentation of the verbal notification will be placed in the employee’s personnel file.

Step Two: Written Warning
• If performance does not improve, or if there is continued or additional violation of the College’s performance standards, policies, procedures, and practices or standards of conduct, the supervisor and/or Human Resources management will meet with the employee to discuss the concern. The employee will receive written notification of the concern and the expectations that must be satisfactorily met. A copy of the written notification will be placed in the employee’s personnel file.

Step Three: Final Written Warning (a Disciplinary Suspension may occur concurrently)
• If performance does not improve, or if there is continued or additional violation of the College’s performance standards, policies, procedures, and practices or standards or conduct following the Written Warning, the supervisor and/or Human Resources management will meet with the employee to discuss the concern. The employee will receive final written notification of the concern and the expectations that must be satisfactorily met. A Final Written Warning may also be accompanied by a Disciplinary Suspension. In this situation, the employee will spend a determined number of unpaid day(s) away from work. During this time away from work, the employee will decide whether to return to work and adhere to all requirements, or whether to terminate employment with the College. A copy of the final written notification will be placed in the employee’s personnel file.
• As deemed necessary by the Administration of the College, an employee may be placed on Suspension while the College completes an investigation of an alleged policy violation. In this situation, the employee will be notified whether the time away from work will be with or without pay.

Step Four: Dismissal
Dismissal is defined as the ending of the employment relationship by the College, and this typically results after progressive disciplinary steps have failed to correct the concern. However, in certain situations immediate dismissal may occur.

- Incidents such as, but not necessarily restricted to, conviction of a serious crime, dishonesty, theft, willful damage to College property, immoral conduct, insubordination, falsification of records, or excessive or unreasonable absence from performance of duties will be causes for dismissal.

L.104 – ELECTRONIC COMMUNICATION POLICY
(Approved July 27, 2020)

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

2. Scope
This policy applies to all Moberly Area Community College 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.
- Employees may not use external or private email accounts (i.e. Gmail, Yahoo, or account through another institution, etc.) to conduct college business. This includes but is not limited to automatically forwarding college email to a personal account or listing a personal email as primary contact information.
- Employee email addresses are not confidential.
- Supervisors who have employees without a computer in their work station are required to work with such employees to ensure they have regular access to a computer in order that they may receive/check their college email accounts.
• 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. Instant Messaging
Instant messaging services can be provided for employees of the college by request. As with email and all other forms of communication, these services should not be used to send inappropriate or discriminatory information to other users.

C. 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.

D. Phone System
The phone system at MACC should be used by MACC employees for conducting College business. As per MACC’s Policy Manual: Long-distance calls will be made for College business only (unless charged to a home telephone). A computerized record is made of each long-distance call and charged to the appropriate College extension.

4. Security and Management
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.

L.110 - EMPLOYMENT, FORMAL
All persons to be employed will be formally recommended to the Board of Trustees by the President. Formal employment will be determined by Board action.

Although the hiring of staff will be as described above, the President may issue a notice of appointment, which will be binding upon the Trustees, under the following circumstances:
1. The time of appointment is late in the period preceding the opening of a semester and no meeting of the Trustees is scheduled prior to the opening of the semester;
2. The position has been authorized by the Trustees and the approximate salary established;
3. A part-time staff member is employed through the joint consultation of the President and Dean/Supervisor responsible for the employment area.

L.115 - EXIT INTERVIEW
An employee terminating his/her employment with the College will be requested to participate in an exit interview with the Director of Human Resources or other designee of the President prior to his/her departure. The interview will be arranged by the Director of Human Resources. The completed exit interview record will be placed in the individual's file in the Human Resources Office.

L.117 - FIREARMS POLICY
(Approved May 24, 2004) (Revised August 31, 2009)
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.

L.118 - FOOD/BEVERAGES
Bottled water and light snacks are permitted in classrooms and labs except for computer labs and the Library and Academic Resource Center where no food or beverages are allowed.

L.125 - MAIL
(Revised January 22, 2018)
Mail is picked up and delivered daily on the Moberly campus. Mail is picked up and delivered on the other MACC campuses on Monday, Tuesday, and Thursday.

L.127 – NAME CHANGE AND PREFERRED NAME POLICY
(Approved August 24, 2020)
Students/Faculty/Staff/Alumni
MACC recognizes that students, faculty, staff and alumni use names other than their legal names to identify themselves. As long as the use of this preferred name is not for the purpose of misrepresentation, MACC acknowledges that a preferred name may be used whenever possible. The College reserves the right to remove a preferred name if it is used inappropriately.
MACC is required to keep documents related to financial aid and official academic transcripts under the full legal name.

Upon submission of the preferred name, the choice of preferred name will be reviewed by Student Affairs. Once the preferred name is approved, it will appear on College documents/programs listed below. If the preferred name is not approved, the student’s legal name will remain the only name on record at the College.

- MyMACC, Canvas, and MACC email accounts
- College ID card
- Class roster
- Library Information System
- Diploma

Examples of preferred names that will not be approved:
- Names used for the purpose of misrepresentation
- Names containing non-alpha characters
- Names containing foul or inappropriate language

A legal name change is required for a change on the following MACC documents:
- Transcripts
- Degree verifications
- Financial records
- Employment and payroll records
- State and federal reporting
- Financial aid documents and mailing information

To change the name on these records, the student must make a legal name change through state authorities. Students who wish to change their legal name in their official MACC record must complete and sign a Name Change Form and submit with a copy of an acceptable legal document reflecting the name change to Student Affairs.

Acceptable legal documents are a valid driver’s license, marriage license, divorce decree reinstating the maiden name, adoption documents, court order, valid passport, or birth certificate. Documents that are not considered acceptable legal documents include a social security card and a notarized statement. For international students, the name must reflect the name that appears on the visa. Upon receipt of the supporting documentation, the official name in the student’s academic record will be changed in the student information system. Although the name will be changed in the academic record and on the official transcript, the former name will be maintained in the college student information system for cross-referencing.
A post-graduation name change will not be made to the academic record except in the case of a birth certificate name change. Alumni who wish to change their legal name in the official Moberly Area Community College records to match their birth certificate name must complete and sign a Name Change Form and submit with a certified copy of the birth certificate reflecting the new name to the Office of the Registrar. Although the name will be changed in the academic record and on the official transcript, the former name will be maintained in the college student information system for cross-referencing. All other former student name change requests should be submitted to the Alumni Office for alumni record updates.

L.128 - NETWORK ACCESS POLICY
(Approved October 28, 2019)

Overview
Access to and use of Moberly Area Community College network infrastructure must accord with all local, state, federal, and international laws and with College policies and procedures.

Purpose
The purpose of this policy is to establish rules for accessing and using MACC network infrastructure.

Scope
This policy applies to all Moberly Area Community College faculty, staff, students, vendors, and visitors that utilize the network infrastructure.

Agreement
Authorized users are permitted access to only approved resources and systems. Users shall not:

1. Extend network services by installing a router, switch, or hub, or wireless access point without the written consent of MACC Computer Services.
2. Install any network hardware or software that provides network services without the written consent of MACC Computer Services.
3. Alter network hardware in any way.
4. Download, install, or run security programs or utilities that reveal weaknesses in the security of a system without written consent of MACC Computer Services.
5. Access, display, or submit any abusive, profane, discriminatory, offensive, obscene, harassing, threatening, intimidating, or disruptive messages or images to any user or other person.
6. Use the network for commercial or for-profit purposes.
7. Extensive use of the Network for personal and private business is prohibited.
8. Intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the network.
9. Disrupt the use of the network by others; hardware or software shall not be destroyed, modified, or abused in any way.
10. Send hate mail, harassment, discriminatory remarks, and other antisocial behaviors on the network.
11. Illegally install, duplicate, or distribute copyrighted software on a MACC computer. The illegal transfer of software over a network is prohibited.

12. Use the Network to access or process pornographic material, inappropriate text files, or files dangerous to the integrity of the network.

13. Transmit any material in violation of any U.S. or state (e.g. copyrighted material, threatening or obscene material, or material protected by trade secrets).

14. Use the Network while access privileges are suspended or revoked.

Audit Controls and Management

1. Firewall rules are implemented to restrict unauthorized access to and from College Network.
2. Windows Group Policy settings are in place to support access control and security.
3. Network traffic is monitored and logged by MACC Computer Services. Network logs are retained for fifty-two weeks.

Enforcement

The use of the College network infrastructure is a privilege which may be revoked by MACC at any time for inappropriate conduct, including any use determined to be unlawful, abusive, or unethical. Misuse of computing or network resources may result in the revocation of privileges, probation, expulsion, termination of employment, civil litigation, or criminal prosecution. College policy offers recourse through due process for the resolution of disputes.

L.130 - NEWS RELEASES

Information and publicity pertaining to the College will be submitted to the Director of Information through the appropriate supervisor or dean for mass media distribution.

L.135 - OFFICE SUPPLIES

Expendable supplies (stationery, pencils, etc.) are stocked in the bookstore and may be obtained by completing a form maintained by bookstore personnel. Costs of supplies are charged to individual or departmental budgets.

L.140 - OUTSIDE EMPLOYMENT

Employees are not to engage in any outside employment that can be determined by the President’s Council to interfere with their abilities to carry out their assignments at the College. Personnel working a minimum of 20 hours or teaching at least eight credit hours per semester will report other employment to their dean or supervisor.

L.145 - PARKING

(Revised April 29, 2002) (Revised February 25, 2008)

The Director of Plant Operations will assign a parking space to all full-time employees and on a space-available basis for continuing part-time employees who work on the Main Campus in Moberly. Employees at the Columbia site do not have assigned spaces, but are required to have a parking permit to park on College property. Employees who work at other MACC sites,
but travel to the Main Campus or Columbia to conduct College business are encouraged to request a parking permit from the Director of Security.

Vehicle registration forms may be obtained from the Director of Security in the Office of Student Affairs on the Main Campus. A registration form must be completed for each vehicle that will be parked in College parking areas in Moberly and Columbia.

Upon registration of the employee’s vehicle(s), a parking permit will be issued and is to be attached to the rearview mirror. One parking permit will be issued to each eligible employee and may be transferred to any vehicle registered under that individual’s name with the Director of Security.

Campus parking permits are valid for one college year. The registered holder of a parking permit is responsible for that motor vehicle at all times.

The owner and operator of any vehicle that will be operated or parked on the campus or in parking areas provided by the College will assume all the risks of loss or damage to such vehicle and its contents. The College is not responsible for the safety, care and protection of vehicles or their contents.

L.148– PASSWORD POLICY
(Approved June 22, 2020)

Overview
All individuals at Moberly Area Community College are responsible for safeguarding their system access and must comply with password parameters and standards identified in this policy.

Purpose
The purpose of this policy is to establish rules for password complexity and retention as well as to establish best practices in keeping user credentials safe and secure.

Scope
This policy applies to all Moberly Area Community College faculty, staff, students, vendors, and visitors that utilize the network infrastructure.

Agreement
- Authorized users are permitted access to only approved resources and systems.
- User credentials, including passwords, are never to be shared with another individual for any reason.
- Passwords are to never be written down and left in a location that is accessible or visible to others.
- Password should not be stored in a web browser’s password manager.
- Individuals must never leave themselves logged into an application or system that is accessible to another individual to access their account.
- Individuals must report to the Chief Information Officer in the event that they suspect their password has been compromised. They must also change their password once they realize the compromise has taken place.

- Requirements:
  - Passwords must be at least 14 characters long. Passphrases are recommended. A passphrase is typically composed of multiple words.
  - Passwords must contain at least 3 of the following:
    - Upper Case
    - Lower Case
    - Numeric
    - Special Characters/Punctuation

Audit Controls and Management
- Passwords are required to be changed every 365 days.
- Group Policy is configured to force users to change passwords.
- Changed password must not be the same as previous two passwords.

Enforcement
The use of the College network infrastructure is a privilege which may be revoked by MACC at any time for inappropriate conduct, including any use determined to be unlawful, abusive, or unethical. Misuse of computing or network resources may result in the revocation of privileges, probation, expulsion, termination of employment, civil litigation, or criminal prosecution. College policy offers recourse through due process for the resolution of disputes.

L.155 - PROFESSIONAL ORGANIZATIONS
Employees of the College are encouraged to take active roles in professional organizations related to their position(s). Employees are also encouraged to take an active role in the Missouri Community College Association (MCCA).

L.160 - PURCHASING POLICY

It is the policy of the Board of Trustees to purchase goods, services, supplies, and equipment at the lowest possible cost, provided that appropriate quality and service standards are met. Preference will be given to business firms in the College service area if merchandise of equal quality can be secured for a comparable cost, defined as no greater than 5% more than the lowest bid, not to exceed a difference of $2,000. Awards will be made to the best and lowest bidder meeting specifications. The College reserves the right to reject any or all bids and to waive any formality in bids and to accept or reject any item thereon. The Business Office will monitor adherence to these purchasing policies. Final purchasing responsibility rests with the President and the Board of Trustees of Moberly Area Community College. All purchases must be according to budget and handled in accordance with the following guidelines:

Purchases with Federal or Other Grant Funds
Purchases of activities, goods, or services with Federal funds requires a review of vendor eligibility through the Federal System for Award Management (SAM.gov). The Federal grant’s designated responsible person will review SAM.gov to ensure that sub-awardees and contractors for goods and services have not been debarred or suspended from receiving Federal funds (29 CFR 95/13 Debarment and suspension, also, Uniform Guidance 200.212). The SAM.gov verification form will be downloaded and saved on file as supporting documentation. In the circumstances that more restrictive requirements are necessary for the administration of particular funds, such as grants, the more restrictive guidelines will take precedent.

Cooperative Purchasing
The College may participate in cooperative purchasing (including joint bid arrangements, formal membership cooperatives and permissive cooperatives) that is deemed advantageous to the College.

Construction Purchases
As required by RSMO Section 177.086 of the Missouri statutes, an expenditure in excess of $15,000 for the construction of facilities will require public advertisement, once a week for two consecutive weeks, to request bids. All bids must be submitted sealed and in writing and will be opened publicly in accordance with RSMO Section 177.086.

Materials/Equipment Purchases/Printing Services
1. Purchases with an item or gross cost up to $4,999.99: no bid required.
2. Purchases with an item or gross cost of $5,000 to $9,999.99: three bids must be obtained by the department and upon completion of the purchase, filed with the Business Office. These bids may be submitted via fax, email, or standard mail service. If three bids cannot be obtained, then an ad for bid requests will be placed in the Moberly and Columbia papers and in other papers as desired prior to purchase. Bids will be opened publicly in accordance with policies and procedures. Final purchase requires approval of the President.
3. Purchases with an item or gross cost of $10,000 to $14,999.99: three sealed bids must be obtained by the department and upon completion of the purchase, filed with the Business Office. If three sealed bids cannot be obtained, then an ad for bid requests will be placed in the Moberly and Columbia papers and in other papers as desired prior to purchase. Bids will be opened publicly in accordance with policies and procedures. Final purchase requires approval of the President.
4. Equipment purchased via electronic bid, virtual auction, actual auction, or an appropriate equipment vendor with a gross cost of $5,000 to $14,999.99 will be purchased according to the following procedures:
   a. Benchmark comparison prices for similar equipment will be informally obtained in advance of the purchase via internet printout, price estimates from vendors, or other written estimates. These estimates will be used to obtain written pre-purchase approval from the President of the College for a maximum purchase amount. Additionally, estimates of refurbishment costs, if any, for used equipment will be included in the total acquisition price when compared to the new equipment purchase option.
b. Upon obtaining written pre-purchase approval from the President, electronic bids or actual bids may be placed by an authorized buyer. Estimate documents will be filed with the Business Office, and all appropriate paperwork will be processed after the purchase is made.

5. Purchases with an item or gross cost of $15,000 or more: Bid requests must be advertised in the Moberly and Columbia papers and in other newspapers as desired. All bids must be submitted sealed and in writing and will be opened publicly in accordance with policies and procedures. Final purchase requires approval of the President and the Board of Trustees.

Services
1. General Services
   In some cases, general services such as equipment/facility repair and maintenance, replacement items and special projects cannot be bid due to the services needing to be provided by a specific person/company or by a specific brand. Additionally, some equipment/facility repair and maintenance can only be quoted by time and materials plus a reasonable profit margin. In these cases, justification from the department requesting these services must be provided to the President. General services under $15,000 can be approved by the President. General services of $15,000 or more must be approved by the Board of Trustees.

2. Audit Services and Insurance
   Purchase of audit services, property and liability insurance, as well as group health insurance will require advertised bid requests and formal bid specifications. Audit services and insurance coverages will be reviewed annually by a committee appointed by the Board of Trustees and bid at least once every three years.

State Division of Purchasing
The College may utilize state bid items and may purchase items through the State Division of Purchasing in accordance with these policies and procedures.

Auxiliary Enterprises
Auxiliary enterprises such as bookstore, cafeteria, etc. will develop bidding procedures appropriate for the purchases of resale materials, as required and approved by the President.

Emergency Situations
In emergency situations affecting the welfare and safety of MACC students and facilities, the President, in coordination with Board members available at the time, is authorized to approve necessary expenditures. The President will submit a final report of such emergency expenditures to the Board of Trustees as soon as appropriate following the emergency situation.

L.165 - PURCHASING PROCEDURES
(Revised May 23, 2005) (Revised November 23, 2009)
1. A purchase requisition is prepared by faculty or staff (purchaser), initialed, and forwarded to the appropriate dean or supervisor. The purchaser should retain an electronic or paper copy. The requisition should include:
   a. Description of items to be purchased
   b. Quantity
   c. Price
   d. Vendor and vendor's address
   e. Catalog number when available
   f. Name of purchaser
   g. Department budget to be charged and account number
   h. Date

2. The dean/supervisor reviews the purchase requisition to determine if the proposed expenditure is proper and necessary for the operation of that department, is in accordance with the college budget, and follows purchasing policy in Section L.160. The purchase requisition is initialed and dated by the dean/supervisor. If rejected, the purchase requisition is returned to the purchaser. If approved, the requisition is forwarded to the Business Office.

3. Business Office personnel review the purchase requisition for the following:
   (a) purchase requisition properly completed; (b) account distribution is appropriate; (c) calculations are correct; (d) expenditure is properly authorized, and (e) bids are properly documented when necessary. Additionally, all attachments are reviewed.

4. If incorrect, the requisition is returned to the dean/supervisor. If the requisition is properly completed and within budget, the purchase requisition is initialed and dated by Business Office personnel. The purchase requisition is then forwarded to accounts payable. If the requisition exceeds budget, it is forwarded to the Vice President for Finance. These purchase requisitions are reviewed and may be approved, rejected, or changed. All expenditures that exceed budget must be approved by the President's Office before further processing.

5. The Accounts Payable Clerk scans the purchase requisition for: (a) proper authorizations; (b) account numbers; (c) changes (if any). The Accounts Payable Clerk initials and dates the purchase requisition and begins processing a purchase order. Required signatures for processing are: (a) appropriate dean or director (when applicable); (b) Vice President for Finance (when applicable); (c) President (when applicable).

6. A copy of the approved requisition and purchase order will be returned to the purchaser and temporarily retained. When the order is accounted for, a copy is marked received, ready for payment, canceled, etc. and returned to the Business Office along with receiving slips or packing documents.

7. Note: PURCHASES NOT MADE THROUGH REGULAR COLLEGE CHANNELS WILL NOT BE PAID UNLESS AUTHORIZED BY THE PRESIDENT OF THE COLLEGE.

**L.168 - RECORDS RETENTION AND DESTRUCTION POLICY**
*(Approved March 11, 2019)*
The College shall effectively maintain and manage its records, including those in electronic format, to ensure the preservation of those records as required by both state and federal law. The College follows the minimum retention guidelines published by the Missouri Secretary of State, as outlined in the “Community College Records Retention Schedule” and “General Records Retention Schedule”, maintained on their website, as well as federal guidelines, when found to be more restrictive. A record is defined as any documentation created or received and used in the conduct of official College business regardless of the format.

Each President’s Council member is the officer responsible for the administration of this policy within their areas of control and the implementation of processes and procedures to ensure that the records retention schedule is followed.

Each President’s Council member is responsible to:

- make modifications to the records retention schedule to ensure compliance with this policy and associated regulation including the appropriate document and record categories;
- monitor local, state and federal laws affecting records retention;
- periodically review the record retention and disposal program;
- monitor college compliance with this policy, and
- bring any revisions forward to the President’s Council for approval and inclusion in the records retention schedule

The Finance office is responsible to:

- maintain a listing of the retention schedules provided by the President’s Council members, and ensure it is accessible for reference.

Should any of the following occur, destruction of relevant records shall cease pending satisfactory resolution:

- an investigation by the College
- a criminal investigation by outside authorities
- the filing of a legal claim against the College
- the filing of a claim against the College by a governmental entity

L.169 – REMOTE ACCESS POLICY
(Revised June 22, 2020)

Purpose
This policy establishes guidelines that protect the security of the college data and internal systems when employees or third party vendors access the college network (e.g., CX, Etrieve, shared drives) from outside the system through a VPN (Virtual Private Network) connection.
Scope
This policy applies to all employees and third party vendors approved to use a VPN connection.

Steps to Request Remote Access
1. When employees or third party vendors need remote access, they must submit a Remote Access Request Form to the Chief Information Officer (CIO).
2. The CIO will review the request with appropriate senior leadership (i.e., dean, vice president, president)
3. The CIO will communicate the decision to approve/deny the employee’s or third party vendor’s request using the Remote Access Request Form.
4. If approved, authorized users must sign a Remote Access Agreement Form and submit it to the CIO.

Measures to Support and Monitor Remote Access
1. Computer Services is responsible for installing and maintaining equipment that supports remote access.
2. The CIO is responsible for maintaining copies of all request forms.
3. The CIO is responsible for monitoring use of remote access.

Conditions of Remote Access
• The employee or third party vendor granted remote access must ensure that unauthorized users are not given access.
• Anti-virus software must be up to date.
• A strong password must be in place.
• Authorized users must follow MACC’s Acceptable Technology Use Policy as well as data usage and privacy guidelines.
• VPN access is not allowed on personal devices.
• Approved users must report misuse to the CIO.

Noncompliance
• Access may be revoked and other disciplinary action may be taken for noncompliance.

L.170 - REPORTING OF ABSENCES
(Revised May 21, 2018) (Revised June 22, 2020)
MACC employees are expected to report to work as scheduled. Absences from work can be either work related (professional) or non-work related (non-professional). All absences will be reported to the appropriate administrative supervisor/dean using the method appropriate for the type of absence.

Work related (professional) absences are to be requested using the professional absence form.

The method for reporting non-work related (non-professional) absences is based on whether the absence is planned or unplanned.
1. Unplanned absences are usually due to illness, injury, or emergency. When the need for an unplanned absence arises, the immediate supervisor/dean should be notified, by the method pre-determined by the supervisor/dean, in advance or as soon as possible.

2. Planned absences should be requested in advance and approved by the immediate supervisor/dean.

All non-work related absences are to be requested/reported using the electronic request and timekeeping software. The non-professional absence form may be used if required by the supervisor/dean, or if unable to report using electronic software when the pay cycle is closed. The request for Family Medical Leave form should be used for all extended medical related absences.

L.175 - RESIGNATIONS AND SEPARATIONS
(Revised November 26, 2018) (Revised June 22, 2020)

1. Resignation
   To resign in good standing, an employee must give reasonable notice, generally two weeks, as approved by the President. A shorter period of notice may be accepted in the event of extenuating circumstances.

2. Dismissal/Termination
   Employees may be dismissed for just cause. Incidents such as, but not necessarily restricted to, conviction of a serious crime, dishonesty, theft, willful damage to College property, immoral conduct, insubordination, falsification of records, excessive or unreasonable absence from performance of duties, or bona fide lack of need of services will be causes for dismissal. An employee may also be terminated when it becomes necessary by reason of shortage of work or funds to effect the elimination of the position or make other material change in the duties of the position.

3. Suspension
   The President is authorized to suspend employees for cause related to the performance of duty. In the event an employee has been formally charged with the commission of a felony, the employee may be suspended by the President with pay during the pendency of such charge.

4. Refer also to Disciplinary Actions, L.101.

L.180 - SALARY
(Revised May 21, 2018) (Revised June 22, 2020)
Salary is paid on the 15th and 30th of each month, or the working day prior to the 15th or 30th if either date falls during weekends or holidays. General and supplemental salary schedules may be obtained through the President's Office and Human Resources Office.

L.185 - SECURITY
Regular security personnel are on duty at the College during the day, evening, and weekend. Security is also checked by custodial/maintenance employees and other College personnel.

L.190 - SEXUAL MISCONDUCT POLICY
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 who 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 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>U.S. Department of Education One Petticoat Lane</td>
<td>U.S. Equal Employment Opportunity Commission</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

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

Audrain County Crisis Intervention Services, Mexico
Hotline: 800-246-2280
Phone: 800-246-2280
Audraincountycrisis.org

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

Coalition against Rape and Domestic Violence (CARDV), Fulton
Help Line: 573-642-4422
Business Office: 573-642-1418
http://callawaycardv.org
The following emergency numbers are available to report sexual misconduct or an emergency situation.

MACC Director of Security and Residential Life 660-263-4100 x11247 or 660-833-6990
MACC Title IX Coordinator 660-263-4100 x11369
Moberly Police 660-263-0346
Columbia Police 573-874-7652
Hannibal Police 573-221-0987
Kirksville Police 660-665-5621
Mexico Public Safety 573-473-5800

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 660-263-8400
1515 Union Avenue
Moberly, MO

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

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

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

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
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
http://truenorthofcolumbia.org

Audrain County Crisis Intervention Services, Mexico
Hotline: 800-246-2280
Phone: 800-246-2280
Audraincountytcrisis.org

Avenues, Hannibal
Hotline: 800-678-7713
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 harassed 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 similar measures.

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  
Moberly, MO 65270  
(660) 263-4100 ext. 11369  
cherylybarger@macc.edu

Aleesha Coke, Deputy Title IX Coordinator  
Director of Site Operations & Student Affairs  
MACC Columbia Higher Education Center – Room 101  
601 Business Loop 70 West, Suite 216  
Columbia, MO 65203  
(573) 234-1067 ext. 12115  
aleeshacoke@macc.edu

Caroline Groves, Deputy Title IX Coordinator  
Director, MACC Mexico Higher Education Center – Room 106  
2900 Doreli Lane  
Mexico, MO 65265  
(573) 582-0817 ext. 13602  
carolinegroves@macc.edu

Dee Coleman, Deputy Title IX Coordinator  
Director, MACC Kirksville Higher Education Center – Room 101  
2105 East Normal Street  
Kirksville, MO 63501  
(660) 665-0345 ext. 15023  
deecoleman@macc.edu

Wendy Johnson, Deputy Title IX Coordinator  
Director, MACC Hannibal Higher Education Center – Room 103  
190 Shinn Lane  
Hannibal, MO 63401  
(573) 231-0941 ext. 14016  
wendyjohnson@macc.edu
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 is 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 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 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 College’s 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.

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.

XI. Policy Monitoring
MACC’s Compliance Committee and Title IX Coordinator continually examine MACC’s Sexual Misconduct Policy to ensure that the policy is effective and understandable for community members. All policy revisions and updates will be reviewed and approved by the MACC President’s Council and the MACC Board of Trustees. In addition, MACC’s Director of Security and Residential Life and Director of Plant Operations work continuously to ensure that all MACC sites are safe and secure educational environments.

L.195 - TOBACCO FREE POLICY
(Revised August 27, 2012)
Moberly Area Community College is committed to providing a healthy educational setting and workplace not only for our students and employees, but also for those who visit our campuses and facilities. Moberly Area Community College has determined that all campus sites will be tobacco free. The Tobacco Free Policy appears in Tab 7.

L.200 - SPONSORSHIP OF A STUDENT ORGANIZATION
Any employee approved by the President to sponsor a student organization is responsible for the following:

1. To see that the organization adopts a constitution and secures its approval from the Student Government Association;
2. To determine the eligibility of all participating students;
3. To be present at each meeting of the organization or to designate another certified staff member to represent him or her;
4. To secure two college certified staff members to serve as chaperons for any social events;
5. To schedule the regular meeting time and place, as well as the time and place of special meetings, through the Office of the Dean of Student Affairs and Enrollment Management at the earliest possible time;
6. To follow college accounting procedures for receipts and disbursements;
7. To see that all activities of the organization are approved by the Student Government Association, the appropriate dean, Dean of Student Affairs and Enrollment Management, and the President's Council.
Honorary club sponsors not listed in the salary schedule will receive no compensation except reimbursements for travel and related expenses as approved by the President.

L.205 - STAFF DEVELOPMENT PROGRAM
(Revised September 26, 2016)
MACC provides an opportunity for professional growth through the Staff Development program available for all employees. Many programs are offered throughout the academic year, ranging from technology training to interpersonal relations and communication. Full-time staff is strongly encouraged to participate in the program. Supervisors may require staff to attend
certain trainings or participate in the program as part of the employee’s professional growth plan. Adjunct faculty may participate in the program to receive credit toward the Adjunct Faculty Professional Development Stipend.

**L.215 - TRAVEL**
(Revised March 26, 2007) (Revised September 28, 2010) (Revised February 26, 2018)

1. Faculty and staff approved for College-related travel should utilize College vehicles whenever available. When use of a College vehicle is not possible, full-time faculty and staff will be reimbursed for travel to and from out-of-district sites at the College rate for mileage above what is normally traveled by the instructor or staff member to reach his or her primary employment site.

2. Use of College vehicles is strictly limited to official College business.

3. College vehicles used for consecutive trips may be kept overnight, as scheduling allows, at an employee's personal residence if the total mileage for the combined trips would be significantly greater without an overnight stay. Personal use of a College vehicle kept overnight at an employee's personal residence is prohibited.

4. Consideration will be given by the supervisor to use one's personal car. A College employee who chooses to use his or her personal vehicle when a College vehicle is available will be reimbursed at the same rate as the departmental charge for the use of a College vehicle.

5. When a College vehicle is not available, the College will reimburse College personnel who use their personal automobiles for approved College-related travel at the College rate per mile.

6. The College will reimburse employees in full for all approved expenses incurred on approved College business. Tax exempt certificates should be used when possible.

7. Each year the Board of Trustees approves a budget amount for travel for attendance at professional meetings and conferences. Therefore, personnel should plan attendance in advance to ensure travel monies have been allotted and approved.

8. Professional Absence request forms will be completed and submitted to the appropriate dean for approval at least five working days in advance of the travel date. The appropriate dean/supervisor will notify the employee of approval.

9. After completion of the trip, a Travel Expense Voucher to be submitted to the appropriate dean/supervisor within ten working days. In no case will an employee be reimbursed for reimbursement request beyond three months after trip completion. All expenses are to be substantiated by detailed receipts. Exceptions to this policy must be approved by the College President or designee.

10. For any travel funded by grant or other funding source with different restrictions, the more restrictive policy will be followed.

11. Reimbursement for travel will be based on the most efficient and economical route and mode of transportation. If the traveler selects a more expensive option, extra costs will be borne by the traveler.

12. No expenses will be paid for an accompanying spouse, family member or friend.

13. If a written receipt of meals is not obtained, an employee may be reimbursed at the lesser of actual cost or based on the following amounts: breakfast $5, lunch $10,
dinner $15. In no event shall total daily meal reimbursement exceed the current federal allowable rate.

14. If meals are included in conference registrations, employees will not be reimbursed for those meals, unless appropriate justification is provided.

15. Employees are asked to consider sharing hotel rooms when multiple staff are attending the same event.

16. Refer to further travel instructions and associated forms on myMACC.edu.

DAY TRIPS:

1. Local travel is defined as travel to destinations within a 100-mile radius of a staff person’s primary work site.

2. The College will reimburse employees for local mileage in the following two instances:
   - When travel is required between two or more work locations in the same day and exceeds the employee’s normal commute.
   - When traveling from one’s residence to a temporary work location, conference, or training requires mileage greater than the mileage between one’s residence and ones’ regular work location.

3. Employees, whose employment requires frequent local travel, may obtain blanket authorization in writing for such travel. Claims for reimbursement of multiple local trips are to be completed on a monthly or semester basis on a Mileage Reimbursement Request form, and must specify each trip individually.

4. Employees whose employment requires regular travel to other campus or work sites may be reimbursed at the standard College mileage rate for use of their own vehicle if they so choose.

5. The official station of an employee shall be designated by the President. Employees who are approved to perform their work at another location for their personal convenience are not eligible for travel reimbursement.

6. Employees may be reimbursed for meals during day travel when the travel time exceeds 6 hours, and is at the convenience of the College. Extenuating circumstances may be considered by an employee’s dean/supervisor. If travel commences before 7 am, breakfast may be reimbursed, if it commences before 11 am, lunch may be reimbursed, and if it extends beyond 7 pm, dinner may be reimbursed.

L.220 - TRAVEL SAFETY  
(Approved November 23, 2009)
The President shall travel with no more than two members of the Board of Trustees in the same aircraft, railcar, automobile or other modes of transportation. Also no more than two Board members may travel together due to safety concerns and the need to preserve a quorum.

In addition, no more than three members of the President’s Council shall travel together in the same aircraft, rail car, personal vehicle or other modes of transportation.

L.225 - WEATHER-RELATED CANCELLATIONS
(Revised May 18, 2015)
If it becomes necessary to cancel or delay classes due to weather conditions, announcements are made on several area television and radio stations, sent by text alert (hound alert/e2campus), and posted on the MACC website. Decisions regarding delay or cancellation of day classes are generally announced by 6:00 a.m. Cancellation of evening classes is generally announced by 3:00 p.m. Decisions regarding delay or cancellation of classes are made and announced separately for each instructional site of MACC.

When it is publicly announced that an MACC location is closed or will open late due to inclement weather, all faculty and staff will be expected to report for work at the stated time of opening or the next day. Delayed starts allow more time for cleaning crews to clear lots and sidewalks. All students and employees should use their best judgment when traveling during inclement weather. Faculty and staff unable to make it to campus can use personal or vacation days or adjust their schedule with the dean/supervisor. Each location may require essential personnel to work during periods of partial or full campus closure. Essential employees are designated by their supervisor. All regular nonexempt employees who are designated as essential personnel, and required to work during a closure, will receive time and a half for all hours actually worked. Regular exempt employees designated as essential personnel, will receive their normal pay.

Delayed starts will typically be scheduled for 10:30 a.m.

• Classes that start before 10:30 a.m. and meet only until 10:55 a.m. or before will not meet, but classes that extend past the 10:55 a.m. meeting time (e.g., 9:00-11:55 a.m.) will meet beginning at 10:30 a.m.

• Classes that start before 10:30 a.m. will be cancelled.

• Classes that start at 10:30 a.m. and after will be held.

If the College closes early, classes in session will conclude at the closing time regardless of when they begin (e.g., if the College is closing at 3 p.m., a 2:30 p.m. class will end at 3 p.m. regardless of its regularly scheduled ending time).

Virtual classes will follow the same delayed start or cancellation practice as regular ground classes.

Classes held at the Kirksville Area Technical Center, Macon Area Career & Technical Center and the Moberly Area Technical Center will be cancelled if the public school is closed.

Online classes will follow the regular due dates for the class. Students are encouraged to communicate with faculty if a campus closing prevents them from meeting a deadline. Students in special programs (i.e., Health Sciences and Law Enforcement) will be expected to follow the guidelines of the programs regarding extended class time or clinicals.
L.230 - WHISTLEBLOWER POLICY
(Approved November 27, 2017)

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 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.
**STUDENTS**

**M.005 - ACADEMIC COURSE LOAD**
*Revised December 20, 2010* *(Revised October 28, 2013) (Revised July 22, 2019)*

The minimum load for a full-time student attending the fall or spring semester at MACC is 12 semester hours. The maximum load for the fall or spring semester is 18 semester hours. In order to complete an associate’s degree in two years, the recommended load for a full-time student is 16 hours per semester. However, some degrees may require completion of more than 16 hours in a semester as well as summer coursework due to the total hours required within the degree.

Six semester hours in any summer session is considered full time. Overload in the summer session is defined as more than 9 semester hours over any eight-week session, 6 semester hours over any four-week session, or 3 semester hours over any intersession. For overload purposes, intersession courses are considered separate from the eight-week and four-week summer sessions.

When requesting a course overload, students are expected to demonstrate evidence of prior academic success. Students who wish to enroll in more than 18 credit hours in a sixteen-week session or more than 9 hours in an eight-week session must request overload approval. Students who have a college cumulative grade point average 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, Dean of Workforce Development and Technical Education, or the Dean of Health Sciences, as determined by the student’s major, to enroll in more than the maximum semester hours defined for any given semester.

A student will be classified as a sophomore after the satisfactory completion of 30 college semester hours.

**M.010 - ACADEMIC DISHONESTY**
*Revised March 25, 2002*

Academic dishonesty by students damages institutional credibility and unfairly jeopardizes honest students; therefore, it will not be tolerated in any form. Incidents of dishonesty regarding assignments, examinations, classroom/laboratory activities, and/or the submission of misleading or false information to the College will be treated seriously. The procedure for handling academic dishonesty is outlined in the Student Handbook.

**M.020.1 – ADMISSION - GENERAL ADMISSION REQUIREMENTS**
*Revised February 25, 2008* *(Revised April 28, 2014) (Revised June 26, 2018)*

1. All students enrolled in college credit classes must provide or have on file proof of high school graduation or HISET (formally GED), or equivalent by the completion of the first ten days of class in a 16-week semester or the equivalent in a shorter session. High
school students enrolled through dual-credit or dual-enrollment programs and persons with proof of an associate or higher degree are excluded from this requirement. Admission to Moberly Area Community College does not guarantee acceptance into selected admission programs. A separate application process is required in all Health Sciences programs and the Law Enforcement Training Center.

2. Students who have graduated from an online high school must show proof that it is accredited by a state/federal agency. Students who have completed a home schooling education course of study must show proof the curriculum meets the state approved common core subjects.

3. Students not meeting the above requirement may audit regular college courses or enroll in non-credit college courses and programs.

4. All first-time freshmen are admitted in good standing provided they have met all admission requirements.

5. All degree-seeking students must submit official transcripts from all colleges and universities attended by completion of the first ten days of class in a 16-week semester or the equivalent in a shorter session. All previously earned college credits will be evaluated individually.

6. Assessment measures are required of students as outlined in Tab 5.

7. Extenuating circumstances regarding any of the above items may be appealed to the Dean of Student Affairs and Enrollment Management.

8. The College may restrict or deny admission to any applicant whose record of behavior indicates that his or her admission may create a threat or potential danger to the College community or is deemed disruptive to the educational process or environment. Restrictions may include access to College residence halls. Students with certain criminal backgrounds may be restricted from entering specific programs or career fields. The College may deny admission into distance learning courses to students who reside in a state or country where the College is not authorized to provide educational programs. An appeal process is available to any student denied admission.

M.020.2 – ADMISSION - ADDITIONAL ADMISSION POLICIES
(Revised May 1, 2006) (Revised February 25, 2008) (Revised October 27, 2008) (Revised December 20, 2010)

1. Dual Enrollment

   Students who are juniors or seniors in high school may be admitted to regular day or evening classes during fall and spring semesters if they meet the following requirements:
   a. A cumulative 2.00 or better high school grade point average;
   b. A "Permission to Enroll" form completed and signed by the high school superintendent, principal or counselor, parent(s) or guardian(s), and the Dean of Student Affairs and Enrollment Management;
   c. An application for admission;
Students who have completed their sophomore year of high school may attend summer classes if they meet the following requirements:

a. A "Permission to Enroll" form completed and signed by parent(s) or guardian(s) and the Dean of Student Affairs and Enrollment Management;
b. An application for admission;
c. Payment of tuition and fees;
d. Compliance with College rules and regulations.

College credit for dual-enrollment courses will be awarded upon receipt of the high school transcript verifying graduation date.

2. Dual Credit

Dual credit is an option offered by Moberly Area Community College that allows eligible high school juniors and seniors to take MACC classes taught in the high school for college credit as well as for high school credit.

According to Dual Credit Policy Guidelines adopted by the Missouri Coordinating Board for Higher Education, students receiving dual credit from MACC can expect to transfer credit up to the equivalent of five courses to other Missouri colleges and universities. Students who wish to transfer more than five dual-credit courses should consult the college/university to which they intend to transfer in order to determine if the institution has a policy regarding the acceptance of dual-credit courses used for the completion of a college degree.

MACC does not have any limit on the number of dual-credit courses that may be used for the completion of a certificate or associate degree.

Dual-credit courses are of the same rigor and quality as all other College courses. Instructors of dual-credit courses meet the same standards required of MACC instructors. College texts and syllabi are followed for dual-credit courses.

To be eligible to enroll in dual-credit courses, students must have a minimum overall high school grade point average of 3.0 (on a 4.0 scale) or the equivalent, and be recommended by the high school principal or his or her official designee.

High school sophomores who wish to enroll in dual-credit courses must demonstrate their competency by scoring at the 90th percentile or above on the ACT (composite score), in addition to all other placement requirements. Moreover, the recommending high school counselor and high school principal must concur that a younger student can benefit from dual credit in the specific course and learn at the collegiate level. MACC does not allow freshmen to take dual credit classes.

Students' fees may be paid by the high school district or by the student, as determined by the agreement between the high school district and Moberly Area Community College.

3. Graduating Seniors Summer Start Program

The Graduating Seniors Summer Start Program allows graduating high school seniors to enroll in up to three (3) credit hours during the summer immediately following high school graduation or equivalent as determined by our general admission requirements.
A waiver of tuition and all fees (excluding lab fees), for up to three (3) credit hours is granted upon documentation of high school graduation. Participants in the Graduating Seniors Summer Start Program are responsible for textbooks and lab fees. Classes may be taken at any instructional site of MACC, including hybrid and virtual. Online classes are not included in this program.

4. Veterans’ Benefits

Students who are eligible for veterans’ benefits should contact the Moberly Area Community College Financial Aid Office or their local Veterans Administration Office. Veterans’ benefits may be affected if the minimum standards of progress as required by the Veterans Administration and Public Law 94-502 are not met.

5. Senior Citizens Higher Education Program

All persons age 60 years or older who are residents of the Moberly Area Community College District are eligible to attend in-district college credit classes with waiver of incidental fees, technology fee, and student activity/support services fee on a space-available basis. This waiver applies only to courses that are assessed at the standard tuition and fee rate. The cost of books, supplies and lab fees is the responsibility of the senior citizen.

6. Fee Waiver for Retirees

Retirees of Moberly Area Community College may attend MACC courses with a waiver of incidental fees and tuition, technology fee, and student activity/support services fee. Courses may be audited or completed for credit.

7. Fee Waiver for Employees of the Moberly Public School District

All full-time employees of the Moberly Public School District who live in the College taxing district may attend up to nine hours of MACC classes per semester with waiver of in-district regular fees, technology fee, and student activity/support services fee. All full-time employees of the Moberly Public School District who do not reside in the College taxing district will be required to pay the difference between the in-district and out-of-district tuition rate. The cost of books, supplies and laboratory fees is the responsibility of the individual. Online and hybrid courses contain additional per credit hour fees, which will be the responsibility of the individual. For the purpose of waiver of fees and tuition eligibility, “full-time” employment is defined as a full-time teaching load or a minimum of a 37 1/2-hour work week for at least 9 1/4 months per year.

8. Fee Waiver for Employees of Moberly Area Community College and their Spouses/Domestic Partners

Full-time employees and their spouses/domestic partners may attend up to nine hours of MACC developmental and college classes per semester with a waiver of incidental fees and tuition, technology fee, and student activity/support services fee. Attendance is subject to approval of the employee’s supervisor/dean. The cost of books, supplies, and laboratory fees is the responsibility of the individual. Online and hybrid courses contain additional per credit hour fees, which will be the responsibility of the individual. In addition, full-time employees are eligible to apply for participation in one Career Focus course/workshop per semester. If approved by the employee’s...
supervisor/dean, all fees and tuition will be waived. Books, workbooks, manuals, software, luncheon and/or dinner costs must be borne by the employee.

If a supervisor/dean requests that an employee take either a Career Focus course or a regularly scheduled course in relation to the individual’s employment responsibilities, instructional materials and supplies will be provided by the College. These materials and supplies are to be returned to the respective departments at the end of the course.

Part-time employees, as approved by their respective supervisor/dean, are eligible for a fee and tuition waiver on an individual basis for courses or workshops that relate to Moberly Area Community College employment. Instructional materials will be provided by the College and returned to respective departments at the end of the course.

Should an employee resign or be terminated during the course of a semester in which he/she is enrolled in MACC classes, in accordance with this policy, the costs of the course will be prorated to the termination date. The former employee or spouse/domestic partner will be responsible for the prorated amount incurred after the termination date.

9. Fee Waiver for Dependents of Moberly Area Community College Employees

Effective summer 2006 dependents of full-time employees of MACC may attend up to 12 hours of MACC developmental and college classes per semester with a waiver of incidental fees and tuition, technology fee, and student activity/support services fee. The cost of books, supplies, and laboratory fees is the responsibility of the individual. Online and hybrid courses contain additional per credit hour fees, which will be the responsibility of the individual. Dependents are those members of the employee’s family meeting the IRS definition of a dependent. Dependents using this benefit must meet federal academic progress guidelines.

Should the dependent’s parent cease to be employed at MACC, whether through resignation or termination during the course of a semester in which the dependent is enrolled at MACC, in accordance with this policy, the dependent will be allowed to complete the semester but will not be allowed to use the dependent tuition/fee waiver for future enrollment.

10. International Students

International students admitted to Moberly Area Community College must meet the following admission requirements:

a. Complete an admissions application for Moberly Area Community College and submit a copy of the student’s passport.

b. Provide a copy of high school transcript certifying graduation or equivalent.

c. Provide a certificate of finances (translated into American currency) proving adequate support for the full period of study at this College, accompanied by documentation. A current certified letter from a bank or a letter of sponsorship from a government or established organization may be used as an attachment to the certification. The minimum amount needed will be $18,000 (American dollars) or the equivalent.
d. Provide certified proof of proficiency in the English language, which may be achieved by one of the following:
(1) A minimum total score of 500 PBT (CBT 173/IBT 61) on the Test of English as a Foreign Language (TOEFL) or
(2) Completion of an English program at an Intensive English Institution approved by the Dean of Student Affairs and Enrollment Management, or
(3) A diploma/degree from a secondary or higher education institution in English speaking countries with a minimum of two years of successful full-time study with English as the medium of instruction, or
(4) Current MACC placement exam scores for English and reading which qualify the student to enroll in LAL101 – Composition I, or.
(5) A minimum (International English Language Test System) IELTS overall band score 5.5, or
(6) Completion of a college level English course with a grade of C or better which qualifies as a part of an MACC degree program.

e. All tuition and fees must be paid in full at the time the student is permitted to register for classes unless guaranteed by the country’s scholarship program. Exceptions require the approval of the President.

f. International students who request admission to Moberly Area Community College and reside outside of the United States must provide a $1,200 deposit (money order/cashier’s check) before the I-20 will be approved and sent to the student. This deposit will be used as payment toward tuition and fees. Upon the student’s arrival at the College, the balance of tuition and fees must be paid in full.

g. Transfer students must provide a letter of good standing from the most recent college or university attended.

h. Enroll at Moberly Area Community College as a full-time student. Students may enroll in 9 credit hours at MACC and at least 3 credit hours which qualify for their degree program concurrently at another college or university during a regular 16 week semester.

i. All international students (F-1 VISA) are required to carry health and accident insurance that is administered through Moberly Area Community College. The full cost of the insurance must be paid at the time the student enrolls for classes. Participation in MACC health and accident insurance may be waived if the international student provides evidence of a full scholarship from the government of their home country and the scholarship includes health and accident insurance.

j. Admission to Moberly Area Community College does not guarantee acceptance into selected admission programs. A separate application process is required in all Health Sciences programs and the Law Enforcement Training Center.
A service animal is a dog or miniature horse that has been trained to do work to support an individual with a disability.

- Students who are using a service animal do not have to register the animal with the office of Access and ADA Services.
- Service animals are not considered an accommodation and so students do not need to have this listed on their Student Accommodation Plan to utilize their service animal.

MACC follows the ADA and the most recent guidance from the Department of Justice (DOJ) regarding service animals. In accordance with ADA and DOJ, MACC suggest the following guidelines for service animals on campus.

Questions for a Service Animal Handler:
In order to protect the privacy of the individual with a service animal, ADA law restricts employees to only two questions that can be legally asked:

1. Is the service animal required because of a disability?
2. What work or task has the animal been trained to perform?

Definition of a Service Animal
Service animals are defined by the ADA and DOJ as follows:
“Service animals are defined as dogs that are individually trained to do work or perform task for people with disabilities” (DOJ)

Per Missouri state statutes:
“Any person who knowingly impersonates a person with a disability for the purpose of receiving the accommodations regarding service dogs under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., is guilty of a class C misdemeanor and shall also be civilly liable for the amount of any actual damages resulting from such impersonation. Any second or subsequent violation of this section is a class B misdemeanor. For purposes of this section, “impersonates a person with a disability” means a representation by word or action as a person with a disability or a representation of a dog by word or action as a service dog.” (Missouri Revised Statutes 209.204)

Handler’s Responsibilities
1. “Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.” (Missouri Revised Statutes 209.204)
2. The handler is financially responsible for the actions of the approved service animal. These actions include bodily injury and/or property damage and handlers must take appropriate precautions to prevent injury and/or property damage. Any damage to MACC property caused by the service animal or above and beyond normal maintenance cleaning will be charged to the handler’s MACC student account.
3. At all times, the cost of care and maintenance of health and well-being are the sole responsibility of the handler. Service animals must be in good health and meet all local ordinances regarding vaccinations and proper licensure.
4. Out of courtesy to others, as much as possible the handler should ensure that the service animal does not approach and sniff other individuals, dining tables, or the personal belongings of others.

5. The handler must assure that the service animal does not block identified fire/emergency exits.

6. It is the handler’s responsibility to assure that the service animal does not display behaviors or noises that are deemed disruptive to others, unless said noise/behaviors are part of the needed disability service to the handler.

7. Waste cleanup is the sole responsibility of the handler. If the handler is not physically capable of cleaning up after the service animal, the handler must hire someone who is physically capable and incur the cost of such hire. Service animal waste cleanup should include appropriate waste clean-up equipment and proper disposal of waste in an appropriate container. An appropriate container is an outside receptacle (i.e. dumpsters)

**Service Animals in Residence Halls and on campus**

Service animals may travel freely with their handler throughout the Residence Halls and MACC property. MACC may restrict the use of Service Animals in certain locations based on health and safety restrictions. These instances will be evaluated on a case-by-case basis. Please contact the Access office with any concerns or questions.

**Removal of a Service Animal**

Service animals may be removed from MACC premises if:

1. The service animal is out of control and the handler does not take effective action to control it. If improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any college facility until the handler can demonstrate that she/he has taken significant steps to mitigate the behavior.

2. The service animal is not housebroken.

3. The service animal is a direct threat. A handler may be directed to remove an animal MACC determines to be a substantial and direct threat to the health and safety of individuals.

When there is a legitimate reason to ask that a service animal be removed, Access office staff will work with the person with the disability to obtain goods or services without the animal’s presence.

**Emotional Support/Therapy Animals**

An emotional support or therapy animal is an animal that does not work, but whose presence provides some kind of support to a student.

- Students may only bring approved Emotional Support Animals on campus, and this accommodation must be registered with the Access office.
- Use of an Emotional Support Animal is considered an accommodation and documentation must be presented to the MACC Access and ADA Services office.
• Documentation must come from a medical professional and must document the student’s disability, the reason for the emotional support animal, and the individual needs of the student.
• The documentation will be evaluated by the Director of Access and ADA Services and a determination will be made regarding the allowance of this accommodation.
• If students are dissatisfied with the decision of the Director, they can appeal this decision using the ADA Grievance Procedure listed in this handbook.
• Use of an emotional support animal on campus must be listed as an accommodation on the Student Accommodation Plan.
• Students may not bring an Emotional Support Animal on campus without going through the process listed above.
• Emotional Support Animals are held to the same rules listed for service animals at all MACC locations.

M.030 - ATHLETIC SCHOLARSHIP RECIPIENT: CLASS ATTENDANCE AND ACADEMIC PROGRESS GUIDELINES
In order for a student to achieve to his/her greatest potential, regular attendance in all classes is necessary. Since Moberly Area Community College provides athletic scholarships to several young men and women, it is expected that they exert every effort to achieve to their academic potential. Therefore, guidelines for class attendance and academic progress will be followed.

A copy of the Athletic Scholarship Recipient Class Attendance and Academic Progress Guidelines is attached to every athletic scholarship agreement.

M.035 - AUDIT
Students may be admitted to most courses as auditors. Requests to audit classes will be considered on an individual basis and must be approved by an advisor in the Student Affairs Office. These requests will only be considered during the normal schedule-change period. Nursing classes may not be audited. Auditors must be registered and must pay fees but are not required to take examinations. Auditors receive no college credit, but the fact of attendance will be entered on the student’s permanent record.

M.040 – WORKFORCE DEVELOPMENT FEE AND SALARY GUIDELINES
(Revised June 22, 2020)
The Workforce Development Center develops and delivers a variety of training courses and programs to meet the needs of area employers. When the courses offered are regular college credit courses they will carry established tuition and fees for which instructors are paid according to the Certified Faculty/Staff Salary Schedule. Other categories of Workforce Development include certification courses, special seminars and workshops and customized training. These categories are defined as follows:

1. Certification Courses
Courses may be either credit or non-credit and are taught to meet state and/or occupational certification requirements, i.e., Certified Nurse’s Aides, Nursing Home Administrators, Certified Production Technician.
2. **Special Seminars and Workshops**
Seminars and workshops are generally short-term, may be for credit or non-credit, and are often on a specialized topic requested by an employer. Some may be applicable to certain certification requirements although not specifically established for a particular vocational or professional group, i.e., Excel, Leadership.

3. **Customized Training**
Customized training can be either long- or short-term, credit or non-credit, on campus or at company location, as determined by the needs and requests of the business or industry.

Fees for the Workforce Development Center’s programs are individually established to include direct and indirect costs, the ability of the targeted group to pay, state reimbursement, and extraneous operational costs. Special training requirements of presenters and instructors will be considered in salary recommendations.

Fees and salaries will be reviewed and established on an individual basis by the administration and approved by the President of Moberly Area Community College. A report of such activity will be presented to the Board of Trustees at a regular meeting during the spring and fall semesters. The President of the College is also authorized to temporarily employ for these instructional activities, with formal approval to be recommended at the next regular meeting of the Board of Trustees.

**M.050 - CIVIL RIGHTS - AMERICANS WITH DISABILITIES ACT (ADA)**
(Approved February 27, 2006)
It is the intent of the Board of Trustees that compliance with the ADA will be a high priority of the institution and that appropriate changes be made and accommodations provided to qualified individuals with disabilities, unless this poses an undue burden on the institution's resources or would fundamentally alter the nature of a program.

**M.055 - CIVIL RIGHTS - NONDISCRIMINATION**
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
Moberly Area Community College
101 College Avenue
C18 Career Center
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 70W
Columbia, MO 65203
573-234-1067, ext. 12120

M.065 - COLLEGE HOUSING
(Revised July 2, 2007)
Moberly Area Community College offers residential facilities for male and female students on a space available basis. The McCormick Commons and Residential Center is located on the College’s main campus in Moberly and is governed by the rules and regulations contained in the Housing Handbook. Residence hall fees are charged to the student on a per semester basis.

M.067 - MISSING STUDENT POLICY
(Approved August 31, 2009), (Revised November 28, 2016)
In accordance with the requirements of the Jeanne Clery Act, all institutions with on-campus housing are required to establish a missing student notification policy. This policy must:

1. Inform students that they can identify a contact who will be notified within 24 hours if they are reported missing
2. Create a confidential system for students to register their contact information
3. Inform students under the age of 18 that the institution must contact the custodial parent within 24 hours of determining a student is missing
4. Inform students that the institution will notify law enforcement within 24 hours of determining a student is missing even if a contact person is not named
5. Initiate notification procedures with 24 hours of determining a student is missing.

When a student becomes a resident at McCormick Commons and Residential Center, they are asked to provide contact information of the person to notify should they be considered a missing person. The information is kept in his/her confidential residential life file, which is maintained by the Director of Security and Residential Life.

All employees connected to the McCormick Commons and Residential Center (Dean of Student Affairs and Enrollment Management, Director of Security and Residential Life, Dorm Supervisors, Resident Assistants) will notify the Director of Security and Residential Life immediately upon receiving a report that a student is missing from the dorm. The 24 hour reporting period begins when one of the above listed employees receives information that a student is missing from the dorm. Once it is determined that a student is missing from the dorm, the Director of Security and Residential Life or Dean of Student Affairs and Enrollment
Management will notify the Moberly Police Department and the confidential contact person, if one is named, to initiate a missing persons report. Any additional information will be given immediately to the Director of Security and Residential Life and Dean of Student Affairs and Enrollment Management. This information will be forwarded to the Moberly Police Department.

Once a student has been located, the Director of Security and Residential Life and Dean of Student Affairs and Enrollment Management will be notified immediately, and the Moberly Police Department will be informed as to the student’s whereabouts.

**M.068 - TIMELY WARNING POLICY**
Moberly Area Community College will follow the conditions of the Jeanne Cleary Act regarding the issuance of timely warnings concerning crimes, reported to MACC Security or local law enforcement agencies, which are considered by MACC to represent a serious or continuing threat to students and employees.

**M.070 - COLLEGE UNITS**  
*(Revised April 26, 2010)*
The semester credit hour (also referred to as “credit hour”) is the unit of measure for college credit coursework. The measure equates to a minimum of 750 minutes of instructional time, as required by state regulation. The Carnegie unit is generally the guideline used to determine credit hour worth, with one hour of credit equated to fifty minutes of classroom instruction per week for a total of fifteen weeks. For traditional courses, MACC meets or exceeds the Carnegie unit guidelines. Exceptions to this rule are found in Additional hours are required for laboratory courses, various vocational courses, some career/technical courses, studio art classes, and music activity performance courses in which additional instructional time is required in order to achieve learning objectives. as well as meet state regulations.

For distance learning courses (e.g., online and hybrid), the Carnegie unit is applicable in the sense that students are meeting the same objectives as those delivered in traditional coursework; therefore, students are expected to spend comparable amounts of time in achieving these objectives. However, because learning is difficult to quantify in terms of minutes and hours in online and hybrid courses, more emphasis is placed upon evidence of student learning. In order to earn credit hours, students must meet stated learning outcomes at a satisfactory level.

**M.071 - CREDIT FOR PRIOR LEARNING**  
*(Approved July 27, 2009)(Revised May 18, 2015)*

I. Credit for Prior Learning Definition and Purpose

Moberly Area Community College supports the concept of life-long learning to meet the retraining, upgrading and personal enrichment needs of students. Credit for prior learning provides a means of recognizing alternative educational or experience-based learning that has been attained outside of the traditional college setting. Credit for prior learning may include
learning acquired through employment, military training, advanced high school courses, and training sponsored by associations, business, government, and industry. Credit for prior learning is not awarded for experience but for college-level learning, which entails knowledge, skills, and competencies that students have obtained as a result of their prior learning experiences.

II. Methods for Awarding Credit for Prior Learning

Moberly Area Community College will award credit for prior learning to students who have demonstrated learning proficiency through one or more of the following methods:

A. Standardized Testing

- Advanced Placement (AP): Moberly Area Community College will accept Advanced Placement (AP) Credit based on a review and evaluation by the Dean of Academic Affairs of the student’s score on Advanced Placement course examinations. The Advanced Placement Examinations are prepared by the Educational Testing Service of the College Board Programs. These examinations are administered after the AP course is offered in the upper level of high school. Courses are offered across a broad range of subject matter and are a full year of work at the college level. The AP Examinations "provide an uncommonly rigorous assessment of learning and are internationally recognized as assessment paradigms." College credit will be awarded for approved courses based on the indicated AP Examination score. A list of approved courses can be found on the MACC website or may be obtained from the Office of Student Affairs. College credit for additional AP examinations will be evaluated by the Dean of Academic Affairs and recommended to the President's Council for approval.

- College-Level Examination Program (CLEP): Up to 30 hours of credit may be accepted from CLEP examinations for test scores meeting a satisfactory level on the general examination and selected subject area examinations.

- Defense Activity for Nontraditional Educational Support (DANTES)/DSST: Moberly Area Community College will accept credit for DSST exams based on a review and evaluation by the Dean of Academic Affairs or the Dean of Workforce Development and Technical Education. Students must submit an official score transcript. Credit will only be awarded for courses which count toward certificate or degree requirements.

B. Credit by Examination

Credit by Examination will only be considered if reasonable proof can be provided indicating that the student has substantial education, training, and work experience related to the course for which an exam is requested. Credit will be granted for scores at or exceeding 80% for existing Career and Technical Education courses in the MACC curriculum as approved by the Dean of Workforce Development and Technical Education. There will be one opportunity to test out for credit for any given course.
Credit by Examination will be awarded only after a student has completed twelve (12) college-level credit hours toward a one-year certificate or AAS degree. The total credit hours granted to any one student through Credit by Examination toward an AAS degree or certificate is 50% of credits required.

Procedures:
• The student will complete an Application for Credit by Examination for a specific MACC course or courses and provide justification/documentation or prior education, training and experience to the Dean of Workforce Development and Technical Education for approval. The Dean, or designee, will review the request with the applicant and, if acceptable, assign an instructor in the appropriate area to review the application and meet with the student. The instructor will make his/her recommendation to the Dean who will then make a decision on the request.
• If the request is approved, the applicant will then pay a non-refundable fee for the test prior to the test being administered.
• A written exam and/or practical lab exam will be developed by a designated faculty member and approved by the Dean and Division Chair of the appropriate area. A copy of the test will be submitted to the Dean’s office and maintained on file.
• Credit by Examination will be documented by the instructor. The completed exam and results of lab exercises will be submitted to the Dean of Workforce Development and Technical Education.
• The approved Credit by Examination application will be forwarded to the Registrar when the credit hour requirement is met so that credit can be transcripted. Credit by Examination will be transcripted only after a student has completed at least twelve (12) semester hours of college-level credit at MACC.
• Credit will be transcripted as the MACC course number, course title, credit hours, and pass credits. Credit by Examination will not be used in grade point calculation.

C. Credit by Certification
Credit by Certification will be limited to MACC Associate of Applied Science degrees and one-year certificate programs that have related industry-standard certification or formal apprenticeship training. Credit by Certification will only be considered after the student has applied for admission and provided a completed Application for Credit by Certification accompanied by documentation of successfully passing a certified training program.

Credit by Certification will be awarded in accordance with American Council on Education recommendations as published in the National Guide to Educational Credit for Testing Programs and/or other recognized accrediting bodies approved by the Dean of Workforce Development and Technical Education and consisting of, but not limited to, certifications offered by the following bodies: American Welding Society, Cisco Networking Academy a Department of Labor Approved Apprenticeship Training Program, or MACC non-credit courses conducted to credit standards.
Credit by Certification will only be awarded after the student has completed 12 college-level credit hours with a grade of “C” or better and has a cumulative GPA of 2.0, in coursework specific to the degree being sought at MACC and appropriate fees have been paid. The total credit hours granted to any one student through Credit by Certification toward an AAS degree or certificate is 50% of credits required. Credit by Certification will be awarded only when it relates specifically to a program of study at MACC.

Credit by Certification most likely will not transfer to a four-year institution. Transfer of Credit by Certification to a four-year institution is not guaranteed by MACC. Credit cannot be awarded toward the completion of an Associate of Arts Degree.

Procedures:
• The student will complete and sign an Application for Credit by Certification and provide supporting documentation to the Dean of Workforce Development and Technical Education. The Application must include a list of the related MACC Career and Technical Education courses the student wishes to be waived by this process and documentation of the industry-approved and nationally recognized certification
• The Dean of Workforce Development and Technical Education will assign a faculty or staff member to evaluate the application and provide a written recommendation of credit to the Dean for approval. In the event the student is an employee of a company participating in an employer-paid Business and Industry Training program with MACC and with student permission, a copy of the approved recommendation may be provided to the student’s company representative for use in planning and scheduling contracted training needed by the company.
• Upon positive recommendation by the faculty or staff member and approval by the Dean, the student will pay the Credit by Certification fee. Each certification may cover one (1) or more MACC classes.
• The approved Credit by Certification application will be forwarded to the Registrar when the credit hour requirement is met so that credit can be transcripted. Credit by Certification will be transcripted only after a student has completed at least twelve (12) semester hours of college-level credit at MACC. If necessary, a student release is included with the application to ensure release of information to the student’s employer.
• Credit by Certification will be transcripted as the MACC course number, course title, credit hours, and pass credits. Credit by Certification will not be used in grade point calculations.

D. Credit by Credential
Students who have a current nationally-recognized credential may be awarded college credit toward an Associate of Applied Science degree in a related program. The credit hours are awarded on the basis of competencies the individual has gained in the process of achieving the national credential. The following guidelines apply to the granting of
college credit to students with a current national credential. The individual will
• Meet all criteria for admissions as specified in the College catalog;
• Make application to the Dean of Workforce Development and Technical Education for college credit by current credential;
• Provide official documentation of his or her current nationally-recognized credential to the College at the time of the application for credit;
• Complete 12 credit hours of MACC courses in the related Associate of Applied Science degree before the credit for the credential will be placed on the individual’s official MACC transcript. Specific programs may have additional coursework requirements prior to the award of credit by credential. The individual’s credential must remain current and be documented at the time this credit is awarded.

E. Military
Veterans may receive academic credit for military/educational training earned while serving in the armed forces based on evaluation and recommendation from the American Council on Education (ACE). Veterans requesting credit for military experience must submit an official copy of their ACE transcript to the MACC Registrar. This information will then be evaluated by the Registrar and the Dean of Academic Affairs or the Dean of Workforce Development and Technical Education. Credit will only be awarded for courses which count toward certificate or degree requirements.

F. Credit by Articulation
Articulation is a curricular concept designed to eliminate duplication of instruction and to recognize student achievements from area career and technical schools and comprehensive high schools that are approved by the Missouri Department of Elementary and Secondary Education. MACC articulation policies, noted below, are binding on all parties involved in agreements with the College.
• Student must have completed a two-year program at an area career and technical school or a DESE-approved career and technical program based in a comprehensive high school with a cumulative grade point average of 3.0 in the career and technical program classes.
• Student must have an overall high school cumulative grade point average of 2.0.
• Student must meet all admission criteria of MACC and enroll in the same career and technical program or one closely related to the secondary program.
• Student’s goal must be to complete an Associate of Applied Science degree at MACC.
• An application for articulation must be completed and submitted to the Dean of Workforce Development and Technical Education.
• Credit by Articulation will be granted upon the successful completion of all developmental coursework required and twelve (12) college-level credit hours of 100-level courses or higher with a cumulative grade point average of 2.0.
• Credit by Articulation will appear on the MACC transcript with the MACC course number, course title, notation of articulation credit, credit hours, and “credit” in the place of a grade. Articulation credit will not be used in grade point calculations.

Information on the programs and classes for which there are formal agreements is available from the office of Career and Technical Education. Students wishing to articulate credit from a Missouri secondary career and technical program that has no formal agreement will need to provide an individual student competency list along with the application for articulation credit.

G. Other
The College may consider other nontraditional learning experiences, such as internships and learning experiences attained through business or industrial training programs, on a case by case basis. The Dean of Academic Affairs or the Dean of Workforce Development and Technical Education will determine if credit for prior learning should be awarded.

III. Standards for Awarding Credit for Prior Learning

A. Academic credit will be awarded only for those courses directly applicable to curriculum requirements and to the student’s declared certificate or degree program as outlined in College publications.

B. Certain institutional requirements, such as the residency requirement, are not able to be fulfilled through credit for prior learning.

C. All work assessed for credit for prior learning must meet or exceed designated scores or competency levels.

D. Time limits and credit hour caps may exist and vary by method for awarding credit for prior learning.

E. Unless otherwise noted, at least one credit hour must be successfully completed and transcribed into the student’s records before any credit for prior learning can be awarded, applicable to the degree program at MACC.

F. If credit for prior learning is applied to degree requirements, transferability to other institutions may be affected. Students should consult an advisor or designated faculty/staff member at the target transfer college for details.

G. Prior learning experiences shall be evaluated only if requested by the student.

H. Certain fees may be attached with credit for prior learning.

I. Minimum credit hour requirements for the degree must be satisfied.

M.075 - ACCEPTABLE USE POLICY
(Approved June 22, 2020)
This policy defines the requirements and responsibilities that all users connecting or using MACC technology resources must follow. This policy provides notification of what is deemed to be acceptable use of college technology resources. It is important to make sure that these
resources are properly used in order to avoid risks including virus attacks, compromise of network systems, and legal issues.

Scope
This policy applies to all users, including employees, students, consultants, visitors, and third party vendors that have access to or utilize MACC technology resources.

Policy
MACC encourages the use of information technology resources to support the college mission. Computing resources are available to all members of the campus community. Access to and use of MACC computing resources will accord with all MACC policies and local, state, federal, and international laws.

Acceptable Use
Use of computing resources is a privilege. In order to maintain this privilege, users agree to comply with the provisions of this policy and will:

1. Exhibit responsible behavior consistent with MACC’s mission and any applicable codes of conduct.
2. Accounts are to be used only by the authorized owner of the account
3. Follow all applicable policies regarding account security, social media, data governance, and any related training
4. Respect the privacy, confidentiality, and personal rights of others
5. Respect the intellectual property rights of creators, owners, contributors, and publishers
6. Protect assigned computing resources from unauthorized use
7. Immediately notify Computer Services of suspected unauthorized use or if account credentials have been/or are potentially compromised
8. Adhere to the terms of software licenses and other contractual agreements
9. Comply with all applicable MACC polices, laws, and regulations

Appropriate administrators will make determinations on whether specific uses of computing resources are consistent with the acceptable use policy.

Privacy and Monitoring
By using MACC computing resources, users agree and acknowledge that records of internet access, stored files, and email accounts may be monitored by MACC at any time with no expectation of privacy.

Compliance
MACC values academic freedom and privacy and does not condone casual inspection of the information contained in or transmitted within its computing resources. However, such information is subject to examination and inspection when deemed appropriate by Computer Services, the Chief Information Office, and other appropriate administrators.
Individuals found to have violated the Acceptable Use policy may have system privileges suspended or revoked and may face additional disciplinary action. MACC reserves the right to advise appropriate authorities of any violation of the law.

M.076 – CYBERSECURITY INCIDENT RESPONSE PLAN
(Approved June 22, 2020)

1. Purpose
This policy is designed to provide a rapid response to data security incidents, to improve incident reporting and related communications, to mitigate any damages caused by incidents, and to improve overall data security systems.

2. Scope
This policy applies to users of all Moberly Area Community College information assets, information systems, and/or the networks that deliver the information at and/or owned by the college, regardless of location. Users include, but are not limited to, faculty, staff, students, vendors, and visitors that utilize the network infrastructure.

3. Policy
Moberly Area Community College will maintain guidelines and procedures to provide the basis for appropriate responses to incidents that threaten the security, confidentiality, integrity, and/or availability of information assets, information systems, and/or the networks that deliver the information. A Critical Incident Response Team will be maintained to manage security incidents. Data security guidelines and procedures will be reviewed routinely and updated as necessary.

An incident is any event that threatens the security, confidentiality, integrity, and/or availability of the information assets, information systems, and/or the networks that deliver the information. Any violation of computer security policies, acceptable use policies, or standard computer security practices in an incident.

Critical Incident Response Team (CIRT) membership will include:
- President
- Vice President for Finance
- Vice President for Instruction
- Chief Information Officer
- Director of Marketing and Public Relations
- Director of Security and Residential Life
- Dean of Academic Affairs
- Dean of Workforce Development and Technical Education
- Dean of Health Sciences
- Dean of Student Affairs and Enrollment Management
- College Legal Counsel (if needed)
Participation by individual members may vary by incident as appropriate. Members of the Critical Incident Response Team are expected to respond immediately and fully when called upon. Responding to a critical incident, in general, takes precedence over all other work. If a member is unavailable at the time the team is assembled, a substitute member may be named by the President or other executive leadership.

Steps that will be taken at Moberly Area Community College in the event of an incident are as follows:

A. Determination of the nature and scope of a breach

An employee who discovers a breach is to notify his or her immediate supervisor and the Chief Information Officer. If neither are available, the employee must notify a member of President’s Council. The following information will be documented:

- identification of the person reporting the breach (name, contact info, etc.)
- record of the location, timeframe, and apparent source of the breach
- preliminary identification of confidential data that may be at risk

B. Communication regarding the breach will occur with

- Chief Information Officer
- Director of Security and Residential Life (if physical access to hardware is involved)
- President and other members of the Critical Incident Response Team (depending on sensitivity and scope of data exposed)
- Legal Counsel (depending on sensitivity and scope of data exposed)
- Law Enforcement (depending on the nature/scope of theft)
- Cyber Risk Insurance carrier (retained by MACC to assist)
- If credit card data is involved, notify bankcard holder within 24 hours of confirmed breach discovery

C. Investigation

- retain a third party to facilitate the process, if deemed necessary
- identify ongoing vulnerability of data to exposure from breach source (if circumstances warrant, Chief Information Officer may take immediate action to mitigate further damages.)
- conduct preliminary forensic analysis (retain outside assistance as needed)
- prepare inventory of data risk
- determine if exposed data were encrypted
- identify security measures that were defeated (and by what means)

D. Assessment of breach
• identify affected individuals at risk of identity theft or other harm
• assess financial, legal, regulatory, operational, reputational and other potential institutional risks

E. Remediation

• implement password changes and other security measures to prevent further data exposure
• determine if exposed/corrupted data can be restored from backups; take appropriate steps
• determine if value of exposed data can be neutralized by changing account access, ID information, or other measures

F. Notification

Based on regulatory requirements and other factors, the Critical Incident Response Team (in consultation with legal counsel as appropriate) determine whether notifications are indicated for:
• government agencies
• affected individuals
• MACC community
• business partners
• public
• other

If the Critical Incident Response Team determines that notifications are needed:

• the CIO will contact cyber risk insurance carrier who will coordinate notifications to affected individuals. Unless directed otherwise by law enforcement, such notifications will be made without delay.
• the Vice President for Finance and /or CIO will notify government agencies and business partners.
• the Director of Marketing and Public Relations will coordinate notifications to the MACC community, the public, and others as necessary.

Communications will address the following points:
• nature and scope of breach
• general circumstances of the breach (e.g., stolen laptop, hacked database etc.)
• approximate timeline (e.g., date of breach discovery)
• steps the college has taken to investigate and assess the breach
• any involvement of law enforcement or other third parties
• appraisal of any misuse of the missing data
• college-provided credit-watch service for affected individuals
• steps on behalf of affected individuals
• steps that the college is taking to prevent future breaches of this nature

Post-Incident Follow Up

In the wake of a data security breach MACC will:
• take steps to ensure that missing data cannot be used to access further information or cause harm in other ways to MACC’s electronic or other resources;
• pursue with law enforcement all reasonable means to recover lost data and equipment;
• review and modify as needed all procedures governing systems administration, software management, database protections, access to hardware, etc., to prevent future data breaches of a similar nature;
• take appropriate actions if staff negligence or other’s behavior contributed to the incident.
• modify procedures, software, equipment, etc., as needed to prevent future data breaches of a similar nature;
• take appropriate actions if personal negligence caused or contributed to the incident.

M.077 – ELECTRONIC COMMUNICATION POLICY
(Approved July 27, 2020)

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

2. Scope
This policy applies to all Moberly Area Community College 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.

- Employees may not use external or private email accounts (i.e. Gmail, Yahoo, or account through another institution, etc.) to conduct college business. This includes but is not limited to automatically forwarding college email to a personal account or listing a personal email as primary contact information.
- Employee email addresses are not confidential.
- Supervisors who have employees without a computer in their work station are required to work with such employees to ensure they have regular access to a computer in order that they may receive/check their college email accounts.
- 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. Instant Messaging

Instant messaging services can be provided for employees of the college by request. As with email and all other forms of communication, these services should not be used to send inappropriate or discriminatory information to other users.

C. 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.

D. Phone System

The phone system at MACC should be used by MACC employees for conducting College business. As per MACC’s Policy Manual: Long-distance calls will be made for College business only (unless charged to a home telephone). A computerized record is made of each long-distance call and charged to the appropriate College extension.

4. Security and Management

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.

M.078 – PASSWORD POLICY
(Approved June 22, 2020)

Overview
All individuals at Moberly Area Community College are responsible for safeguarding their system access and must comply with password parameters and standards identified in this policy.

Purpose
The purpose of this policy is to establish rules for password complexity and retention as well as to establish best practices in keeping user credentials safe and secure.

Scope
This policy applies to all Moberly Area Community College faculty, staff, students, vendors, and visitors that utilize the network infrastructure.

Agreement
• Authorized users are permitted access to only approved resources and systems.
• User credentials, including passwords, are never to be shared with another individual for any reason.
• Passwords are to never be written down and left in a location that is accessible or visible to others.
• Password should not be stored in a web browser’s password manager.
• Individuals must never leave themselves logged into an application or system that is accessible to another individual to access their account.
• Individuals must report to the Chief Information Officer in the event that they suspect their password has been compromised. They must also change their password once they realize the compromise has taken place.
• Requirements:
  o Passwords must be at least 14 characters long. Passphrases are recommended. A passphrase is typically composed of multiple words.
  o Passwords must contain at least 3 of the following:
    • Upper Case
    • Lower Case
    • Numeric
    • Special Characters/Punctuation

Audit Controls and Management
• Passwords are required to be changed every 365 days.
• Group Policy is configured to force users to change passwords.
• Changed password must not be the same as previous two passwords.
Enforcement
The use of the College network infrastructure is a privilege which may be revoked by MACC at any time for inappropriate conduct, including any use determined to be unlawful, abusive, or unethical. Misuse of computing or network resources may result in the revocation of privileges, probation, expulsion, termination of employment, civil litigation, or criminal prosecution. College policy offers recourse through due process for the resolution of disputes.

M.080 - COOPERATIVE AGREEMENT
A Joint Resolution was effected on September 15, 1986, between the Moberly Board of Education and the Moberly Area Community College Board of Trustees to enhance cooperation in serving the educational needs of the citizens of the Moberly District. The Resolution included cooperative program guidelines whereby Moberly Area Community College students could attend classes at the Moberly Area Technical School (MATC) in certain designated courses and programs during the day and receive college credit for their instruction. In addition, certain designated courses and programs may be taken by MATC students at Moberly Area Community College. Guidelines and other information relating to this agreement are on file with the Dean of Workforce Development and Technical Education.

M.083 - COPYRIGHT COMPLIANCE POLICY
(Approved February 22, 2016) (Revised July 22, 2019)
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 the Library and Academic Resource Center 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. 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.

M.085 - CRIME AWARENESS AND CAMPUS SECURITY

The Board of Trustees of Moberly Area Community College has adopted a policy on campus crime and security in order to comply with the requirements of the Crime Awareness and Security Act of 1990. The policy appears in Section L, Policy No. L.085.

M.086 - STATE TAX DEBT OFFSET POLICY  
(Approved January 22, 2018)

Debt Collection through Offset of Taxpayer Refund

The College will participate through the Missouri Department of Revenue Debt Offset program to receive money that has been withheld from taxpayers who owe debts over $25 to the College. The Business Office will be responsible for administering collection procedures.

Hearing

The following procedures provide for claimant’s right to a hearing to set forth a claim to an interest in funds received by the College through offset of a tax refund.

Definitions:

- **Claimant**: taxpayer-debtor or non-obligated taxpayer with a property interest in the refund that was subjected to offset and forwarded to the College by the Department of Revenue.
- **Debt**: amount owed to the College by Claimant.
- **Non-obligated taxpayer**: taxpayer named in the Missouri tax return against whom no debt is claimed by the College.
- **Apportionment of the refund**: portion of the refund due a non-obligated taxpayer, which will be determined by the evidence presented. The College will take into account any determination of apportionment determined by the Department of Revenue.

Procedures:
a) Claimant must send a letter to the College to the attention of the Business Office at the address below, setting forth the factual issues that support the Claimant’s rights to the funds. This letter must be sent to the College within 30 days of receipt by the Claimant of the notice of offset from the Missouri Department of Revenue.

Moberly Area Community College
Attn: Business Office
101 College Ave.
Moberly, MO 65270

b) Claimant must provide any, and all evidence to support application for entitlement to the refund.

c) Claimant has a right to request evidence from the College that supports Claimant’s debt to the College.

d) The College will set the hearing within 15 days of receipt of correspondence from Claimant.

e) The claim may be informally resolved by agreement.

f) The Vice President for Finance will serve as the hearing officer and will reside over the hearing.

g) Claimant can request that the hearing be recorded by audiotape or have a transcript prepared by a certified court reporter at the cost of the Claimant.

h) Upon completion of the hearing, the Vice President of Finance will draft a written determination which will be submitted to the Board of Trustees for approval.

i) Upon approval by the Board of Trustees, the decision of the College will be final.

M.087 - DEFERRED PAYMENT PROGRAM
Moberly Area Community College offers a deferred payment program to students. This program is administered by the Director of Business Services, in accordance with guidelines established and approved by the President’s Council.

M.089 - DELINQUENT ACCOUNTS
(Approved February 20, 2001)(Revised January 22, 2018)
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.

M.095 - ATTENDANCE AND SCHEDULE CHANGE POLICIES
Purpose
MACC recognizes the connection between student attendance and retention, achievement, and success in academics. Any class session or activity missed reduces the opportunity for learning and may adversely impact a student’s achievement. Therefore, MACC requires student attendance in order for students to remain enrolled in classes.

Scope
This policy applies to all MACC students.

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.
Acceptable justification may include, but is not limited to, family emergencies, illness or injury, college-approved co-curricular and extra-curricular activities, and religious holidays.

**Definition of Course Attendance**

<table>
<thead>
<tr>
<th>Course Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>In Seat Course</td>
<td>Physically attending scheduled, face-to-face, class meetings</td>
</tr>
<tr>
<td>Virtual Course</td>
<td>Being present, via appropriate platform, for scheduled class meetings/activities</td>
</tr>
</tbody>
</table>
| Hybrid Course     | Physically attending scheduled, face-to-face, class meetings 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 accessing the course and course related material does not constitute active participation for the online component of hybrid courses or for online courses.

**Adding Classes**

Students may register for and add classes 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.

**Dropping Classes**

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

c. 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, the Dean of Health Sciences, or the Dean of Student Affairs and Enrollment Management.

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

e. 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.

Student Financial Obligations
Students who drop classes or are administratively dropped for any reason may still have financial obligations to Moberly Area Community College.

Students who fail to meet financial obligations to the College within the financial agreement guidelines may be dropped from classes.

**M.096 - CONDUCT, STUDENT RUDE AND DISRUPTIVE BEHAVIOR**
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 and Enrollment Management, Dean of Academic Affairs, Dean of Workforce Development and Technical Education, or the Dean of Health Sciences.

The following steps will be taken when students exhibit inappropriate behavior:

a. 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.

b. 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
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.

c. 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.

d. The student has the right of appeal through the Student Due Process Grievance Procedure.

e. 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.

f. 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.

M.100 - USE OF ALCOHOL AND OTHER DRUGS POLICY
(Revised March 31, 2014) (Revised April 6, 2015)
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 whole 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.

Training and Education

All employees and students are encouraged to participate in the courses that MACC provides for alcohol and drug training. During the 90-minute course participants will navigate issues
related to partying, drugs and alcohol. The course includes discussion on the dangers of alcohol, alcohol and the law, knowing what is in a drink and signs of drunkenness, social pressures and drinking, the effects of drugs on the brain, date rape drugs, and penalties for violating the law. The training also covers myths about drugs and alcohol, and bystander tips for assisting someone under the influence.

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 whole 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 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 testes 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 Health Sciences 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 Health Sciences 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/statutes/C100-199/1950000202.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000202.HTM)
- Fraudulent Attempt to Possess Controlled Substance [http://www.moga.mo.gov/statutes/C100-199/1950000204.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000204.HTM)
- Distribution, Delivery, or Manufacture of Controlled Substance [http://www.moga.mo.gov/statutes/C100-199/1950000211.HTM](http://www.moga.mo.gov/statutes/C100-199/1950000211.HTM)
• Distribution of Controlled Substance Near Schools
  http://www.moga.mo.gov/statutes/C100-199/1950000214.HTM
• Trafficking of Drugs
  http://www.moga.mo.gov/statutes/C100-199/1950000222.HTM
• Unlawful Use of Drug Paraphernalia
  http://www.moga.mo.gov/statutes/C100-199/1950000233.HTM
• Possession of Alcohol by Minor
  http://www.moga.mo.gov/statutes/C300-399/3110000325.HTM
• Driving While Intoxicated
  http://www.moga.mo.gov/statutes/C500-599/5770000010.HTM
• Alcohol Beverages in Moving Motor Vehicle
  http://www.moga.mo.gov/statutes/C500-599/5770000017.HTM
• Revocation of Driving Privileges, Under Age 21
  http://www.moga.mo.gov/statutes/C500-599/5770000500.HTM
• Revocation of Driving Privileges, Over Age 21
  http://www.moga.mo.gov/statutes/C500-599/5770000505.HTM

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 DVD’s 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 problems. 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 and 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 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, oversensitivity, 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 Affairs (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 Behavioral 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 Behavioral 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 School 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 and 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.

**M.102 USE OF ALCOHOLIC BEVERAGES ON COLLEGE PROPERTY**

*(Approved March 21, 2016)*

The possession, use, or distribution of alcoholic beverages on property owned or leased by the College is strictly prohibited unless approved by the College President for unique and special Events. Approval must be granted by the President in advance for each Event at which alcohol will be served.

1. The College observes and enforces all applicable laws and regulations governing the sale, purchase, distribution, consumption, and possession of alcoholic beverages, and expects that all members of its community adhere to these laws and regulations both on and off campus.
2. College funds may not be used to purchase alcohol.
4. When alcohol use is approved by the College President, all faculty, staff, students, and visitors are expected to observe and obey the laws of the State of Missouri, including, but not limited to, those which prohibit any person under the age of 21 from purchasing, attempting to purchase, possessing, or from being served any intoxicating beverage, and RSMo.311.325 (4), which pertains to college students enrolled in a culinary course.
5. Violations of applicable law and/or this Policy will be handled in accordance with applicable law enforcement or College disciplinary procedures.
6. Requests to serve alcohol at Events on College Property must be submitted in written form to the College President for consideration. Request must include information explaining the purpose of the proposed Event, the identity of the entity serving the alcohol, as well as written affirmation that the Event will comply with all applicable laws and licensing requirements. A request to serve alcohol at an Event shall be approved by
the College President before the use of alcohol is permitted in accordance with this Policy.

M.105 - DUE PROCESS GRIEVANCE PROCEDURE
(Revised December 17, 2001)
The procedure for student due process will be according to the procedures approved by the Board of Trustees and described in Tab 1 of this handbook.

M.106 - COMMUNICABLE DISEASES POLICY
(Approved May 18, 2015)
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 and 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.

M.107 - FIREARMS POLICY
(Approved May 24, 2004) (Revised August 31, 2009)
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.

M.108 – FOOD/BEVERAGES
Bottled water and light snacks are permitted in classrooms and labs except for computer labs and the Library and Academic Resource Centers where no food or beverages are allowed.

M.110 - GRADE CHANGE APPEAL
(Revised March 25, 2002)
The primary responsibility for determining grades in a course belongs to the instructor of record assigned to that course.

Students have the right to appeal grades that they consider incorrect or improper. Students who believe that an incorrect or improper grade has been assigned should first speak with the course’s instructor to resolve the dispute. If the dispute is not resolved, students may follow the grade appeal procedure that is outlined in the Student Handbook.

M.115 - GRADE POINTS
For the purposes of determining grade point average, grades are numerically evaluated on a 4.0 scale.

M.120 - GRADUATION, CONDITIONS FOR
(Revised June 22, 2010) (Revised November 22, 2010) (Revised August 26, 2013) (Revised September 23, 2013)
(Revised August 26, 2019)
To meet the requirements for graduation from Moberly Area Community College, a student must meet the requirements of the degree or certificate and:

1. Complete 15 semester hours of college level credit applicable to the degree at Moberly Area Community College;
2. Complete the required course sequence for the degree or certificate program;
3. Achieve a minimum cumulative 2.0 grade point average;
4. Submit an application for graduation;
5. Pay in full all balances due to Moberly Area Community College.

Students seeking any Associate’s degree must also meet these requirements:

- Pass the Missouri Higher Education Civics Achievement Exam as specified in Senate Bill 807 with a score of 70% or higher. (Beginning FA19)
- Complete the state Constitution requirements as specified in Section 170.011 RSMo (Supp. 1987). This requirement is met by taking HST105, HST106, PSC103, or PSC105 or transferring an equivalent MOTR course. Students transferring an appropriate government or political science course from another institution may take an exam to satisfy this requirement.

The following degrees have additional requirements:

**Associate of Arts in Teaching Degree**
- achieve an overall cumulative 2.75 grade point average;
- achieve a minimum state-designated score on the Missouri General Education Assessment (MoGEA); and
- achieve a minimum 2.75 grade point average and earn a “C” or better in all required teacher education courses.

**Associate Degree Nursing**
- complete the HESI exam before or during the last semester of enrollment prior to completion of the ADN degree;
- earn a grade of “C” or above in all courses required in the ADN curriculum;

**Occupational Therapy Assistant**
- achieve a minimum 2.5 grade point average; and
- earn a grade of “C” or above in all science coursework; and
- earn a grade of “C” or above in all professional coursework once accepted into the program.

**Medical Laboratory Technician**
- earn a grade of “C” or above in all required courses that are part of the MLT curriculum;

**Practical Nursing Certificate**
- earn a grade of “C” or above in all required courses that are part of the PNC curriculum;
• complete the HESI exam before or during the last semester of enrollment prior to completion of the PN certificate and
• earn a grade of “C” or above in all courses required in the PN curriculum.

Reverse Transfer: MACC participates in the Missouri Reverse Transfer program. This program allows students to transfer credit back to fulfill degree requirements. Students must meet the graduation requirements listed in steps 1-5, any degree specific requirements, and apply for graduation. No additional fees are required.

College Catalog

The requirements for graduation at Moberly Area Community College are those specified in the college catalog at the time a student first enrolls in the College.

Students who wish to meet degree requirements put forth in the catalog at the time of their initial enrollment may do so provided the student enrolls in at least one fall or spring term each academic year (August to May) AND the catalog was issued no more than seven years prior to the date the degree is to be conferred. (An exception may be granted to those whose education is interrupted by military service.) If a student fails to successfully complete at least one fall or spring term each academic year, the student must then meet the degree requirements of the catalog in effect when he or she resumes attending classes.

A student may also choose to meet degree requirements as specified in subsequent catalogs published after the student’s initial enrollment. If the student changes programs, he or she will be expected to meet the graduation requirements of the catalog in effect at the time of the program change. In the case of curriculum changes, instructional deans may make adjustments to the individual degree/certificate plans to meet program requirements.

Every effort will be made to consider earlier course work in a way most beneficial to the student in fulfilling current requirements.

Students are subject to all policies/regulations stated in the most recent catalog.

M.130.1 - LIBRARY AND ACADEMIC RESOURCE CENTER (LARC)

(Revised July 22, 2019)
The Library and Academic Resource Center of Moberly Area Community College assists students by supporting and improving academic skills and learning strategies. MACC students have access to free in person and virtual tutoring. MACC tutors must attend tutor training certified through the College Reading and Learning Association (CRLA). Virtual tutor stations are available for students to connect virtually. The LARC provides computers, printers, and other technology for students, faculty, and staff for individual and classroom use.

The Kate Stamper Wilhite Library of MACC primarily supports the curriculum and research needs of students, faculty and staff. Materials for the library will be selected by the library staff
based upon both faculty/staff recommendations and adherence to the American Library Association's selection standard, "Policy for Materials Selection," which is on file in the Office of the Director of the Library and Academic Resource Center.

Interlibrary loan services through MOBIUS Library Consortium are available to faculty and students to supplement the resources of the MACC library. (Interlibrary loan information is available at the circulation desk in the library.)

In addition to interlibrary loan services supplementing MACC resources, reciprocity agreements with the Little Dixie Regional Libraries, and MOBIUS member libraries increase the number of resources available to faculty and staff.

M.130.2 – LIBRARY - CIRCULATION POLICY
(Revised November 27, 2000) (Revised July 22, 2019)
Library services and resources are provided to students, faculty, and staff of Moberly Area Community College through the Kate Stamper Wilhite Library. Community members and organizations have limited access to library resources.

The following circulation guidelines will be observed for the utilization of MACC Library resources:

1. Reference books are available for in-library use only.
2. Reserve books are available for in-library use only for two hours at a time; students checking out reserve materials will be required to leave a student identification card at the Circulation Desk.
3. Books are circulated to students for a 28-day loan period. A total of ten material items may be checked out by a student. Two renewal periods are allowed provided the material has not been requested by another library patron. A current MACC student ID card is required for circulation privileges.
4. Students not returning library materials on time are subject to loss of library privileges until reinstated by the Vice President for Instruction. A hold is placed on the student’s record until overdue materials are returned to the Library.
5. Audiovisual material and equipment are available for in-library use only for students. Faculty may check out audiovisual materials and equipment for use in the classroom.

M.135 - LOCKER USAGE
Locks and lockers are provided to students on campus for a nominal fee. At the beginning of each semester, locks are distributed to requesting students, and locker usage is monitored by Student Affairs staff. Only college locks are allowed on student lockers; all others will be removed.

College officials reserve the right to open any locker for inspection in emergency cases or for just cause as authorized by and at the discretion of the Director of Plant Operations and the President of Moberly Area Community College.
M.137 – NAME CHANGE AND PREFERRED NAME POLICY
(Approved August 24, 2020)

Students/Faculty/Staff/Alumni
MACC recognizes that students, faculty, staff and alumni use names other than their legal names to identify themselves. As long as the use of this preferred name is not for the purpose of misrepresentation, MACC acknowledges that a preferred name may be used whenever possible. The College reserves the right to remove a preferred name if it is used inappropriately.

MACC is required to keep documents related to financial aid and official academic transcripts under the full legal name.

Upon submission of the preferred name, the choice of preferred name will be reviewed by Student Affairs. Once the preferred name is approved, it will appear on College documents/programs listed below. If the preferred name is not approved, the student’s legal name will remain the only name on record at the College.

- MyMACC, Canvas, and MACC email accounts
- College ID card
- Class roster
- Library Information System
- Diploma

Examples of preferred names that will not be approved:
- Names used for the purpose of misrepresentation
- Names containing non-alpha characters
- Names containing foul or inappropriate language

A legal name change is required for a change on the following MACC documents:
- Transcripts
- Degree verifications
- Financial records
- Employment and payroll records
- State and federal reporting
- Financial aid documents and mailing information

To change the name on these records, the student must make a legal name change through state authorities. Students who wish to change their legal name in their official MACC record must complete and sign a Name Change Form and submit with a copy of an acceptable legal document reflecting the name change to Student Affairs.

Acceptable legal documents are a valid driver’s license, marriage license, divorce decree reinstating the maiden name, adoption documents, court order, valid passport, or birth certificate. Documents that are not considered acceptable legal documents include a social
security card and a notarized statement. For international students, the name must reflect the name that appears on the visa. Upon receipt of the supporting documentation, the official name in the student’s academic record will be changed in the student information system. Although the name will be changed in the academic record and on the official transcript, the former name will be maintained in the college student information system for cross-referencing.

A post-graduation name change will not be made to the academic record except in the case of a birth certificate name change. Alumni who wish to change their legal name in the official Moberly Area Community College records to match their birth certificate name must complete and sign a Name Change Form and submit with a certified copy of the birth certificate reflecting the new name to the Office of the Registrar. Although the name will be changed in the academic record and on the official transcript, the former name will be maintained in the college student information system for cross-referencing. All other former student name change requests should be submitted to the Alumni Office for alumni record updates.

M.138 - NETWORK ACCESS POLICY
(Approved October 28, 2019)

Overview
Access to and use of Moberly Area Community College network infrastructure must accord with all local, state, federal, and international laws and with College policies and procedures.

Purpose
The purpose of this policy is to establish rules for accessing and using MACC network infrastructure.

Scope
This policy applies to all Moberly Area Community College faculty, staff, students, vendors, and visitors that utilize the network infrastructure.

Agreement
Authorized users are permitted access to only approved resources and systems. Users shall not:

1. Extend network services by installing a router, switch, or hub, or wireless access point without the written consent of MACC Computer Services.
2. Install any network hardware or software that provides network services without the written consent of MACC Computer Services.
3. Alter network hardware in any way.
4. Download, install, or run security programs or utilities that reveal weaknesses in the security of a system without written consent of MACC Computer Services.
5. Access, display, or submit any abusive, profane, discriminatory, offensive, obscene, harassing, threatening, intimidating, or disruptive messages or images to any user or other person.
6. Use the network for commercial or for-profit purposes.
7. Extensive use of the Network for personal and private business is prohibited.
8. Intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the network.
9. Disrupt the use of the network by others; hardware or software shall not be destroyed, modified, or abused in any way.
10. Send hate mail, harassment, discriminatory remarks, and other antisocial behaviors on the network.
11. Illegally install, duplicate, or distribute copyrighted software on a MACC computer. The illegal transfer of software over a network is prohibited.
12. Use the Network to access or process pornographic material, inappropriate text files, or files dangerous to the integrity of the network.
13. Transmit any material in violation of any U.S. or state (e.g. copyrighted material, threatening or obscene material, or material protected by trade secrets).
14. Use the Network while access privileges are suspended or revoked.

Audit Controls and Management

1. Firewall rules are implemented to restrict unauthorized access to and from College Network.
2. Windows Group Policy settings are in place to support access control and security.
3. Network traffic is monitored and logged by MACC Computer Services. Network logs are retained for fifty-two weeks.

Enforcement

The use of the College network infrastructure is a privilege which may be revoked by MACC at any time for inappropriate conduct, including any use determined to be unlawful, abusive, or unethical. Misuse of computing or network resources may result in the revocation of privileges, probation, expulsion, termination of employment, civil litigation, or criminal prosecution. College policy offers recourse through due process for the resolution of disputes.

M.140 - NON-SCHOLARSHIP ATHLETES: STUDENT ACTIVITIES AGREEMENT

Moberly Area Community College athletes are representatives of the College and expected to maintain high standards of behavior at all times.

Non-scholarship athletes are expected to abide by all rules of the College and those outlined in the Athletic Scholarship Recipient Class Attendance and Academic Program Guidelines. The student must also meet the scholastic and eligibility requirements of Moberly Area Community College and of the National Junior College Athletic Association.

M.145 - OPEN-DOOR PHILOSOPHY

The open-door philosophy of MACC allows access to admission into college programs based on aptitude, interest, abilities, and specific program entrance requirements. Recognizing that all applicants are not academically qualified to enter all programs, college admission does not guarantee admission to specific programs or courses.
Skill assessment is available to assist with the identification of the basic skill levels of students as they enter the College. The primary goal of the assessment process is to assist students by identifying their skills, needs, and educational objectives.

Counseling and assessment services are available to assist students in the evaluation of their educational goals and for placement into appropriate courses or programs.

M.150 - PARKING REGULATIONS
The purpose of these regulations is to facilitate the safe and orderly operation of vehicular traffic and provide maximum parking space.

The regulations are intended:
1. To make college parking facilities available to faculty, staff, students, and guests;
2. To promote pedestrian and vehicular safety;
3. To insure access at all times for emergency vehicles.

The responsibility for finding an authorized parking space rests with the operator. Students should not park in spaces reserved for visitors or College employees. Lack of space in a particular area is not considered a valid excuse for violation of the parking regulations. Rain or inclement weather will not alter any provisions of these regulations.

Vehicles will not be parked on College property for any purpose other than conducting College-related business. Students will be permitted to park in areas that are designated for student parking only. Students parking on city-owned property are subject to city ordinances and regulations.

Regulations
All vehicles operated and/or parked on campus in Moberly must be registered, regardless of ownership. Vehicle registration forms are available from the Director of Security on the Main Campus. Upon registration of the vehicle(s), one parking permit will be issued to the student. The permit should be attached to the rearview mirror of the registered vehicle, but may be transferred to any vehicle registered under that student's name with the Director of Security. Replacement permits can be obtained from the Director of Security for a fee.

Campus parking permits are valid for one college year. The registered holder of a parking permit is at all times responsible for that motor vehicle.

The owner and operator of any vehicle that will be operated or parked on the campus, at off-campus sites, or in parking areas provided by the College, will assume all the risks of loss or damage to such vehicle and its contents. The College is not responsible for the safety, care and protection of vehicles or their contents.
Parking and Traffic Regulations:
1. Parking permits must face forward and be attached to the rearview mirror of the registered vehicle. Motorcycle permits must be attached to the bike next to the inspection sticker.
2. All operators of motor vehicles are subject to Moberly Area Community College regulations while on College-owned property;
3. Drivers must be in possession of a valid operator's license;
4. All accidents on MACC property should be reported promptly to the Security Department, located in Student Affairs, H-12 Andrew Komar, Jr. Hall, or at the site office of other campus locations.
5. Persons who receive parking violations have 10 business days to pay the fine or appeal the violation.
6. The speed limit on campus is 10 mph at all times. This regulation is strictly enforced.
7. Failure to observe parking regulations will result in parking fines and/or disciplinary action and possible towing. All violations, with the exception of marked handicap space violations, will be assessed a $10.00 fine. Violations in marked handicap spaces will result in a $35.00 fine.

The following violations can result in loss of parking privileges on Moberly Area Community College property:
1. Excessive or repeated parking violations;
2. Improper driving on any College lot at a speed in excess of 10 mph or driving on any College lot in a careless and reckless manner so as to endanger life or property;
3. Failure to comply with any request or order of anyone charged with the responsibility of enforcement of MACC traffic and parking regulations.

M.155 - INDEPENDENT STUDY COURSES
(Revised October 26, 2009)
An independent study course is a course taught on an individual basis outside of the regular college schedule that, for some reason, is not readily accessible to the student, e.g., a course needed for graduation in a student's final semester, a course that has an irresolvable time conflict with another course, a course not regularly scheduled, etc. Students wishing to enroll in an independent study course must complete an independent study proposal in conjunction with an MACC faculty member. All independent study courses must be approved by the appropriate dean.

M.160 - PROBATION AND SUSPENSION
(Revised May 1, 2006) (Revised January 25, 2010)
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 reenroll after one semester.

**M.165 - REFUND POLICY**


Tuition and fees may be refunded according to the following policy based on a 16-week semester. Refunds for other course offerings will be prorated accordingly.

1. Official withdrawal initiated by the student through the Office of the Dean of Student Affairs and Enrollment Management within 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–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 (Refer to academic calendar for applicable deadline dates.);

3. Students unable to attend classes after they have enrolled must initiate withdrawal 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 Direct Loans) and withdraws from all classes prior to completing 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 a 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. Such refund
requests will be reviewed by the President of the College or designee and a
determination made on a case-by-case basis.

M.170 - REGISTRATION, GENERAL
(Revised February 20, 2001) (Revised October 27, 2003) (Revised May 23, 2005) (Revised February 26, 2007)
(Revised January 22, 2018)

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 through the news media and in the Office of Student Affairs.

2. Total fees and tuition are due by the first day of classes. Students may request a
defered payment plan, as approved by the Director of Business Services in
accordance with guidelines established and approved by the President's Council.
Details are available in the Business Office.

3. Fees and tuition for business and industry courses and adult and community
education courses must be paid by the first day of class(es), unless otherwise
designated, or unless guaranteed by financial aid. Additionally, fees and tuition for
these courses are non-refundable.

4. In addition to incidental fees and tuition, some courses require lab, clinical or e-course
fees.

5. A late registration fee will be charged for students enrolling in a class or classes on or
after the first day of the semester. This would not apply to students who have already
enrolled for the semester and are adding classes.

M.175 - REPEATING COURSES
(Revised February 27, 2006)
A student who receives a C, D, or F in any college-level course may repeat the course. The
grade received for the repeated course, if higher, will cancel the first grade and will be used in
computing the student's cumulative grade point average. Under extenuating circumstances,
students may petition the Dean of Student Affairs and Enrollment Management when repeating
a course with an A or B grade. Developmental courses may be repeated regardless of the grade
obtained.

M.180 - RESIDENCY
Definition of In-District, Out-of-District, and Out-of-State Student:

1. In-District Student
   a. Students claimed as dependent who reside with their parents and whose parents
      have their permanent residence within the Moberly Area Community College
      District.
   b. Students who do not live with their parents but are claimed as dependents by
      their parents whose permanent residence is within the Moberly Area Community
      College District.
c. Students who have established permanent residence in the Moberly Area Community College District through full-time employment or other pursuits. A student who has established residence in the Moberly Area Community College District for the purpose of attending college must reside in the District for at least 12 consecutive months prior to the first day of classes.

d. Students who have declared their emancipation and have established their residence within the Moberly Area Community College District by living in the district for 12 consecutive months prior to enrollment.

e. Students who are separating from the military forces of the United States with an honorable discharge/general discharge and have established permanent residence in the Moberly Area Community College District.

f. The following individuals shall be charged the in-state/in-district rate, or otherwise considered a resident, for tuition purposes:

- A Veteran using educational assistance under either chapter 30 (Montgomery G.I. Bill – Active Duty Program) or chapter 33 (Post-9/11 G.I. Bill) of title 38, United States Code, who lives in the State of Missouri while attending a school located in the State of Missouri (regardless of his/her formal State of residence) and enrolls in the school within three years of discharge from a period of active duty services of 90 days or more.

- Anyone using transferred Post-9/11 G.I. Bill benefits (38 U.S.C. § 3319) who lives in the State of Missouri while attending a school located in the State of Missouri (regardless of his/her formal State of residence) and enrolls in the school within three years of the transferor’s discharge from a period of active duty service of 90 days or more.

- A spouse or child using benefits under the Marine Gunnery Sergeant, John David Fry Scholarship (38 U.S.C. § 3311 (b) (9)) who lives in the State of Missouri while attending a school located in the State of Missouri (regardless of his/her formal State of residence) and enrolls in the school within three years of the Service member’s death in the line of duty following a period of active duty service of 90 days or more.

- Anyone described above while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three year period following discharge or death described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code.

Students who have their residency outside the MACC District but have met the established criteria to be an in-district resident must apply for this residency change. MACC will not make the change automatically. If a question arises concerning the resident status of the student, it will be the responsibility of the student to prove permanent residence within the district.
Any proof that the student can provide will be evaluated on an individual basis.

The following legal documents may be used to verify residency if they are issued in the student's name, indicate current address, and are dated at least 12 months prior to the student's enrollment:

- Contracts for purchase of property
- Lease or rental agreements
- Utility contracts (including one-year certificates)
- Bank statements
- Tax forms (i.e., personal property, state income, real estate)

Students who have declared their emancipation and are under 22 years of age may be required to submit a copy of their parents' income tax form to verify that they were not claimed as a dependent.

2. Out-of-District Student
   An out-of-district student is one whose permanent residence and address are within the state of Missouri but not within the College district. In addition, if the student is not living with his or her parents, the student must be 22 years of age, emancipated (student is not under the care, custody or support of parents or legal guardians), or a student separating from the military forces of the United States with an honorable/general discharge.

3. Out-of-State Student
   An out-of-state student is one whose permanent residence and address are outside the state of Missouri. This includes the following:
   a. International Student – This is a foreign national who is in the United States on an approved visa.
   b. Unemancipated Minor Student – This is a student less than twenty-two years old who is still under the care, custody or support of parents/legal guardians who reside outside the state of Missouri.

M.185 - SEXUAL MISCONDUCT POLICY

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  II. Options for Assistance
  III. Definitions
  IV. Prohibited Conduct
  V. Title IX Coordinator
  VI. Reporting and Confidentiality
  VII. Complaint Procedures
  VIII. Prevention and Education
  IX. Title IX Grievance Process (Formal Complaints of Sexual Harassment)
  X. Sexual Misconduct Grievance Process
XI. Policy Monitoring

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 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

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

Audrain County Crisis Intervention Services, Mexico
Hotline: 800-246-2280
Phone: 800-246-2280
Audraincountycrisis.org

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

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

The following emergency numbers are available to report sexual misconduct or an emergency situation.

MACC Director of Security and Residential Life 660-263-4100 x11247 or 660-833-6990
MACC Title IX Coordinator 660-263-4100 x11369
Moberly Police 660-263-0346
Columbia Police 573-874-7652
Hannibal Police 573-221-0987
Kirksville Police 660-665-5621
Mexico Public Safety 573-473-5800
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
http://truenorthofcolumbia.org

Audrain County Crisis Intervention Services, Mexico
Hotline: 800-246-2280
Phone: 800-246-2280
Audraincountycrisis.org

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

Coalition against Rape and Domestic Violence (CARDV), Fulton
Help Line: 573-642-4422
Business Office: 573-642-1418
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 similar measures.

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
Moberly, MO 65270
(660) 263-4100 ext. 11369
cherylylbarger@macc.edu
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 of 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. 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 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. Th 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 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.
**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.

**XI. Policy Monitoring**

MACC’s Compliance Committee and Title IX Coordinator continually examine MACC’s Sexual Misconduct Policy to ensure that the policy is effective and understandable for community members. All policy revisions and updates will be reviewed and approved by the MACC President’s Council and the MACC Board of Trustees. In addition, MACC’s Director of Security and Residential Life and Director of Plant Operations work continuously to ensure that all MACC sites are safe and secure educational environments.

**M.190 - TOBACCO FREE POLICY**

*(Revised August 27, 2012)*
Moberly Area Community College is committed to providing a healthy educational setting and workplace not only for our students and employees, but also for those who visit our campuses and facilities. Moberly Area Community College has determined that all campus sites will be tobacco free. The Tobacco Free Policy appears in Tab 7.

**M.195 - STUDENT ACTIVITIES SCHOLARSHIP AGREEMENT**  
*(Revised July 22, 2019)*

Moberly Area Community College provides scholarships to students that entail various forms of participation in College activities. Because these students are recognized as representatives of the institution, it is expected that they adhere to the rules and regulations of the College. The Student Activities Scholarship Agreement was developed to clarify expected behavior and violation provisions for activity scholarship recipients.

**M.200 - STUDENT EXPENSES**  
*(Revised January 22, 2018)*

Information regarding fees and tuition as well as other charges for college programs is available on the college website, or can be obtained in the Office of Student Affairs or the Business Office.

**M.205 - STUDENT ORGANIZATIONS AND ACTIVITIES, APPROVAL OF**

All student organizations and activities must be approved by the Dean of Student Affairs and Enrollment Management and the President's Council.

**M.210 - TRANSCRIPTS**

Written requests for transcripts must be filed with the Registrar in the Office of Student Affairs. A transcript will be released only upon written authorization of the student. Financial obligations to the College must be met before a transcript is released.

**M.215 - TRANSFERRING 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 representatives of the receiving institution and campus visits are important in preparing for a smooth transition. Transfer problems can be minimized if special consideration is given when preparing a class schedule.

**M.215.1 - TRANSFERRING CREDIT TO MACC**  
*(Approved January 26, 2015)*

MACC’s transfer policy is in place to allow for smooth transfer of credits. Transfer students must submit official transcripts to the Registrar for evaluation. Transfer credit from any postsecondary institution is 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 Accreditation (CHEA). Each course is evaluated by the Registrar and
the Dean of Academic Affairs or the Dean of Workforce Development and Technical Education to determine whether it is one of the following:

• Equivalent to a specific MACC course,
• Not equivalent to an MACC course but transferable as an elective, or
• Unusable in the student’s specified MACC degree/certificate program.

When a transfer course is fewer credit hours than a similar course offered by MACC, MACC will accept the transfer course as a direct equivalent under the following conditions:

• The majority of course content is the same,
• Student learning outcomes are significantly similar, and
• The course from the originating institution is within 75% of the credit ours of the MACC course.

The appropriate dean will review the transfer course for equivalency. A student must earn the minimum amount of credit hours required for the degree. Although a transfer course with fewer credit hours may meet the requirement of an MACC course, the actual credit hours awarded at MACC remains the same as those assigned by the originating (transfer) institution. Additionally, the student should meet the minimum distribution requirements within the degree. In special cases, the dean may waive the minimum distribution requirement.

Transfer credit for any course is only granted for passing grades. Some programs may require a higher grade for credit to be awarded in certain classes. Grades earned in courses taken at other institutions that have been approved for transfer credit are included in students’ MACC cumulative grade point averages. Students may be requested to provide additional information (e.g., course syllabus) to the Registrar for review by the appropriate dean. After transcripts have been evaluated, the MACC Registrar sends each degree-seeking student a letter stating the transfer decision for each course. Students may appeal transfer decisions to the Registrar for consideration by the appropriate dean.

**M.220 - TUITION WAIVER FOR OUT-OF-DISTRICT EMPLOYEES (MOBERLY)**

Employers whose primary business operation is located within the Moberly Area Community College District may request a waiver of out-of-district tuition on single course offerings for their full-time employees. Waiver requests will be considered and granted based on the following conditions:

1. A written request form from the employee’s supervisor must be submitted to the Office of the President, Moberly Area Community College, at least one week prior to the course starting date.
2. A waiver may be granted on single course offerings for the purpose of upgrading or retraining the employee for continuous employment with the requesting organization.
3. Normally waivers may be granted to a maximum of six credit hours per semester (session) per person; however, in certain extenuating circumstances, the President of the College has the authority to increase the number of credit hours waived.
4. If the waiver is granted, payment for the course(s) must be made in full by check to the College from the requesting organization within 30 days of the first day of the course(s).
5. For customized and other special courses and seminars, the President of MACC has the authority to waive out-of-district fees.

Final approval of the request for waiver rests with the President of MACC.

**M.225 - TUITION WAIVER FOR OUT-OF-STATE EMPLOYEES (HANNIBAL)**

Employers whose primary business operation is located in Hannibal, Missouri, may request a waiver of out-of-state tuition for their full-time employees to attend classes at Moberly Area Community College’s instructional site in Hannibal. Waiver requests will be considered and granted based on the following conditions:

1. A completed request form signed by the employee’s supervisor must be submitted to the Office of the President, Moberly Area Community College, at least one week prior to the course starting date.
2. A waiver may be granted on single course offerings for the purpose of upgrading or retraining the employee for continuous employment with the requesting organization.
3. A waiver may be granted for a maximum of six credit hours per semester per person; however, under certain extenuating circumstances, the President of MACC has the authority to increase the number of credit hours approved for waiver.
4. If the waiver is granted, payment for the course(s) must be made in full to the College by the requesting organization within thirty days of the first day of the course(s).
5. For customized and other special courses and seminars, the President of MACC has the authority to waive out-of-state tuition.

The President of Moberly Area Community College will consider requests upon receipt of the waiver form. Once a decision has been made, the requesting organization will be notified by the Office of the President.

**M.230 - WHISTLEBLOWER POLICY**

*(Approved November 27, 2017)* *(Revised June 22, 2020)*

Whistleblower policy is described in Section L.230.
Tab 1
MOBERLY AREA COMMUNITY COLLEGE
EMPLOYEE DUE PROCESS GRIEVANCE PROCEDURE*
*(Revised December 17, 2001), (Revised January 27, 2014)*

Introduction
1. Definition
   Employee Grievance: A complaint or allegation by an employee 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 employee within the time limits established, the grievance will be considered resolved. However, when mutually agreed upon, the time limits may be extended.

4. Representation: An employee who asserts a grievance has the right to present such grievance for settlement in the manner provided in the grievance procedure. Such employee 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 employee in the investigation of any grievance.

6. Released Time: The investigation or processing of a grievance should be accomplished without interference to an employee’s required assignments, but should the administration, in the processing of any grievance, require that an employee be released from required assignments, 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 an employee from discussing any complaint or grievance with an immediate supervisor 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 construed in any way to limit the rights of any employee under the law.

Procedure
Step I
The employee will, within 10 days from the alleged occurrence, put in writing and discuss the grievance or complaint with his/her immediate supervisor. If the grievance is directed at his/her supervisor, the employee will meet with the Director of Human Resources for guidance. The supervisor will document the date of such discussion in an appropriate
record book or memorandum of record sent to Human Resources and the President. The supervisor may, upon this initial contact, resolve the problem with the employee.

**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 ten 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 Grievant Review Committee will elect a chairperson and secretary and receive their charge from the President.

In the event that a committee member 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 Director of Human Resources, 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.
MOBERLY AREA COMMUNITY COLLEGE
STUDENT DUE PROCESS GRIEVANCE PROCEDURE*

Introduction

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.
Tab 2
MOBERLY AREA COMMUNITY COLLEGE
USE OF COLLEGE FACILITIES

(Revised November 26, 2018) (Revised June 22, 2020)

Purpose:

This policy governs the use of facilities and grounds owned or leased by Moberly Area Community College or under the College’s operating authority. It applies to College groups and groups unaffiliated with the College. This policy imposes limits on the use of College facilities and grounds, so as not to impede the educational process.

Policy:

The facilities and grounds of Moberly Area Community College are provided to meet the educational needs of its students. It is recognized that a function of the College is community service, therefore College facilities and grounds will be made available for public use, when such use does not interfere with College-related events. The use and requests for the use of College facilities and grounds will be administered by the Director of Plant Operations, in accordance with the policies and procedures listed below.

1. College activities take priority over all other requests.
2. Users of the facilities must comply with all college policies and any applicable statutory regulations.
3. Requests for the use of College facilities and grounds must be made by contacting the Office of Plant Operations and providing the proper paperwork, two weeks prior to activity.
4. Moberly Area Community College reserves the right to charge rental, equipment and other fees (as applicable) to outside organizations depending upon room utilized and setup required. Additional charges may apply for lights/sound technician, security or additional custodial services. The Director of Plant Operations is responsible for determining appropriate fees (if any) to be charged for the use of facilities. A fee schedule, approved by President’s Council, may be obtained by contacting the Office of Plant Operations.
5. Approval to use College facilities does not grant the right to establish concessions or sell items on College property without the prior approval of the Director of Plant Operations.
6. Groups using College facilities will exercise all safety precautions and will agree to reimburse the college for any destruction, damage, defacement or loss to any of the facilities or equipment caused during their scheduled event. Each group must sign a letter to indemnify and hold harmless Moberly Area Community College and, upon request, provide proof of comprehensive general liability insurance, of not less than $1,000,000 per occurrence, naming Moberly Area Community College as an additional insured.
7. The possession, use, or distribution of alcoholic beverages on property owned or leased by the College is strictly prohibited unless approved by the College President for unique and special events. Illegal substances are not permitted on College property. For additional information regarding this policy, please refer to the Policy Handbook, L.093.
8. The President or Director of Plant Operations may deny any request felt to be detrimental to the best interests of Moberly Area Community College. Reservation requests will not be
permitted for purposes prohibited by ordinance, statute, or law of any kind.

9. All Moberly Area Community College locations are Tobacco Free, as per policy located in Tab 7.

10. Weapons are prohibited in all College facilities, except per policy L.117.

11. The Activity Center facility located on the Moberly Campus maintains its own fee schedule and policies and procedures for use of that facility. Additional information for the use of the Activity Center can be found in Tab 2 of the policy handbook.

12. The name or logo of Moberly Area Community College may only be used to identify location and may not be used in publicity, written or broadcast, and will in no way be used to imply endorsement for organizations not affiliated with Moberly Area Community College without the written consent by the President.

13. The Moberly Area Community College Board of Trustees, administrators, faculty, employees, volunteers or agents shall bear no liability for injuries.

14. Failure of a group or individual to abide by the policies and terms of Moberly Area Community College, may result in the immediate termination of the use of facilities.

Procedures:

1. Reservation Process
   a. Requests for use of College facilities must be made at least two weeks prior to the event by contacting the Office of Plant Operations to ensure the space, date and time of the event is available. Upon creating a reservation, the Use of Facilities forms must be completed via the online request system.
   b. A College staff member must be on duty during the times that groups are using the facilities, unless otherwise approved.
   c. Approval to use College facilities does not grant the right to establish concessions or sell items on College property, unless approved by the Director of Plant Operations.
   d. Groups using College property shall exercise all safety precautions at all times and may be required to provide a certificate of general liability insurance, naming the College as additional insured with the minimum limits of $1,000,000 per occurrence.
   e. The possession, use or distribution of alcoholic beverages on property owned or leased by the College is strictly prohibited, unless approved by the College President for unique and special events. For additional information regarding this policy, please refer to the Policy Handbook, L.093

2. Fee Schedule
   Designated College facilities and grounds are available for use or rental during normal College hours of operation, or as approved by the Director of Plant Operations. Fees will be charged for use and setup required for each space. A fee schedule can be obtained by contacting the Office of Plant Operations.
   a. The following groups may be considered exempt from paying a fee, as approved by the Director of Plant Operations and/or the College President, unless the activity requires additional setup or technical needs.
      i. Student-sponsored organizations or activities that are College-related.
      ii. College-sponsored groups or activities.
      iii. Tax-supported institutions within the College service area, such as governmental entities and political subdivisions.
iv. Non-profit and local service organizations may be charged, as determined by the Director of Plant Operations.

b. Organizations not described above will be charged the appropriate fee, according to the fee schedule.

c. Some events may be required to employ additional security, custodial, or technical services, as determined by the Director of Plant Operations or Director of Security and Residential Life. Fees for these services will be determined on a case by case basis and will be charged to the group or organization prior to the event.

d. The Director of Plant Operations and/or the College President reserves the right to refuse use that would result in excessive wear and tear, provide safety or security risks or generally would not be in the best interest of the College.
MOBERLY AREA COMMUNITY COLLEGE
USE OF ACTIVITY CENTER FACILITIES

(Revised August 27, 2012) (Revised March 21, 2016) (Revised June 22, 2020)

The Moberly Area Community College Activity Center is provided to meet the needs of northeast Missouri, the Moberly community, as well as the College; therefore, the Activity Center will be made available for use by community and college groups as much as possible. The Activity Center is an auxiliary enterprise of Moberly Area Community College. It is anticipated that the Center will play a larger role in support of outside activities than is currently possible from other parts of the College geared more toward the traditional educational process. It is anticipated that the Activity Center will operate in such a way that it will be necessary to make reservations as far in advance as possible.

College groups may use the facilities for approved college functions. An approved college sponsor must be present at all times during the activities. It is the responsibility of the group sponsor to arrange for the use of facilities and equipment and to follow the operational policies of the Activity Center.

The following operational policies and fee schedule applies:

A. Requests for the use of Activity Center facilities must be made by completing a reservation request form. Upon approval, a copy of the completed request form will be mailed to the group sponsor. Completed paperwork should not be an assumption of approval. The Activity Center Director and/or President’s Council have the right to deny any request felt to be detrimental to the best interest of Moberly Area Community College. Reservation requests should be made as far in advance as possible to ensure the use of the facility. Reservation requests will not be approved for purposes prohibited by local ordinances, statute, or law.

B. Rental of Activity Center facilities will require the following:
   1. a security deposit of 15 percent of the usage fee or $100, whichever is greater;
   2. the security deposit and 50 percent of the total usage fee are due at the time the reservation is requested;
   3. the remaining balance of the total usage fee must be received at least seven days prior to the scheduled event.

C. Reservations may only be canceled in writing. Groups canceling 30 to 60 days prior to their event will be refunded 90 percent of their usage fee and 100 percent of their security deposit. Groups canceling within 30 days will be refunded 100 percent of their security deposit. There will be no refund of the 50 percent payment of the usage fee when canceling within 30 days. Deposits and refunds will be mailed to the group sponsor within 14 business days of the completed activity or cancellation.

D. Approval to use Activity Center facilities includes the use of Activity Center tables and chairs. Other equipment requests must be submitted by using an equipment checkout request form available in the Activity Center. The cost of repair or replacement will be assessed to the group sponsor for any loss or damage incurred to Activity Center property.

E. Up to two hours of combined setup and cleanup are included in the usage fee. Groups requiring additional setup and cleanup will be charged an additional $10/hour per custodian utilized.
F. Any activity requiring extra protection of the arena floor will be charged an additional $250-$350 depending on the type of floor protection needed.

G. Catering is available for an additional cost. Arrangements can be made one of two ways: (1) the Activity Center staff will make the food and beverage arrangements for the groups, or (2) the individual group using the facility may contract with a private catering service. Any additional cleanup required after catering services will be charged at the rate of $10/hour per custodian. (Please see item E.)

H. Approval for use of Activity Center facilities does not grant the right to establish concessions or sell items on Activity Center property. Concessions are the sole right of the Activity Center. Special arrangements to sell concessions may be made with Activity Center management prior to the scheduled event.

I. A facility staff member must be present for the duration of all activities taking place in the Activity Center.

J. Groups using the arena must wear shoes of a type that will not damage the arena floor. Activity Center staff has the authority to ask persons to remove their shoes if they believe the shoes will be destructive to the floor.

K. The possession, use, or distribution of alcoholic beverages on property owned or leased by the College is strictly prohibited unless approved by the College President for unique and special events. Illegal substances are not permitted on college property.

L. Moberly Area Community College is committed to providing a healthy educational setting and workplace not only for our students and employees, but also for those who visit our campuses and facilities. Moberly Area Community College has determined that all campus sites will be tobacco free. The Tobacco Free Policy appears in Tab 7.

M. Anyone using the Activity Center facilities must make reasonable attempts not to disturb other activities taking place in the Activity Center.

N. Groups using Activity Center property shall exercise all safety precautions in order to avoid injuries or liabilities for injury and will agree to reimburse the college for any destruction, damage, defacement or loss to any of the facilities or equipment caused during their scheduled event. It shall be understood that the Moberly Area Community College Board of Trustees, its individual members, and the employees of Moberly Area Community College shall bear no liability for injuries. Upon request, groups renting the Activity Center will provide proof of general liability insurance of no less than 1,000,000 per occurrence, naming Moberly Area Community College as an additional insured.

O. Any additional operational policies needed for the successful operation of this facility shall be made by the Director with approval of the President.

P. The name or logo of Moberly Area Community College may only be used to identify location and may not be used in publicity, written or broadcast, and will in no way be used to imply endorsement for organizations affiliated with Moberly Area Community College without written consent of the President.

Q. Any additional operational policies needed for the successful operation of this facility shall be made by the Director with approval of the President.
A daily use fee/rate structure for public use of the gym facilities in the MACC Activity Center was approved by the Board of Trustees on May 24, 1999. The use fee/rate structure (effective July 1, 1999) is as follows:

<table>
<thead>
<tr>
<th>Age</th>
<th>Fee/Rate Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age 60+</td>
<td>No Fee</td>
</tr>
<tr>
<td>Age 12-59</td>
<td>$3.00 per day/$50.00 for a 20-visit pass</td>
</tr>
<tr>
<td>Age 4-11</td>
<td>$2.00 per day/$30.00 for a 20-visit pass</td>
</tr>
<tr>
<td>Age 3 and under</td>
<td>No Fee</td>
</tr>
</tbody>
</table>

Visitors using the walking concourse exclusively will not be charged a fee, but walkers must be 16 or older or have permission from the Director of the Activity Center. Anyone 11 and under must be accompanied by a person 18 years of age or older. MACC faculty, staff, and students have access with their MACC identification. Public use of the facility is on an “as available” basis.

On August 23, 1999, the Board of Trustees approved the following addition of annual rates and family rates to the fee structure for the Activity Center:

<table>
<thead>
<tr>
<th>Rate Structure</th>
<th>Fee/Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Rate (parents and children up to age 18)</td>
<td>$250 annually</td>
</tr>
<tr>
<td>Individual Rate (ages 4-59)</td>
<td>$120 annually</td>
</tr>
<tr>
<td>Spring Pass (January-April)</td>
<td>$50</td>
</tr>
<tr>
<td>Summer Pass (May-August)</td>
<td>$50</td>
</tr>
<tr>
<td>Fall Pass (September-December)</td>
<td>$50</td>
</tr>
</tbody>
</table>

There is no fee for those 3 years of age and under or those age 60 and over.
MOBERLY AREA COMMUNITY COLLEGE ACTIVITY CENTER

FEE SCHEDULE

Classification of Organizations

Class I  College-affiliated groups including employees, students, or organizations such as the MACC Foundation

Class II  Non-college groups such as recognized secular organizations, groups, and clubs of a service, civic, or charitable nature, including but not limited to, scouts, governmental agencies, other public educational institutions, and college-affiliated groups in cases outlined below

Class III  Other non-college groups approved by the College President’s Council not included in the above classes

Fee Schedule

Class I  There shall be no charge for facilities use to Class I groups or organizations for functions approved by the President’s Council. Class II fees will apply for functions designed for profit making by the organization as approved by the President’s Council.

Class II  

<table>
<thead>
<tr>
<th>Type of Facility</th>
<th>Hourly Rate</th>
<th>Daily Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Room 201</td>
<td>$10.00</td>
<td>$80.00</td>
</tr>
<tr>
<td>Meeting Room 202</td>
<td>$15.00</td>
<td>$120.00</td>
</tr>
<tr>
<td>Classroom 203</td>
<td>$10.00</td>
<td>$80.00</td>
</tr>
<tr>
<td>All three rooms</td>
<td>$25.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Arena</td>
<td>N/A</td>
<td>$300.00</td>
</tr>
<tr>
<td>Arena and Conference Rooms</td>
<td>N/A</td>
<td>$400.00</td>
</tr>
</tbody>
</table>

Class III  

<table>
<thead>
<tr>
<th>Type of Facility</th>
<th>Hourly Rate</th>
<th>Daily Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Room 201</td>
<td>$20.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Meeting Room 202</td>
<td>$30.00</td>
<td>$240.00</td>
</tr>
<tr>
<td>Classroom 203</td>
<td>$20.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>All three rooms</td>
<td>$50.00</td>
<td>$350.00</td>
</tr>
<tr>
<td>Arena</td>
<td>N/A</td>
<td>$500.00</td>
</tr>
<tr>
<td>Arena and Conference Rooms</td>
<td>N/A</td>
<td>$650.00</td>
</tr>
</tbody>
</table>

The Activity Center Director or President of MACC may recommend fees to the President’s Council for uses of the Activity Center not included in the above Classifications or Fee Schedule.
Tab 3
MOBERLY AREA COMMUNITY COLLEGE
CONFLICT OF INTEREST POLICY

The Board of Trustees and employees of Moberly Area Community College recognize the importance of avoidance of any real or apparent conflicts of interest in the performance of their duties. MACC personnel are expected not only to adhere to all laws regarding conflict of interest, but also to be alert to situations which have the appearance of a conflict of interest.

MACC personnel shall not participate in the transaction of business, as representatives of the College with any person or entity with whom the employee has a direct or indirect personal, professional, business, financial, or family interest or relationship. When an employee is aware of a transaction in which a potential conflict of interest may exist, the employee shall notify the President of the College, in writing, of the nature of the conflict. These reporting requirements are in addition to and do not relieve an employee from the responsibility for making disclosures required by Chapter 105 of the Missouri statutes pertaining to conflict of interest.

MACC personnel shall not use or disclose confidential information obtained in the course of their official capacity at the College in any manner for financial gain for himself/herself or for the employee's family or business with which the employee is associated.

An employee's outside employment or business activities and interest must neither interfere nor give the appearance of interference with the employee's regular duties nor represent a conflict of interest.

MACC personnel shall not benefit personally from any purchase of goods or services by the College, derive personal gain from actions taken by a representative or employee of the College, nor shall College personnel accept any gift, gratuity, or reward with a monetary value in excess of $25 from any person or other entity which transacts business with the College or which seeks to transact such business. This requirement shall not infringe on property rights relating to the development of educational or other materials which have been granted to employees by the College.

Employees in violation of this policy are subject to disciplinary action up to and including termination of employment. An employee who becomes subject to disciplinary action based on an allegation of violation of this policy shall be entitled to full due process in accordance with College grievance procedures. Complaints alleging violations of the state's conflict of interest law (Chapter 105) or this policy may be received and investigated by the Missouri Ethics Commission.
MOBERLY AREA COMMUNITY COLLEGE
FINANCIAL STATEMENT DISCLOSURE POLICY

The Moberly Area Community College Board of Trustees hereby adopts the following policy and resolution with respect to conflicts of interest and to require disclosure and to make public such disclosure of Board member and employee transactions required to be disclosed in writing pursuant to Sections 105.450-492, RSMo 1991.

BE IT RESOLVED:

1. All Board members and employees serving in an executive or administrative capacity must comply with Section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct. Every Board member who has a substantial interest as is defined in paragraph 3 below in any measure, bill, order or ordinance proposed or pending before the Board must disclose that interest to the secretary of the Board, and such disclosure shall be recorded in the minutes of the Board.

2. Each Board member and the college president/Chief purchasing officer shall prepare a written report disclosing the date and identities of the parties for the following transactions in which they participated:
   a. All transactions with a total value in excess of $500 between Moberly Area Community College and such individual or any person related to such individual within the first degree of consanguinity or affinity excluding the compensation received as an employee of the College or payment for any tax, fee, or penalty due to the College and transfers for no consideration to the College.
   b. All transactions with a total value in excess of $500 between Moberly Area Community College and any business entity in which such individuals have a substantial interest excluding any payment of tax, fee, or penalty due to the College, payment for providing utility services to the College and transfers for no consideration to the College.

3. For these purposes substantial interest shall mean ownership by such individual or his or her spouse, or dependent children, whether singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or of an interest in any business entity having a value of $10,000 or more; or the receipt by such individual or his or her spouse or dependent children whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of $5,000 or more per year from any individual, partnership, organization or association within a calendar year.

4. The college president/Chief purchasing officer will also report the following:
   a. The name and address of each employer from whom income of $1,000 or more was received.
   b. The name and address of each sole proprietorship which the individual owned; the name, address and general nature of business conducted by each general partnership or joint venture in which he or she was a partner or participant; the
name and address of each partner or co-participant in the partnership or joint venture unless the information is already filed with the secretary of state; the name, address and general nature of business of any closely held corporation or limited partnership in which the individual owned ten percent or more of any class of the outstanding stock or limited partner's units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system which the individual owned 2% or more of any class of outstanding stock, limited partnership units or other equity interests.

c. The names and addresses of each corporation for which the individual served in the capacity of director, officer or receiver.

5. A certified copy of this policy/resolution shall be sent to the Secretary of State's Office within ten days of the adoption.

6. Disclosure reports shall be filed by May 1 for the preceding calendar year with the Missouri Ethics Commission and the Secretary of the Moberly Area Community College Board of Trustees. The reports shall be made available for public inspection and copying during normal business hours.

1. This policy and resolution shall stand adopted by the Board of Trustees annually unless repealed and modified.

__________________________________________       ____________
President, Board of Trustees       Date

__________________________________________       ____________
President of the College       Date

ATTEST: Secretary, Board of Trustees
DRUG/ALCOHOL TESTING

MACC is committed to full compliance with the Omnibus Transportation Employee Testing Act of 1991. The Federal Motor Carrier Safety Administration (FMCSA) falls under this act. Regulations published by the FMCSA require employers to test their drivers for drug and alcohol use.

MACC will conduct reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and controlled-substances testing of each employee who is required to obtain a Commercial Driver’s License. MACC is also required to conduct pre-employment/pre-duty controlled substances testing of applicants for employment or new employees who will be required to hold a Commercial Driver's License.

In accordance with the Omnibus Act and FMCSA, MACC prohibits the use of alcohol. This prohibition extends to (1) use of alcohol on the job; (2) use of alcohol during the four hours before performance of a safety-sensitive function; (3) having prohibited concentrations of alcohol in the system while performing a safety-sensitive function; (4) exhibiting behavior and/or appearance characteristic of alcohol misuse; and (5) use of alcohol following an accident.

The use of any controlled substance by a covered employee is prohibited. The only exception applies to an employee whose use of a controlled substance has been prescribed by a physician who has advised the employee that the substance will not adversely affect his or her ability to safely operate a commercial motor vehicle. The employee must inform his or her supervisor of any such therapeutic drug use.

A. Testing
MACC will fulfill its obligation regarding frequency and manner of testing and imposition of penalties as described in "Procedures for Alcohol Testing" and "Procedures for Controlled-Substance Testing."

B. Test Results, Record Retention and Confidentiality
MACC will maintain and ensure controlled access to secure records of its alcohol misuse prevention and controlled-substance program in the Office of the Director of Institutional Reporting and Compliance. Every effort will be made to ensure the accuracy of employee records.

Five-Year Retention Period
- Records of any employee alcohol test results indicating an alcohol concentration of 0.02 or greater
- Records of verified positive controlled-substance test results
- Documentation of refusals to take a required alcohol or controlled-substance test
• Documentation of calibration of equipment maintained by MACC
• Documentation of employee evaluations and referrals
• A copy of each calendar year summary report prepared in response to a request by the Secretary of Transportation

Two-Year Retention Period
• All records related to the collection process and training

One-Year Retention Period
• Records of negative or canceled controlled-substance test results
• Records of alcohol test results with a concentration of less than 0.02

C. Reporting
MACC will prepare and maintain a summary of the results of its alcohol and controlled substances testing program performed during the previous calendar year and consortium membership information and submit such information when requested to do so by the Secretary of Transportation, any Department of Transportation agency, or any state or local officials with regulatory authority over MACC or any of its drivers.

D. Alcohol and Controlled Substance Misuse Information, Training and Referrals
1. Misuse Policy
   MACC will provide written notification to all covered employees regarding the requirements of the Act as well as all institutional policies and procedures related to implementation of the Act.

   1. Supervisor Training
      Two individuals, the Director of Plant Operations and the Director of Security, have been designated to determine whether reasonable suspicion exists to require an alcohol or a controlled-substance test. Each of these individuals will receive at least 60 minutes of training on the physical, behavioral, speech and performance indicators of probable use of controlled substances and 60 minutes of training on the same indicators of probable alcohol misuse. The two individuals are also available to answer employee questions pertaining to the drug and alcohol testing policy.

   3. Referral, Evaluation and Treatment
      MACC will provide information about available resources for the identification, effects, evaluation and treatment of alcohol or controlled-substance problems, including the names, addresses and telephone numbers of substance-abuse professionals, counseling centers and treatment programs.

      In the event that an employee is referred by MACC to a substance-abuse professional, the initial visit will be paid for by the College. Payment for subsequent visits will be the responsibility of the employee.

      If an employee continues to test positive for drug or alcohol abuse, disciplinary actions up to and including suspension or termination will result.
MOBERLY AREA COMMUNITY COLLEGE
OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991
PROCEDURES FOR ALCOHOL TESTING

*(revised July 22, 2019)*

**Manner of Testing**
To test for level of alcohol concentration, the employee or prospective employee will undergo Testing at the facility designated by the Director of Human Resources.

**Frequency of Testing**

1. **Post-Accident Testing**
   If an employee is involved in an accident which results in loss of life or issuance of a citation for a moving traffic violation to the employee, the following procedures must be followed:
   a. The employee will request that a breath test be administered by the police officer or patrolman on the scene. If this is not possible, the employee will submit to a breath test at the nearest hospital. This must be done within two hours of the accident. MACC will reimburse the employee for any test-related out-of-pocket expenses.
   b. As soon as possible, the employee must contact his or her immediate supervisor or the President of MACC.
   c. If a required post-accident test is not administered within two hours following the accident, MACC will prepare and maintain on file a report stating why the test was not promptly administered.

2. **Random Testing**
   MACC conducts random alcohol testing through the services of USIS Commercial Services, Inc., a national drug and alcohol testing consortium. MACC will submit names and social security numbers of all covered employees to USIS Commercial Services, Inc. as necessary. Once each quarter USIS Commercial Services, Inc. will randomly select names for alcohol testing from its national pool representing no less than 10 percent of its average enrollment.

   Individuals whose names are selected will only be tested while performing safety-sensitive functions, immediately before performing a safety-sensitive function or immediately after he or she has ceased performing a safety-sensitive function.

3. **Reasonable-Suspicion Testing**
   MACC will test covered employees for alcohol misuse when it has reasonable suspicion to believe that the employee has violated the alcohol-use prohibition. The determination will be based on observation made by a trained supervisor of appearance, behavior, speech or body odors during, just preceding or just after the period of the work day that the covered employee is performing a safety-sensitive function.

4. **Return-to-Duty Testing**
   In addition to alcohol testing, any covered employee who misuses alcohol will be
immediately relieved from performing safety-related functions and will be subject to
the following penalties:

A covered employee with an alcohol concentration of 0.02 or greater but less
than 0.04 may not perform safety-sensitive functions for 24 hours. When
involved in a fatal accident with an alcohol concentration of 0.02 or greater, the
employee will be prohibited from driving for a period of one year.

An employee who is found to have an alcohol concentration of 0.04 in any
single incident or in two separate incidents during any three-year period may not
drive for 60 consecutive days.

An employee who is found to have an alcohol concentration of 0.04 or greater
three or more times in separate incidents during any three-year period may not
drive for 120 consecutive days. An employee who is found to have an alcohol
collection of 0.04 or greater may not perform any safety-sensitive functions
until he or she has been evaluated by a substance-abuse professional,
completed any rehabilitation required by the substance-abuse professional, and
tests at less than 0.02 for the presence of alcohol.

Before returning to a safety-sensitive function, any covered employee who has
violated any of the alcohol misuse policies will be evaluated and must undergo an
alcohol test with a result indicating an alcohol concentration of less than 0.02.

5. Follow-up Testing
Each employee identified by a substance-abuse professional as needing assistance in
resolving problems with alcohol misuse, and who has returned to duty involving the
performance of a safety-sensitive function, is subject to a minimum of six
unannounced follow-up alcohol tests over the first 12 months following his or her
return to duty.

Refusal to Be Tested
No driver shall refuse to submit to alcohol testing as required for post-accident
testing, random testing, reasonable-suspicion testing, return-to-duty testing, or
follow-up testing. Refusal to submit includes failing to provide adequate breath for
alcohol testing without a valid medical explanation or engaging in conduct that clearly
obstructs the testing process.

Any driver who refuses to submit to alcohol testing will be prohibited from performing
safety-sensitive functions for a period of one year and must undergo an alcohol test
with a result indicating an alcohol concentration of less than 0.02 before returning to
safety-sensitive functions.
MANNER OF TESTING

For pre-enrollment, post-accident, reasonable-suspicion, return-to-duty, and follow-up testing for the use of controlled substances, the covered employees will be scheduled to provide a urine sample at a secured testing site. The sample will be split into two bottles and sent to a Department of Health and Human Services (DHHS)-certified laboratory for analysis.

If the primary specimen is negative, the laboratory disposes of the split sample. If the result of the test of the primary sample is positive, the laboratory continues to hold the split specimen for 60 days to ensure that it remains available for a second test. If the employee-donor requests a test of the split specimen, the first laboratory is required to ship the unopened split sample to a second DHHS-approved laboratory for testing. If the test of the split sample fails to show the presence of a controlled substance, the entire test is canceled. All specimens confirmed positive are held for a minimum of one year.

For random testing, the covered employee will use the drug test kit provided through USIS Commercial Services, Inc. which meets all DOT testing regulations, and collection site services.

FREQUENCY OF TESTING

1. **Pre-Employment/Pre-Duty Testing**
   
   Prior to formal employment, an applicant who will be required to obtain a Commercial Driver’s License will undergo a controlled-substances test. The test must have a verified negative result before the employee is permitted to perform any safety-sensitive functions.

2. **Post-Accident Testing**
   
   In the event the employee is involved in an accident which results in loss of life or issuance of a citation for a moving traffic violation to the employee, the following procedures must be followed:
   
   a. As soon as possible following an accident, the employee must undergo controlled substances testing. The employee will go to the nearest hospital for the test; MACC will reimburse the employee for any test-related out-of-pocket expenses.
   
   b. As soon as possible, the employee must contact his or her immediate supervisor or the President of MACC.
   
   c. If a required controlled-substance test is not administered within 32 hours following the accident, MACC will prepare and maintain on file a record stating the reasons the test was not promptly administered.

3. **Random Testing**
   
   MACC conducts random controlled-substances testing through the services of USIS Commercial Services, Inc., a national drug and alcohol testing consortium. MACC will submit names and social security numbers of all covered employees as necessary to
USIS Commercial Services, Inc. Once each quarter USIS Commercial Services, Inc. will randomly select names for controlled substances testing from its national pool representing no less that 50 percent of its average enrollment.

4. **Reasonable-Suspicion Testing**
   MACC will test covered employees for use of controlled substances when it has reasonable suspicion to believe the employee has violated the controlled-substance prohibition. The determination will be based on observation made by a trained supervisor of appearance, behavior, speech or body odors during, just preceding or just after the period of the work day that the covered employee is performing a safety-sensitive function. The observation may include indications of the chronic and withdrawal effects of controlled substances.

   A written record of the observation leading to a controlled-substance, reasonable-suspicion test will be made and signed by the supervisor who made the observation. This record will be made within 24 hours of the observed behavior or before the results of the controlled-substance test are released, whichever is earlier.

5. **Return-to-Duty Testing**
   Following a determination that a covered employee has engaged in prohibited use of a controlled substance, MACC will remove the employee from the performance of any safety-related function and impose the following penalties, as required by law:
   - **First Offense:** The employee will be referred for professional services and must submit a urine specimen that has a negative result.
   - **Second Offense Within a Three-Year Period:** The employee will be referred for professional services, may not drive for 60 days and must submit a urine specimen that has a negative result.
   - **Third Offense Within a Three-Year Period:** The employee will be referred for professional services, may not drive for 120 days, and must submit a urine specimen that has a negative result.

   All covered employees who violate the rules are required to be evaluated by a substance-abuse professional to determine whether the employee requires assistance. Prior to returning to duty, each employee identified as needing assistance must: (1) be evaluated again by a substance-abuse professional to determine whether the employee has successfully complied with the rehabilitation program prescribed following the initial evaluation; (2) undergo a controlled-substance test with a negative result; and (3) undergo a minimum of six unannounced follow-up controlled-substance tests over the following 12 months. Compliance with the prescribed treatment is a precondition of re-employment. The final determination whether to return an employee to his or her position will be made by MACC.

6. **Follow-up Testing**
   Each employee identified by a substance-abuse professional as needing assistance in resolving problems with controlled substances, and who has returned to duty involving the performance of a safety-sensitive function, is subject to a minimum of
six unannounced follow-up controlled-substance tests over the first 12 months following his or her return to duty.

**Refusal to Be Tested**

No driver shall refuse to submit to controlled substances testing as required for post-accident testing, random testing, reasonable-suspicion testing, return-to-duty testing, or follow-up testing. Refusal to submit includes failing to provide an adequate urine sample for controlled substances testing without a valid medical explanation or engaging in conduct that clearly obstructs the testing process.

Any driver who refuses to submit to testing will be prohibited from driving for a minimum of one year and must submit a urine specimen that has a negative result.
MOBERLY AREA COMMUNITY COLLEGE
STUDENT ASSESSMENT TESTING

I. Placement Assessment Program

The COMPASS, ASSET or ACT placement assessment enables College personnel to place students in appropriate classes. (Students enrolled in the Law Enforcement Training Center program are exempt from the placement assessment requirement.)

A. Administered to all students who:
   1. Are certificate- or degree-seeking or
   2. Wish to enroll in any math or composition/technical writing courses

B. Administration of COMPASS, ASSET or ACT
   1. According to schedule announced in advance
   2. Individually based on need

C. Cost--to be borne by students

D. Use of results
   1. Placement in Math/English
      a. English
         (1) Developmental
            (a) Fundamentals of English
            (b) Fundamentals of Critical Reading
            (c) Reading in the Content Area
         (2) College Level
            (a) Composition I
            (b) Composition II
            (c) Business/English Communications
            (d) Technical Report Writing
      b. Mathematics
         (1) Developmental
            (a) Fundamentals of Mathematics
            (b) Fundamentals of Algebra
            (c) Developmental Technical Mathematics
         (2) College Level
            (a) Intermediate Algebra
            (b) College Algebra
            (c) Business Math/Electronic Calculations
            (d) Technical Mathematics
   2. Retention
   3. Demographic Data
   4. Continuing development of norms and sophistication of placement
   5. Analyses related to outcomes assessment
II. Collegiate Assessment of Academic Proficiency (CAAP)
   A. Administration of CAAP
      1. Administered in selected general education courses in the spring and to all Associate Degree Nursing graduates each session
      2. Critical Thinking subtest administered annually; Reading, Writing, Mathematics, and Science Reasoning subtests rotated on a four-year cycle
   B. Cost—included with student activity fee
   C. Use of results
      1. Data for local, state and federal reports
      2. Data for institutional reviews such as program evaluation

III. WorkKeys
   A. Administration of WorkKeys exam
      1. Selected subtests administered to all AAS and certificate completers as a condition for graduation
      2. Completed during the last semester of enrollment according to schedule announced in advance
   B. Cost—borne by institution or external funding sources as available
   C. Use of results
      1. Used for local, state, and federal reporting
      2. Incorporated into outcomes assessment
      3. Used in program review and curriculum decisions
Tab 6
ACADEMIC RANK APPLICATION INFORMATION PACKET
*(Revised June 30, 2014) (Revised June 22, 2020)*

Application Procedure

1. Call Rank Committee chair for mentor, if desired

2. Application packets and official forms will be sent out via email to all faculty. Copies can be attained from the current rank chair.

3. Completed applications are due in the Human Resources Office by January 15th of each year.

4. Applicant will provide nine copies of the application cover sheet and formal application. One set of documentation should be attached to one of the copies.

5. No late applications will be accepted.

6. The application must be completed in the format indicated on Rank Application Instructions.

7. All items must be documented. (See instructions)

8. Use Reapplication Form if rank if you have already been granted rank.

9. Include exact employment dates and positions from all relevant employers. Employment verification should be included with both application and reapplication packets. Also, include employment verification from other employers if using toward years of service for rank.
Faculty Rank
Application Cover Sheet

Name: __________________________________________

Application for Rank: __________________________________________

Date: __________________

Point System

I. Education   Total Points   _____
II. Service    Total Points   _____
III. Development Total Points   _____
IV. Leadership  Total Points   _____

Point System Final Total   _____

I do hereby solemnly swear that the information given is, to the best of my ability, true and accurate. Documentation has been provided in the Appendix.

_________________________   _______________________________
Date                     Signature
Faculty Rank  
Reapplication Cover Sheet  

Name: ____________________________________________________________

Current Rank: _______________________________________________________

Application for Rank: ________________________________________________

Date: ____________________________

Points earned in previous application(s) ________________________________
Please provide cover sheet from previous application to document points earned.

Point System  
Include only new points here.

| I. Education | Total Points |  __________ |
| II. Service  | Total Points |  __________ |
| III. Development | Total Points |  __________ |
| IV. Leadership | Total Points |  __________ |

New point total  __________

Point System Final Total  __________

Points from all rank applications

I do hereby solemnly swear that the information given is, to the best of my ability, true and accurate. Documentation has been provided in the Appendix.

__________________________________________
Date                                      Signature
RANK APPLICATION FORMAT INSTRUCTIONS

The rank application will consist of three parts: 1. Application cover; 2. The formal application; 3. The documentation of the items listed in the formal application.

I. APPLICATION COVER
The application cover will serve as the cover sheet for the entire application.

II. FORMAL APPLICATION
Use excel template provided in application packet.

III. FORMAL APPLICATION
Employment verification form should be submitted to HR and when returned, included in application packet. Education verification form should be submitted to appropriate Dean and when returned, included in application packet. Education verification is only required when the applicants is submitted points in the education category.

IV. DOCUMENTATION
All items, must be documented. Transcript information should be verified by the Dean's office, using the form provided. Full-time employment information should be verified by Human Resources using the form provided. Documentation should be provided for any additional employment that is being used for years of service.

After each listing in the formal application, put a letter in parentheses that refers to the item that provides proof that the listing is accurate. This would include conference programs, periodical searches, table of contents, etc.

The items for documentation should be collected and affixed by a paper clip or binder clip. Each item must include in the upper right hand corner the reference letter from the formal application (A), (B), (C), etc.
Education Verification (to be completed by the appropriate Dean’s Office)

Name: ________________________________________________________________

Total Undergraduate Hours: _____________________________________________

Total Graduate Hours: _________________________________________________

Degree(s) Earned: _____________________________________________________

I do hereby solemnly swear that the information given is, to the best of my ability, true and accurate.

_________________________________________   ___________________________
Date                                           Signature
Education Verification (to be completed by Human Resources)

Name: ___________________________________________________________________

Position: ___________________________________________________________________

Dates of Employment: ______________________________________________________

I do hereby solemnly swear that the information given is, to the best of my ability, true and accurate.

______________________________  ______________________________
Date                                   Signature
Rank Review Panel Members

1. The panel shall consist of Chair of Rank committee, current chair of Faculty Forum, and available Faculty Forum members.

Rank Review Panel Procedures

1. The panel shall receive their packets of information by January 15th.

2. The meetings will be set as needed in order for the applications to be forwarded to the President in a timely fashion.

3. The panel's recommendations will be forwarded to the President for final approval.

4. Following review by the panel and the President, the applicants will be notified of the decisions of the panel regarding their application, following notification of the Board of Trustees at the March/April board meeting.

5. If changes are needed in the rank procedure, the current panel should make those recommendations to the President's Council.
Tab 7
**Moberly Area Community College**

**Tobacco Free Policy**

*Recommended effective date: August 1, 2012*

**Introduction**

Moberly Area Community college is committed to providing a healthy educational setting and workplace not only for our students and employees, but also for those who visit our campuses and facilities. Moberly Area Community College has determined that all campus sites will be tobacco-free in August, 2012. MACC joins a growing list of over 400 colleges and universities nationwide that have enacted tobacco-free policies. As an educational institution, we believe it is our obligation to lead by example and to provide a healthy educational environment for all.

This campus policy is in response to:

- exposure to second-hand smoke (SHS);
- desire to ensure clean air for all who come to the college;
- tobacco litter on the campus; and
- presence of underage students.

Moberly Area Community College 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.

No tobacco-related advertising or sponsorship shall be permitted on Moberly Area Community College property, at college-sponsored events or in publications produced by the college, with the exception of advertising in a newspaper or magazine that is not produced by Moberly Area Community College and which is lawfully sold, bought or distributed on campus property. For the purposes of this policy, "tobacco-related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol or motto, selling message, recognizable pattern of colors or any other indicia of product identification identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.