Institutional Policies and Procedures Manual

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Martin Community College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of MCC.

POLICIES IN THIS MANUAL ARE HIGHLIGHTED IN BOLD TYPE OR DENOTED AS POLICY

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Article I: General Information and Governance

Disclaimer

The Martin Community College (MCC) Institutional Policies and Procedures Manual provides the college community with a written record of current college policies and procedures.

The Institutional Policies and Procedures Manual was established primarily to guide and assist employees in performing their assigned functions, many policies in the manual have wide applicability, they affect both academic and administrative areas, all employees, and the activities of the college as they relate to students, alumni, the community, and the general public.

The *MCC Institutional Policies and Procedures Manual* includes only those policies and procedures that are generally applicable to more than one department or division of the college. Matters that pertain only to the internal policies and procedures of a given department or division are not considered within the scope of the manual and are therefore omitted.

To the extent that any provisions contained in the *Institutional Policy and Procedures Manual, formerly known as the Faculty and Staff Handbook,* conflict with other editions of the "Handbook," the more recently adopted provision shall take precedence. If the conflicting provisions were adopted simultaneously, then the more detailed provision shall take precedence.

(Board approved September 21, 2004; Revised December 19, 2017)

The North Carolina Community College System

In 1963, the North Carolina General Assembly passed the Community College Act, creating a system of comprehensive community colleges, technical institutes, and industrial education centers. Provisions for the establishment, organization, and administration of this state-wide system of post-secondary education institutions are detailed in Chapter 115-D of the General Statues of North Carolina.

MCC operates under policies as prescribed by the state of North Carolina, the State Board of Community Colleges, the North Carolina Community College System, and the local Board of Trustees. Legal provisions may be studied further online at www.nccommunitycolleges.edu/sbcccode

Section 1 MCC Mission and Philosophy

A. Mission

MCC seeks to build better futures by providing affordable, accessible, quality educational programs and workforce development in a student-centered environment in order to meet the community's needs.

(Board policy adopted January 17, 1980; Revised April 9, 1986; Revised February 3, 1987; Revised May

8, 1996; Revised July 17, 2007; Revised March 29, 2016; Reapproved December 19, 2017; Reapproved September 17, 2019)

B. Philosophy

MCC is a public comprehensive community college serving primarily residents of Martin County and segments of Bertie County. The College provides quality post-secondary curriculum programs leading to Associates degrees, General Education degrees, diplomas, or certificates. Also offered is a certificate of attendance or diploma for Continuing Education/Workforce Development courses.

(Board policy adopted April 2, 1975; Revised May 8, 1996; Revised December 19, 2017)

MCC serves as an educational link between adults with educational needs and employers with needs for a skilled workforce. Occupational and vocational/technical training are emphasized in both Curriculum and Continuing Education/Workforce Development offerings.

Additional emphases are placed on the College's transfer programs, College and Career Readiness programs, and developmental educational programs.

C. Open-Door Admissions/Access

Purpose

The purpose of the requested revision is to authorize two exceptions to the College's open-door admissions policy. The exceptions intend to reduce safety threats and other disruptive student behavior on the college campus.

Policy

MCC follows an open-door admissions policy, which enables the College to provide educational opportunities and services for adults with the desire and ability to benefit from its courses and programs regardless of age, gender, race, ethnic origin, religion, national origin, political belief or affiliation, or disability. Educational courses and programs are available at a reasonable cost, and a variety of support services are offered at no charge.

Safety Exception to Open-Door Admission

Pursuant to 1D SBCCC 300.2(a)(1) and 400.2(e) and (f), MCC will refuse admission to any applicant to the College if there is an articulable, imminent, and significant threat to the safety of the applicant and/or another individual. The College defines "admitted" as the end of the application process, which begins with an application and ends when a student attends his/her first class. Once the application process is completed and a student is attending one or more classes, the Student Code of Conduct will apply.

If an applicant is denied admission based on a safety threat, the College will document the following:

i. **Detailed facts supporting the rationale for denying admission.**
ii. **The time period within which the refusal to admit shall be applicable and the supporting rationale for the designated time period; and**

iii. **The conditions upon which the applicant that is refused would be eligible to be admitted.**

The applicant will have the right to appeal the decision by submitting a written request to the President. In all cases, the President's decision shall serve as the final governing authority of the College.

Suspension or Expulsion Exception to Open-Door Admission
Pursuant to 1D SBCCC 400.2(d), Martin Community College may refuse admission to any curriculum applicant during any period of time that the applicant is suspended or expelled from any other educational entity.

The applicant will have the right to appeal the decision by submitting a written request to the President. In all cases, the President's decision shall serve as the final governing authority of the College.

Approval Authority/Monitoring Authority
Martin Community College's Board of Trustees has approval authority for this policy. The Vice President, Student Development Services has monitoring authority.

(Board policy adopted January 13, 1971; Reapproved January 17, 1980; Reapproved May 8, 1996; Reapproved March 18, 2008; Reapproved December 19, 2017; Amended November 21, 2023)

MCC and its Board of Trustees endeavor to create and maintain a quality educational environment that promotes a student body, faculty, staff, and administration that are multi-cultural and diverse. A pluralistic approach will be an integral part of the College's commitment to diversity as it strives to meet the challenging needs of this community and global societies.

(Board policy adopted April 2, 1975; Revised September 7, 1994; Revised May 27, 2003; Revised July 17, 2007; Reapproved December 19, 2017)

Section 2 Governance

A. Board of Trustees

Martin Community College Board of Trustees is a legal body granted authority through both North Carolina General Statute NCGS 115D-14 through NCGS 115D-26 and State Board of Community College's Code, with specific authority over the institution. The bylaws of the Board of Trustees specify that Martin's Board of Trustees consists of thirteen (13) members, twelve (12) voting, and one (1) non-voting (Student Government Association President).

Members are appointed to the Board in accordance with North Carolina General Statute, which specifies that the institution will have a contract between the supporting counties for the method of selection of trustees. Members are appointed in accordance with this contract: the Public Board of Education (four appointed), Board of County Commissioners (four appointed), appointments by the Governor (four appointed), and the Martin Community College Student Government Association president. This system ensures equal and adequate representation.

The bylaws of the Board establish the titles and duties of its officers, descriptions of its committees, and policies on the frequency of its meetings.

MCC policies ensure that the Board is an active policy-making body for the College. The bylaws of the Board state that the Board "has responsibility for the development and operation of the College in accordance with the provisions of the law and the standards of the State Board of Community Colleges." The bylaws further state that "[t]he Board of Trustees has ultimate approval authority over institutional policies." Among the powers and duties of the Board of trustees listed in the bylaws are the "establishment of the basic qualifications for and elect[ion] of the President" and the annual evaluation of the President."

B. Administrative Authority

The President oversees all College operations. In the event the President is unavailable or off-campus, administrative authority will be delegated to designated personnel, who will be responsible for managing operations and emergencies.

I. General Administrative Authority

Individuals delegated with general administrative authority will have the ability to make decisions and sign documents on behalf of the President during their absence. Unless otherwise specified, authority will be delegated according to the following order:

a. Vice President, Academic Affairs/Chief Academic Officer (CAO)
b. Vice President, Operations/Community Engagement
c. Chief Financial Officer (CFO)

These individuals will serve as the President's designees in the listed order of priority. No one may exercise presidential authority unless those preceding them are also unavailable.
General administrative authority allows the designee to act on the President's behalf in all matters, unless restricted by law, policy, or specific delegations of authority.

II. Specific Administrative Authority

The President may also delegate authority for specific decisions or functions to other staff members not included in the general administrative authority list. Staff delegated with specific administrative authority are limited to the responsibilities explicitly outlined in the delegation. Those with general administrative authority may not interfere with decisions under specific delegations.

III. Administrative Authority - Provisions

Any employee granted administrative authority by the President must exercise sound judgment that aligns with the College's mission and strategic goals. Decisions made under this authority must comply with all relevant MCC, NCCCS, state, federal, grant, and accreditation laws, policies, and procedures.

The President retains the right to modify or revoke an employee's delegated administrative authority, as well as to establish specific limitations and conditions for that authority.

All changes to an employee's administrative authority—including initial delegation, modification, or termination—must be formally documented in writing by the President. Copies of this documentation will be kept on file in both the President's Office and Human Resources.

(President's Council revised November 6, 2024)

C. Academic Freedom

MCC is committed to provide an academic environment where individuals can develop the personal and occupational skills necessary to function as responsible, active members of a free, open, democratic society. The Board of Trustees, therefore, shall guarantee and protect academic freedom in teaching and publications in the College. The Board of Trustees shall likewise require the exercise of responsible judgment on the part of the College's personnel as they exercise academic freedom in accomplishing the objectives of the College.

(Board policy adopted January 13, 1971; Reapproved January 17, 1980; Reapproved May 8, 1996; Reapproved March 18, 2008; Reapproved December 19, 2017)

D. Conflict of Interest

The purpose of this local college statement, notwithstanding North Carolina general statute §14-234, is to provide guidance on employee ethical behavior and is not intended to supersede any rights otherwise provided for by law.

Employees of the college must observe the highest standards of ethical conduct and are expected to place the college and students' best interest above their own self-interest in all educational, business, and other matters and decisions, where there is any actual or potential conflict or appearance of a conflict of interest. To this end, employees shall not use their official college position, college funding, or college resources, nor any information gained to directly benefit themselves or their immediate family personally, academically, or financially. This statement does not exclude college employees from participating in or owning businesses that are in support of the college and its programs, as long as it meets the above-mentioned standards. If there is a perceived or known conflict of interest, the conflict of interest will be disclosed to the appropriate college personnel.

This conflict of interest statement applies to all employees of Martin Community College.

(Board policy adopted January 17, 2023)

Section 3 Institutional Effectiveness

A. College Procedures

Institutional effectiveness is the ongoing process by which MCC ensures that the College is fulfilling its mission and is continuously improving. MCC's institutional effectiveness process operates at both the institutional and the unit level, as described below. The Institutional Effectiveness/Strategic Planning Committee and the IR Office are responsible for executing the process.

Institution Level Procedures

The mission of MCC is at the heart of all the institutional effectiveness procedures. The mission statement is reviewed and updated as necessary, no less frequently than every three years.

The College has developed its Strategic Plan, which includes strategies for accomplishing the College's mission. The Plan is informed by data and the needs of the College. Because the Strategic plan is intended to be a living document, it is rewritten every five years with input from all stakeholders, including faculty and staff, the College Board of Trustees, and the public. Additionally, the Institutional Effectiveness/Strategic Planning Committee will review the College's progress toward the goals set in the Strategic plan at least once each year.

The goals and strategies denoted in the Strategic Plan will be considered the College's priorities in terms of focus and budget.

The College will ensure that students graduate from MCC with some common, general skills that are college level. The General Education Competencies, which are listed in the catalog, are updated on a regular basis, and are assessed yearly within each program by using the student learning outcomes from the program.

Unit Level Procedures

The College conducts Intensive Reviews of academic programs on a three-year cycle. These reviews are intended to improve each area and to increase communication and awareness of the happenings in each area of the College and allow for informed decision-making.

Reviews of academic areas include a review of each unit's student learning outcomes, as well as analysis of enrollment and performance data. Academic reviews also include an analysis of current situation and needs and plans for the future, which will inform decisions regarding budgets, purchases, and other procedural issues.

In keeping with the goal of continuous improvement, each area of the College will have outcomes which they strive to achieve. Administrative area yearly outcomes are set at the start of each academic year and are assessed for completion at the end of each academic year. Academic outcomes are student learning outcomes which are the outcomes that each academic program expects its students to attain for the year. Academic outcomes are assessed in the courses deemed most appropriate by program faculty, using assessments that best measure achievement.

Advisory Committees

MCC's institutional effectiveness process also includes ensuring graduates' preparedness for the workforce. As part of this process, faculty in each academic program meet annually with advisory committees made of local employers and representatives of related industries. At these meetings, faculty and advisory committee members discuss the latest trends in particular industries and the best ways to prepare graduates for jobs available in the community.

B. Accreditation

North Carolina State Board Community College Code 1B SBCCC 400.1 states, “All colleges shall obtain and maintain regional accreditation by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The System Office shall provide biannually a report to the State Board listing any accreditation actions taken by SACSCOC with regards to a North Carolina community college. The System President, when requested, will provide assistance to colleges seeking regional accreditation.”

Martin Community College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award associate degrees. Martin Community College may also offer credentials such as certificates and diplomas at approved degree levels. Questions about accreditation of Martin Community College may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC’s website (www.sacscoc.org). Its most recent reaffirmation date was 2019.

C. Substantive Change Policy

Martin Community College (MCC) defines a substantive change as a significant modification or expansion of the nature and scope of the institution as defined by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). It is the responsibility of MCC to follow the SACSCOC Substantive Change Policy and Procedures, notify SACSCOC of changes as stipulated, and, if required, seek approval prior to the initiation of such changes.

(Board Policy Adopted November 15, 2016, Reapproved December 19, 2017; Amended November 21, 2023)

Section 4 Organization Charts

The most up-to-date MCC Organizational Chart can be found HERE

Section 5 Institutional and Program Advisory Committees

This section establishes Faculty and Staff Committees for MCC and outlines procedures for conducting Committee meetings and keeping appropriate records of those meetings.

The chairperson and secretary of each institutional committee will be elected by the committee membership at the first meeting unless the President has previously appointed the chairperson.

To enhance intra-institutional communications, the chairpersons of the college’s committees may address the Administrative Staff upon request to the President.

Committees of the College operate in the various areas of the college life, which contribute to the growth, and progress of the institution. The committees are assigned areas of concern and are authorized to assume certain responsibilities within these areas. All institutional committees are open meetings with students, faculty, and staff welcome to attend.

Agendas

Meetings tend to be more productive and keeping minutes is easier when an agenda is established and provided to committee members at least 24 hours before the meeting, if possible. The chair, with input from members, is responsible for establishing the list of specific items in the order of business. The generally accepted order of business is:

- Call to order
- Reading, correction, approval of the minutes of previous meetings
- Reports
- Unfinished business (items that were interrupted or postponed at previous meetings)
- New business
- Announcements
- Adjournment

Meeting Minutes

A record of decisions made by any organization is an important tool for documentation, for informing those not in attendance, and for getting things done. Minutes must be accurate, concise, and complete. They serve as the official history and legal record of proposals, reports, and decisions of the organization's members. The various auditors and accrediting bodies associated with community colleges utilize minutes to verify the college's actions and claims.

- All committees, whether standing or ad hoc, must identify someone to officially record the minutes of all meetings where two or more are gathered.
- Minutes Should Contain
- Date, hours, and place at which the meeting was called to order
- Type of meeting (regular, special, or continued)
- Name of the Presiding Officer
- Presence of a quorum (50% of active committee membership/filled positions)
- Summaries of reports given, who made the report, and action taken (if any)
- A record of all actions taken and proceedings, but not discussion
- A record of the exact wording of the any motions made, along with the name of the person making the motion and the outcome (e.g., "approved" or "rejected"). The name of the person who seconded the motion and discussion regarding the motion are not recorded.

Minutes should always be objective, impartial, factual, and devoid of editorial opinions and comments. It is a good idea to have the minutes reviewed by others on the committee before submitting them to the administrator, especially if the recording secretary is an active participant in the meeting.

Corrections to the minutes are made by marking through the word or words to be corrected and writing the correction above, or in the margin, and then initialing.

Proper minute taking should be used during the meeting either electronically or in hard copy to make sure that all information is captured.

Once minutes are approved, they are to be supplied to the Information Technology Department for posting on the Intranet.

References

Robert, H. M. (2000). Robert's rules of order: Newly revised (10th ed.). Cambridge, MA: Perseus

Publishing.

Sturgis, A. (2001). The standard code of parliamentary procedure (4th ed.). New York: McGraw-Hill.

A. Faculty and Staff Standing Committees

President's Council

Purpose: To advise the President on matters affecting MCC and to serve as a means of coordination and communication regarding functions of the College.

Members
President (Chair)
Executive Assistant, President/Board of Trustees
Vice President, Academic Affairs/Chief Academic Officer (CAO)
Vice President, Operations/Community Engagement
Vice President, Continuing Education/Workforce Development
Vice President, Student Development Services
Vice President, Strategic Initiatives
Chief Information Officer (CIO)
Chief Financial Officer/Director Auxiliary Services
Executive Director, Human Resources
Associate Vice President, Bertie Campus

Frequency of Meetings: Monthly as designated by the President.
Administrative Responsibility assigned to: Executive Assistant, President/Board of Trustees

Multicultural and Globalization Committee

Purpose: To review the College diversity plan annually and make recommendations for modification; to assist in creating and maintaining a quality educational environment which promotes and supports a student body, faculty, staff, and administration which are multicultural and diverse; to recommend ways this diversity can be nurtured, valued, and respected by promoting an awareness of misunderstandings and prejudices to eliminate them and foster an atmosphere where individuals are respected for their strengths; to provide a source of intellectual vitality to the college by supplementing its academic offerings with a broad range of high quality activities that blend the cultural aspects of traditional and non-traditional populations and the international environment, customs, issues, business, and industry; to ensure College compliance with the intent and spirit of federal, state, and local laws pertaining to persons with disabilities; and to participate in planning of professional development on disability issues.

This committee also houses subcommittees for Scholars of Global Distinction, Travel Abroad, and Fulbright Opportunities.

The committee makes recommendations to the President.

Members
Chair (Appointed by President)
Vice President, Academic Affairs/ Chief Academic Officer (CAO) or designee
Student Representative (1)

Continuing Education/Workforce Development Representative (1)
Student Development Services Representative (1)
Educational Support Services Representative (1)
Faculty Representative (1)
Student Body Representative (SGA Senator)

Frequency of Meetings: At least annually; more as needed.
Administrative Responsibility assigned to: Student Development Services Representative

(Committee Purpose and Members revised by President's Council December 7, 2024)

Curriculum Committee

Purpose: *To review and evaluate existing programs; to review and approve proposals for recommended program initiation; and to review and approve proposed curriculum and course modifications. Recommended approvals and suggested initiatives from the Curriculum Committee will be conveyed to the President's Council by the Vice President, Academic Affairs/*Chief Academic Officer (CAO) *or their designee.*

Members
Vice President, Academic Affairs/Chief Academic Officer (CAO) or designee (Chair)
Curriculum Chair, Director, and/or Faculty Representative (4)
Continuing Education/Workforce Development Faculty Representative (1)
Career and College Promise (CCP) Representative (1)
Registrar or designee (1)
Student Development Services Representative (1)
Vice President, Strategic Initiatives

Frequency of Meetings: Bi-monthly or as needed.
Administrative Responsibility assigned to: Vice President, Academic Affairs/Chief Academic Officer (CAO) or designee

(Committee Purpose and Members revised by President's Council December 7, 2024)

Campus Environments/Safety Committee

Purpose: To assist in the development, annual review and evaluation, and implementation of the Business Continuity Plan, Health and Safety Plan, Maintenance Plan, and Facilities Master Plan; to assist in maintaining a safe and healthy environment for students, faculty, staff, and the general public; to promote safety and health consciousness throughout the campus; to assist the Vice President, Operations/Community Engagement and Facilities and Maintenance Director to conduct regular inspections of all facilities, equipment and operations, special inspections in response to specific complaints and prompt emergency inspections in imminent danger situations; to review the investigation of campus accidents and to make recommendations, including suggestions for corrective actions that promote campus safety and security and ensure a safe and healthy campus environment; to make recommendations on the development and administration of an ongoing program of safety, environmental health, and emergency procedures training. Recommendations and advice from the Campus Environments/Safety Committee shall be conveyed to the Vice President, Operations/Community Engagement and the Director, Facilities and Grounds.

Members
Vice President, Operations/Community Engagement (Chair)
Director, Facilities and Grounds
School Resource Officer
Continuing Education/Workforce Development Representative (1)
Curriculum Chair, Director, and/or Faculty Representative (2)
Student Development Services Representative (1)
Director, BLET and/or Director, EMS
Executive Director, Human Resources

Frequency of Meetings: At least annually; more as needed.
Administrative Responsibility assigned to: Vice President, Operations/Community Engagement

(Committee Members revised by President's Council December 7, 2024)

Institutional Effectiveness/Strategic Planning Committee

Purpose: To annually review, evaluate and make recommendations for the College's Institutional Effectiveness Plan; to review, analyze, and evaluate the results of annual program IE/assessment plans and triennial reviews and make recommendations for improvement; and to review and evaluate the Strategic Planning Process. The committee makes recommendations to the President.

Members
Vice President, Strategic Initiatives (Chair)
President
Vice President, Student Development Services
Vice President, Operations/Community Engagement
Vice President, Academic Affairs/Chief Academic Officer (CAO)
Vice President, Continuing Education/Workforce Development
Division Chairpersons

Frequency of Meetings: Monthly or as needed.
Administrative Responsibility assigned to: Vice President, Strategic Initiatives

(Committee Members revised by President's Council December 7, 2024)

Technology Committee

Purpose: To review and update the College's Technology Plan at least annually, which will guide the strategic integration of technology into the College's academic and administrative functions. The committee evaluates and recommends technology policies, procedures, resources, and tools that enhance learning and improve operational efficiency. The committee also addresses issues related to cybersecurity, data privacy, and digital accessibility. The committee makes recommendations to the President.

Members
Chief Information Officer (CIO) (Chair)
Technician, Systems and Communications (1)
Director, Distance Learning
Vice President, Academic Affairs/Chief Academic Officer (CAO)

Vice President, Continuing Education/Workforce Development
Curriculum Chair, Director, and/or Faculty Representative (2)
Registrar, Continuing Education/Workforce Development
Continuing Education/Workforce Development Representative (Director) (2)
Student Development Services Representative (Director and/or Registrar) (2)

Frequency of Meetings: At least annually; more as needed.
Administrative Responsibility assigned to: Chief Information Officer (CIO)

(Committee Purpose and Members revised by President's Council December 7, 2024)

Financial Aid/Scholarship Committee
Purpose: To assist the Financial Aid Office in the development and evaluation of financial aid procedures; to review criteria for scholarships, grants, etc.; and to review scholarship/grant applications to select students who meet the approved criteria.

Members
Director, Financial Aid (Chair)
Admissions Representative (1)
Business Office Representative (1)
Continuing Education/Workforce Development Representative (1)
Registrar Representative (1)
Foundation Representative (1)

Frequency of Meeting: As needed.
Administrative Responsibility assigned to: Director, Financial Aid

(Committee Members revised by President's Council December 7, 2024)

Calendar Committee
Purpose: To prepare and recommend to the President the college calendar for MCC.

Membership
Vice President of Academic Affairs/Chief Academic Officer (CAO) or designee (Chair)
Admissions Representative (1)
Business Office Representative (1)
Curriculum Faculty Representative (3)
Continuing Education/Workforce Development Representative (1)
Registrar or designee (1)
Coordinator, Programs and Scheduling
Executive Director, Human Resources

Frequency of Meeting: Bi-annually or as needed.
Administrative Responsibility assigned to: Vice President, Academic Affairs/Chief Academic Officer (CAO) or designee.

Library Committee
Purpose: To serve as a liaison between the Library, faculty, staff, and students. The stimulation of

reading interests, improvement of services for the College, and the discussion and evaluation of policies regarding the administration of the Library are among its goals.

Members
Director, Library (Chair)
Library Staff Representative (1)
Continuing Education/Workforce Development Representative (1)
Career and College Promise (CCP) Representative (1)
College Transfer Representative (1)
Allied Health Representative (1)
SGA Representative (1)
Faculty Representative (1)

Frequency of Meetings: At least once per semester; more as needed.
Administrative Responsibility assigned to: Director, Library

(Committee Members revised by President's Council December 7, 2024)

Enrollment and Success Management Committee

Purpose: The Enrollment and Success Management Committee is dedicated to strategically assessing, coordinating, and enhancing the access, recruitment, retention, and success of students across diverse academic programs. Through collaborative efforts and data-informed decision-making, the committee aims to optimize recruitment and enrollment processes, support student progression, and foster a vibrant learning community reflective of the college's mission and vision.

Members
Vice President, Student Development Services (Chair)
Vice President, Academic Affairs/Chief Academic Officer (CAO)
Vice President, Continuing Education/Workforce Development
Director, Student Engagement
Vice President Strategic Initiatives
Director, High School Programs
Director, College and Career Readiness (CCR)

Frequent of Meetings: Monthly or as needed.
Administrative Responsibility assigned to: Vice President, Student Development Services

(Standing Committee – President approved 6/4/2024)

Article II: Administrative Policies and Procedures

Section 1 Adoption and Administration of Policies and Procedures

The MCC Board of Trustees is a body corporate under the North Carolina General Statutes 115-D and has the authority and responsibility for establishing policies for the College. Procedures for implementing policies are generally within the nature of the President's responsibilities.

The President, at his/her discretion, may recommend new or revised policies to the Board of Trustees. A request and/or recommendation for a new non-academic policy or policy revision may be made by any member of the College community. The recommendation must be submitted in writing to the President for his/her consideration.

Faculty are responsible for participating in the development of policies and procedures for academic and other student- related matters. Faculty generally establish and/or revise academic and student-related policies by participating in various established committees, e.g., the Curriculum, Admissions, and other ad-hoc committees or special committees or task forces. The Chief Academic Officer is responsible for submitting recommendations from the committees or task forces to the President's Council. The President, with appropriate input of the President's Council, is responsible for presenting policy recommendations to the Board for approval.

Minor changes, editorial changes, and reformatting changes that do not affect the substance of a policy do not require Board approval and may be made by the President or his/her designee.

The President's Office shall be responsible for maintaining the Policies and Procedures Manual. The Executive Director, Human Resources shall be responsible for distributing new and/or revised policies to faculty and staff. The manual shall be reviewed annually by the President's Council. Reviews shall be completed by August 15.

(Board policy adopted September 13, 1968; Revised August 19, 1969; Revised, October 25, 1995; Revised March 18, 2008; Revised December 19, 2017; Revised March 20, 2018)

Section 2 College Hours of Operation

The facilities of MCC are normally open from 7:00 a.m. to 9:00 p.m. Monday through Thursday and from 7:00 a.m. to 3:30 p.m. on Friday.

The normal administrative operating hours of the College are from 8:00 a.m. until 5:00 p.m., Monday through Thursday and 8:00 a.m. until 2:30 p.m. on Friday of each workweek except on holidays, periods of inclement weather, Summer Term, and other emergencies.

When the activities of a particular division require some other temporary schedule to meet work needs, the area supervisor may authorize a deviation from the normal administrative work schedule. Permanent changes in the work schedule must be approved by the President.

Section 3 Inclement Weather and Unexpected Conditions Policy

In cases of inclement weather, MCC will announce by 6:15 a.m. the status of opening or closing the College - through appropriate local media outlets; via text, email, or phone call; and/or through an announcement on the College website. It is the policy of the College to make a concerted effort to make up any College closing, or hours missed due to inclement weather or unexpected conditions. **When the College is in operation, employees who are unable to be present for work due to inclement weather or unexpected conditions will be required to take annual leave, leave without pay, compensatory leave, or flex time.**

The College shall make a concerted effort to make up any college closing or hours of instruction which are missed due to inclement weather or unexpected conditions. A variety of approaches shall be utilized for this purpose including the following:

- Extending the length of the class session meeting times remaining in the semester.
- Conducting classes on Friday nights.
- Conducting classes on Saturdays.
- Extending the length of the semester.
- Special arrangements with the instructor of individual classes as approved by the Vice President, Academic Affairs/Chief Academic Officer (CAO).
- Extra assignments through Moodle.

Other arrangements may be presented to the appropriate division chair for his or her consideration. Exceptions may be made if the request does not appear to diminish the quality of the College's operation.

(Board policy adopted April 29, 1987; Revised May 12, 1993; Revised, May 29, 1996; Revised February 27, 2008; Revised December 19, 2017)

Section 4 Political Activities of Employees

In accordance with the NC State Board of Community College's Code 1C SBCCC 200.99 the Board recognizes that each employee has a civic responsibility to support good government by every available means and in every appropriate manner. MCC employees shall retain all rights and obligations of citizenship provided by the North Carolina General Statutes, the Constitution, and the laws of the United States. However, as required by the NCAC, the following regulations shall apply to political activity of MCC employees:

An employee who decides to run for public office shall submit written notice to the Board of Trustees through the President that he/she plans to run for office and shall certify that he/she will not campaign or engage in other political activities during work hours or while on College property.

If an employee is elected to a part-time public office, he/she must certify to the Board through the President that the part-time position will not interfere with the performance of his/her duties or require a request for leave.

An employee elected to a full-time office, such as a member of the General Assembly, is

required to take a leave of absence without pay. The term of the leave of absence is determined by the President, who has been delegated this authority by the Board.

An employee who is planning to run for office or who is a candidate for public office shall not solicit, support, or engage in any political or partisan activity while at work or on MCC properties.

An employee who is planning to run for public office or is a candidate for public office shall not use his/her position or authority to influence employee or other citizens.

An employee who is planning to run for public office or is a candidate for public office shall not use supplies; equipment; or other resources, including personnel, for political or partisan purposes.

No employee shall be required as a duty of employment or as a condition of employment, promotion, or tenure to contribute funds to political or partisan purposes.

An employee of the College shall not use his/her position, authority, or influence for the purpose of interfering with or affecting the result of an election or a nomination for office of any candidate.

Any violation of this policy shall subject such employee to dismissal or other disciplinary action.

(Board policy adopted January 18, 1989; Revised May 29, 1996; Revised March 18, 2008; Revised December 19, 2017)

Section 5 Drug and Alcohol Policy

MCC is committed to providing its employees and students with a safe and healthful environment. MCC also recognizes the use of alcohol and illegal use of controlled substances on campus is detrimental to the health and safety of students, staff, faculty, and visitors.

Illegal use or possession of controlled substances by student, employees and visitors is prohibited:

- **On all campus properties and grounds including buildings, facilities, and vehicles owned by or representing MCC.**
- **At College-sponsored conferences, meetings, activities, cultural events, trips, or activities representing MCC.**
- **Use of alcohol by employees and visitors is prohibited:**
- **On all campus properties and grounds including buildings, facilities, and vehicles owned by or representing MCC.**
- **Use of alcohol by students is prohibited:**
- **On all campus properties and grounds including building, facilities, and vehicles owned by or representing MCC.**
- **At College-sponsored conferences, meetings, activities, cultural events, trips, or activities while representing MCC.**

Each employee or student is required to notify the College within five (5) calendar days after he/she is convicted of a violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while in the workplace, on College premises, or as part of any College-sponsored activity. The College shall take appropriate disciplinary action within thirty (30) calendar days from receipt of such notice.

Convictions of employees working under federal grants for violating any federal, state, or local criminal drug statute where such violation occurred while in the workplace, on College premises, or as part of any College- sponsored activity shall be reported to the appropriate federal agency. Each employee engaged in the performance of such a grant shall be given a copy of the policy statements regarding lawful conduct, timely notice, the requirement to abide by the terms of these statements, and actions that might be taken against employees for violating such policies.

The Vice President, Operations/Community Engagement shall ensure that the federal agency funding the grant is notified within ten (10) days after receiving notice of that a grant employee has been convicted of a violation occurring in the College workplace, on College premises, or as part of any College-sponsored activity. The College shall, within thirty (30) calendar days of receipt of such notice, take appropriate disciplinary action.

NOTE: As a condition of further employment on any federal government grant, the law requires all employees to abide by this policy.

Any College employee or student violating these policies will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.

Alternatively, the College may require the MCC employee or student to satisfactorily participate in a drug abuse assistance or rehabilitation program or alcohol rehabilitation program approved for such purposes by a federal, State, or local health, law enforcement, or other appropriate agency.

(Board policy adopted April 29, 1987; revised November 14, 1990; revised September 9, 1992; revised March 18, 2008; Revised December 19, 2017, Revised October 6, 2020)

The College shall establish a Drug-Free Awareness Program to inform employees and students about the following topics:

- The dangers of drug abuse.
- The government policy of maintaining a drug and alcohol-free environment.
- Any available drug or alcohol abuse counseling, rehabilitation, or assistance programs.
- The penalties that may be imposed upon employees or students for drug abuse violations.

Section 6 Disruptive Behavior Policy

MCC is committed to ensuring that the welfare of the College community is protected and shall not tolerate any disruptive behavior or the harassment of students, faculty, staff, or College visitors by any individual(s).

(Board policy adopted March 18, 2000; Reapproved December 19, 2017)

Employee-Related Procedures

The Vice President, Operations/Community Engagement shall be responsible for enforcing the following employee-related procedures:

- In the event a MCC visitor is disruptive to a member of the College's faculty or staff, the employee has the right and the responsibility to ask the disruptive individual(s) to leave the campus immediately. All such incidences shall be reported to the Vice President, Operations/Community Engagement or his or her designee.
- If the disruptive individual(s) refuse(s) to leave the campus, the employee should immediately contact the Vice President, Operations/Community Engagement or his or her designee and report the incident.
- The Vice President, Operations/Community Engagement shall notify the School Resource Officer (SRO) and shall proceed to request that the disruptive individual(s) leave the campus or take other such action as deemed necessary to ensure the welfare of the College community. If the disruptive individual(s) refuse(s) to leave campus, the SRO will place the disruptive individual(s) under arrest. The disruptive individual(s) will be prosecuted to the fullest extent of the law by the College.

Student-Related Procedures

The Vice President, Student Development Services shall be responsible for enforcing the following student-related procedures:

- In the event a MCC visitor, student or employee is disruptive to a College student, the student should immediately contact the Vice President or his or her designee.
- The Vice President shall determine whether to handle the disruptive individual(s) personally or to contact the Vice President, Operations/Community Engagement
- If the Vice President determines that it is in the best interest of the College community, he or she shall follow the steps outlined in this procedure.

Section 7 No Loitering Policy

This policy defines "loitering" as the act of entering and remaining in any internal or external area of the premises, with no apparent purpose and without the apparent intent to use the College or its campuses offerings located in that area.

Any incident of loitering shall be reported to the Vice President, Operations/Community Engagement. The Vice President, Operations/Community Engagement shall notify the School Resource Officer who shall proceed to request that the loiterer leave the campus or take other such action as deemed necessary to ensure the welfare of the College community. If the loiterer refuses to leave campus, the SRO will place the loiterer under arrest.

(Board policy adopted July 20, 1988; Section 4 adopted November 19, 2014; Revised December 19, 2017, Revised October 6, 2020)

Section 8 Sexual Harassment Policy

Sexual Harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship;

(2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct is sufficiently severe and pervasive to a reasonable person that it substantially interferes with a student's or employee's work performance or creates an intimidating, hostile, or offensive working, educational, or living environment. Sexual harassment encompasses a wide range of conduct.

An employee who believes that he or she has been sexually harassed under the above definition and wishes further information or assistance in filing a formal, written complaint should report the incident to the Equal Employment Opportunity Officer. If the complaint involves the Equal Employment Officer or the Vice Presidents, the complaint should be reported to the President. If the complaint involves the President, the complaint shall be reported to the Chairman of the Board of Trustees.

(Board policy adopted July 15, 1987; Revised, January 5, 2000; Revised, March 1, 2000; Revised January 17, 2017; Revised December 19, 2017, Revised October 6, 2020)

Section 9 Crime Awareness and Campus Security

A. Security of and Access to Campus Facilities

Access

Access to MCC facilities (e.g., buildings) shall be provided to the public on weekdays from 7:00 am until 9:00 pm, Monday-Thursday, and 7:00 am until 3:30 pm on Friday, except for scheduled holidays or announced periods of closure. Access at other times shall be controlled by the assignment of keys and alarm system access codes.

Access to private offices shall be controlled by the assignment of keys to individuals.

Access to classrooms or sensitive areas (e.g., maintenance facilities, network server rooms, etc.) shall be controlled by assignment of keys to responsible faculty and/or staff members.

Keys

Keys to offices or classrooms may be secured through the Vice President, Operations/Community Engagement. Duplicates shall not be made of keys, nor shall they be loaned to unauthorized persons. The loss of a key shall be reported immediately to the Vice President, Operations/Community Engagement. Upon termination of employment, an employee's final paycheck shall not be issued until all keys have been returned to the Business Office.

Weekend Security

Before leaving the building, faculty and staff members returning to work on the weekend shall secure all doors, turn out all lights, and reactivate the security systems.

B. Campus Law Enforcement

The College employs SRO's through the Martin County Sheriff's Office. These SRO's have complete authority to apprehend and arrest anyone involved in illegal acts, either on or off campus.
(Board policy adopted December 19, 2017)

C. Firearms and Other Weapons on Campus

Possession or use of a weapon, as defined by North Carolina state law, on MCC premises or at MCC sponsored or supervised functions, is prohibited under G.S. 14-269.2. This includes carrying: any gun, rifle, pistol, BB gun, stun gun, air rifle, air pistol, or other firearm, dynamite cartridge, bomb, grenade, mine, tear gas or powerful explosive, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.

Exceptions may apply to:

- **authorized college security personnel**
- **law enforcement officers attending MCC college classes or activities**

This prohibition does not apply to an individual who has a concealed handgun permit issued in accordance with Chapter 14, Article 54B of the North Carolina general statutes, has a concealed handgun permit considered valid under G.S. 14- 415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, provided the weapon is a handgun, AND the handgun remains in a closed compartment or container within the individual's locked vehicle or a locked container securely affixed to the individual's locked vehicle, AND the vehicle is only unlocked when the individual is entering or exiting the vehicle, AND the handgun remains in the closed compartment at all times.

Employees, students, vendors, visitors, or members of the public who possess weapons in violation of these regulations may be subject to criminal penalties.

Any employee or student who reasonably suspects these regulations are being or have been violated must immediately report the matter the Vice President, Operations/Community Engagement, or the school resource officer.

Any employee who either violates these regulations, or who fails to report reasonable suspicion of any violation, will be subject to disciplinary action, up to and including termination of employment.

Any student who either violates these regulations, or who fails to report reasonable suspicion of any violation, will be subject to disciplinary action, up to and including suspension from

school.

(Board policy adopted November 19, 2013; Revised, December 19, 2017, Revised October 6, 2020)

D. Crime Related Records Collection and Retention

The College shall establish and maintain records of crimes reported to MCC through appropriate channels. Records to be kept include, but are not limited to, copies of crime reports; Daily Crime Logs; records of arrests made on college property and referrals for disciplinary action related to criminal activity; Timely Warning reports; and documentation such as letters to and from local police having to do with *Clery Act* compliance.

The College shall establish and maintain a Daily Crime Log and ensure that it is open to public inspection. This Crime Log shall include all reported crimes, not just *Clery Act* crimes. The Daily Crime Log shall be kept for three years following the publication of the last Annual Crime Report to which they apply (in effect, seven years). The College shall also make a reasonably good-faith effort to obtain crime statistics from appropriate law enforcement agencies to include in the Annual Crime Report and the web-based report to the U.S Department of Education's Office of Postsecondary Education (OPE). If local law enforcement agencies having jurisdiction cannot provide a breakdown of statistics specific to *Clery Act* geographic areas may be omitted from the Annual Crime Report and OPE data. In this situation the College shall provide a statement explaining that local law enforcement could not provide a statistical breakdown appropriate for *Clery Act* reporting.

E. Dissemination of Crime Related Information

In order to keep the campus community informed about safety and security issues on an ongoing basis, the Vice President, Operations/Community Engagement (or his/her designee) shall alert the campus community of any *Clery Act* crimes that are reported to campus security authorities or local police agencies; and are considered by the College to represent a serious or continuing threat to students, employees, or visitors. (See definitions of *Clery Act* crimes in The Handbook for Campus Crime Reporting, published by the U.S. Department of Education Office of Postsecondary Education).

These alerts shall be issued by the Vice President, Operations/Community Engagement (or his/her designee) to students, faculty, staff, and, where appropriate, visitors by means of the College e-mail system, bulletin boards, including electronic bulletin boards, or circulars. These warnings shall include the nature of the threat, when and where it occurred, and what, if any, action individuals should take to mitigate the threat to themselves.

Exceptions: The College is not required to provide a timely warning for crimes reported to a professional counselor. There are no other exceptions.

F. Access to the Daily Crime Log

The Daily Crime Log for the most recent 60-day period shall be accessible to the public at each MCC campus, upon request, during normal business hours. Any portion of the log that is older than 60 days shall be made available within two business days of a request for public inspection.

G. Annual Crime Report

The Vice President, Operations/Community Engagement (or his/her designee) shall prepare an Annual Crime Report and distribute it to all current students and employees. The categories of crimes so reported shall comply with the definitions given in the *Clery Act*.

The Annual Crime Report shall be distributed to all current students and employees via the US Post Office, campus mail, e-mail, or a combination of these methods. This distribution shall take place no later than October 1 of each year. In addition, the Annual Crime Report shall be posted on the MCC web site. The report shall also be provided free of charge to prospective students and employees upon request (see definitions). The Annual Crime Report shall be made available in the Student Development Services division and the Vice President, Operations/Community Engagement office. Crime awareness shall be addressed periodically through appropriate media.

H. Information about Registered Sex Offenders

The College shall inform the campus community that a State Bureau of Investigation registration list of sex offenders is maintained and available from the NC SBI at the following site: http://sexoffender.ncsbi.gov/.

I. Submission of Crime Statistics to the OPE

The Vice President, Operations/Community Engagement (or his/her designee) shall participate in the Campus Crime and Security at Postsecondary Education Institutions Survey, conducted by the U.S Department of Education's Office of Postsecondary Education (OPE). Participation includes entering data from the Annual Crime Report into a database at the URL: http://surveys.ope.ed.gov/security.

J. Access to Pertinent Regulations, Laws, and Statutes Regarding Clery Act

Copies of or access to regulations, laws, and statutes pertinent to the Clery Act, including G.S. 14-269.2 Firearms and Other Weapons on Campus, G.S 14-284.1, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Title II of Public Law 101-542, amended 1998) shall be made available in the Vice President, Operations/Community Engagement and Student Development Services division offices.

(Board policy adopted May 12, 1993; Revised, March 18, 2008; revised November 19, 2013; Revised December 19, 2017; Revised March 20, 2018)

Section 10 Fundraising Policy

The President of MCC shall oversee all the institution's fund-raising activities (both internal and external), as stated in Article III, Section K, (Duties and Responsibilities of the President of the College) in the MCC Board of Trustees By- Laws.

All fund-raising conducted within the college community must be coordinated through the President's Office, including all fundraising activities conducted by the MCC Foundation (MCCF).

The MCCF, an incorporated 501 (c) (3) nonprofit organization, was created to support MCC students and enhance MCC through fundraising activities. The MCC President shall serve as a voting member of the Foundation's Board of Directors in accordance with Article III, Section K of the Board of Trustee By-Laws (Duties and Responsibilities of the President of the College).

The MCC President shall appoint a staff liaison to the Foundation Board. This appointee reports directly to the President and shall work to ensure both State and Federal 501(c)(3) compliance, create both budgets and profit/loss reports for fund- raising activities, maintain a donor database, take and maintain minutes for all MCCF board meetings, prepare and distribute all MCCF correspondence as needed, arrange and prepare materials for MCCF board meetings, and provide basic bookkeeping services.
Solicitation of funds in the name of MCC must adhere to the College's mission and goals, project a positive image for the College and follow all applicable laws. This includes all solicitation activities conducted by any student, student group, employee, or the MCCF.

Fundraising Solicitation Approval Process

Employees, students, and student organizations must have the approval of the President prior to initiating any fund-raising activity and follow established MCC procedures for fund-raising activities.

Grants

Faculty and staff are encouraged to seek grant funds with the approval of the President. Copies of all grant proposals must be filed in the Office of the President and with the Strategic Initiatives Division.

Solicitation of Gifts

Faculty and staff are encouraged to solicit gifts on behalf of the College. However, to avoid duplication, all efforts must be coordinated through the President's office prior to contacting a prospective donor(s). This includes all mail solicitations.

Acceptance of Gifts

The provisions listed below will govern the acceptance of gifts by the College:

- **Prior to acceptance, all gifts must be approved by the President.**
- **Only the President may accept major gifts other than money.**
- **The President shall notify the Controller of all gifts made to the College.**
- **All monetary gifts will be receipted and deposited in accordance with state laws.**
- **The President, or his designee, will send the appropriate acknowledgement and thanks to the donor.**
- **The President will be responsible for reporting all gifts to the Board of Trustees.**

(Board Policy Adopted July 1, 1998, Revised March 18, 2000; Revised September 19, 2017; Reapproved December 19, 2017, Revised October 6, 2020)

Section 11 Sarbanes Oxley Act (Whistle-Blower)

If an employee of MCC reasonably believes that a policy, practice, or activity of the College is in violation of a law, clear mandate or public policy, the employee should follow the appropriate chain of command to report his/her perception of the alleged violation. If the situation is not corrected or resolved, the employee should file a written complaint with the President. The President shall investigate the allegation and report the allegation, findings, and actions taken, if appropriate, to the Board of Trustees. If an employee has followed the chain of command and the perceived allegation has not been corrected, the employee should report the alleged violation **to the Chair of the MCC Board of Trustees, 1161 Kehukee Park Road, Williamston, NC 27892.**

Treatment of Complaints

The President, upon receipt of the complaint, will determine the nature of the complaint and ensure that an investigation of the complaint is conducted. All complaints will be reviewed under the direction and oversight by such person(s) as the President determines appropriate. Confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate review. Prompt and appropriate corrective action will be taken when and as warranted in the judgment of the President.

If the Chair of the Board of Trustees receives such a complaint, he/she shall notify the President of the complaint, determine the nature of the complaint, and ensure that the complaint is investigated. The Chair will provide direction and oversight by such person(s) as he/she determines appropriate. Confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate review. Prompt and appropriate corrective action will be taken when and as warranted in the judgment of the Chair of the MCC Board of Trustees.

Non-retaliation Policy

The College will not retaliate against an employee who, in good faith, has raised a complaint against a policy, practice or activity of the College; an employee of the College; or another individual or entity with whom the College has a business relationship, on the basis of a reasonable belief that the practice is in violation of law, or a clear mandate or public policy.

The College will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy, or practice of the College that the employee reasonably believes is in violation of a law, rule or regulation mandated pursuant to law, or is in violation of a clear mandate or public policy concerning the health, safety, welfare, or protection of the environment.

Reporting and Retention of Complaints and Investigations

The President and/or the Chair of the MCC Board of Trustees will maintain a log of all reported complaints and concerns. The log will include information regarding the receipt of the complaint, the investigation of the complaint, and the resolution of the investigation. At the end of each fiscal year, a summary report will be provided to the Board of Trustees. Copies of complaints and associated documents shall be maintained in accordance with the College's

document retention policy.

(Board policy adopted March 18, 2008; Revised December 19, 2017)

Section 12 Telephone System

All extension telephones can be used to make local calls. Extension telephones may be reached by dialing a proper extension number or directly inwardly dialed (DID) by dialing the area code and local number (ex: 252-789-0XXX, where XXX is the local extension number). A directory of all extension numbers is available from Customer Service.

Section 13 Mail

Incoming Mail

Staff and faculty mailboxes are assigned upon employment. Incoming mail is distributed in the individual mail compartments in the Mail Room, which is located directly behind the Customer Service area in Building 1.

Regular Outgoing Mail

Regular outgoing mail should be taken directly to the Mail Room and placed in the appropriate outgoing box by 2:45 p.m. to be processed for delivery to the Post Office at 3:00 p.m. for same day processing.

Courier Mail

All employees are strongly encouraged to utilize courier mail whenever possible. A copy of courier mail regulations and addresses is located in each division of the College. Courier mail must be placed in the appropriate outgoing box in the Mail Room by 3:00 p.m. for same day processing.

Section 14 Message Delivery

The size of the campus and the number of persons on campus precludes the delivery of messages to students, faculty, or staff members outside of normal internal mail and telephone systems, except in cases of emergencies.

Section 15 Public Relations

A. Social Media Policy

Martin Community College related social media sites shall be preapproved by the Vice President, Strategic Initiatives. The director will establish a site manager who must be an MCC employee.

The site manager will provide the Vice President, Strategic Initiatives with the password to access the site in case of an emergency and is responsible for notifying the Vice President, Strategic Initiatives of any password or site manager changes. Site managers may give students the right to post content

but are ultimately responsible for monitoring sites and removing anything disparaging of the college or of any person, or of anything inappropriate.

All posts made by employees in regards to the college or its employees or students are expected to be positive in nature.

In the case of any discrepancy on appropriateness of posted material, the President's Cabinet shall have the final say.

Employees should not be on social media sites during work hours for non-college business. Employees in violation are subject to disciplinary action.

(Board policy adopted January 21, 2020)

B. News Releases

All MCC employees are encouraged to prepare news releases, which promote their respective programs. All releases to news media shall be coordinated and disseminated by the Vice President, Strategic Initiatives.

Section 16 Work-Order Requests

When work on the facilities is required, a request should be entered in the support portal on the Intranet. Employees requesting work on the facilities shall be notified within five (5) working days of the disposition of their request.

Section 17 Health, Safety, and First Aid

A. Reportable Communicable Diseases/Pandemic Influenza

The purpose of MCC's Communicable Disease Policy is to ensure the good health and safety of all students and employees. Communicable disease is defined as an illness due to an infectious agent or its toxic products which is transmitted directly or indirectly to a person from an infected person or animal through the agency of an intermediate animal, host, or vector, or through the inanimate environment. (NC G. S. 130A-2(1c). Communicable disease includes, but are not limited to, influenza, tuberculosis, conjunctivitis, infectious mononucleosis, acquired immune deficiency syndrome (AIDS) measles, meningitis, hepatitis A, B, and C, positive HIV antibody status, hoping cough, and chickenpox.

Employees or students who know or suspect that they might have a communicable disease are expected to seek expert advice and are ethically and legally obligated to take the necessary precautions to prevent the spread of a communicable disease in accordance with the control measures prescribed by the North Carolina Commission for Health Services, pursuant to the NC General Statutes. Students and employees who have communicable diseases, whether symptomatic or not, will be allowed regular classroom and work attendance in an unrestrictive manner as long as they are physically able to attend classes, college activities and /or work and do not pose a medical threat for transmission of the disease or condition. They will not be excluded from enrollment or employment or restricted in their access to College services or

facilities, unless such exclusion or restriction is necessary because of the significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

The College encourages students who have communicable diseases to voluntarily share that information with the appropriate College employee, such as an instructor, advisor, division chair, Vice President or other administrator so the College can be of assistance in responding to their health and education needs, including any reasonable accommodations they may be entitled to by law. Employees should voluntarily share that information with the President of the College or the Vice President, Student Development Services.

No person, group, agency, insurer, employer, or institution shall be provided any medical information without the prior specific written consent of a student or employee unless required by state and/or federal law. Furthermore, all medical information relating to the communicable diseases of students and employees will be kept confidential, as required by federal laws such as the Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA).

In the event of an influenza pandemic, the College will take steps to protect the health and safety of students and employees. The Department of Health and Human Services (HHS) and the Centers for Disease Control and Prevention (CDC) will be consulted and information on pandemic influenza will be disseminated to all students and employees. They will also be advised to go to www.pandemicflu.gov for more information. Classes may be cancelled, and the campus may be closed if there is a threat to the health and safety of students and employees.

(Board Policy Approved October 5, 2007; Reapproved December 19, 2017)

B. Smoking Policy

Smoking is prohibited by students, staff, faculty, and visitors in all campus buildings, facilities, and vehicles owned by Martin Community College and/or the State of North Carolina.

Smoking is permitted outside and smokers are encouraged to smoke in areas away from the buildings provided for the smoking public.

(Board policy adopted April 24, 1991; Revised July 21, 2009; Revised December 19, 2017, Revised March 20, 2018)

C. Housekeeping

The importance of good housekeeping in the College cannot be over emphasized. The maintenance staff will attempt to keep the buildings as clean as possible. At the same time, it will be necessary for every employee to keep his/her work area reasonable clean and in order. Instructors should plan enough time at the end of a class, lab, or shop period for proper cleaning.

Section 18 Campus Visitation

MCC welcomes visitors and sales representatives to the campus to the extent that the visit or activity

is not disruptive to the educational process or business activities of the College and does not conflict with local ordinances or laws of the state or federal governments and other policies adopted by the Board of Trustees.

Section 19 Solicitation on Campus

Solicitation on the MCC campus by outside persons or agencies is subject to approval by the President. Solicitation of employees should be kept at a minimum and should not be disruptive of the work schedule.

Section 20 Public Utilization of Facilities

Policy:

The College allows public usage of some campus facilities for civic, cultural, educational, recreational, or other activities to the extent that the activities do not conflict with or interfere in the College's use for purposes and business of the College. The College shall have priority in the use of facilities.

Activities during facilities use shall not conflict with local ordinances, state law, or federal law.

All facilities use by the public must be approved by the President.

(Board policy adopted July 23, 2002; Revised December 19, 2017; Amended May 20, 2025)

Procedure:

Martin Community College (MCC) encourages the use of facilities by employees and community members. Facilities include, but are not limited to, conference rooms, classrooms, auditorium, and equine facilities.

Facilities use after regular operating hours and/or by for-profit organizations will incur lease charges as per the fees outlined in the *Facilities Policy* plus the *Personnel Fee Schedule*. Federal and state agencies, local government, and nonprofit organizations may not be charged for facilities use unless usage occurs outside of the College's regular operating hours.

Users of facilities will be required to complete a *Facilities Use Agreement* or *Employee Event Form* and must agree to adhere to all requirements as outlined. The individual signing the agreement must be at least 18 years of age and is to accept responsibility for the event and facilities usage. Once completed and signed, the form shall be returned to the Facilities Scheduler and subsequently approved by the MCC President.

In certain circumstances, a certificate of liability insurance may be required.

There is to be no alcohol, controlled substances, nor any other illegal items at events.

Use of facilities must not interfere with the operations of the College. MCC reserves the right to deny or cancel the usage of facilities that may interfere with operations or that may not align with the College's mission.

Information pertaining to the usage of facilities may be obtained from the Facilities Scheduler or his/her designee.

(Procedure adopted by President's Council on September 3, 2025)

Section 21 Intellectual Property

MCC encourages students, faculty, and staff to participate in creating innovative ideas. This includes but is not limited to research, publication, copyright protections, and patents. This policy outlines the ownership of intellectual property. Ownership of intellectual property created by faculty and staff is retained by the creator provided the following conditions are met:

- **There is no direct, significant use of institutional resources including, but not limited to, College supplied equipment, supplies, computer usage, laboratory, shop, office time, or College funds.**

- **The development of the intellectual property is neither performed at the College nor while under contract to the College for any purpose such that a conflict of interest would occur.**

- **The intellectual property is not created as part of the faculty or staff member's normal job duties or as a special project requested by College administrators.**

Students are allowed to retain ownership of all intellectual property created in the course of their education at the College. In order to comply with State and MCC policy originals of course work may be retained by the instructor as proof of completion or requirements of a course. These will be destroyed in compliance with policy in order to protect the student's ownership and confidentiality of the material.

Members of the faculty/staff, including full-time and part-time adjunct faculty, are allowed to take course materials created for the College, including distance education courses and any supplemental materials created for the courses, to other institutions of higher education for institutional, educational, and instructional use. However, MCC retains the rights to continue to use and distribute these course materials, including distance education courses and supplemental materials, created during the faculty/staff member's employment with the College. The College also retains the right to use those materials as it sees fit and to make changes to the course and the materials without notification to the creator of the course or material.

Unless otherwise provided in a written agreement, the College owns all rights to copyright or patentable work created by an employee in the course or scope of employment with College facilities, time, or resources. The College may enter into an agreement with the employee for an equitable arrangement for joint ownership, sharing of royalties, or reimbursement to the College for its costs and support of the employee's creation of intellectual property.

(Board policy adopted March 18, 2008; Reapproved December 19, 2017)

Section 22 Identity Theft Prevention Policy

The College adopts this Identity Theft Prevention Program to enact reasonable policies and procedures to protect students and College employees from damages associated with the compromise of sensitive personal information.

As a result of the increasing instances of identity theft, the United States Congress passed the Fair and Accurate Credit Transactions Act of 2003 (FACTA), Public Law 108-159. This amendment to the Fair Credit Reporting Act dictated that the Federal Trade Commission (FTC) promulgates rules to address identity theft. The rules promulgated by the FTC (Red Flag rules) require any financial institution and creditor that holds any type of consumer account or other account for which a potential risk of identity theft exists to create and implement a written Identity Theft Prevention Program in order to tackle identity theft associated with new and existing accounts. This Identity Theft Prevention Program is appropriate to the size and complexity of the College and the nature and scope of the College's activities.

Scope

Activities in which community colleges are often involved that require compliance with the Red Flag Rules include:

- **Utilization of deferred payment plans as authorized by 23 N.C.A.C. 02D.0201(b);**
- **Issuance of student loans for technical and vocational education pursuant to 23 N.C.A.C. 02C.0304**
- **Provision of emergency loans to students**
- **Issuance of any scholarship which requires the recipient to sign a promissory note**
- **Maintaining an account for students from which the student can authorize payments for goods like books and supplies**
- **Persons attempting to access academic or financial information Identification of relevant Red Flags**

Alerts, Notifications, and Warnings from a Credit Reporting Company

Here are ways that changes in a credit report or a consumer's credit activity might signal identity theft:

- **A fraud or active duty alert on a credit report**
- **A notice of credit freeze in response to a request for a credit report**
- **A notice of address discrepancy provided by a credit reporting company**
- **A credit report indicating a pattern inconsistent with the person's history. For example, an increase in the volume of inquiries or the use of credit, especially on new accounts; an unusual number of recently established credit relationships; or an account that was closed because of an abuse of account privileges**

Suspicious Documents

Here are ways that documents can signal identity theft:

- **Identification looks altered or forged**
- **The person presenting the identification doesn't look like the photo or match the physical description**
- **Information on the identification differs from what the person with identification is telling you or doesn't match a signature card or recent check**
- **An application looks like it's been altered, forged, or torn up and reassembled**

Personal Identifying Information

Here are ways that personal identifying information can indicate identity theft:

- **Inconsistencies with what you know — for example, an address that does not match the credit report or the use of a Social Security number that is listed on the Social Security Administration Death Master File**
- **Inconsistencies in the information a customer has submitted to you**
- **An address, phone number, or other personal information already used on an account you know to be fraudulent**
- **A bogus address, an address for a mail drop or prison, a phone number that's invalid, or one that's associated with a pager or answering service**
- **A Social Security number used by someone else opening an account**
- **An address or telephone number used by several people opening accounts**
- **A person who omits required information on an application and doesn't respond to notices that the application is incomplete**
- **A person who can't provide authenticating information beyond what's generally available from a wallet or credit report — for example, someone who can't answer a challenge question**

Account Activity

Here are ways that the account being used can indicate identity theft:

- **Shortly after you're notified of a change of address, you're asked for new or additional credit cards, or to add users to the account**
- **A new account used in ways associated with fraud — for example, the customer doesn't make the first payment, or makes only an initial payment; or most of the available credit is used for cash advances or for jewelry, electronics, or other merchandise easily convertible to cash**
- **An account used outside of established patterns — for example, nonpayment when there's no history of missed payments, a big increase in the use of available credit, or a major change in buying or spending patterns or electronic fund transfers**
- **An account that is inactive is used again**
- **Mail sent to the customer that is returned repeatedly as undeliverable although transactions continue to be conducted on the account**

- **Information that the customer isn't receiving an account statement by mail or email**
- **Information about unauthorized charges on the account Detecting Red Flags**
- **The College utilizes the following methods to identify and detect red flags:**
- **Procedures to verify a student's identity when processing any activity to an account including, but not limited to registration activity, financial aid processing, bookstore transactions, and business office payments/inquiries.**
- **Receipt of notifications from service providers of red flag criteria (i.e., discrepancies in social security number to name, address differences, etc.) are disseminated to appropriate individuals.**
- **Receipt of notification of suspicious activity by student, law enforcement, or other entities are disseminated to appropriate individuals.**

Preventing and Mitigating Identity Theft

The College utilizes the following methods to prevent and mitigate identify theft:

- **Stolen laptops or any computer equipment with sensitive data are to be reported to the Executive Vice President immediately.**
- **College personnel shall review changes to sensitive information (e.g., record name changes, SSN changes, etc.).**
- **College personnel shall perform routine diagnostics on firewalls and the security of electronic data portals.**
- **Security scans, as well as unscheduled scans, shall be performed at regular intervals to detect breaches.**
- **Employees are expected to adhere to FERPA laws to verify proper identity and nondisclosure of data to unauthorized persons.**
- **Banking information should only be obtained and used by appropriate personnel with PCI compliance.**
- **Student re-admission process shall be in place to verify a student's identity when an account has been inactive for a prolonged period.**
- **Students applying for financial aid awards/loans shall be verified with more than one identifying method to assure that aid/loan is being distributed to the proper person.**
- **Employees shall be expected to maintain integrity /ensure proper handling of data.**
- **Employees shall be trained in handling of data and data requests.**

Responding to Detection of Red Flags

The College has identified the following plans of action in response to the detection of a red flag:

- **Ask for validation and/or supplemental documentation/identification when a student's identity is in question.**
- **Check credit card receipts when possible fraudulent charges are reported from a customer's bank statement.**
- **Verify original student documents when a discrepancy is reported.**
- **Deny access to information or disable an account pending upon further investigation and resolution of suspicious activity.**
- **Follow-up on reported thefts which possibly involve the compromise of sensitive data.**

- **Follow guidelines from the North Carolina Attorney General's Office related to notifying victims and proper authorities of possible identity theft.**

Updating of Identity Theft Program

The Vice President, Operations/Community Engagement is responsible for reviewing the Identity Theft Prevention Program annually and updating as needed.

Program Administration

The Vice President, Operations/Community Engagement is responsible for the oversight, development, implementation, and administration of the Identity Theft Prevention Program.

(Board policy adopted May 19, 2009; Revised December 19, 2017)

Section 23 Service Animal Policy

Statement of Purpose

In accordance with Section 504 of the Rehabilitation Act of 1973 (Rehab Act), the Americans with Disabilities Act of 1990 (ADA), and state law, MCC may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs, or activities.

Policy

Pets are not allowed in any of the buildings on the main or branch campuses. Pets and therapy animals are not considered Service Animals and therefore are not covered by this policy. However, under federal law, Service Animals are not excluded from college property or activities so long as they meet the guidelines set forth in this policy. Service Animals are defined as animals that are individually trained to perform tasks for individuals with disabilities such as:

- **Guiding people who are blind,**
- **alerting people who are deaf,**
- **pulling wheelchairs for those with limited mobility,**
- **alerting and protecting a person who is having a seizure,**
- **reminding a person with mental illness to take prescribed medication,**
- **calming a person with Post Traumatic Stress Disorder during an anxiety attack,**
- **and/or, performing other special tasks.**

The College recommends that Service Animals wear identifying markers visible to emergency response teams.

In situations where it is not obvious that the dog is a Service Animal, MCC employees may ask only two specific questions:

1. **Is the dog a Service Animal required because of a disability? and,**

2. **What work or task has the dog been trained to perform?**

Members of the campus community are required to abide by the following practices:

- **Allow a Service Animal to accompany its owner at all times and in all places on campus that are open to the general population.**
- **Do not touch or pet a Service Animal unless invited to do so.**
- **Do not feed a Service Animal.**
- **Do not deliberately startle a Service Animal.**
- **Do not separate or attempt to separate an owner from his or her Service Animal.**
- **Do not inquire for details about a person's disabilities. The nature of a person's disability is a private matter.**

In emergency situations:

Notify SRO's of the existence and possible location of Service Animals on campus.

<u>Removal of Service Animals</u>

The college has the authority to remove a Service Animal from its grounds or facilities if the Service Animal becomes unruly or disruptive, unclean, and/or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the college's services, programs, or activities. If such behavior or condition persists, the owner may be directed not to bring the animal into public campus areas until the problem is rectified.

<u>Responsibilities of Persons Using Service Animals</u>

The care and supervision of a Service Animal is the responsibility of the student/handler using the animal's services. The student/handler must ensure that the animal is in good health and has been vaccinated against diseases common to that type of animal as recommended by the American Veterinary Medical Association. For example, dogs should have routine maintenance for flea and tick prevention, de-worming, and have annual examinations. Dogs must wear a rabies tag (N.C. Gen. Stat. § 130A-185).

<u>Damage</u>

The owner is responsible for the cost to repair any damage done by the Service Animal to college property.

It is the responsibility of the owner to make arrange any cleaning necessary due to the presence of the Service Animal.

Feces must be cleaned immediately and disposed of properly. This includes College common areas and exterior property such as courtyards, walkways, etc.

Any student who violates any provision of this regulation is subject to discipline under the Code of Student Conduct. Such discipline may include the restriction or removal of the Service

Animal.

Conflicting Disabilities

If another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals, and that person has contact with a Service Animal approved for presence on campus, a request for assistance will be made to the ADA Coordinator who will consider all facts surrounding the contact and make an effort to resolve the issue. Students with medical condition(s) affected by Service Animals should contact a Counselor in Student Development Services if they have a health or safety related concern about exposure to a Service Animal. The student registering the concern will be asked to provide medical documentation that identifies the condition(s) allowing a determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

Appeal Procedure

In the event of a dispute about an accommodation relating to a Service Animal, or an animal restriction, a complaining party, who is a member of the college community may file a grievance through the established grievance procedure.

(Board policy adopted November 20, 2018)

Section 24 Volunteer Service

Policy:

Current and former students, as well as members of the community, may volunteer time and services to the College. Participants may be assigned tasks that are part of an unpaid opportunity upon the approvals of the respective department and Senior Administration. Volunteers may be current MCC students, high school students, students from other college campuses, and/or members from the community. This policy does not pertain to MCC Work-Based Learning opportunities. Opportunities exist only upon the mutual agreement of the individual (or sponsoring institution) and MCC. Some requests may not be approved due to such causes or concerns related to safety, privacy, and skills. Approvals are the sole discretion of the college.

Volunteers are not employees of the College and receive no compensation or employee benefits of any type in exchange for services. Individuals affected by this policy must be at least 16 years of age and perform no duties that would violate the NC State Board of Community Colleges Code, federal, or state labor laws.

A volunteer may be dismissed any time for any reason deemed sufficient by the College, except for reasons of race, color, ethnicity, gender, age, socioeconomic status, national origin, disability, or religion. All inquiries related to the Volunteer Service Policy and Procedure should be directed to the Human Resources Office. Volunteer participation and the assigned tasks are not to be interpreted as a future promise of employment.

Procedure:

Volunteers must abide by all College policies and procedures and provide services based on the needs of the College with no term of service expressed or implied. Volunteers 18 years of age or older are subject to a background check. Volunteers must sign any appropriate College forms including a Volunteer Service Request Form and a MCC Background Investigation Disclosure and Authorization Consent Form. Volunteers under the age of 18 will be required to submit a letter of recommendation in lieu of the MCC Background Investigation Disclosure and Authorization Consent Form. However, volunteers for certain College special events may not be required to complete the above- mentioned paperwork.

All volunteers will be assigned a supervisor responsible for providing all necessary training and instructions for the assigned duties. Assignments shall not include any tasks that require access to the College's administrative computer system, employee, and payroll records, or is not in compliance with federal or state student privacy laws including the Family Education Rights and Privacy Act (FERPA). If an individual wishes to volunteer in multiple areas, a separate request must be completed for each area in which the individual intends to volunteer. The completed/signed Request Form is to be submitted to the Senior Administrator for review/approval. Once reviewed the Senior Administrator will submit the form to the Human Resources office. If approved, the Human Resource Office will send a copy of the approval to the supervisor responsible for overseeing the volunteer. It will be the responsibility of the supervisor to notify the volunteer if they have been approved. The Human Resources office will notify the intended volunteer if they are not approved. Volunteers will not be permitted to start until after they have been approved and all necessary paperwork has been submitted and processed.

(Board Approved and Ratified, November 16, 2021)

Section 25 ID Badge Policy

All Martin Community College faculty and staff will be issued ID badges at no initial cost. Curriculum students (part-time and full-time) and Continuing Education/Workforce Development students will be issued ID badges at no initial cost. The cost of replacing a lost or damaged ID badge is $5. Current government issued photo ID and proof of active student status must be presented before receiving a college ID badge.

(Board Approved and Ratified, May 17, 2022)

Section 26 Text Messaging

Procedure:

A. Overview of Text Messaging Tools

The College utilizes multiple instruments in its efforts to successfully communicate news and information with students. Text messaging is one such instrument. The College uses two text messaging services:

- **Informacast** is used primarily to provide students with **emergency, health, and safety-related**

notifications. Examples of such notifications include alerts about severe weather conditions, campus closures, safety threats, and critical updates during emergency situations. This service provides timely and essential information to maintain student safety and well-being.

Authorized Users: Vice President, Operations/Community Engagement; Vice President, Student Development Services; and the Chief Information Officer.

- **MessageMedia** is utilized for various **non-emergency** communication needs within the college. Examples include sending reminders about class schedules, registration deadlines, campus events, and financial aid announcements. Additionally, MessageMedia also allows employees to provide support and responses to student or applicant-initiated inquiries and can facilitate engagement through surveys and feedback requests.

  Authorized Users: The College has multiple users of MessageMedia. Campus Announcements is the only account used for generalized informational messages.

B. Opting In/Opting Out

Applicants and students consent to text messaging services through the instructional program admission vehicles provided by the College—primarily the Curriculum CFNC admission application and Continuing Education registration forms. The following "call-to-action" appears and includes directions for opting out of text messaging services:

> **By submitting this application and providing your mobile number, you are agreeing to receive text messages from Martin Community College (MCC).** We will send you text messages with account notifications or questions, such as application notifications, class notifications (availability of a college class, class cancellations, retention alerts), billing notifications (balance present, balance change), payment notices (payment failure, credit card expiration, payment options), and payment reminders.
>
> We will also send you emergency notifications for situations requiring immediate attention such as inclement weather resulting in the College's closure, natural disasters that require students to seek shelter, and other safety threats that require students to act quickly.
>
> You can opt-out of emergency and non-emergency text messaging services at any time. However, we strongly encourage you to stay enrolled, as opting out may result in missing important updates and notifications. To opt-out, reply STOP to your MCC text message. After you send the message STOP to us, we will send you a message to confirm that you have been unsubscribed. After this, you will no longer receive messages from us. You may also end MCC's text messaging service to you by calling (252) 789-0300 and selecting Option 1 or by emailing IT@martincc.edu. Use the phone that is receiving text messages when calling.
>
> If you are experiencing issues with the messaging service you can reply with the keyword HELP, or you can get help by calling (252)789-0300 and selecting Option 1 or by emailing IT@martincc.edu.
>
> Carriers are not liable for delayed or undelivered messages.

Message and data rates may apply for any messages sent to you from us and to us from you. Message frequency varies. If you have any questions about your text plan or data plan, please contact your wireless provider.

MCC text-messaging services are provided by our partners, MessageMedia U.S.A., Inc. and Singlewire Software, LLC. Your consent allows the College to collect and provide your phone number to our text messaging service providers who may collect, handle, or disclose or otherwise have access to your information for the purposes of providing these services to you.

The College's "call-to-action" statement, including instructions and options for opting out of non-emergency text messaging services, will be regularly shared with students through their *myMartin* email accounts.

C. Conversational Text Messaging for Applicants, Students, and Prospects

Conversational text messaging is a back-and-forth conversation that takes place over text. If an applicant, student, or prospect texts the college employee, and the employee responds quickly with a single message, it is likely conversational. If the applicant, student, or prospect initiates the conversation and the college employee simply responds, no additional permission is required. In conversational messaging, the first message is always sent by the student.

As an option, the employee may receive consent from the applicant, student, or prospect for sending a text in an email, verbally, or in writing. The ability to provide proof of individual consent is highly encouraged.

D. Non-Emergency Text Messaging Guidelines

The following guidelines are provided to ensure adherence to the expectations established by the College when sending text messages. These guidelines help ensure compliance with applicable statutory regulations, including the Telephone Consumer Protection Act (TCPA). Text messaging is intended to supplement the College's other communications tools and is not intended to serve as a primary mode of communication with applicants and students.

These guidelines apply to all employees who send non-emergency text messages to students via MessageMedia:

1. An initial text message must include the following:
    a. A general description of the messaging content;
    b. The Application Address (phone number) from which the message will originate;
    c. The specific identity of the organization or individual being represented in the initial message;
    d. Clear and conspicuous language about the opt in and any associated fees or changes; and
    e. Other applicable terms and conditions (e.g., how to opt out, how to request help, contact information, any applicable privacy policy).

2. Employees authorized to send text messages must abide by all other policies regarding MCC-produced content, as well as ensure the following:
    a. Content is accurate; double-check dates, times, and other information before sending;
    b. Message is concise; it is recommended keeping messages smaller than 160-characters.
    c. Wording is appropriate; slang or shorthand is discouraged;
    d. Information is directly related to the student and/or their studies;
    e. Message clearly indicates next steps and/or contact information for additional support; and
    f. Message is sent with adequate time for next steps.

3. Text messaging should not be used as the sole means of communicating a message or announcement. The text message should supplement other means of communication, such as emails or paper notices; this ensures that all students, including those who have opted out, receive the information.

4. Text messaging must NOT be used for the following:
    a. Communicating personal or confidential information;
    b. Personal matters (e.g., items for sale, farewell messages);
    c. Appeals on behalf of individuals or groups of students that are unrelated to College operations (e.g., to attend social, cultural or sporting events); or
    d. Sending any messages containing social security numbers, passwords, credit card numbers or any FERPA-protected data; these are strictly prohibited.
5. All messages should be tagged with the appropriate identifiers. Identify the intended recipients (e.g., “MCC Students”) as well as the sender (e.g., “MCC Financial Aid Office”). Provide contact information for students who may request additional support.

6. Text messages should be sent between the hours of 8 a.m. and 9 p.m.; do not send text messages before 8 a.m. or after 9 p.m. Exceptions may apply due to emergencies or time-sensitive messaging.

7. MCC messaging programs respond to, at a minimum, the universal keywords STOP, END, CANCEL, UNSUBSCRIBE, and QUIT by sending an opt-out message that confirms the student or user has opted out successfully and, if the user is subscribed, by opting the user out of the program. Opt-out instructions should be displayed at regular intervals, at least once per month. Students or users should also be informed they may opt out by emailing help@martincc.edu or by calling (252) 789-1521.

8. MCC’s text messaging service providers (Informacast and MessageMedia) process opt-out requests that are delivered through the text messaging system immediately—e.g., a reply STOP). Opt-out requests received by the College in a form other than through the text messaging system—whether by phone, email, in-person, etc.—should be processed immediately.

(President’s Council adopted January 8, 2025)

Section 27 Institutional Review Board (IRB)

Policy:

Martin Community College (MCC) is committed to protecting the rights, welfare, and privacy of human research participants. The MCC Institutional Review Board (IRB) is responsible for reviewing research proposals to ensure ethical integrity, minimize risks, and safeguard participant confidentiality. No research involving human subjects may begin without IRB approval or exemption determination.

All research involving human subjects conducted by MCC faculty, staff, students, or external researchers must comply with federal regulations, including 45 CFR 46, as well as ethical principles outlined in the Belmont Report and the Nuremberg Code.

(Board Policy adopted May 20, 2025)

Procedure:

At Martin Community College (MCC), all research involving human subjects conducted by employees, students, or external researchers must be reviewed and approved by the College's Institutional Review Board (IRB) before the study begins. This ensures compliance with United States Federal law, including the 45 CFR 46 statute, and protects the rights and welfare of human subjects.

A. Authority

The MCC IRB has the authority to:

- Review and approve, require modifications to, or deny research proposals involving human subjects.
- Suspend or terminate approval of research that does not comply with IRB requirements or results in unanticipated harm to subjects.
- Ensure that all research involving human subjects is supervised by qualified individuals, including clinicians for study-related healthcare decisions.

B. Regulatory and Ethical Framework

- 45 CFR 46 – Protection of Human Subjects
    - Federal regulations governing IRBs, ensuring ethical research, participant protections, and safeguards for vulnerable populations.
- The Belmont Report
    - The cornerstone statement of ethical principles for human subjects' protection. The three ethical principles of the Belmont report are:
        - Respect for Persons – Ensures informed consent, confidentiality, and protection for those with diminished autonomy.
        - Beneficence – Maximizes benefits while minimizing harm.
        - Justice – Ensures fair distribution of research risks and benefits.
- The Nuremberg Code – Ethical Standards for Human Research:

    - Requires voluntary consent and scientific merit.
    - Prohibits unnecessary suffering and research with likely death or injury.
    - Ensures risk-benefit balance, subject protections, and qualified researchers.
    - Allows participants to withdraw freely, and mandates stopping research if harm occurs.
- The Declaration of Helsinki – Ethical Guidelines for Human Research Issued by the World Medical Association (WMA), the Declaration of Helsinki expands on the Nuremberg Code, emphasizing:
    - Informed Consent – Participants must voluntarily agree to research with full understanding of risks and benefits.
    - Participant Welfare – The well-being of participants must take precedence over scientific or societal interests.
    - Independent Review – Research must undergo ethical oversight, such as IRB approval.
    - Scientific Integrity – Studies must be methodologically sound and justified.
    - Protection of Vulnerable Populations – Special safeguards are required for those at greater risk of harm.

C. Types of Reviews

The MCC IRB conducts the following types of reviews for research involving human subjects:

- Exempt Review: For minimal risk research in specific categories, such as educational research and surveys. This review is conducted by one reviewer, typically the IRB Chair or their designee.
- Expedited Review: For research involving minimal risk, conducted by the IRB Chair or their designee.
- Full Board Review: For research that requires a convened meeting with a majority of IRB members present, including at least one member with nonscientific concerns.

D. IRB Membership and Responsibilities

The MCC IRB is composed of a minimum of five voting members. Alternate and non-voting members may be appointed, with alternates authorized to vote at convened meetings only in the absence of the member for whom they are designated to alternate. More voting members may be appointed as deemed necessary by the President of the College or the Chief Academic Officer.

No person shall be excluded from serving on the IRB. MCC will assure diversity of representation on the IRB, including race, gender, cultural background, and academic discipline. In the instance of subjects with diminished autonomy, the IRB for that particular application may include someone with the knowledge of or experience with that population. The IRB reserves the right to exclude a member from participation in the initial or continuing review of any project in which the member has a conflicting interest.

All IRB members are required to complete Human Research Protection Training, offered through the U. S. Department of Health and Human Services for free at https://www.hhs.gov/ohrp/education-and-outreach/human-research-protectiontraining/index.html; training must be updated every three years.

The IRB will be chaired by the Vice President, Strategic Initiatives and will include at least one member from each of the following fields:

- A representative from Student Development Services

- A faculty member from a science area (i.e. biology, chemistry, psychology)
- A faculty member from a non-science area (i.e. history, English, philosophy)
- A representative from Continuing Education/Workforce Development

Responsibilities of the IRB Chair include:

- Compliance with all College policies and procedures
- Overseeing and documenting the selection of IRB membership.
- Maintaining written Standard Operating Procedures (SOPs).
- Maintaining, reviewing, and updating additional SOPs as needed to optimize the
- IRB's functions and to ensure the timely review of research proposals.
- Maintaining records in accordance with 45 CFR 46.115.
- Facilitating IRB registration in accordance with 45 CFR 46 Subpart E.
- If applicable, overseeing the College's Federal wide Assurance (FWA) for the
- Protection of Human Subjects documentation, compliance, renewal, updates, and requests for applicable addenda.
- Scheduling and facilitating meetings of the Full Board.
- Overseeing the recording and maintenance of Full Board meeting minutes.
- Collaborating with the IRB Administrator to communicate Full Board determinations to researchers.
- Coordinating review of resubmissions to verify conditions are met when the Full Board's determination is "approval with conditions"
- Assisting with the expedited review of minor modifications to studies previously approved by the Full Board in accordance with IRB SOPs.
- Communicate IRB determinations to the Chief Academic Officer.
- The IRB Chair is also responsible for meeting the expectations set forth for all IRB members.

Responsibilities of IRB Members include:

- Compliance with all College policies and procedures.
- Maintaining awareness of community attitudes and promoting respect for the IRB's advice and counsel in safeguarding the rights and welfare of human subjects.
- Possessing professional competence in research, except in the case of nonscientist member(s).
- Remaining knowledgeable about institutional commitments and regulations, applicable laws, and standards of professional conduct and practice.
- Recusing themselves from the initial or continuing review of any project in which there is a conflict of interest, except to provide information as requested by the IRB.
- Maintaining working knowledge of 45 CFR 46 and approving studies only when requirements are met.
- Ensuring that their required, elective, and supplemental training modules are
- current (not more than three (3) years old).

E. Application and Review Procedures

These procedures apply to all research involving human subjects at MCC, expect in the exclusions noted below. Research studies at MCC may be conducted by MCC faculty, staff, and students, as well as external researchers seeking to involve MCC participants.

Applicants

1. Principal Investigator (PI)
    a. Each research study must identify a Principal Investigator (PI), who is responsible for the ethical conduct of the study, ensuring compliance with regulations, and safeguarding participant rights and welfare. The PI must disclose any conflicts of interest to the IRB and execute the study per the approved protocol. Any new information, modifications, or adverse events must be promptly reported to the IRB. The PI is also responsible for completing the IRB process, including submitting all required documents and obtaining approval before initiating any research activities, such as recruiting or contacting participants.
    b. For undergraduate student studies, a faculty member must act as the Principal Investigator (PI). The student may act as associate PI.

2. Co-Investigator
    a. Co-Investigator is a qualified study team member who significantly contributes to the scientific development or execution of a study. While they share responsibilities similar to the Principal Investigator (PI), they do not have ultimate responsibility for the research.

3. Associate Principal Investigator (Associate PI)
    a. An Associate PI is typically a student or trainee who assists with the research under the supervision of the PI. They help with various aspects of the study but must have a faculty member as the PI to ensure proper oversight and compliance.

4. Research Assistant
    a. A Research Assistant works in a supportive role, interacting with research subjects, collecting or analyzing data, and assisting with writing results. They help ensure the smooth conduct of the study but do not hold primary responsibility for the research.

5. Dissertation Advisor
    a. A faculty member at a university who provides guidance and support to a graduate student throughout the process of completing their dissertation.

F. Required Documentation

1. New research projects
    a. IRB Application
    b. Certification of completion of an approved training program in the protection of human research participants (if applicable).
    c. Informed consent forms.
    d. Copies of questionnaires/surveys/instruments (if applicable).
    e. Recruitment materials (flyers, emails, letters, etc.).
    f. Approved thesis/dissertation proposal (if applicable).
    g. IRB approval letter if the study is approved at another institution.
    h. Research may not be implemented until approved by IRB.

2. Modified research projects
    a. Resubmit the IRB application with modifications clearly outlined.
    b. Changes may not be implemented until approved by IRB.

3. Unanticipated Event
    a. Notify the IRB chair within one week of the unexpected event at ie@martincc.edu.

4. Completed research project.
    a. IRB Closure Application

(Procedure adopted by President's Council March 5, 2025)

Section 28 Prohibited Conduct Policy

Policy:

Martin Community College strongly disapproves of, and will not tolerate any form of harassment, discrimination, or retaliation. Unwelcomed or unsolicited speech or conduct that may be construed as harassment, discrimination, or retaliation as determined by a reasonable person is strictly prohibited.

This policy applies to all employees, students, vendors, contractors, visitors, and affiliated organizations, both on and off campus.

Complaints shall be reported and addressed in accordance with the College's procedures.

(Board Policy adopted September 16, 2025)

Article III: Personnel Policies and Procedures

Section 1 Equal Employment Opportunity Program

Board of Trustees' Commitment to Equal Employment Opportunity

The Board of Trustees of MCC recognizes its moral and legal responsibilities in providing equal opportunities in the administration of its employment and personnel policies, educational policies, student services policies, and all other relevant College-administered policies and programs. The Board adopts the philosophy that fair treatment and an Equal Employment Opportunity policy are consistent with the highest ideals of citizenship in a free society.

Equal Employment Opportunity Policy Statement

MCC is an Equal Employment Opportunity institution and does not discriminate against any individual on the basis of race, color, religion, national origin, sex (including pregnancy, gender identity, and sexual orientation), genetic information, age, personal disability, or political belief or affiliation.

Equal Employment Opportunity Goals and Objectives

The Board of Trustees charges the President, administration, faculty, and staff of the College with the responsibility of implementing the doctrines of nondiscrimination in achieving the following broad goals and objectives:

- **To appoint an Equal Employment Opportunity Officer who will promote the attainment of the goals and objectives stated herein.**
- **To develop and disseminate, internally and externally, an Equal Employment Opportunity policy statement which reflects the College's commitment to be an Equal Employment Opportunity institution.**
- **To develop and implement an Equal Employment Opportunity program which extends the College's commitment to the principles of equal educational and employment opportunities.**
- **To develop, revise and/or implement employment and personnel policies, which ensure that the recruitment, selection, transfer, promotion, training benefits, compensation, evaluation, grievances, and termination of all individuals are handled in accordance with the doctrines of nondiscrimination.**
- **To develop, revise, and/or implement student-related policies and programs, which ensure that the educational opportunities, recruitment, admission, graduation, grievance procedures, and financial aid benefits of all students and/or prospective students are handled in accordance with the doctrines of nondiscrimination.**
- **To comply with all the Equal Employment Opportunity principles and provisions as set forth in federal and state laws, presidential orders, and court decisions.**

(Board policy adopted June 8, 1978; Reapproved, August 27, 1980; Section I (A) and (C) Revised, March 18, 1981; Section I (B) Revised June 17, 1981; Revised, January 18, 1984; Revised, January 15, 1997;

Revised December 19, 2017; Revised March 20, 2018)

Equal Employment Opportunity Responsibility for the Program

While the MCC Board of Trustees is legally responsible for all matters relating to the operations of MCC, ultimate responsibility for the development and implementation of an EEO program rests with the President of the College. To assist the President with fulfilling this responsibility, an Equal Employment Opportunity Officer has been appointed to ensure equal employment opportunities without regard to race, color, religion, national origin, sex, age, personal disability, political belief or affiliation or any other such factors which cannot be lawfully applied in the College's employment practices. Further, each supervisor shall be responsible for the administration of the College's EEO Program within his or her own area of responsibility and authority.

Equal Employment Opportunity Officer's Responsibilities

The Executive Director, Human Resources serves as the Equal Employment Opportunity Officer. The Equal Employment Opportunity Officer serves as an advisor to the President and is responsible to the President for the administration of the Program. The duties and responsibilities of the Equal Employment Opportunity Officer include, but are not limited to the following:

- Administering the Program and aiding all levels of management in carrying out its provisions.
- Assisting in the identification of problem areas and the establishment of Equal Employment Opportunity goals and objectives.
- Administering the reporting system.
- Serving as liaison between the College and enforcement agencies.
- Participating in and serving as liaison between the College and local organizations and community action groups concerned with equal employment opportunities.
- Informing management of the latest developments around Equal Employment Opportunity.
- Conducting audits of personnel action patterns to ensure the removal of any impediments to the attainment of Equal Employment Opportunity objectives.

Equal Employment Opportunity Supervisors' Responsibilities

For the purposes of this program, supervisors are interpreted to mean those persons at MCC who have personnel administration responsibilities. The general responsibilities of these Associate Vice Presidents, chairs, directors, coordinators, etc., are:

- To understand clearly their respective duties and responsibilities for carrying out the Equal Employment Opportunity commitments of the College.
- To implement the policies, practices, and programs cited in the Equal Employment Opportunity Program to the limits of their respective area of responsibility and authority.
- To review the College's policies, practices, and programs considering equal opportunity policies and to make recommendations where appropriate.
- To uniformly disseminate Equal Employment Opportunity policy, procedure, practice, and program information to the faculty and staff of MCC.

Equal Employment Opportunity Recruitment

Except in cases of a promotion or a transfer of current College employees, the College's recruitment program shall include, but not be limited to, the following policies:

- The procedures for the recruitment, selection, and appointment of personnel as outlined in this Handbook shall be strictly adhered to by each hiring unit to ensure consistency in employment procedures.
- The College's recruitment procedures shall be reviewed periodically to ensure that personnel recruitment and employment strategies support the goals and objectives of the EEO Program.
-

The recruitment sources for administrative, professional, and non-professional personnel shall include, at least one of the following:

- College website and/or other college information boards located on the Martin and Bertie campuses
- NC Works
- Job Board Website of the North Carolina Community College System
- Area newspapers, professional journals, and other media sources as deemed appropriate by the hiring unit
- Public and private colleges and universities
- Other recruitment sources as deemed appropriate by the hiring unit and/or concerned individuals or groups

The recruitment sources for temporary personnel for all employee categories administrative, professional, or non-professional-shall be at the discretion of the hiring unit.

Selection of Employees

MCC shall continue to institute the highest standards of professionalism in its recruitment and employment practices and apply those standards on a strictly nondiscriminatory basis. The referral of any person for employment shall be made solely upon the capacity of the individual to perform the tasks as outlined in the job description in a manner and to a level of achievement commonly accepted as satisfactory without regard to race, color, national origin, religion, personal disability, age, sex or political beliefs or affiliation except where sex or age is a bona fide occupational qualification.

Except in cases of a promotion or a transfer of current College employees, employee recruitment and employment procedures shall include, but not be limited to, the following:

- The procedures for the recruitment, selection, and appointment of personnel shall be strictly adhered to by each hiring unit to ensure consistency in employment procedures and adherence to the EEO Program.
- The College shall comply with the State Board of Community Colleges' policy regarding the employment of relatives (1C SBCCC 200.98).
- Ad-hoc personnel selection committee appointments shall include a culturally diverse representation.
- The President and the EEO Officer, shall review the criteria upon which job qualifications, job

descriptions, interview selections, interview questions, and position selections are based to ensure that they do not have an adverse effect in the hiring of any group.
- Nondiscriminatory selection processes and selection techniques shall be communicated to all selection committee members.
- The College shall uphold its commitment to equal employment opportunity and nondiscrimination in the selection of temporary employees.
- Annual reports relative to the disposition of position vacancies shall be prepared. The details of this reporting system are contained in the section on Reporting in this document.

(Board policy adopted December 19, 2017)

Advancement and Career Development

In support of the College's commitment of providing the opportunity to qualified employees for promotion, advancement, or transfer to more responsible and remunerative positions, the MCC Board of Trustees has established a policy whereby a full-time employee may be given release time to participate in a maximum of two courses per semester. Additionally, all employees are encouraged to take advantage of the educational leave benefits as established by the State Board of Community Colleges' educational leave policy.

Position vacancies shall be filled on the basis of merit without regard to race, color, national origin, religion, personal disability, sex (including pregnancy, gender identity, and sexual orientation), genetic information, age, or political belief or affiliation.

(Board policy adopted December 17, 1980; Revised December 19, 2017)

Promotion Policy

A promotion involves a change in assignment from a position at a lower grade to one at a higher grade within the organizational structure. In keeping with the College's philosophy of promoting upward mobility for all its employees, primary consideration shall be given during the pre-recruitment phase to the possibility of advancement of qualified current College employees.

(Board policy adopted March 20, 2018)

Transfer

A transfer involves the placement of a College employee in another position in which the duties, responsibilities, status, and remuneration are approximately equal to those of the previous position. The College reserves the right to transfer employees into positions where there is greater need for their services.

Due Process

Full-time and part-time employees of MCC are afforded due process. The due process policy provides for prompt and equitable hearing of employee grievances relating to employment decisions. The written policy ensures the fair treatment of individual cases and is available to all present and prospective employees.

Compensation and Benefits

Employees of MCC shall receive compensation in relation to the duties and responsibilities of the position they occupy. The Wage and Salary Plan shall be equitable for all employee classifications and shall be administered without discrimination on any prohibited ground. Likewise, the College's Benefit Program shall be equitable for like categories of employees and shall be administered without unlawful discrimination.

Facilities

All work areas, eating areas, rest, and recreational areas, and other facilities of the College shall be maintained on a non-discriminatory basis.

Equal Employment Opportunity Reporting Procedures

External Reports
On an annual basis, the College shall file all reports required by state and federal laws and regulations.

Internal Reports
The following records, at a minimum, shall be maintained to support the Equal Employment Opportunity Program:

- Annual staff profiles for each division and department.
- Profile of annual appointments, promotions, transfers, terminations, and other factors in support of equal employment opportunities.
- The annual profiles shall be disseminated by the EEO Officer to the Board of Trustees, the faculty, and the staff of the College and any other individual, group, or agency upon request. Employment procedures and practices, and the annual profiles will be reviewed with the Board of Trustees Personnel Committee.

Dissemination of Policy and Program

The procedures for dissemination of the Equal Employment Opportunity Policy Statement and the Equal Employment Opportunity Program are outlined so that present employees can know their responsibilities and rights under the equal employment policies of MCC, and so that the College can communicate to the general public its continual commitment to equal educational and employment opportunities. The Equal Employment Opportunity Officer is responsible for overseeing all aspects of the dissemination of the policy statement and plan.

Internal Dissemination shall include:

- A copy of the Plan in the Institutional Policies and Procedures Manual
- A review of the policies in employee orientation sessions
- Dissemination information on equal employment opportunity programs, and events to the College community

External Dissemination shall include:

- Incorporation of the Equal Employment Opportunity policy statement, as appropriate, in all college literature, publications, and other official paperwork.
- Informing all recruiting sources of the College's policy and request that these sources refer all applicants for positions on a non-discriminatory basis.

Section 2 Selection and Recruitment

A. Position Vacancy Announcements

In most instances, position vacancies for annual full-time and permanent part-time appointments shall be posted for at least a minimum of fourteen (14) calendar days. Advertising may be done through selected print and electronic media. Position vacancy announcements shall contain information from the official approved job description on file in Human Resources. On occasion, circumstances may alter the regular procedures for announcing, posting, and filling job vacancies. Such instances must have approval of the President.

B. Application for Employment

In addition to a MCC Employment Application, each applicant will submit a cover letter describing their qualifications for the position, salary requirements, a resume, and copies of college transcripts. Applicants may be asked to give a presentation in relation to the job for which they are applying during the interview process.

C. Background Checks

Employment is conditional upon passing a criminal background check and as applicable a controlled substance/drug screening prior to employment.

D. Criminal Convictions

A criminal background check will be conducted on all applicants who are finalists for employment or re-employment. The refusal to consent to a criminal background check as is required on the employment application will result in the applicant not being offered employment, or if a conditional offer has been made, the offer will be withdrawn or the employee's employment will be terminated, as applicable. The college will review on a case by case basis applicants that have convictions and make determinations based on date of the conviction, charge and position being offered.

E. Applicant Tracking

The Human Resources Department shall be responsible for maintenance of permanent records of all position vacancy announcements, including posting and closing dates, all optional referral sources used in the recruitment process, and the pool of applicants considered for each vacancy.

The applicant pool data for each position shall include an alphabetized listing of all applicants and test scores, when applicable, for each position vacancy announcement. Equal Employment Opportunity (EEO), race, and gender information shall be maintained by the Human Resources Department.

F. Selection

All applicants considered for employment or promotion shall meet the qualification standards established by the class specifications relating to the position to which the appointment is being made. All appointments shall be made on the basis of qualifications only.
Individuals responsible for the selection of new employees shall use, and document, on a consistent, routine basis, a selection process that best suits the College's needs in filling positions within each individual division and department. All selection methods developed and utilized by the supervisor shall be valid measures of job performance and approved by the President.

1. Search Committee Guidelines and Process Purpose

The purpose of a search committee is to assist in the selection of job applicants for a vacant position and to establish a measure of objectivity in the College's hiring process. Search Committees are to be used to screen applicants for Full-Time and Part-Time annually appointed positions. The screening process that is performed by a committee results in the submission of recommendations to the vacancy supervisor and President. Applicants recommended should meet or exceed the specifications required by the job description and the vacancy authorization form.

2. Role of the Vacancy Supervisor

The vacancy supervisor should review the job description to see that it accurately reflects the current duties and responsibilities and then complete the position authorization form for approval. The vacancy supervisor also serves at the Committee Chair.

3. Structure of the Committee

The search committee should consist of 3 to 5 employees from the professional, faculty, and/or managerial position groups. On occasion a student or local contact may be asked to serve on the committee. There should be at least one member from outside of the vacant position's department/division. The committee should be diverse in gender and race and should reflect a good representation of the college.

Each member shall serve without bias or any pre-conceived ideas toward any applicants. Because the committee's work is a pre-employment process, confidentiality must be maintained at all time before and after the hiring of the successful candidate. Each committee member will maintain confidentiality of the business of the committee. Any discussion of the business of the committee with anyone outside of the group or duly appointed college official may result in disciplinary action.

4. Committee Work

The committee must not discriminate on the basis of gender, race, religion, age, national origin or any other statutorily protected factor in the evaluation of any applicant or in the development of any criteria or methodology that is to be used for evaluation purposes at any time during the screening process. All information used and work done by the committee is to be confidential. The evaluative work performed should be determined by the nature of the position and a review of applicant qualifications. The committee shall be free to develop necessary interview questions or presentation requirements or any other pre-employment evaluation criteria. Applicants should not be required to demonstrate

skills and abilities that are not part of the job or qualifications. At any point, the committee may call for advice from the Executive Director, Human Resources for clarification of the College's hiring practices or personnel policies.

5. Role of the Committee Chair

The vacancy supervisor will serve as the Committee Chair, unless otherwise approved. If needed the committee chair and HR will meet to discuss advertising needs for the position. This individual will assist in selecting committee members, developing interview questions, screening applicants, participates in interviews, and reviews the committee's recommendation prepared by Human Resources.

6. Role of Human Resources

The Human Resources office prepares the job posting, processes received applications, monitors the selection of committee members and development of interview questions. In addition, the Human Resources office schedules interviews and prepares interview material for the committee, conducts reference and background checks, prepares salary offer and reviews selection material with the Vacancy Supervisor, and President, and makes offer of employment to the selected candidate.

7. President

The final approval of the selected candidate is made by the President, with the exception of the President's position which the Board of Trustees has final approval of the recommended candidate. Upon the conclusion of interviews, reference and background checks, the Executive Director, Human Resources will review the committee's recommendation, references, and salary calculation with the President. The President may elect to conduct a second interview of the candidate(s) submitted.

G. Appointment Types

1. Faculty/Instructional Appointments

Permanent Full-Time Faculty Appointment – Employee must work forty (40) hours per week and be employed by contract for at least nine (9) continuous months or more during the fiscal year in a budgeted position.

Full-Time Faculty are required to work a minimum of thirty (30) hours on campus. It is understood that the remaining ten (10) hours of their forty (40) hours week may be fulfilled off campus. It is further understood that faculty members may be required to be on campus beyond the officially scheduled thirty (30) hours to meet the College's needs at the discretion of their supervisor and/or Senior Administrator.

Permanent Full-time Faculty are eligible for all standard/fringe benefits, including State Retirement and medical, and are paid at a monthly rate.

Permanent Part-Time (PPT) Faculty Appointment - Employee must work at least twenty (20) hours but less than thirty (30) per week and be employed by a contract for at least for nine (9) continuous months or more during the fiscal year in a budgeted position.

Permanent Part-time Faculty work schedules will vary based on contracted hours and may include campus and remote work.

Permanent Part-time Faculty are eligible for the pro-rated leave benefits and Holiday pay, longevity, and are paid at a monthly rate.

Curriculum Faculty (Adjunct) Appointment – Employee is responsible for teaching an entire course, including lab/clinical hours. An employee in this type of appointment is contracted for a specific course/semester and is not guaranteed employment beyond the expiration or termination of their current contract. The employee will be paid based on contact hours and is not eligible for standard/fringe benefits. Instructional load will vary based on College needs but shall not exceed the permitted number of allowable hours. Allowable hours are limited to up to twenty-eight (28) hours per week and includes all employment by any and all divisions of the College. The Affordable Care Act formula ratio used to calculate allowable hours under this type of appointment is 2:1.

Curriculum Faculty (Clinical/Lab/Substitute) Appointment – Employee is responsible for conducting only the lab/clinical portion of a course or program. An employee in this type of appointment is contracted for a specific clinical/lab. Substitutes may be utilized on an as needed basis to cover clinical/labs in the absence of the traditional instructor. Substitutes are not assigned contracts for this temporary, time-limited appointment and shall account for their hours worked on a part-time timesheet. Employees under this appointment type are not guaranteed employment beyond the expiration or termination of their current contract or temporary assignment for substitutes. The employee will be paid based on actual contact hours, pro-rated contact hours, or timesheet hours and is not eligible for standard/fringe benefits. Workload will vary based on College needs but shall not exceed the permitted number of allowable hours. Allowable hours are limited to up to twenty-eight (28) hours per week and includes all employment by any and all divisions of the College. The Affordable Care Act formula ratio used to calculate allowable hours under this type of appointment is 1.25:1 for Clinical/Lab appointments and 1:1 when substituting.

Continuing Education/Workforce Development Instructor Appointment – Employee is responsible for teaching all or part of a course, including lab, clinical, or hands-on instruction.

Most Continuing Education/Workforce Development instructors are paid by contract. An employee in this type of appointment is contracted for a specific course and is not guaranteed employment beyond the expiration or termination of their current contract. The employee will be paid based on their contracted hours and is not eligible for standard/fringe benefits.

For instructors responsible for teaching a section within a course it may be determined that generation of a course contract for each section is not feasible. In these situations, a contract covering the dates the course is offered shall be generated for the employee. The contract shall include the course dates and the employee's hourly rate. The employee will be required to complete a timesheet for the time worked during this contracted period. Employees are not guaranteed employment when performing work under this type of contract. They are paid on an hourly basis based on the hours reported on the part-time timesheet. They are not eligible for standard/fringe benefits.

Instructional workloads will vary based on College needs but shall not exceed the permitted number of allowable hours. Allowable hours are limited to up to twenty-eight (28) hours per week and includes all employment by any and all divisions of the College. The Affordable Care Act formula ratio used to

calculate allowable hours under this type of appointment is 1.25:1.

College and Career Readiness Instructors are responsible for teaching an entire course or part of a course, including labs. They are paid on an hourly basis and are required to record their hours worked on a part-time timesheet. They are not eligible for standard/fringe benefits.

Instructional workloads will vary based on College needs but shall not exceed the permitted number of allowable hours. Allowable hours are limited to up to twenty-eight (28) hours per week and includes all employment by any and all divisions of the College. The Affordable Care Act formula ratio used to calculate allowable hours under this type of appointment is 1.25:1.

2. **Staff Appointments**

Permanent Full-time Staff Appointment - Employee must work at least thirty (30) hours per week and be employed by contract for at least nine (9) continuous months during the fiscal year in a budgeted position.

Most Permanent Full-time Staff positions will be contracted to work forty (40) hours per week and twelve (12) months per year. Grant-funded positions shall be considered permanent appointments during the period in which the position has allowable funding unless directed otherwise by the grant. Permanent Full-time Staff employees are eligible for all standard/fringe benefits, including State Retirement and medical, and are paid at a monthly rate. Full-time staff employees that work less than a 40-hour work week will have pro-rated vacation and sick leave benefits.

Permanent Part-Time (PPT) Staff Appointment - Employee must work at least twenty (20) hours but less than thirty (30) hours per week and be employed by contract for twelve (12) continuous months during the fiscal year in a budgeted position.

Permanent Part-time Staff schedules will vary based on department and needs of the College. Employees in a Permanent Part-time Staff position must observe a consistent schedule week-to-week. Changes to an employee's schedule, at the employee's request, will only be considered at the start of a new contract year. A request to change a work schedule must be made at least 30 days prior to the start of the newly proposed schedule. Requests to change an employee's schedule outside of the above referenced timeline must be approved by the Senior Administrator and Human Resources prior to the new schedule being observed. The College reserves the right to modify a Permanent Part-time Staff schedule as needed to meet the needs of the College.

Permanent Part-time Staff are eligible for pro-rated leave benefits and Holiday pay, longevity, and are paid at a monthly rate.

Part-Time Staff Appointment – Employee in this type of appointment is an "employee at will" and works in a non-contracted position. Part-time staff may be employed for no more than twenty-eight (28) hours per week. They are paid on an hourly basis and are required to record their hours worked on a part-time timesheet. They are not eligible for standard/fringe benefits.

Employee workload will vary, is based on the needs of the College, and shall not exceed the permitted number of allowable and budgeted hours. The Affordable Care Act formula ratio used to calculate allowable hours under this type of appointment is 1:1.

Student Appointment – Student Employee appointments are intended to enable currently enrolled students to obtain work experience. Typical appointment types include but are not limited to College Work Study, Work-Based Learning, and other financial aid programs. Student employees under this classification are “employees at will.”

They are paid on an hourly basis and are required to record their hours worked on a part-time timesheet. They are not eligible for standard/fringe benefits.

A student employee workload will vary. Unless specified elsewhere, student appointments are generally governed by the Federal and State rules and regulations applicable for each program. The Affordable Care Act formula ratio used to calculate allowable hours under this type of appointment is 1:1.

Temporary Appointment – Employee who is filling in during the extended absence of a permanent employee or for positions that are grant funded and intended to be short-term programs that are non-renewable. The absence of the permanent employee may be related to extended leave of absence, disability, extended sick leave, etc.

Appointments may be full-time or part-time based on the needs and requirements of the College. Appointment assigned during the absence of a permanent employee will remain in place until such time the permanent employee returns to work and as long as the absent employee’s position continues to exist and there is a need.

(Amended August 7, 2023)

Section 3 Conditions of Employment

A. General Employment Policies

Employment agreements may be issued to those employees who are determined by the President, in the President’s sole discretion, to be necessary for the continuation of operations. Employment Contracts will be issued after July 1 of each year; the date of issuance is subject to the necessary prior approvals of the North Carolina General Assembly, the North Carolina Community College System, and the Board of Trustees.

Initial employment agreements will be probationary for twelve months. During the initial probationary period, the employee may be terminated with or without cause, and the employee shall have no right to appeal the decision to terminate his/her employment with MCC to the Board of Trustees. The decision of the employee’s supervisor is final.

If it is determined that an employee’s performance is or becomes marginal after he/she has completed an initial twelve-month probationary period, the employee may be placed on an interim probationary employment agreement, and she/he must fulfill the requirements set forth in the agreement in order to continue to be employed by MCC.

Employees who occupy positions that are specially funded will be subject to additional guidelines that govern the privileges, conditions, and terms of employment as are required by the funding agency.

The President, or the President's expressly authorized designee, is the only party authorized to offer employment agreements on behalf of MCC.

B. Employee Work Schedules

1. Standard Workweek:

The standard workweek begins at 12:01 AM on Sunday morning and extends through 12:00 midnight the following Saturday night. The standard work week for all employees of the various departments of the College shall be 40 hours per week. Supervisors shall work hours necessary to ensure the satisfactory performance of their departments, but not less than 40 hours per week. When the activities of one particular department require some other temporary schedule to meet work needs, the department head may authorize a deviation from the normal schedule, recognizing that the normal administrative work schedule is from 8 a.m. until 4:30 p.m. daily.

Permanent changes in the work schedule must be approved by the president.

2. Standard Weekly Hours:

The President of MCC shall establish the College's hours of operation and establish the work schedule for all employees to include:

- A forty (40) hour workweek for all full-time employees' subject to the Fair Labor Standards Act.
- A minimum of thirty (30) hours per week on campus for the teaching faculty with the exceptions of instructional department chairs and directors, a minimum thirty- six (36) hours per week on campus is required.

The President may require other staff members, including instructional division chairs and directors, to work more than forty (40) hours per week to carry out fully their responsibilities to the college.

(Board policy adopted April 29, 1987; Revised, May 12, 1993; Revised, February 27, 2008; Revised December 19, 2017; Revised March 20, 2018)

3. Hours of Work:

"Hours of work" is defined as those hours actually spent on the job performing work as required by the employee's supervisor. Lunch breaks, holidays and leave of different types are not included as "hours of work".

4. Employee Workstation:

Workstation is defined as the physical location for which the duties of the employee are to be performed as required by the supervisor and authorized by the President.

5. **A/B Schedule**

Purpose

In an effort to provide more flexibility for employees and additional departmental coverage options for supervisors, an A/B Schedule may be requested by and implemented for staff with the proper approvals. This A/B scheduling option does not apply to faculty, as the nature of faculty positions already allows for some flexibility of their work schedule.

A/B Schedules will allow eligible employees the opportunity to be off every other eligible Friday during the Fall and Spring academic terms. All core services of the College must continue to be provided by all areas during the regular operating hours of the College; therefore, some areas may have less ability to create flexible schedules than others.

Requesting A/B Schedule

Employees who wish to adopt A/B Schedule will make a formal request to their supervisor via the A/B Schedule Request Form. The Supervisor will work with the employee to determine if the employee is eligible and what weekly schedule (A Week or B Week) that the employee will be observing. The completed form will be maintained in the Human Resources Office.

Supervisors and/or Senior Administrators are responsible for ensuring that there will be departmental coverage. If it is determined that there will not be departmental coverage the Supervisor and/or Senior Administrator reserves the right to revise an employee's schedule. If an employee's schedule is to be revised, the Supervisor and/or Senior Administrator will provide as much notice possible to employee but will remain mindful that last minute modifications of an employee's work schedule may not be accommodated depending on the employee's existing obligations in correlation with the notice provided.

An A/B Schedule is a privilege and may be rescinded at any time the College deems necessary. Employees must also understand there may be specific needs on campus that require an adjustment of their A/B work schedule for a period of time.

Provisions

Employees are required to maintain a 40-hour work week. Employees are only permitted 8 hours for any Holiday. Employees will be required to flex their time accordingly to allow for an 8-hour holiday while ensuring a 40-hour work week.

When a Holiday falls on a Friday, all employees; regardless of if they elect an A/B Schedule, will revert to a normal schedule for the week. Employees who will need time off on a Friday are encouraged to take the time on their scheduled Friday off, if they participate in an A/B Schedule.

In the event the College releases early, delays opening, or closes completely due to inclement weather or other reason, employees will still work their approved schedule for that day/week with the exception of times employees are released from duty. Work hours will not be adjusted such that all employees miss the same number of hours. (For example, Employee A typically works from 8:00-5:00 and Employee B typically works from 7:00-4:00. If the College is delayed opening until 10:00, Employee

A will work from 10:00-5:00 and Employee B from 10:00-4:00, even though their hours were affected differently.)

Once an employee elects an A Week or B Week schedule, the schedule must be maintained for the entire academic term. An employee may request to return to a normal schedule at any point in time during an academic term; however, they will not be permitted to return to an A/B Schedule until the next academic term. Once an A Week
or B Week schedule has been approved, the schedule cannot be alternated, unless proven to be a business necessity and approved by the Supervisor.

Employees that participate in an A/B schedule arrangement are required to keep their working hours consistent. Changes to an employee's work schedule must be submitted to the immediate supervisor. The immediate supervisor is responsible for notifying Human Resources.

Participation in an A/B Schedule is voluntary. No employee shall be permitted to exclusively work four, 10-hour days each week. Employees are encouraged to post their Fridays off on their Outlook calendars. Under no circumstances shall an A/B Schedule omit an employee from fulfilling the duties of their position and/or participation in any event if required as a component of their job.

Supervisors are asked to work with employees when possible if time-limited adjustments/modifications to an employee's schedule are needed to best meet the needs of the College.

Employee time will be recorded on the MCC Timesheet/Absence Report Form. Each employee regardless of exempt/non-exempt classification will be required to submit a monthly Timesheet/Absence Report Form. Non-exempt employees will be expected to document their time worked and any leave time taken on the form. Exempt employees will be expected to document their leave time taken only on the form. Exempt employees are required to submit a Timesheet/Absence Report Form each month regardless of if leave was taken or not. The MCC Timesheet/Absence Report Form will be due to Human Resources by 8th of the month, unless otherwise specified.

6. **Summer Work Schedule:**

Facilities are typically accessible from 7:00 a.m. until 9:00 p.m. Monday-Thursday, and 7:00 a.m. until 3:30 p.m. on Friday. Business hours are from 8:00 a.m. until 5:00 p.m. Monday-Thursday, and 8:00 a.m. until 2:30 p.m. on Friday. Some services, classes, and activities may operate on weekends.

At the end of the Spring semester the College operates on an adjusted administrative summer schedule. When on summer schedule, the College is open to the public Monday-Thursday and closed on Friday. Employees may either a four (4), 10-hour day schedule, Monday-Thursday, or work a four (4), 9.5-hour day schedule, Monday-Thursday and 4-hour day on Friday.

Employees must still work their standard 40 work hours.

The summer schedule will occur between the end of spring semester and the beginning of fall semester.

The President reserves the right to change the summer schedule and hours when in the best interest

of the college.

C. Telecommuting

1. Telecommuting Policy:

Telecommuting is an employment arrangement that allows an employee the opportunity to work outside of their assigned duty station. In order to accommodate the needs of the College, a telecommuting arrangement may be permitted for eligible employees. The telecommuting arrangement must comply with all applicable federal and state laws and College policies and procedures. Full- time and permanent part-time employees are eligible for telecommuting consideration; however, telecommuting may not be suitable for all employees or positions. Telecommuting is not an employee benefit, and no employee is entitled to or guaranteed the opportunity to telecommute.

The decision to allow, or not allow an employee to work remotely is at the President's (or designee's) discretion and is not appealable as part of the College's Personnel Grievance Process. The President (or designee) may discontinue a telecommuting arrangement at any time and for any reason.

(Board Ratified, March 15, 2022)

2. Telecommuting Procedure:

Telecommuting is a cooperative arrangement, based on the needs of the College, each employee's department, and role, that allows employees to work at alternate work locations for all or part of their workweek. The College may also require employees to telecommute, as needed, as a condition of employment. Once a telecommuting arrangement ends, employees will be required to return to their assigned duty station.

At the discretion of the President, the College may allow telecommuting for a limited duration. What is considered a limited duration shall be defined on a case-by-case basis.

3. Eligibility for Telecommuting:

The following conditions must be met to approve an employee for telecommuting:
The employee has been in the position for at least 12 months.
The employee has no active formal disciplinary actions on file for the last 12 months

The employee has a demonstrated ability to work productively on their own and is self-motivated and flexible.

Any exceptions to this rule must be approved by the President.

4. Expectations and Conditions:

Telecommuting does not change the essential functions of an employee's role, the employee's obligations to the College, or adherence to College policies and procedures. Each telecommuting

employee must continue to perform all functions of their role. Employees shall apply themselves to their work during designated work hours and not engage in other activities that are not work-related. Supervisors may require employees to report to standard work locations, as needed, at times when the employee has previously been approved to telecommute.

5. Approval Process:

Decisions to telecommute are made on a case-by-case basis, taking into consideration the likelihood of the employee succeeding in a telecommuting arrangement.

The employee must make a formal request to their immediate supervisor via the Telecommuting Request Form. The completed request form must be returned and approved by the immediate supervisor, the immediate Senior Administrator, and the President. The requesting employee must obtain approval prior to telecommuting. The immediate supervisor, Senior Administrator, Human Resources, or the President may revoke an approval to telecommute at any time and for any reason. A formal request shall be submitted each time there is a need for an employee to telecommute. The duration of a telecommuting agreement shall not exceed one year.

In consideration of a telecommuting request, supervisors shall analyze the nature of the role and how the work is performed. Various factors to consider are:

- Ability to adequately supervise the employee
- Whether any duties require the use of certain equipment or tools that cannot be replicated at alternate work sites
- Need for face-to-face interaction and coordination of work with others, including employees, students, and the general public
- Need for access to documents and/or other information located only in the workplace
- Impact on service quality, student success, College operations, and/or increase workload for other employees; and
- Any other considerations based on the needs of the College.

In the event of sudden illness or an emergency the immediate supervisor and Senior Administrator may allow an employee to telecommute without submission of a formal telecommuting request. If a formal request is not submitted due to sudden illness or an emergency, it should be time-limited and should not extend beyond a duration of 10 working days. The sudden illness provision does not apply to an individual that is on FMLA when an employee will be out for their designated FMLA reason. The request to telecommute without a formal request should be made by the employee to the immediate supervisor and immediate Senior Administrator via email. The immediate supervisor will need to confirm if the employee is eligible to telecommute. If approved to telecommute, the immediate supervisor will email the employee and identify any expectations and requirements the employee is expected to adhere to during the time the employee is telecommuting.

6. Compensation and Benefits:

An employee's compensation, benefits, and the total number of hours that the employee is expected to work will not change when telecommuting. This does not, however, restrict the use of alternative work schedules. Supervisors are responsible for tracking the work hours of employees who telecommute, and to document the hours worked by employees covered by the Fair Labor Standards

Act.

Telecommuting employees are required to keep a monthly timesheet identifying the remote hours worked. Employees who are telecommuting will be required to record their telecommuting hours in the appropriate columns on the timesheet and summarize the work performed each day.
Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to record all hours worked in a manner designated by the College. Hours worked in excess of those specified per day and per workweek, in accordance with state and federal requirements, will require the advance approval of the supervisor.

Employees will follow normal leave policies and procedures when telecommuting. Employees cannot use telecommuting in place of sick leave, Family and Medical Leave, or other types of leave if it has been medically determined by a medical provider that an employee does not need to be working. The College may determine whether or not it is appropriate to offer telecommuting as an opportunity for partial or full return to work based on the College's return-to-work policies following an injury or illness, as long as a medical provider has released an employee to work on a full or partial basis and the criteria normally applied to decisions regarding the approval of telecommuting have been met.

Telecommuting is not intended or designed to serve as a substitute for child or adult care and is not to be used in place of any paid leave.

7. <u>Safety and Liability:</u>

Prior to the start of a telecommuting arrangement, the supervisor is responsible for discussing the alternate work location with the employee, and to provide reasonable assurance that materials, equipment and location at the alternate work location allow for successful completion of assigned work responsibilities, comply with work related safety standards, and minimize distractions to the work environment.

The College is not liable for injuries to third parties (including members of the employee's family) at the designated work location.

The College assumes no liability for damages to and is not responsible for maintaining employee's real or personal property resulting from participation in telecommuting. The College assumes no responsibility for operating costs, home maintenance, or any other costs incurred by employees as a result of telecommuting.

Employees must safeguard all confidential College information used or accessed while telecommuting. Telecommuting employees must agree to follow College-approved security procedures in order to ensure confidentiality and security of data. College records and files temporarily stored at the telecommuter's alternative work site remain the property of the College. Products, intellectual property rights, documents, and records that are used, developed, or revised while telecommuting must be returned to the College when requested, at the end of the telecommuting agreement or termination of employment. Procedures for storage and transfers of College records will be based on the department's needs and equipment availability. The employee agrees to take all necessary precautions to protect College property, including data, from theft, damage, and unauthorized use, in accordance with College policies and procedures.

8. Equipment and Software:

Prior to the start and at the termination of the telecommuting agreement, supervisors and employees are responsible for completing an inventory of equipment, software or other office or technology resources that are required for successful completion of work duties.
Equipment supplied by the College will be maintained by the College. Equipment supplied by the employee, if deemed appropriate, will be maintained by the employee. The College accepts no responsibility for damage or repairs to employee-owned equipment. The College reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the College is to be used for business purposes only.

Upon termination of the telecommuting arrangement, or employment, all College-owned property must be returned to the College.

D. Secondary Employment

Full-time employees of the College are expected to devote their full energy and effort to their employment with the College. If a College employee accepts additional work, such work should not conflict with his or her main college duties and responsibilities, nor should it reflect poorly upon the College.

College employees must request prior approval for secondary employment through the appropriate chain of command to the President for his/her (or his/her designee's) approval. Any secondary employment that interferes with, is in conflict with or can be perceived as a conflict with his/her primary work responsibilities should not be approved. Approvals for secondary employment must be obtained annually and approval may be withdrawn at any time after approval.

Secondary Employment includes self-employment and any other employment or work that is in addition to the work covered in the employee's employment contract with the College. It includes part-time or full-time employment or work with an agency or organization outside the College and also work for another department or unit of the College other than the department or unit that the employee is assigned based on the employment contract.

(Board policy adopted July 26, 2005; Revised, March 16, 2010; Revised July 18, 2011; Reapproved December 19, 2017)

E. Attendance at Graduation Ceremonies

All faculty members are required to be present at their respective graduation ceremony, and other staff members are required to be present at one graduation ceremony (Curriculum or GED) unless excused by the President. All administration, faculty, and employees who deal directly with curriculum students, unless excused by the President, will wear caps and gowns at the curriculum graduation.

F. Nepotism (Employment of Closely Related Persons)

Martin Community College selects individuals for employment, promotion, and/or transfer on the basis of education, training, experience, and other characteristics which best suit the

individual to the job and best meets the needs of the institution. The College will not hire, promote, or transfer an individual to occupy a position if the position will have direct or indirect influence over or will have access to privileged information pertaining to a closely related person's employment, promotion, salary administration, or other related management or personnel considerations.
(Board policy adopted June 8, 1978; Reapproved December 19, 2017; Amended September 19, 2023)

Placement into positions of supervision, influence, and/or access to privileged personnel information of a closely related person, shall not occur.

"Closely related person" is defined as a parent; child; brother; sister; grandparent; grandchild; aunt; uncle; niece; nephew; first cousin; stepparent; stepchild; stepbrother; stepsister; spouse; parent-in-law; children-in-law; brother-in-law; sister-in-law; guardian; ward; persons engaged in amorous relationships, an amorous relationship exists when, without the benefit of marriage, two persons voluntarily have a sexual union or are engaged in a romantic courtship that may or may not have been consummated sexually; and people living in the same household, who share a relationship comparable to immediate family members, if either occupies a position which requires influence over the other's employment, promotion, salary administration or other related management or personnel considerations

With respect to the concurrent service of closely related persons within the same academic division or other comparable institutional subdivision of employment, neither person shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other person.

When submitting an application for employment, job applicants are required to disclose their relationship to an MCC employee when the relationship is defined as closely related person. Employees who are in a closely related person relationship with a job applicant must notify Human Resources prior to the commencement of the search process. Any employee failing to disclose a closely related person relationship and/or found to be in violation of this policy and procedure may be subject to disciplinary action and/or dismissal from the College.

The rules concerning the employment of relatives, codified as 1C SBCC 200.98 of the State Board of Community Colleges Code are adopted by reference including any subsequent amendments and editions of these rules as they apply to the community college system employees. The provisions of this policy and procedure shall apply prospectively only, with reference to appointments made after the first adoption date of this policy.

(Procedure Amended December 6, 2023)

G. Rehired Retirees

It is the policy of Martin Community College that retired NC state employee can be rehired on an annual contract or temporary basis according to legislative guidelines. Retirees hired on an annual contract will earn pro-rated vacation and sick leave starting at the entry rate. Retirees will not receive monetary compensation for any accumulated vacation. Retirees' sick leave earnings will not be used to adjust retirement creditable service. Retirees will not be compensated for longevity. Retirees hired on a temporary basis will not earn benefits. Retirees will not be paid for the scheduled college breaks or holidays. Retirees will be paid on the basis of a monthly timesheet or contract per semester.

H. Probationary Period

Probationary appointments are prerequisite to regular full-time and permanent part-time employees who are first-time hired or rehired, after an absence of more than three (3) consecutive calendar months.

Probationary appointees shall be placed in probationary status for a twelve- month period. Should the probationary appointee's employment term expire before the probationary period is complete and the administration elects to nominate the employee for a new contract, the unused balance of the probationary period will carry forward to the next employment term until the probationary period is completed.

When, as a result of performance evaluations, it is determined that the probationary appointee's work performance is not meeting acceptable standards, the probationary period may be extended for a period of time as determined by the administration but shall not exceed a second twelve- month period.

During the probationary period, probationary appointees may be terminated for any reason not prohibited by law including, but not limited to:

- **The determination that the employee's performance indicates that he or she is not suited for the position and cannot be expected to meet acceptable standards**
- **Other causes related to the performance of duties**
- **Personal conduct detrimental to the institution**
- **Other reasons discovered in the verification of credentials and/or application information subsequent to the initial date of employment**

In such cases the probationary appointee shall be so notified in writing with confirmation of receipt not less than fifteen (15) consecutive calendar days prior to the termination date.

Probationary appointees shall have no right to an appeal if the probationary appointment is terminated or if a new contract is not offered at the end of the probationary period.

(Board policy adopted May 18, 1977; Revised April 20, 1983; Revised December 19, 2017)

I. Renewal of Contracts

On or before June 1, statements of intent to offer new contracts of employment in the next fiscal year shall be delivered to faculty and staff whom the college plans to re- employ. A statement of intent indicates that the college plans to offer a new contract for employment contingent upon the availability of sufficient funds in the judgment of the college President after receipt of the final budget information from the Community College System Office and consideration of other factors such as discontinuation or modification of a program, discipline, or department of instruction or insufficient enrollment in classes.

A statement of intent to return the next fiscal year should be signed by the employee and returned to the President or designee within ten (10) days of receipt of the College's letter of intent to offer a contract for the next fiscal year. Failure to do so will be interpreted that the employee does not desire

a new contract and that employment with the college will cease at the end of the current contractual period.

There shall be no obligation to employ an employee after a statement of intent has been signed and returned by the employee.

Section 4 Classification and Pay Plan

A. The Staff Classification Plan

The Staff Salary and Position Classification Plan was developed utilizing the National Position Evaluation Plan as a basis, modified to reflect language more applicable to a community College environment. The factors and criteria upon which each position is evaluated are more descriptive of the staff positions found in a community College and provide a more valid analysis in determining the differences between positions in terms of their relative requirements.

Each factor evaluated has up to six degrees with a weighted point factor assigned to each degree. Points are accumulated for each position and the total number of points for each position determines the level to which the position is assigned.

Each position is evaluated in terms of its minimum requirements to determine the degree of skill, effort, responsibility, and working conditions in relation to other positions within the College. The positions are evaluated without considering the qualifications of the incumbents or their rates of pay. Positions are also evaluated without regard to race, sex, age, national origin, veteran's status, and physical or mental handicap.

There is a total of 22 position levels in the plan. Each staff position at the College is assigned to one of those levels. The pay differential between each level is eight percent (8%).

B. Pay Plan

1. Maintenance of the Pay Plan

The President of the College, in consultation with the appropriate Vice President and the Executive Director, Human Resources, establishes salaries for all College employees other than the President whether part time, temporary or for full time positions. Salaries for staff are based on position level ranges and take into consideration qualifications, experience, and certain market factors.

2. Administration of the Staff Pay Plan

The Martin Community College Salary Plan was developed and implemented to determine the relative value of one job to another with Martin Community College (internal equity) as well as establish external "market" equity with other comparable jobs in the recruiting area outside the College. The Plan, as adopted by the Board of Trustees, includes both levels and ranges for all established staff positions as well as a method for computation of actual salary.

The President of the College, in consultation with the appropriate Vice President and the Executive Director, Human Resources, establishes salaries for all College employees other than the President

whether part-time, temporary, or full-time. Salaries for staff are based on position level ranges and take into consideration qualifications, experience, and certain market factors.

3. Staff Salary Computation Worksheet

The *Staff Salary Computation Worksheet – New Hires* is used to compute the annual salaries for newly employed staff or current part-time or temporary staff who transfer to a full-time position. Note: In the case of an employee who has been working part-time, each two years of part-time service will count as one year of full-time employment.

Faculty members who transfer to a staff position will have their annual compensation determined by completion of the *Salary Computation Worksheet – Faculty to Staff Transfers* (see the appropriate section under Faculty Pay Plan). This form should be prepared by the Human Resources department, signed by the Executive Director, Human Resources and approved by the appropriate Vice President and the President of the College. The form should be kept in the employee's personnel file.

In the event there is a shortage of qualified candidates available for the position or it is determined to be in the best interest of the College to employ an individual with a particular set of skills relevant to the position, a "demand factor" may be applied regardless of whether the salary computation is below of above the mid-point. Any requests for a demand factor must be approved by the President of the College.

4. Determination of New Position Level

The level of a new position in the Martin Community College Staff Salary Plan will be determined using the same criteria for evaluation of all staff position.

The appropriate Vice President, after consultation with the Executive Director, Human Resources, will make a recommendation to the College President who makes the final decision. The College may approve the use of an outside consultant to assist in this process and conduct all new position level assignments.

In the event the key job duties and responsibilities of an existing position are significantly changed, the appropriate Vice President, after consultation with the Executive Director, Human Resources, will make a recommendation to the President regarding whether or not it is, in fact, a new position or if it is an existing position that has had a significant change in duties. The President will determine whether the position is a new position or an existing "changed" position. Once the President makes this determination, the position will be evaluated and leveled in accordance with the College's approved process.

5. Hiring of Temporary and Part-Time Employees

Individuals hired for temporary and part-time assignments may not be hired at a rate greater than the minimum for the position level without approval of the President of the College.

6. Pay Rates in Promotion, Demotion, Transfer and Reclassification Reassignment to a Position in a Higher Level

Employees may be selected for a position in a higher level than their current assignment. When this happens, the employee will be eligible to receive an increase in pay to at least the minimum of the salary range of the new position level or an increase of 8%, whichever is greater. Any exception to this must be approved by the President of the College.

7. Reassignment to a Position in a Lower Level

If the assignment is to a level lower than the current level, the employee's new rate of pay will be determined as follows:

- If the reassignment to the lower level is required by the College, the employee will remain at his/her current rate, not to exceed the maximum of the new level to which the employee is assigned unless otherwise approved by the President.
- If the assignment to the lower level is the result of a request from the employee, the new rate of pay will be at the same point within the new range as the employee's previous rate of pay in the previous range, or the employee's salary as computed on the staff salary computation worksheet, whichever is greater.

Any exception to this must be approved by the President of the College.

8. Salary Increases Within an Existing Level

An individual salary increase may be considered when circumstances warrant it. This will generally be the result of an individual employee assuming additional duties and responsibilities that are not sufficient enough to warrant re-leveling of the position. Any request for a salary increase within an existing level must be within budgetary restrictions and have the final approval of the College President.

9. Placement of Faculty Employees Selected to a Staff Position

Faculty of the College who transfer to a "staff" position will have their beginning staff pay determined as follows:

- Once the level of the position has been determined, the salary will be computed using the *Staff Salary Computation Worksheet – Faculty to Staff Transfers*.
- The maximum salary for which the faculty member will be eligible shall be the mid-point of the position level salary range to which they are being assigned. Any pay assignment greater than the mid-point must be approved by the President of the College.

10. Placement of Staff Employees Selected for a Faculty Position

Staff of the College who transfer to a faculty position will have their beginning faculty rate of pay calculated in accordance with the *Faculty Salary Computation Worksheet*.

11. Determination of Existing Position Request for Re-leveling

If a position incurs significant change in duties/responsibilities, a *Request for Position Re-leveling* must be completed and submitted to the President. The President will either approve or disapprove the request. If approved, the request will be forwarded to the Executive Director, Human Resources who will review the request and make a recommendation to the President who will make the final decision.

The College may approve the use of an outside consultant to conduct all existing position requests for re-leveling. Request for re-leveling need not always result in an assignment to a new pay level.

12. Review of Pay Levels

To maintain the integrity of the Martin Community College Pay Plan and to ensure that the pay ranges in each level remain competitive with the "market", the College will periodically undertake a review of its pay levels.

13. Future Compensation and Compensation Beyond a Pay Level Maximum

It is understood that, under certain circumstances, an employee's salary may be more than the maximum of the range for that level. For future salary increases, employees whose pay is in excess of the level maximum may not be eligible for future increases except those mandated by the North Carolina General Assembly. It should be noted that any increase in salary will only apply to those staff members who are in good standing at the time of the adjustment.

14. Effective Date of Pay Plan

This pay plan, as voted on and approved by the College's Board of Trustees, is effective July 1, 2018 and replaces and supersedes any previous pay plans in effect prior to the adoption date.

15. Recognition of Advance Degrees

The College encourages its employees to improve their education by pursuing and achieving advanced degrees. Full-time faculty and staff in regularly allotted positions who earn an academic degree shall receive an annual salary increase equal to the amount shown in the chart below, if the faculty member is below the minimum of the new degree level, they will receive additional compensation to reach that level, as long as the following conditions are met:

- The employee must receive approval in writing from the President before the coursework begins
- The degree must be related to the employee's current or future employment with the College
- The employee must provide evidence of coursework completion and the degree awarded
- The degree must be conferred by an institution of higher education accredited by one of the six regional accrediting agencies recognized by the U.S Department of Education
- No increase shall be given for the attainment of the next higher degree to employees hired with the written understanding that completion of such a degree is a consideration for continued employment
- During periods of limited budget availability, the College may declare a moratorium on

implementing pay increases for earned higher degrees with the provision that employees who otherwise qualify would receive their increase at the beginning of the next fiscal year after which funds become available. In such cases, no retroactive increase will be provided to compensate for the moratorium period

Applications for recognition of an advanced or additional degree will be processed twice a year, July 1st, and January 1st. Applications must be received in the Human Resources office at least 6 weeks prior to these processing dates.
The amount of the annual pay increase shall be set in accordance with the following table:

Entry Level	Associates	Bachelors	Masters	Doctorate
Non-Degree	$500	$1000	------	------
Associates		$1000	------	------
Bachelors			$1500	------
Masters				$2500

16. Tuition Reimbursement

If a faculty or staff member is required to obtain a certification or higher degree because of the requirements of the College, the tuition and other directly related expenses may be reimbursed by the College. Upon completion of the certification or degree, the faculty or staff member will be required to remain employed at the College for a period of three years unless mutually agreed otherwise. If the employee leaves before the end of that period, he/she will be obligated to reimburse the College on a pro-rata basis. For example, if the employee leaves the College after one year, two-thirds of the tuition costs incurred must be paid back.

17. Payroll Procedures

A. Daily and Weekly Time Record

Employees not exempt from the Federal Fair Labor Standards Act shall maintain the Daily and Weekly Time Record. Exempt employees are not required to maintain the Daily and Weekly Time Record.

A copy of the employee's personal, computerized Daily and Weekly Time Record shall be placed in the employee's mailbox approximately one (1) week prior to the beginning of each work period. On a daily basis, the employee shall record the applicable data on the form. At the end of the work period, the employee shall sign the form and submit it to the administrative head for certification. If certified, the administrative head shall sign

the form and submit it to the leave clerk for posting. If not certified, the administrative head shall meet with the employee to resolve any discrepancies.

The leave clerk shall post the data contained on the Daily and Weekly Time Record within five (5) working days.

B. Leave Records

The College shall maintain a monthly crediting and balancing of an employee's leave records. Each employee shall be notified of leave balances monthly. For the leave categories indicated, the College shall retain leave records for all separated employees for the following periods of time:

- Annual Leave – Four (4) years from the date of separation
- Sick Leave – Indefinitely
- Overtime and Compensatory Leave – For the period of time specified by the Federal Fair Labor Standards Act
- Work Schedule Adjustments – For a period of two (2) years
- Other Leave Categories – As deemed appropriate

C. Payday

The regularly scheduled payday for all employees shall be the last working day of each calendar month except for the month of December. The December payroll shall be the last working day prior to the Christmas holidays.

D. Mandatory Payroll Deductions

In accordance with the rules and regulations governing them, the College is required to deduct the following items from employee's pay vouchers:

- Federal and State withholding taxes
- Social Security
- Retirement, when applicable
- Salary for absences from work not covered by leave benefits

E. Other Deductions

Other deductions may be made from the employee's pay voucher; however, the employee must first authorize the Business Office to make such deductions.

F. Direct Deposit

All full-time and part-time employees, with the exception of College Work study Students, are required to utilize the direct deposit system, unless otherwise approved by the President/Chief Financial Officer (CFO).

G. Employment Termination Requirements and Final Pay Voucher

Prior to issuing a permanent, contractual, or temporary full-time or part-time employee's final pay voucher, all college obligations must be satisfied. The Employment Termination Check List has been developed to aid the employee in the process of terminating employment at MCC. The checklist must be completed and submitted to the Executive Director, Human Resources on the employee's last working day at the College.

Hourly-paid instructional employees must clear his or her college obligations through his or her immediate supervisor.

An employee who does not satisfy his or her obligations will not receive his or her final pay voucher and may be subject to action by the State Attorney General's Office as referenced by N.C.G.S. §95-25.8(a)(2).
Final pay vouchers will be issued by the Business Office on the regularly scheduled payday.

H. Policy Regarding Failure of College Personnel to Meet Certain Obligations

MCC reserves the right to withhold the final paycheck and information regarding college personnel, current and former, if they fail to meet their financial obligations and reporting requirements to the College or if they fail to return all College property assigned to them. To the extent permitted by law, the records, including reference information and certification of employment, will not be processed.

(Board policy revised December 19, 2017)

C. Curriculum Faculty Pay Plan

The objective of the Martin Community Faculty Salary Plan is to have the salary of each full-time faculty member, depending on their years of service and academic degree, at or above the respective level. The scale was developed based on a curriculum faculty member's salary after thirty years being at least fifty percent higher than the State mandated beginning minimum salary for that degree. The fifty percent difference is divided into thirty equal steps. It is not the purpose of these scales to establish a salary range for a position but only to ensure that curriculum faculty members are being equitably compensated for their years of service by establishing a minimum required

salary levels, the scaled will be revised by increasing each step of the scale by the amount of the increase in the minimum salaries.

Each year, after the State has determined the amount of any State funded increases, the College will review faculty salaries to determine if any faculty member is below their appropriate level on the scale. The appropriate level on the scale is defined as one position higher than the employee's position on the scale in the previous year. If so, and subject to the availability of funds, an adjustment will be made in the respective curriculum faculty member's salary to bring them up to the appropriate point on the scale. An adjustment could be necessary if the State raised the minimum salary more than the general salary increase.

1. Faculty Salary Computation Worksheet

The *Faculty Salary Computation Worksheet* is used to compute the annual salaries of new faculty members or current staff members that are transferring to faculty. The explanations below will assist in the completion of the form. Note: In the case of an employee who has been working part-time, each two years of part-time service will count as one year of full-time employment.

- Years of directly related full-time experience at the College – This would generally be used for persons who are already employed by the College but who are transferring from staff to faculty.

- Post-secondary experience is considered to be full-time experience at an accredited institution of higher learning.
- Secondary experience is full-time experience at the high school level or lower.
- Years of full time documented non-teaching experience in specific field of instruction – This is experience directly related to the teaching position. An example would be someone who has been driving a tractor trailer being hired to teach in the truck driving training program.
- Years of adjunct or part-time experience relative to the College's assignment – This is experience that will assist in the performance of the faculty position. Two years of adjunct experience equals one year of experience for this calculation.
- Computed Monthly Salary – Use Addendum A to determine the appropriate salary.
- Monthly Added Compensation for Additional Duties – This would include any compensation that is added to the calculated salary to cover additional responsibilities above those of instructor.
- Multiple Discipline Supplement - If the candidate has a master's degree and sufficient additional hours to teach in another, related discipline, enter the appropriate supplement here.
- Market Demand – If it is deemed necessary, a recommendation can be made to the President, with proper justification, for additional salary above that calculated. Care should be taken to maintain equity among current employees. Only the President can approve a market demand adjustment.
- Length of Contracts – This line includes the number of months in the primary contract plus the number of months in any supplemental contracts.
- Total Annual Salary – This amount is the result of multiplying the total monthly salary by the total number of months in all contracts.
- This form should be prepared by the Human Resources department, signed by the Executive Director, Human Resources and approved by the appropriate Vice President and President. The form should be kept in the employee's personnel file.

2. Curriculum Faculty Contracts

The College has determined that the contracts for all full-time curriculum faculty will be nine months. Consequently, supplemental contracts for the appropriate additional duration will be written if additional course load demands it. The level of compensation for these supplemental contracts will be the same as the base contract.

3. Compensation for Additional Duties Above Those of Instructor Division Chairs

Division Chairs carry additional responsibilities over those of faculty. In recognition of those additional responsibilities, they will be paid a supplement of $500 per month immediately upon being named to the position. This position is generally a 10.5-month position and a contract will be prepared matching the length of the position. The monetary supplement will apply for all months, in addition, they may also be given release time.

At the point a faculty member no longer has the responsibilities of a Division Chair, the faculty member will forfeit the related salary supplement and any release time and will revert back to a nine-month contract. However, there will be no loss of years of service or any other benefits available to faculty.

4. Program Directors

Program Directors carry additional responsibilities over those of faculty. In recognition of those additional responsibilities, they will be paid a supplement of $250 per month immediately upon being named to the position. This position is generally a twelve-month position and a contract will be prepared matching the length of the position. The monetary supplement will apply for all months. In addition, they may also be given release time.

At the point a faculty member no longer has the responsibilities of a Program Director, the faculty member will forfeit the related salary supplement and any release time and will revert back to a nine-month contract. However, there will be no loss of years of service or any other benefits available to faculty.

5. Combined Stipend

If, because of the size of the program, an employee is serving in both the capacity of a Program Director and a Division Chair, the employee will receive the additional stipends shown above for both positions.

6. Faculty Overload Pay

Currently under review

7. Recognition of Advanced Degrees

See appropriate section

8. Tuition Reimbursement

See appropriate section

9. Summer Employment for Curriculum Faculty

Summer employment for nine-month faculty is not guaranteed. Provided that adequate enrollment exists, full-time nine-month faculty will be given the opportunity to teach summer courses. If adequate full-time faculty is not available to meet the summer demand, adjunct faculty may be used to meet the summer need. In all cases, the rate of pay for summer employment of full-time faculty will be the faculty adjunct rate.

10. Adjunct Faculty

It is understood that the College needs adjunct faculty to fulfill its educational requirements. When it becomes necessary to employ adjunct faculty in the curriculum programs, their compensation will be based on the state mandated adjunct rates. It is also understood that adjunct faculty do not receive any benefits available to full-time faculty such as medical coverage or retirement unless required by law.

11. Plan Implementation

For purposes of implementation of this plan and for establishing minimum equitable pay for all current faculty, only years of service at the College will be considered when calculating the minimum salary using the Faculty Salary Scale.

12. Exceptions

Exceptions to any policies or procedures contained in this Faculty Salary Plan can occur only upon the discretion of and approval by the President of the College. Such exceptions will occur when the President deems it in the best interests of the College to do so and will be documented appropriately for future reference.

13. Effective Date of Pay Plan

This pay plan, as voted on and approved by the College's Board of Trustees effective July 1, 2018, replaces and supersedes any previous pay plans in effect prior to the adoption date.

Section 5 Comprehensive Leave

A. Adverse Weather Conditions

When the College is in operation, employees who are unable to be present for work due to inclement weather or unexpected conditions will be required to use annual leave, leave without pay, compensatory leave or flex time. When the College is officially closed due to inclement weather or unexpected conditions the resulting absence of personnel during scheduled work time is considered as administrative leave with pay, part-time temporary employees are not compensated during a closing.

B. Annual Leave

A full-time or permanent part-time employee who is working or on paid leave for one- half or more of the regularly scheduled work hours in any month earns annual leave.

The rate of annual leave earned per month is based on the length of aggregate state service as defined below:

- Aggregate state service shall include, on a month-for-month basis, all permanent employment with the State, whether such service was with MCC or another state agency.
- Credit shall also be given for employment within a NC creditable service agency in accordance with NCGS § 135-4 and the most current Creditable Service Agency list published by the State Office of Human Resources.

Since full-time, non-instructional employees are scheduled to work the equivalent of eight (8) hours per day, annual leave rates are stated in terms of hours rather than days. Annual leave for full-time, non-instructional employees shall be computed at the following rates:

Years of Total State Service	Hours Accrued Each Month	Hours Accrued Each Year	Days Accrued Each Year
Less than 5 years	9 hrs. 20 mins.	112	14
5 but less than 10 years	11 hrs. 20 mins.	136	17
10 but less than 15 years	13 hrs. 20 mins.	160	20
15 but less than 20 years	15 hrs. 20 mins.	184	23
20 years or more	17 hrs. 20 mins.	208	26

A permanent part-time employee who is employed at a fixed monthly salary in a budgeted position for as much as half time shall earn annual leave on a pro-rata basis if the employee works one-half or more of the scheduled work hours in a month. The leave shall be computed as a percentage of the total amount earned by a full-time employee.

1. **Exceptions to Annual Leave**

Academic employees are not covered by the above annual leave policy. Academic employees are expected to be present for all scheduled classes, office hours, and workdays as prescribed by the college catalog and such other hours and days as may be necessary for the performance of their respective duties. However, academic employees shall be granted days off for not less than that which is specified in the schedule of non-academic employees with less than two years of aggregate state service, providing the College calendar permits.

2. **Maximum Accumulation of Annual Leave**

Annual leave may be accumulated without any applicable maximum until June 30 of each fiscal year. On June 30, full-time permanent and contractual employees with more than 240 hours of accumulated annual leave shall have the excess applicable accumulation transferred to sick leave so that only 240 hours are carried forward to July 1 of the next fiscal year.

On June 30, part-time permanent and contractual employees with accumulated annual leave exceeding a pro-rata amount of that earned by full-time employees shall have the excess applicable accumulation transferred to sick leave so that only the applicable pro- rata share is carried forward to July 1 of the next fiscal year.

Annual leave is not cumulative beyond the end of the fiscal year or the grant period for temporary employees.

Employees are cautioned not to retain excess accumulation of annual leave until late in the fiscal year due to the necessity to keep all college functions in operation. Large volumes of employees cannot be granted annual leave at one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having annual leave scheduled or in receiving any exception to the maximum accumulation allowed as of June 30.

3. Advancement of Annual Leave

The College may advance annual leave not to exceed the amount an employee can earn during the current fiscal year.

New employees may be granted annual leave only as it is earned through the first six months' service. After six months, an employee may be advanced that amount of annual leave, which is scheduled to be earned during the remainder of the fiscal year.

(Board policy adopted March 29, 1978; Revised August 3, 1983; Revised November 18, 2008; Reapproved December 19, 2017)

Only scheduled work hours shall be charged in calculating the amount of annual leave taken. Saturdays, Sundays, and holidays are charged only if they are scheduled workdays.

4. Scheduling Annual Leave

Annual leave should be taken only upon authorization of the appropriate college official who shall designate such time or times when it will least interfere with the efficient operation of the College. The minimum amount of annual leave, which may be taken, is one-half hour.

5. Year-End Excess of Annual Leave

On June 30 of each fiscal year, all permanent and contractual employees with excess accumulated annual leave shall have the excess accumulated transferred or rolled over to their sick leave account, subject to restrictions imposed by the State Employee's Retirement System.

6. Annual Leave Transfer to or from MCC

Unused annual leave may be transferred when an employee leaves MCC to accept employment with another state agency, providing the agency is willing to accept the leave; otherwise, the employee leaving the College will be paid in a lump sum for accumulated leave.

When an employee transfers to MCC from a state agency which qualified as state service as defined in Subsection II (A) (2) of these regulations, annual leave, not to exceed 240 hours, or any portion of unused leave may be transferred to the College.

7. Payment of Annual Leave Upon Separation

Lump sum payment for annual leave is made only at the time of separation. Permanent employees shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when separated from the College due to resignation, dismissal, reduction in force, death, service retirement, and leave without pay for military purposes.

Employees retiring on disability retirement may exhaust annual leave rather than being paid in a lump sum.

Contractual and temporary employees, full-time and part-time, do not qualify for a lump sum

payment for accumulated annual leave.

In calculating lump sum payment for annual leave, the following procedures shall be employed:

- **If the last day of terminal leave falls on the last working day in the month, the employee shall be paid for the remaining non-workdays in that month.**
- **The compensation reflected on the employee's base contract, converted to an hourly rate, should be used for calculating the amount of the lump sum payment of annual leave**
- **Should an employee be separated from the College before all the annual leave taken has been earned, appropriate deductions shall be made from the employee's final salary check for overdrawn leave.**
- **A county supplement paid in addition to a regular state salary shall not be considered in calculating lump sum payment for annual leave.**

Retirement deductions shall be made from all terminal leave payments.

Payment for annual leave may be made on a regular payroll or on a supplement payroll and will be charged to the budget subhead under which the employee's position was charged. Receipt of lump sum leave payments and retirement benefits shall not be considered as dual compensation.

In the case of a deceased employee, payment for unpaid salary, terminal leave, and travel must be made, upon establishment of a valid claim, to the deceased employee's administrator or executor. Payment must be made to the Clerk of Superior Court of the county of the deceased employee's residence (Note: NCGS§ 28A-2A).

During the period of terminal leave, an employee ceases to earn leave and increments and ceases to be entitled to take sick leave. The last day of work is the date of separation, except that when an employee exhausts sick leave and annual leave before disability retirement. In such cases, the date separated will be the ending date of annual leave and the employee continues to earn benefits during the period of exhausting leave.

(Board policy adopted February 11, 1976; Revised November 14, 1977; Revised March 29,1978; Revised March 21,1979; Revised March 18, 1981; Revised August 3, 1983; Revised November 18, 2008; Revised March 16, 2010; Revised July 18, 2011; Reapproved December 19, 2017)

C. Bereavement Leave

Policy:

Full-time and permanent part-time employees shall be granted up to three (3) consecutive, non-accruing workdays of paid bereavement leave for the death of an immediate family member.

Procedure:

Employees may elect to use sick, annual, flex, or accrued compensatory leave for bereavement needs exceeding three (3) days. If an employee has a positive flex or compensatory leave balance this leave

must be used first. A maximum of ten (10) days of sick leave may be taken in the case of death of an immediate family member.

Immediate family member is defined as an employee's spouse, parent, child, brother, sister, grandparent, and grandchild. The term also includes step, half, in-law relationships, or any person living within the employee's home for whom the employee may claim a deduction under section 151 of the Internal Revenue Code.

Employees shall not be permitted to accumulate bereavement leave. Time used for bereavement leave should be documented on the appropriate leave request form. The provisions covering bereavement leave shall not apply during an employee's scheduled vacation or other paid leave.

(Board policy adopted May 17, 2022)

D. Civil Leave

Jury Duty

When an employee is called for jury duty, the employee is entitled to leave with pay for the period of absence required. The employee is also entitled to regular compensation plus fees received for their service. The employee is required to provide documentation of their service with the leave request form.

Official College Business Court Attendance

When an employee attends court in connection with official college duties, the employee is considered to be at work and no leave is deducted. Fees received, as a witness while service in an official College role shall be turned in to the Business Office for deposit with the State. When an employee is required to attend court in an official College role on a day that the employee would normally be off, the time is considered as working time and included in the total hours worked per week.

Non-College Business Court Attendance

When an employee is subpoenaed or directed by proper authority to appear as a witness, civil leave with pay shall be granted. When an employee is on civil leave with pay for non-official court attendance, any fees received shall be turned in to the Business Office for deposit with the State. The employee may elect to use annual leave rather than civil leave with pay in which case any fees received may be retained by the employee. Employees are required to document absences with a request for leave.

(Board policy adopted July 1, 1973; revised March 29, 1979; Revised August 3,1983; Reapproved November 18, 2008; Revised December 19, 2017)

E. Compensatory Leave

Full-time and part-time employees not exempt from the Fair Labor Standards Act shall be granted compensatory leave for all overtime work on the basis of one and one-half hours for each hour worked

beyond forty (40) during a given workweek.

For all compensatory time earned on the basis of time-for-time for each hour worked, in half-hour units, or a combination of worked hours and approved leave beyond eight (8) on any given day during a workweek which includes a holiday and/or approved leave with the exception that the supervisor shall retain the right to flex the employees work schedule for compensatory time earned during a workweek which includes a request for leave.

Non-exempt employees may not accumulate more than 240 hours of compensatory time. An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation in cash for any additional overtime hours of work.

All compensatory time not taken by June 30 of each year shall be included in the employee's next regular paycheck.

1. Request for Approval of Overtime

All employees who are not exempt from the Federal Labor Standards Act must obtain written approval, in advance, from the administrative head to work overtime. The Request for Approval of Overtime shall be utilized for this purpose. Copies of the form are housed in the College's Central Supply Room. When a non-exempt employee is requesting or has been requested to work overtime, the employee shall record the applicable data on the Request for Approval of Overtime and submit it to the administrative head for consideration. If approved, the administrative head shall sign the form and return it to the requesting employee. If not approved, the administrative head shall notify the employee accordingly.

The Request for Approval of Overtime shall serve as documentation for overtime worked and shall be attached to the Daily and Weekly Time Record at the end of the work period.

2. Scheduling Compensatory Leave

Employees wishing to use earned compensatory time must make a written request to their immediate supervisor. Use of such time will be allowed within a reasonable period following the request as long as the use does not unduly disrupt the operations of the College. The minimum amount of compensatory leave, which may be taken, is one-half hour. Compensatory time must be used before vacation/bonus accrued leave is used.

3. Compensatory Leave upon Separation

Payment for accrued compensatory time upon termination of employment shall be calculated at the employee's final regular rate of pay.

If an employee transfers to a FLSA exempt position of the College before taking compensatory time, it shall be paid in the last paycheck before the transfer.

F. Community Service Leave

Full-time employees are granted eight (8) hours (prorated for eligible part-time employees) of paid

leave per fiscal year to promote involvement in community service activities and to promote involvement in the education of youth.

Community Service Leave may be approved for any of the following:

- **Parents for involvement with their child, stepchild, or child over whom the employee has legal custody at any elementary school, middle school, high school, or childcare program authorized to operate under the laws of the State of North Carolina**
- **Any employee for volunteer activity in the schools or not-for-profit community service**
- **Any employee for volunteering in a State of North Carolina Public University, Community College System or State agency provided that the service is outside of the employee's normal scope of duties and responsibilities and that the employee is not receiving any form of compensation for the services rendered**
- **Meeting with a teacher or administrator concerning the employee's child, stepchild, or child over whom the employee has legal custody at any elementary school, middle school, high school, or childcare program authorized to operate under the laws of the State of North Carolina**
- **Attending any function sponsored by the school in which the employee's child is participating. This provision shall only be utilized in conjunction with nonathletic programs that are a part or supplement to the school's academic or artistic program**
- **Performing school-approved volunteer service approved by a teacher, school administrator or program administrator**
- **Performing a service for a community service organization**
- **Performing volunteer service for a public university that is approved by a university administrator or other authorized university official**
- **Performing volunteer service for a community college that is approved by a community college administrator or other authorized university official**

Community Service Leave is not cumulative beyond the end of the College's fiscal year and is not transferable. Leave shall be taken only upon authorization and, when possible should be schedule when it least interferes with the operation of the college. A leave slip is required to be submitted to payroll through the employee's supervisor.

(Board policy adopted as Child Involvement November 18, 2008; revised July 18, 2011; revised as Community Service Leave December 19, 2017)

G. Education Leave with Pay

In accordance with NC State Board of Community College Code 1C SBCC 400.96 on Educational Leave, it is the policy of MCC to grant Educational Leave with Pay (only available to permanent full-time employees). If a course can be taken only during working hours, employees must request paid leave prior to the beginning of the course allowing sufficient time for the leave request to be reviewed.

Educational Leave with Pay may be granted unless the supervisor identifies responsibilities or assignments that will not permit the employee to be absent. Supervisors are encouraged to develop alternative work arrangements to complete the work assignments and grant education leave. Reasonable travel time as determined by the supervisor may be permitted to attend

approved courses. If management approves educational leave with pay, it shall not be charged to the employee's accrued leave and shall be recorded as "Educational Leave" and approved by management in the payroll system of record.

Educational leave during work hours shall not exceed one (1) course up to five hours of academic credit per academic term. Exceptions to the leave restriction may be addressed using the following Extended Education Leave provisions of this policy.

The purpose of this policy is to permit an employee to attend an accredited institution for the purpose of improving professional expertise in the employee's current position and/or meet accreditation requirements. Course work pursued under "Educational Leave with Pay" must be beneficial to the College and supportive of the College's mission. Approval of educational leave shall be contingent upon the necessary state funds being available in the budget, the benefit to the College, and the overall impact the leave will have on the daily operation of the College. Educational leave shall not be granted if it causes undue stress or hardship on the College.

(Board policy adopted June 8, 1978; revised August 3, 1983; revised May 14, 1997, to be effective July 1, 1997; revised November 18, 2008; revised December 19, 2017)

H. Faculty Personal Leave

Full-time faculty may take up to three (3) personal leave days, twenty-four (24) hours, per academic year. The leave should be requested in advance, when possible. Faculty are expected to make arrangements for their classes to be covered in their absence. Faculty are required to submit a leave request to the Division Chair with "personal leave" written on the form.

(Board policy adopted June 20, 1984; revised November 18, 2008; revised July 18, 2011; revised December 19, 2017)

I. Family and Medical Leave (FMLA)

The Family Medical Leave Act entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

1. Circumstances that qualify for FMLA

Eligible employees may take up to twelve (12) workweeks of FMLA in a twelve (12) month period for the following qualifying reasons:

- The birth of a child and to care for the newborn child within one (1) year of birth;
- The placement with the employee of a child for adoption or foster care for the newly placed child within one (1) year of birth or placement;
- To care for the employees' 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/her job

- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on "covered active duty" or call to active duty status, or, Twenty-Six (26) workweeks of leave in a single twelve (12) month period to care for a covered service-member with a serious injury or illness if the employee is the servicemembers' spouse, son, daughter, parent or next of kin (military caregiver leave).

2. Calculating FMLA Leave

The twelve (12) month period during which Family Medical Leave may be taken will be calculated on a "rolling" twelve (12) month period measured backwards from the date an employee uses any FMLA leave. Under the "rolling" twelve (12) month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the twelve (12) weeks which has not been used during the immediately preceding twelve (12) months.

3. Eligible Employees

Employees are eligible if they have worked for the College for at least one (1) year, does not need to be consecutive, and at least 1,250 hours during the 12 months preceding the leave request. When circumstances permit, employees are required to provide thirty (30) days' notice of their intent to take FMLA leave. Otherwise, notice should be provided as soon as reasonably possible.

4. Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider (HCP). A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same conditions may qualify as a serious health condition.

5. Spouses Working for the Same Employer

Eligible spouses are limited to a combined total of twelve (12) workweeks of leave in a twelve (12) month period to share for the following FMLA qualifying reasons:

- The birth of a child and bonding with the newborn child,
- The placement of a child with the employee for adoption or foster care, and bonding with the newly placed child, and
- The care of a parent with a serious health condition

6. Intermittent Leave or Reduced Schedule Leave

Employees may request to take intermittent or reduced schedule leave when there is a medical need for such leave for an employee's own serious health condition, to care for a spouse, parent, or child with a serious health condition, or to take care for a covered servicemember with a serious injury or illness.

Intermittent leave taken in separate blocks of time are limited to a single qualifying reason. An employee is also entitled to use intermittent or reduce schedule leave for qualifying exigencies. An employee is NOT entitled to take intermittent for the birth and care of a newborn child or for the placement with the employee of a child for adoption or foster care (unless Martin Community College

agrees to this arrangement).

If an employee requests intermittent leave or leave on a reduced schedule for planned medical treatment for this own serious health condition or that of a qualifying family member, the employee MUST make a reasonable effort to schedule the treatment so as to not unduly disrupt the employer's operations.

7. Communication with the Supervisor

Communication between the employee and supervisor ensures the FMLA process is administered consistently and within stated guidelines. Employees are required to provide periodic reports of status and intent to return to work. The employee must notify the supervisor at least two workdays prior to the date they intended to report back to work if the employee is unable to return on that date.

An employee may be required to furnish re-certification relating to a serious health condition to Human Resources no more than every thirty (30) days. Employees must follow the guidelines established on the FMLA forms received from Human Resources.

8. Return to Work

An employee may be required to provide a fitness-for-duty certification prior to returning to work if FMLA leave was taken for his/her own serious health condition. Upon returning to work the employee shall be guaranteed a position of the same classification and pay. Failure to return to work at the expiration of the leave, unless an extension has been granted, shall be considered resignation.

Where applicable and allowed by law, all leave taken under FMLA will run concurrently with any federal and state laws or college leave policies.

(Board policy adopted September 21, 1993; reapproved November 18, 2008; revised December 19, 2017; revised March 20, 2018)

J. Flex Time

At the discretion of the President or his or her designee, employees exempt from the Fair Labor Standards Act may be granted a flex work schedule.

The employee must obtain written approval, in advance, from his or her immediate supervisor for a work schedule adjustment, whether the adjustment involves hours worked in addition to the regular work schedule or hours not worked during the regular work schedule. The Request for Approval of a Work Schedule Adjustment shall be utilized for this purpose. Copies of the forms are housed in the College's Central Supply Room.

If approved, the administrative head shall sign the form and return it to the requesting employee. If not approved, the administrative head shall notify the employee accordingly.

The Request for Approval for a Work Schedule Adjustment shall be submitted to the leave clerk at the end of each calendar month.

1. Amount of Flex Time Accrued

With the exception of senior administrators, exempt employees may accrue up to forty (40) hours of flextime, senior administrators may not accrue flex time. Work schedule adjustments will be made and approved on a weekly basis by the President.

2. Scheduling Flex Time Off

Employees wishing to schedule flextime off must make a written request to their immediate supervisor. Use of such time will be allowed within a reasonable period following the request as long as the use does not unduly disrupt the operations of the College. The minimum amount of flextime off which may be taken in one-half hour increments.

If approved, the administrative head shall sign the form and return it to the requesting employee. If not approved, the administrative head shall notify the employee accordingly.

The Request for Approval for a Work Schedule Adjustment shall be submitted to the leave clerk at the end of each calendar month.

3. Flex Time upon Separation

For exempt employees, flextime is lost when an employee is separated from the College. The employee's separation date may not be moved forward to pay for accrued flextime.

When an employee is requesting or has been requested to work adjust his or her work schedule, the employee shall record the applicable data on the Request for Approval of a Work Schedule Adjustment and submit it to the administrative head for consideration. Note: The Request for Leave Form should not be used to request a work schedule adjustment.

At the end of the calendar month, the employee shall submit the form to the leave clerk for posting.

(Board Policy Adopted July I, 1976: Revised March 21, 1979: Revised August 3, 1983; Reapproved December 19, 2017)

K. Furlough Policy

In the event of insufficient State, Local or Institutional funds during the term of an employee's contract, the President shall have the sole discretion to implement a furlough of employees paid from that fund source. In the event insufficient funds do not exist in all fund sources, the President shall have the authority to furlough all employees if he/she considers that to the in the best interest of the College. The procedures for implementing the furlough leave for employees shall be determined by the President. If the provisions of this policy are inconsistent with any applicable Federal or North Carolina laws, the Federal and/or North Carolina laws shall govern.

(Board policy revised July 21, 2009; revised December 19, 2017)

L. Holidays

The following twelve (12) days have been adopted as holidays:

- New Years' Day
- Martin Luther King Jr. Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving & the following day
- Christmas Day & two (2) other days

All employees who are considered annually appointed and receive a yearly employment contract for a permanent position shall receive these holidays off with pay. All others will receive these holidays off without pay. If an employee is required to work on a scheduled holiday the employee will be given the time off at a later date that is convenient for the institution.

During the time the College is closed at the end of the Fall semester through the New Year's holiday, excluding the paid holidays, employees must use accrued vacation, bonus, or compensatory time in order to receive pay for these days. Employees who do not earn leave will not be paid for the time off.

Employees who wish to use leave for religious observances must request leave from their respective supervisor. Leave requests for religious observance may only be denied when granting the leave request would create an undue hardship for the College.

Employees who are on leave in a non-pay status (unpaid leave, suspension, etc.) for the entire day before a holiday shall not be eligible to receive payment for that holiday or any holiday that occurs while the employee is on such leave.

Employees who have been assigned to a non-institutional workstation (county school, etc.) will observe the same holiday and work schedules of the non-institutional agency or employer.

(Board policy adopted March 16, 1977; revised June 8, 1978; revised March 18, 1981; Revised August 3, 1983; reapproved November 18, 2008; revised March 19, 2016; reapproved December 19, 2017)

M. Military Leave

The rules concerning military leave, codified as 1C SBCC 400.97 are adopted by the reference including any subsequent amendments and editions of these rules as they apply to community college system employees.

(Board policy adopted February 11, 1976; revised November 18, 2008; reapproved December 19, 2017)

N. Paid Parental Leave

In order to assist and support employees in balancing work and family obligations, Martin

Community College will provide eight weeks of fully paid leave to an eligible employee who has given birth to a child or four weeks fully paid parental leave to an eligible employee in other circumstances involving the birth of a child or the adoption, foster placement, or other legal placement of a child.

This policy will be in effect for births or adoptive, foster, or other legal placements occurring on or after January 1, 2020.

(Board policy adopted January 21, 2020)

1. Definitions

"Eligible Employee" – A full-time or permanent part-time employee who has been continuously employed by the College for the immediate twelve (12) preceding months and is eligible for Family and Medical Leave (FMLA).

"Paid Parental Leave" – Eight (8) weeks (320 hours) of 100% paid leave to be provided to a full-time eligible employee upon the employee giving birth or four (4) weeks (160 hours) of 100% paid leave to be provided to a full-time eligible employee after any other Qualifying Event. Leave for a permanent part-time eligible employee shall be on a prorated basis.

"Qualifying Event" – The birth of a child to an eligible employee, or the adoption, foster care placement, or other legal placement of a child with an eligible employee.

2. Guidelines

A. Martin Community College shall provide Paid Parental Leave to eligible employees upon a qualifying event.
B. Paid Parental Leave shall be used within twelve (12) months of the qualifying event, follows FMLA guidelines.
C. Employee will be compensated at 100% of the employee's regular pay.
D. Eligible employees who are both employed by the College are eligible for Paid Parental Leave and leave may be taken simultaneously or at different times.
E. Paid Parental Leave shall run concurrently with FMLA. Employees may charge annual/sick leave or take leave without pay to cover the additional absence after the end of Paid Parental Leave.
F. Paid Parental Leave shall not be counted against or deducted from the eligible employee's accrued leave.
G. Paid Parental Leave may be used only once for a qualifying event within a rolling twelve-month period.
H. If leave is needed prior to the qualifying event, other leave shall be utilized in accordance with the College's leave policy. Paid Parental Leave shall not be used prior to the qualifying event.

3. Employee Obligations

Eligible employees are required to follow FMLA guidelines for requests of leave and submit appropriate documentation of the qualifying event.

O. Personal Observance Leave

Policy

Full-time employees shall be granted one day (8 hours hours) of paid Personal Observance Leave each calendar year. Permanent part-time employees will receive a prorated amount. Personal Observance Leave may be used for any single day of personal significance. This includes, but is not limited to, days of cultural or religious importance.

(Board policy adopted July 26, 2022)

Procedure

Personal Observance Leave may be used for a day (8 hours) of cultural importance, religious importance, or personal significance. Supervisors should not require justification from the employee to utilize Personal Observance Leave.
Personal Observance Leave must be used in its entirety, on a single day of scheduled work. It may not be used in lieu of sick leave.

Personal Observance Leave has no cash value and cannot be converted into retirement credit. Employees shall not be paid for unused Personal Observance Leave at separation. This leave shall not be payable upon death of an employee during active service.

Personal Observance Leave shall not be applied to existing negative leave balances. This leave shall not be donated under the Voluntary Shared Leave policy.

Personal Observance Leave not taken by the end of the fiscal year is forfeited; it shall not be carried into the next fiscal year.

Personal Observance Leave is transferrable to other participating agencies.

Employees should request Personal Observance Leave in advance and in accordance with their department's leave request procedure. Supervisors are encouraged to accommodate employees who request this leave; however, the supervisor may require that the Personal Observance Leave be taken at a time other than the one requested, based on the needs of the College. Time used for personal observance should be documented on the appropriate leave request form.

P. Personal Wellness Leave

Policy

Full-time employees shall be granted one day (8 hours) of paid Personal Wellness Leave each calendar year. Permanent part-time employees will receive a prorated amount. Personal Wellness Leave may be used for any single day in which an employee would like to focus on their personal wellness. Personal Wellness Leave may be used for mental, emotional, or physical wellness reasons.

(Board policy adopted July 26, 2022)

Procedure

Personal Wellness Leave is intended to allow eligible employees a day off work to focus on their personal wellness and health. Employees are encouraged to use this leave in a manner that will allow them to sustain or improve their overall wellness.

Supervisors should not require justification from the employee to utilize Personal Wellness Leave.

Personal Wellness Leave must be used in its entirety, on a single day (8 hours) of scheduled work.

Personal Wellness Leave has no cash value and cannot be converted into retirement credit. Employees shall not be paid for unused Personal Wellness Leave at separation. This leave shall not be payable upon death of an employee during active service.

Personal Wellness Leave shall not be applied to existing negative leave balances. This leave shall not be donated under the Voluntary Shared Leave policy.

Personal Wellness Leave not taken by the end of the fiscal year is forfeited; it shall not be carried into the next fiscal year. Personal Wellness Leave is not transferrable to other agencies.
Employees should request Personal Wellness Leave in advance and in accordance with their department's leave request procedure. Supervisors are encouraged to accommodate employees who request this leave; however, the supervisor may require that the leave be taken at a time other than the one requested, based on the needs of the College. Time used for personal wellness should be documented on the appropriate leave request form.

Q. Shared Leave

The purpose of the Voluntary Shared Leave Program is to allow an employee to donate leave, as allowed in this rule, to an employee who has been approved to receive leave through the Voluntary Shared Leave Program because of a medical condition of the employee or of a member of the employee's immediate family that will require the employee's absence for a prolonged period of time.

In cases of a prolonged medical condition an employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of another employee, from the sick leave or vacation account of an immediate family member as defined below or from the sick leave account of a non-family member as defined below.

For purposes of this Rule, prolonged medical condition means medical condition that is likely to require an employee's absence from duty for a period of at least 20 consecutive workdays.

If an employee has had previous absences for the same condition that has caused the employee to not have enough leave to cover the new need for leave or if the employee has had a previous, but different, prolonged medical condition within the last 12 months, the college may waive the requirement that the employee be absent from duty for a period of 20 consecutive workdays to participate in the program.

An employee who receives benefits from the Disability Income Plan of North Carolina (DIPNC) is not eligible to participate in the shared leave program. Shared leave, however, may be used during the

required waiting period and following the waiting period provided DIPNC benefits have not begun.

Participation in the voluntary shared leave program shall be limited to 1,040 hours, (prorated for part-time employees), either continuously or, if for the same condition, on a recurring basis. However, management may grant employees continuation in the program, month by month, for a maximum of 2,080 hours, if management would have otherwise granted leave without pay.

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

Non-qualifying conditions: This leave does not apply to short-term or sporadic conditions or illnesses that are common, expected or anticipated as determined by the college president or the college president's designee. This includes such things as sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term, recurring medical or therapeutic treatments. These examples are illustrative, not all inclusive. Each case must be examined and decided based on its conformity to the intent of this Rule and must be applied consistently and equitably.

For purposes of Shared Leave, immediate family is defined as:

- Spouse: a husband or wife
- Parent: a biological or adoptive parent, an individual who stood in loco parentis (a person who is in the position or place of a parent) to an employee when the employee was a child, a step-parent, in-law relationships
- Child: a son or daughter who is a biological child, an adopted child, a foster child (a child for whom the employee performs the duties of a parent as if it were the employee's child), step-child (a child of the employee's spouse from a former marriage), a legal ward (a minor child placed by the court under the care of a guardian), a child of an employee standing in loco parentis, in-law relationships
- Sister or brother - biological, adoptive (including step-, half- or in-law relationships)
- Grandparents, great grandparents, grandchildren, great grandchildren (including step relationships)
- Other dependents living in the employee's household

Administration of Shared Leave

All colleges shall develop policies and procedures to implement the voluntary shared leave program. Colleges shall not establish a leave "bank" for use by unnamed employees. Leave shall be donated on a one-to-one personal basis.

Qualifying to Participate in Voluntary Shared Leave Program

To participate in the Voluntary Shared Leave Program, an employee shall meet the following conditions:

- A donor or recipient shall have a half-time or more permanent, probationary, or time-limited

appointment (The limitation and leave balance for permanent part- time employees shall be prorated);
- A recipient shall apply or be nominated by a fellow employee to participate in the program;
- A recipient shall produce medical evidence to support the need for leave beyond the available accumulated leave; and
- The parent college shall review the merits of the request and approve or disapprove according to these Rules.

Donor Guidelines for Shared Leave

- An employee of a community college may donate vacation leave, bonus leave or sick leave to an immediate family member in any State agency, public school, or community college.
- An employee of a community college may donate vacation or bonus leave to a coworker's immediate family member who is an employee in a state agency or public school provided the employee and coworker are at the same college.
- An employee may donate vacation, bonus, or sick leave to another employee at a community college in accordance with the provisions of this Rule.
- An employee of a community college may donate up to five days of sick leave to a non-immediate family member employee of a community college.

The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed 20 days per year as defined by local college policy. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave.

The minimum amount of sick leave or vacation leave to be donated is four hours. An employee family member donating sick leave to a qualified immediate family member under the Voluntary Shared Leave program may donate up to a maximum of 1040 hours but may not reduce the sick leave account below 40 hours.

The maximum amount of vacation leave allowed to be donated by one individual is the amount of the individual's annual accrual rate. However, the amount donated shall not reduce the donor's vacation leave balance below one-half of the annual vacation leave accrual rate. Bonus leave may be donated without regard to this limitation.

An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using annual leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. The donation of leave is confidential, and only those individuals authorized under G.S.115D-29 to access employee personnel file information may view donation information consistent with G.S. 115D-29. Recipients of voluntary shared leave shall not have access to information about individuals who donated leave. The employee donating leave shall not receive remuneration for the leave donated.

Shared Leave Accounting Procedures

The following conditions shall control the accounting and usage procedures for leave donations in the

Voluntary Shared Leave program:

- The community college may establish a specific time period during which leave can be donated.
- All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis or may be retroactive for up to 60 calendar days to substitute for advanced vacation or sick leave already granted to the recipient or to substitute for leave without pay. Donated leave shall be applied to advanced leave before applying it to leave without pay.
- At the expiration of the medical condition, as determined by the community college, any unused leave in the recipient's donated leave account shall be treated as follows:
- The recipient's vacation and sick leave account balance shall not exceed a combined total of 40 hours (prorated for part-time employees).
- Any additional unused donated leave shall be returned to active (working or on leave without pay) donor(s) on a pro rata basis and credited to the leave account from which it was donated.
- If a recipient separates due to resignation, death, or retirement from state government, participation in the program ends. Donated leave shall be returned to active donor(s) on a pro rata basis.

Contains changes. Copied from NCCCS attorney's list of required policies.

(Board policy adopted November 18, 2008; reapproved December 19, 2017)

R. Sick Leave

A full-time employee who is working on or paid leave for one-half or more of the regularly scheduled work hours in any month shall earn sick leave at the following rates:

Hours Earned Each Month	Hours Earned Year
8	96

A part-time permanent employee who is employed at a fixed monthly salary in a budgeted position for as much as half time shall earn sick leave on a pro-rata basis if the employee works one-half or more of the scheduled work hours in a month. The leave shall be computed as a percentage of the total amount earned by a full-time employee.

Accumulation of Sick Leave

Sick leave for permanent full-time and permanent part-time employees is cumulative indefinitely.

Advancement of Sick Leave

The College may advance sick leave not to exceed the amount an employee can earn during the current fiscal year.

Leave Charges for Sick Leave

The minimum amount of sick leave, which may be taken, is one-half hour. Only scheduled work hours

shall be charged in calculating the amount of leave taken. Saturdays, Sundays, and holidays are charged only if they are scheduled workdays.

Uses of Sick Leave

- Illness or injury, which prevents an employee from performing his or her duties
- Medical, dental, pregnancy (m/paternity) and ophthalmologic appointments
- Quarantine due to a contagious disease in the employee's immediate family
- Maternity related disability
- Sick leave shall be granted for illness of a member of an employee's immediate family, confined to spouse, parents, children, legal guardian, or other dependent living in the household
- Bereavement

Sick leave is not transferable to any other type of leave.

Verification of Sick Leave

The College may require a statement from a medical doctor or other acceptable proof that an employee was unable to work.

Transfer of Sick Leave from excess Year-End Annual Leave

On June 30 of each fiscal year, employees with excess accumulated annual leave shall have the excess accumulation transferred or rolled over to their sick leave account, subject to restrictions imposed by the State Employee's Retirement System.

Transfer of Sick Leave to and from MCC

Unused sick leave shall be transferred when an employee leaves MCC to accept employment with another state agency providing the agency is willing to accept the leave.

When an employee transfers to MCC from a state agency, which qualifies as state service as defined in Subsection (A) (2) of these regulations, sick leave may be transferred to the College.

Sick Leave Upon Termination

Sick leave is not allowable in terminal leave payments when an employee terminates service with the College. Should an employee be terminated before all the sick leave has been earned, appropriate deductions shall be made from the employee's final salary check for the amount of the overdrawn leave.

Sick leave shall be exhausted before going on leave without pay because of extended illness. While an employee is exhausting sick leave, all benefits for which the employee is entitled are earned.

Reinstatement of Sick Leave

Employees terminated from the College because of a reduction in force shall be credited with accrued sick leave if reinstated within one year.

Employees granted leave without pay shall be credited with accrued sick leave if reinstated before the termination date of such leave.

If an employee is terminated from the College for other reasons and is reinstated within one year from the date of the last workday, the College may consider reinstatement of sick leave credits accumulated at the time of separation.

Retirement Credit- Sick Leave

One month of credit is allowed for each twenty (20) days, or any portion thereof, of sick leave to an employee's credit upon retirement.

Sick Leave without Pay

Refer to policies relative to the Family and Medical Leave Act relative to a leave of absence without pay.

(Board policies adopted October 10, 1973; Revised February 11, 1976; RevisedMarch 16, 1977; Revised March 13, 1979; March 29, 1978; Revised March 18, 1981; Revised August 3, 1983; Revised November 8, 2008; Revised July 18, 2011; Reapproved December 9, 2017)

Section 6 Benefits

MCC employees receive several benefits in addition to their monetary compensation. Many of these benefits are common to all employees while others vary depending upon the employee's type of appointment. Each benefit is listed and briefly described below.

A. Employer Paid Benefits

Retirement

Each employee with a full-time annual appointment will be enrolled in the North Carolina Teachers' and State Employees' Retirement System. Employees contribute, through payroll deduction, six percent (6%) of their gross salary each month to the system. The College contributes an amount determined by the legislature as a percentage of the gross payroll each month to the retirement system.

Death Benefit

Full-time employees who pass while employed at the College or within sixty (60) days after retirement with at least one year as a contributing member of the Retirement System, the employee's beneficiary will receive a lump sum payment of the employee's current salary. Although subjects to change by the legislature, the minimum benefit is $25,000 and the maximum benefit is $50,000.

Disability Salary Continuation

A disability salary continuation plan is provided for all full-time permanent employees. To be eligible for benefits, an employee must have one year of state service when the disability begins and must be

disabled for more than ninety (90) days. The plan covers periods of disability resulting from illness or injury, on or off the job.

Social Security

The College, to the extent of its lawful authority and power, shall extend social security benefits for its eligible employees in accordance with the provisions of the Social Security Act. The federal Social Security Program provides monthly benefits upon retirement, with full benefits available at age sixty-five (65) and reduced benefits available as early as age sixty-two (62).

Workers' Compensation

Provides coverage to all employees to cover medical expenses and lost time from work due to most work-related injuries. Upon non-emergency injury please contact Human Resources immediately to obtain information on where to receive covered medical treatment. Use of non-specified medical treatment facilities for work related injuries will result in medical claims being unpaid. In case of medical emergency seek treatment at the closest medical facility. Employees are required to submit accident forms within 5 days along with a supervisor's report. Forms are available in the Human Resources Office.

Medical Insurance

The College provides individual medical insurance for full-time permanent employees. Employees shall be enrolled in the programs in accordance with the provisions of the insurance contracts.

Deductions shall be allowable, at the option of the employee, for dependent medical insurance in accordance with the provisions of the insurance contract.

Unemployment Compensation

College employees who are laid off or dismissed from College service may apply for unemployment compensation through the local office of the Employment Security Commission (ESC). Eligibility for unemployment will be determined by the ESC.

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Longevity

Permanent full-time and part-time employees with ten (10) years of aggregate service will receive a longevity payment on their yearly longevity anniversary date. The amount of longevity pay is based on the length of aggregate state service and a percentage of the employee's annual rate of pay on the date of eligibility. The years of service and percentage rates are:

Years of Aggregate State Service:	Longevity Rate:
10 years but less than 15 years	1.50%
15 years but less than 20 years	2.25%
20 years but less than 25 years	3.25%
25 or more years	4.50%

The rules concerning longevity benefits are codified in 1C SBCC 400.98. A copy of the regulations may be inspected in or obtained from the Human Resources Office.

B. Employee Paid Optional Benefits

Credit Union

The State Employees' Credit Union is open for membership to all qualifying community college employees. Members are eligible for loans and may deposit savings with the Credit Union. The Credit Union also maintains a checking account service.

Other Insurance and Voluntary Contributions

Other group insurance programs and voluntary contributions are offered through payroll deduction. Contact the Human Resources Office for more information.

Section 7 Employee Development

A. Performance Appraisals

Purpose

The purpose of performance appraisals is to ensure quality performance, retain qualified employees, and facilitate the communication of expectations between supervisors and employees. An appraisal offers supervisors and direct reports the opportunity to discuss current performance deficiencies (if any), relevant future goals, career goals, and career advancement goals. Comparisons are only to be made between the employee's performance and the current job description on file in Human Resources. ***This annual process is not intended to replace regular, constructive, communication between employee and the supervisor in regard to overall work performance.***

The responsibilities of the employee during the appraisal process include:

- Understanding the responsibilities of the position
- Understanding the expectations of the supervisor
- Maintaining open and candid communication
- Exploring ways to do the job better
- Providing feedback to the supervisor regarding his/her support for the employee

The responsibilities of the supervisor during the evaluation process include:

- Providing support and guidance so the employee is able to perform to his/her fullest
- Keeping notes throughout the year regarding the employee's performance in order to give the employee specific feedback in the appraisal (The supervisor should give praise and address concerns as they arise)
- Creating an atmosphere where both parties can dialogue candidly
- Requesting feedback on how to be a more effective supervisor

Policy

An Employee Performance Appraisal will be completed for each annually appointed employee and coincides with the college's fiscal year (July 1st – June 30th).

Procedure

1. During the review period:
    a. The employee and supervisor will communicate formally and informally as needed. Supervisors should record, in writing, the topics discussed during such performance discussions as a memo of record.
    b. The employee and his or her supervisor should review the employee's performance objectives during the mid-year review. This should be completed prior to the College closing in December.

2. At the end of the review period, the employee receives an overall performance assessment.
    a. elf-Evaluations: The employee will evaluate his or her own job performance and provide a copy to the supervisor for consideration in the performance appraisal. Supervisors should distribute self-evaluations to their direct reports and provide a due date to submit back to the supervisor.
    b. Supervisors must complete an Employee Performance Appraisal form for each annually appointed employee.
    c. Prior to the discussion with the employee, the supervisor's supervisor should be briefed if the employee's overall rating is "does not meet expectations."
    d. The supervisor will conduct an appraisal review with the employee. Both will sign the form and may write comments.
    e. The supervisor should provide a copy to the employee of the completed, signed appraisal.
    f. Once all appraisals are completed, the supervisor will forward the original Employee Performance Appraisals to the Human Resources office for filing by the deadline listed in section 12.

3. During the Employee Performance Appraisal review, the employee and supervisor will review the employee's job description and establish performance objectives and/or goals for the next review period.
    a. The job description should be updated, as needed, by the supervisor with input from the employee and signed by both the supervisor and employee. The appropriate senior administrator will review and approve the updated job description. Human Resources will receive the approved job description for any further review and for updating the records of the college.
    b. The supervisor and employee will establish performance objectives and/or goals for the employee as well as identify professional development activities for the upcoming year.

        1. Objectives should be established and written using S.M.A.R.T goal criteria.
            a) Specific
            b) Measurable
            c) Attainable
            d) Relevant
            e) Time Bound

    Goals and professional development should be able to tie back to the college's initiatives and institutional strategic goals.

4. If an employee changes supervisors and has worked for the current supervisor for at least ninety days (90), a performance appraisal will be completed according to the end of the review period procedures.

5. Employees reporting to more than one supervisor should have an Employee Performance Appraisal completed by one supervisor. The supervisors will determine the appropriate individual to complete the Appraisal, and the employee will be notified appropriately which supervisor will conduct the review.

6. Student evaluations will be completed each semester on full-time faculty. Student evaluations will be taken into account by faculty supervisors when completing the Employee Performance Appraisal.

7. Supervisors will conduct at least one classroom observation of full-time faculty using the Faculty Teaching Observation form and include a copy of the same with the annual performance appraisal.

    Supervisors should also consider the quality of faculty members' course sites and a review of online components as part of the appraisal process.

    a. Classroom observations may be used to document performance appraisal requirements for part-time faculty instructors in lieu of using the full-time appraisal form.
    b. For faculty teaching solely online, supervisors will evaluate the course web sites as part of the appraisal.

8. If an employee receives an overall “does not meet expectations” rating on his or her annual performance appraisal, a “Performance Improvement Plan” (PIP) - (see MCC intranet for forms) must be prepared with Human Resources and attached to the signed appraisal documenting the expected changes needed to improve performance or behavior.

    a. The PIP may also be used any time an employee’s performance or behavior fails to meet the supervisor’s expectations. PIP forms must be approved by the President prior to submission of the “does not meet expectations” appraisal and accompanying PIP to the Human Resources office for inclusion in the personnel file.
    b. If the employee does not make the expected performance or behavior improvements within a specified time period, the employee may be further disciplined in accordance with policies and procedures of the college. *The employee should, at all times, be aware of poor performance prior to the official evaluation through regular communication with their supervisor*.

9. For all new annually appointed employees a performance appraisal will be conducted at the ninety-day (90) mark.

    Supervisors are always responsible for the continuous appraisal of employees’ performance, especially during the first year of employment.

10. For part-time faculty, supervisors or designees will conduct at least one classroom observation per year and at least one student evaluation of faculty per semester. Annually appointed part-time staff should be appraised using the full- time appraisal form. For all new part-time faculty, classroom observations and feedback should be conducted during the initial semester of employment.

11. All appraisals and observations shall be kept confidential.

12. The review period shall begin at the beginning of the fiscal year or at the time employment begins (new employees). The review period shall end at the time the supervisor shares the Employee Performance Appraisal with the employee.
    a. All nine (9) month employee evaluations and renewal/non-renewal recommendations should be submitted to Human Resources by April 1st.
    b. All others employee evaluations and renewal/non-renewal recommendations should be submitted to Human Resources no later than May 1st.

B. Professional Development

Professional development is an essential component of MCC. The College’s professional development program has the two-fold purpose of providing professional development activities to enhance organizational efficiency and effectiveness through the development of all employees and to ensure that each faculty member maintains the knowledge base and skills necessary to prepare students for careers in an increasingly high-tech society.

C. President’s Evaluation

The MCC Board of Trustees shall evaluate the President annually and shall report the results to the

Chair of the State Board of Community Colleges. The evaluation shall be in compliance with 1C SBCCC 300.98.

Section 8 Separation, Disciplinary Action, Due Process and Grievance

1. Separation

All separations of employees from positions in the service of the College shall be designated as one of the following: disability, death, dismissal, non-renewal, reduction in force, resignation, or retirement.

Disability

An employee with a full or part time appointment may be separated for disability when the employee cannot perform the essential functions of the position even with reasonable accommodation. Action for disability separation may be initiated by the employee or the College, but in all cases consideration for disability separation shall be supported by medical evidence as certified by a competent physician. The College may require a physical and/or mental examination at its expense and by a physician of its choice. Payment for disability requires membership in the NC State Retirement system and employees are subject to the plan's requirements for eligibility.

Dismissal

An employee may be terminated during contract for just cause. "Just Cause" includes, but may not be limited to the following:

- Inadequate performance, insubordination, neglect of duty, or participation in or incitement of a substantial disruption in the operations of the college
- Conviction of a felony or a crime involving moral turpitude
- Inability, physical or mental, to perform the essential functions of the employee's position unless the employee can perform those essential functions with a reasonable accommodation, as provided by law
- Failure to comply with the laws of the State of North Carolina, policies, rules or regulations of the State Board of Community Colleges, the Board of Trustees of MCC, or any lawful directives of the President of the College or the President's duly designated designee

A notice of dismissal or notice of non-renewal shall be sent by registered or certified mail, return receipt requested, or hand delivered to the employee by the supervisor or delegate with a signed acknowledgement that the letter was received by the employee.

Any hearing required or contemplated by these regulations shall be conducted in closed session (unless prohibited by law) by either the full Board of Trustees or by a committee of Trustees appointed by the Chair of the Board.

Non-Renewal

North Carolina is an "at will" state. At will means the institution does not have an obligation to renew the contract of an employee at the end of the contractual period. It also means the non-renewal of an employee's contract is not subject to the grievance procedure and/or the due process rights set forth

herein.

If the intent of the college is not to offer a new contract of employment, the President or his/her designee shall notify the employee by June 1. For employees, whose contract expires prior to the end of the fiscal year, at least thirty (30) days advance notice shall be given.

Reduction in Force

The Board of Trustees of MCC, upon the recommendation of the President, has the right to reduce College personnel in the event of:

- Declines in student enrollment
- Financial exigency
- Program or organizational changes for demonstrable, bona fide institutional reasons

Termination of employees through reduction in force shall not occur until every feasible alternative available to avoid it has been exhausted. However, in the event a reduction in force is necessitated; the College is committed to a rational, consistent and nondiscriminatory means of providing for an orderly reduction in College personnel. All contract terminations resulting from a reduction in force circumstance must be approved by the Board and must be made in accordance with the provisions of these regulations.

The President shall monitor the availability of financial resources, program needs, College enrollment, and staffing requirements and shall report his or her conclusions for significant budget realignment to the Board of Trustees.

If the Board, in consultation with the President, decides that (a) state of financial exigency exists or is imminent, or a significant decline in student enrollment has occurred, or is anticipated considered and (b) termination of employment of one or more employees may be required as a consequence of any of these circumstances, it shall prepare a statement that identifies with reasonable particularity the state of financial exigency, decline in student enrollment, or the program or organizational change. The statement shall outline in terms as specific as circumstances permit the options readily apparent to the Board at the time, including any options that would or might involve termination of employment.

The President shall publish a summary of the Board's statement by any reasonable means calculated to bring it to the attention of all employees, together with a statement as to the policies, procedures, and deadlines to be employed in the reduction in force process.

The President shall prepare a directive to the Senior Administrators charging them with the responsibility of preparing a written report, restrictive to their respective area of responsibility, which details advice and recommendations addressed to the precise circumstance and optional responses identified in the Board's statement and the President's directive and to any other responses or courses of action for the President's and Board's consideration.

The Senior Administrators, in consultation with applicable supervisory personnel, shall consider the matters identified in the Board's statement and the President's directive in order to give his or her advice and recommendations and shall submit a written report to the President detailing such advice and recommendations. Senior Administrators determine, on the basis of all information then available,

that he or she must recommend action that will involve termination, the following prioritized determination criteria shall be utilized:

- Necessity to College operations in order to maintain a sound and balanced program consistent with the mission of the College
- Employee performance
- Relative skills, knowledge, productivity, and value of employee
- Degrees held, where applicable
- Category of employment agreement
- Longevity, when applicable

Within five (5) days after the President receives the Senior Administrators' reports, he or she shall submit to the Board a written report, which details his or her recommendations and the rationale supportive of the recommendations. In making his or her recommendations, the President shall not be limited to considering only the recommendations of the Senior Administrators, inclusive of recommended terminations. Except when it is a division chair who is being considered for termination, the President shall not make his or her recommendations until he or she has consulted with the Senior Administrators whose area a termination is proposed.

If, after considering the President's recommendations, the Board acts to terminate the employment of one or more employees, it shall direct the President to give notice in writing with confirmation of receipt to the employee(s) to be terminated. The notice shall include a statement of the conditions requiring termination, a general description of the procedures followed in making the decision, and a disclosure of pertinent financial or other data on which the decision was based, and the date of separation which shall not be less than thirty (30) calendar days after the date the employee receives the notice of the Board's action.
Once an employee affected by the reduction in force process has been duly notified of his or her impending termination, the President shall publish notice to all employees of the Board's action. The President shall also inform the College community of any reorganizational measures adopted in order to maintain a sound and balanced program consistent with the mission of the College with a reduced work force.

If an employee's contract is terminated due to a reduction in force circumstance, the employee is entitled to due process.

<u>Obligations with Respect to Continuation of Health Insurance Benefits, Reemployment, or Other Employment</u>

An employee whose employment is terminated pursuant to these provisions shall have his or her individual medical insurance benefits continued, at College expense, for a period of one (1) year from the effective date of the termination. The employee, at his or her own expense, may continue the optional family or child coverage for the same period of time.

For one (1) year after the effective date of a termination pursuant to these provisions, the President shall not recommend to the Board or fill a vacated position for which the terminated employee is qualified without first offering the position to the terminated employee.

The offer of re-employment shall be made in writing with confirmation of receipt, and the employee

must accept in writing within fifteen (15) calendar days, and his or her failure to do so eliminates all employment rights of the employee.
An employee who is recalled within one (1) year of termination shall have restored to him or her all the sick leave and unused annual leave he or she had accrued to the effective date of his or her termination.

When requested by the person whose employment has been terminated, the College shall give him or her reasonable assistance in finding other employment.

This procedure is the only one that may be used in a reduction of force. Any existing procedure for reconsidering or examining an employee discharged, contract termination, or grievance is not available for considering an issue that arises for a reduction in force. Similarly, no personnel action other than a reduction in force may be considered under this procedure.

(Board policy adopted August 17, 1977; Revised January 15, 1992; Revised October 25, 1995; Revised March 18, 2008; Revised December 19, 2017)

Resignation

Employees who wish to resign shall do so with a letter to the President of the College.

Employees may resign from employment with at least a two week notice, a 30-day notice is preferred. Faculty may be required to leave at the end of the current semester. A letter of resignation must be submitted to the employee's direct supervisor, Human Resources, and the President.

Retirement

Employees may retire from employment if members of the North Carolina Retirement System and have met the requirements of the system. When possible, the College prefers a 6-month notice of retirement.

2. Disciplinary Action

MCC shall have the right to discipline or discharge an employee for failure to meet acceptable standards of performance and/or conduct or for violating rules and regulations of the College, the North Carolina Community College System, state and federal laws, and lawful directives of the President or the employee's supervisor.

Any employee who fails to meet acceptable standards of performance and/or conduct; violates rules and regulations of the College, the North Carolina Community College System, and/or state and federal laws; and/or fails to follow lawful directives of the President or his/her supervisor shall be subject to disciplinary action and/or termination.

Disciplinary Action Procedures

Oral Warning: The supervisor should discuss with the employee the nature of his/her unacceptable performance and/or conduct, etc.

First Written Warning: The supervisor should document pertinent information in the written warning. The employee shall have up to five (5) days to respond in writing to the warning. The first written warning may result in the employee being placed on interim probation. This status requires that the employee correct specific performance or conduct in order to continue employment. The length and terms of the interim
probationary period will be determined by the appropriate Vice President in consultation with the employee's supervisor. An employee who is on interim probation is ineligible for salary increases.

Second Written Warning: A second written warning within a period of twelve months may result in suspension or termination of the employee. This action will require the approval of the appropriate supervisor, Vice President, or Division Head with final approval by the President.

3. Employee Due Process

Except for just cause, an employee cannot be terminated from his or her employment during the term of his or her contract of employment.

Dismissal or Suspension of Employees

Employees shall not be terminated or suspended during the term of their contracts except for just cause; bona fide financial exigency; or discontinuation or modification of a program, discipline, or department of instruction.

An employee who is terminated or suspended during the contract period is entitled to due process.

Notice and Hearing Requirements Applicable to Termination for a Reduction in Force Circumstance

Within ten (10) days after receipt of the notice of termination, the employee shall advise the President whether or not he or she desires a review of the action by the Board. The request for review must specify the grounds on which it is contended that the decision was arbitrary or capricious and must include a statement of facts that the employee believes support the contention. Failure to request a hearing within the time limit will be deemed a waiver of the opportunity to have such a hearing.

Upon receipt of the request for a hearing, the President shall refer the request to the Board. The Board shall establish a date for the hearing and notify the employee of the date.

The employee or his or her counsel or delegate shall first present contentions, limited to those specified in the request for hearing and supported by such proof as he or she decides to offer. When his or her presentation concludes, the Board shall recess to determine whether the proof establishes the contention, unless it is rebutted. If it determines that the contention has not been established, it shall notify the parties and conclude the proceeding, which action shall confirm the decision to terminate. The decision of the Board shall be the final administrative action.

If the Board decides that rebuttal is desirable, it shall notify the parties and the hearing shall proceed. The President or his or her counsel or delegate may then present such testimony or documentary proofs as he or she desires to offer, including his or her testimony.
The Board shall make its decision and notify the parties. The decision of the Board shall be the final administrative action.

(Board policy adopted August 17, 1977; Revised January 15, 1992; Revised October 25, 1995; Revised March 18, 2008; Reapproved December 19, 2017)

4. Grievance Policy

The purpose of this Grievance policy is to assure employees of the College that their grievance will be considered fairly, promptly, and in a non-threatening atmosphere. Employees are encouraged to discuss matters pertaining to their employment initially with their immediate supervisor. The College's goal is to keep proceedings relative to employee grievances as informal and confidential as possible.

Grievance Procedure

In the event matters are not able to be handled informally through discussions with immediate supervisors, the procedures listed below should be followed. Situations involving termination, sexual or other unlawful harassment should follow the specific policies applicable to such matters should be followed instead of the general grievance procedure.

Step 1-Supervisor Resolution

Before filing a formal grievance and within five (5) business days of the event or condition resulting in the employee's grievance, an employee must discuss the grievance with his or her supervisor who will make an inquiry into the facts and circumstances of the complaint. Should resolution not be achieved in a reasonable time and manner acceptable to the employee, a formal grievance should be filed.

A formal grievance must be in writing, must be signed and dated by the employee, and must include the following:

1. Statement of the grievance
2. Information about the particular disagreement
3. Information about attempts made to solve the grievance
4. Information about the results of those attempts
5. The Solution or remedy that the employee would view as acceptable

The supervisor will make every effort to resolve the matter promptly and will render a written decision in the matter to the employee within five (5) business days of the presentation of the complaint. The supervisor's documentation must include the following:

1. Statement of the grievance from the employee
2. Information about the particular disagreement with a supervisor's interpretation of the grievance
3. Information about attempts made to solve the grievance
4. Information about the results of those attempts
5. The solution or remedy that would be acceptable to the employee

If no appeal is made to the decision within five (5) business days, the decision of the supervisor will stand as final and all proceedings under the grievance procedure will be terminated. If the supervisor

fails to deliver a decision to the employee within the required five (5) business day time period, then the employee should proceed with filing a grievance with the Senior Level Administrator within five (5) business days as specified in step 2.

If for some reason the employee reasonable believes he or she cannot initially discuss the grievance informally with his or her supervisor, the employee may initially submit the grievance to their Senior Level Administrator. However, this should occur only in extenuating circumstances.

Step 2-Senior Level Administrator Resolution

The same procedures as listed in step 1 will be followed.

Step 3-President Resolution

Within five (5) business days of the employee's receipt of the Senior Level Administrator's decision or within ten (10) days is the Senior Level Administrator fails to timely respond in accordance with Step 2, an employee who desires further review of his or her grievance may file a written notice of the grievance with the President. The written notice should include the same information as listed in step 1 above. The President will review the grievance, make investigations, conduct informal hearings as deemed appropriate, and will inform the employee in writing of his or her decision within ten (10) business days after receipt of the written grievance. The decision of the President will stand as final.

Additional Procedure

Should the grievance be directed at the President and not resolved informally, a formal grievance should be filed with the Chair of the Board of Trustees. The Chair will review the grievance, make investigations, conduct informal hearings as deemed appropriate, and will inform the employee in writing of his or her decision within ten (10) business days after receipt of the written grievance. The decision of the Chair will stand as final.

All original documentation, records, and reports will be retained in the employee's personnel record.

(Board policy revised March 18, 2008; Revised December 19, 2017)

Section 9 Personnel Records

A. Personnel Record Maintenance

In accordance with NC GS 160A-168, Privacy of Employee Personnel Records, the College shall maintain in personnel records only information that is necessary and relevant to accomplishing legitimate personnel administration needs. Such personnel records as are necessary for the proper administration of the personnel system of the College will be maintained by the Human Resources Office.

B. Information Open to the Public

- Name
- Age

- Date of original employment or appointment to College services
- Current position title
- Current salary
- Date and amount of most recent change in salary
- Date of most recent promotion, demotion, transfer, suspension, separation, or other change in position classification
- Office to which employee is currently assigned

C. Access to Personnel Records

As required by GS 153A-98, any person may have access to the information listed upon written request to the President for the purpose of inspection, examination and copying during regular business hours. Any person denied access to any record shall have a right to compel compliance with these provisions by application to a court for writ of mandamus or other appropriate relief.

Confidential Information

All information contained in a College employee's personnel file, other than the information listed above will be maintained as confidential in accordance with the requirement of GS 153A-98 and shall be open to public inspection only in the following instances:

- The employee or his/her duly authorized agent as requested in writing by the employee may examine all portions of the employee's personnel file at all reasonable times in its entirety except letters of reference solicited prior to employment
- The President and other supervisory personnel
- Members of the Board of Trustees and Board's Attorney
- A party by authority of a subpoena or proper court order may inspect and examine a particular confidential portion of an employee's personnel file

An official of an agency of the federal government, state government or any political subdivision thereof. Such an official may inspect any personnel records when such inspection is deemed by the College of the employee, applicant or former employee whose record is to be inspected as necessary and essential to the pursuance of a proper function of said agency provided, however, that such information shall not be divulged for purposes of assisting in a criminal prosecution or assisting in a tax investigation.

Notwithstanding any other provision of this section, the President may, in his or her discretion, or shall at the direction of the Board of Trustees, inform any person or corporation of any promotion, demotion, suspension, reinstatement, transfer, separation, dismissal, and employment of an employee or former employee or the non- employment of any applicant. The President may allow an individual's personnel file or any portion to be inspected and examined by any person or corporation provided that the release of information or the inspection and examination of the file or any portion is essential to maintaining the integrity of the Board of Trustees or to maintaining the level or quality of services provided. Prior to releasing the information or making the file or any portion available as provided herein, the President shall prepare a memorandum setting forth the circumstances why he or she and the Board deem it in the best interest of the College to make a disclosure and the information to be disclosed. The memorandum shall be retained in the files of the President and shall be a public record. A copy of the

memorandum will be placed in the personnel file of the employee.

D. Remedies of Employee Objection to Data in File

An employee, former employee, or applicant for employment who objects to material in his or her file because he or she considers it to be inaccurate or misleading may place in the file a statement relating to the material and may seek removal of such material from the file through established grievance procedures.

E. Penalty for Permitting Access to Confidential File Information by an Unauthorized Person

Any public official or employee who knowingly and willfully permits any person to have access or divulge any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, may be convicted of a misdemeanor and may be fined in an amount not to exceed five hundred dollars ($500).

F. Destruction of Records

No public official may destroy, sell, loan, or to otherwise dispose of any public record, except in accordance with G. S. 121-5 (b), without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever alters, defaces, mutilates, or destroys it, may be convicted of a misdemeanor and may be fined not less than ten dollars ($10) or more than five hundred dollars ($500) as provided in G. S. 132-3.

Article IV: Fiscal Policies and Procedures

Section 1 Budget Management System

Conceptual Framework of Budget Management System

The budget management concept, which constitutes the framework of the budgetary accounting system at MCC, is a modified and limited version of zero-based budgeting (ZBB). This method of budgeting can serve as a fiscal planning tool, a budget philosophy, and a budget preparation instrument.

Zero-base budgeting works on the premise that all budget requests must be justified each year as though they were being requested for the first time – in other words, from zero. ZBB requires budget developers to begin constructing their budgets at base zero, instead of at the prior year's level, and to reassess their activities and priorities. Essentially, each budgetary unit must justify in detail why it should receive a specific allocation; an expense that is justifiable one year is not automatically justifiable the next.

Basically, zero-based budgeting involves two major steps: the development of budget packages (or in ZBB terms – "decision packages") and the ranking of the decision packages in order of priority. A decision package is a document that describes a specific function, activity, or operation so that financial administrators can evaluate it, rank it against other activities competing for limited resources, and decide whether to approve or disapprove it. The budget strategy most frequently used in the rankings process focuses on organizational and departmental goals and object. This strategy establishes priorities and funding levels in light of such goals and objectives and the availability of funds. Thus, the establishment and promulgation of the College's goals and objectives is the initial step in the budgeting process.

After all the decision packages within the organization have been developed, the components within and among the decision packages are ranked in priority order. Each successive level of budget management has the opportunity to express priorities on proposed budget expenditures and reasons for increased or decreased funding requests.

Budget Development Timeframe

Following the Strategic Plan:

- Establish and publish College Goals and Objectives for the next Fiscal Year – by President and President's Council with Board of Trustee review and approval
- Budget packages to be developed and submitted to President's direct reports by appropriate personnel and supervisors - by March 1st of current year
- Budget packages to be submitted to President - by President's direct reports - by April 1st of current year
- Total budget finalized - President and Presidents Council - by April 30th of current Year

Budget Package Development Procedures

The College's decision packages are as follows:

- Personnel requirements (Permanent and Temporary in both Full-time and Part-time classifications)
- Current operating budget requirements
- Capital outlay requirements

In constructing a decision package, the budget developer should give consideration to the goals and objectives of the unit, the tasks or activities currently being performed, alternative courses of action, and the costs of operation. When applicable, the budget developer should define alternative funding levels: a maximum level of operation which includes new expenditures for expanded operations; a maintenance level; and a minimum level at which current expenditures are reduced to reflect a curtailed operation. Each package should take into consideration:

- Expected increase or decrease in student enrollment
- Economic outlook
- Availability of resources
- Rapidity of technological change
- Institutional, divisional, and departmental objectives

The purpose of the Personnel Requirements Package is to establish full-time and part- time personnel requirements for the ensuing fiscal year.

For faculty positions such criteria as faculty course loads, FTE count, faculty release time, program offerings shall be used in the determination of faculty needs. Such criteria as mandated activities by external agencies, institutional and departmental objectives, workloads, and the organization of functions shall be considered in determining staff needs.

Procedures for the Development of Current Operating Budget Requirements Package

The purpose of this decision package is to establish current operating budget requirements, which are interpreted, to include all departmental or program resource needs exclusive of personnel and capital outlay requirements. Such resources might include the following traditional line-item allocations:

- Advertising and publicity
- Audiovisual supplies and materials
- Consultant services
- Contractual services
- Duplicating and copying
- Graduation expenses
- Institutional dues
- Instructional supplies and materials
- Magazines and newspapers
- Office supplies
- Postage

- Printing and binding
- Repairs to equipment
- Travel

The purpose of the Capital Outlay Budget Requirements Package is to establish capital outlay funding requirements:

- Equipment needs due to program expansion or new program
- Routine replacement
- Technology changes

Mid-Year Budget Review Process

The College's budget vs. actual expenditures shall be reviewed and adjusted during January of each fiscal year:

- The Chief Financial Officer/Director Auxiliary Services (CFO) shall review all budgets vs. actual expenditures and submit his or her analysis to the President.

Each division Senior Administrator, in memo form, shall submit to the CFO a Budget Adjustment Request inclusive of:

- Any requests for additional funds, with full justifications; and
- Any release of funds to the General Reserve Fund.

The Budget Adjustment Requests received from the division Senior Administrator shall be compiled and submitted to the President for consideration.

Once the President has made his or her budget adjustment decisions, the Vice President shall be notified, and the budget adjustments shall be reflected in the next budget printout.

Budget Closeout Process

The Vice President, Academic Affairs/Chief Academic Officer (CAO) shall submit his or her funding requirements for overload pay of curriculum faculty to the Business Office by March 15th of each fiscal year.

On or before May 1st of each fiscal year:

- Each budgetary unit representative shall submit requisitions for all other cost budget items exclusive of travel to the Business Office.
- Each budgetary unit representative shall submit his or her funding requirements for travel for the months of May and June to the Business Office.
- Each instructional division chair shall submit his or her funding requirements for part-time instruction for the months of May and June to the Business Office.

On May 1st of each fiscal year all unencumbered state funds shall revert to the General Reserve Fund.

The President or his or her designee shall have full discretion over all unencumbered funds after May 1st of each fiscal year.

All other cost current expense and capital outlay vouchers for the fiscal year shall be processed no later than June 20th of each fiscal year. With the exception of payroll, no vouchers will be processed after June 20th without the approval of the President.

Section 2 Requisitioning, Purchasing, and Receiving

All supplies, materials, services, and equipment should be requested by the originator through the North Carolina E-procurement system: https://buyer.ncgov.com. The College assumes no responsibility for the purchase of any item unless a requisition has been processed through the proper channels and a purchase order has been issued.

Requisitions must be approved through the appropriate hierarchy. If an item(s) is needed that cannot be purchased through an E-procurement vendor, a paper requisition, located on the MCC intranet, must be submitted. The approval flow is the same as E-procurement requisitions.

Every effort should be made to purchase from state contract vendors and purchasers should seek whenever possible to choose a "HUB" vendor. A "HUB" vendor is defined as a historically underutilized business in which at least 51% of the business is owned by a minority, woman, or disabled person. A searchable link is available on the E- procurement website: http://www.ips.state.nc.us/vendor/.aspx?t=h

Procedures for Requisitioning, Purchasing, and Receiving

Requisitions should be submitted separately as follows:

- Vendors on separate requisitions.
- Supplies and materials on separate requisitions according to vendors.
- Equipment on separate requisitions according to vendors. Equipment should not be on the same requisition as supplies and materials even with same vendor.
- Shipping and handling charges should be listed as a separate line item.

All the information required on the requisition should be provided in full (including preferred vendor, item quantity, commodity code, vendor item numbers, contract number if applicable, and price).
Each item requested should be checked against State Contract. If the item is a contract item, the contract number should be included on the requisition. Term contract vendors are searchable on the E-procurement website under "Registered Vendor Search": https://buyer.ncgov.com. Term contracts are posted on the North Carolina Purchase and Contract website: http://www.doa.state.nc.us/PandC/StateWideContracts.htm

If an item or service is not on State Contract, the College may be required to place the item or service on bid, either internally or through the Division of Purchase and Contract:

- Under $2,500: Quote not generally required; however; securing of competitive prices is recommended.
- $2,500-$5,000: Telephone Quotes acceptable; vendor must confirm quote(s) in writing.

- $5,000-$10,000: Obtain official written quotes. (Chief Financial Officer (CFO) Services to assist in the Procurement of these quotes). A copy of NC General Contract Terms and Conditions must accompany all official quotes to vendors.
- $10,000 and over: Submit specifications to Chief Financial Officer (CFO) for processing through Purchase and Contract Division. (Attach all original bids and quotes to requisitions.)

Requisitions which are not approved through the appropriate approval hierarchy will be returned with a written notice as to the reason for delay or rejection. Requisitions which do not meet fund availability will also be returned to the originator with a written notice to this effect and with instructions to make appropriate budget transfers so that the purchase can be made.

Purchasing

Upon receipt of a fully approved E-procurement or paper requisition, a purchase order will be processed.

A copy of the processed purchase order inclusive of the budget code, the requisition number, and the purchase order number will be forwarded to the original purchaser, the Payroll/Accounts Payable Technician, receiving (Customer Service Technician). A copy is retained with the Purchasing Officer.

If the item(s) requisitioned does not arrive in a reasonable period of time, the originator should contact the Purchasing Officer.

Receiving

All goods ordered by the College should arrive at the Receiving/Reception area of the Main Lobby. As equipment and supplies are received, they are matched to the proper purchase order and verified. Returning the Receiving Report: The person receiving the goods should sign the Receiving Report, which acknowledges that the order has been received and contents verified. The report should be sent to Accounts Payable. No invoice will be paid without verification of receipt of the goods.

Discrepancies in Order: If the person receiving the goods finds that there is a discrepancy in the order or that the order has missing parts, he or she should contact the Purchasing Officer.

Defective Merchandise: If the goods do not operate properly or are defective, the person receiving the goods should notify the Purchasing Officer immediately. Returns of merchandise because of vendor or College error are handled by the Purchasing Officer with the assistance of the person ordering the item(s).

Receipt of Services: The procedure for receiving services, such as repair of equipment, is the same as the procedure for receiving goods. The person requesting the services should forward to Accounts Payable receiving report when the services have been completed.

Section 3 Cash Management System

Cash Receipt Requirements

In accordance with G. S. 147-77, the “Daily Deposit Law”, all funds, whether cash or check, received

or collected by college personnel shall be submitted to the Cashier/Accounts Receivable Technician for processing no later than eleven o'clock a.m. of each working day. Receipts not submitted to the Business Office by the required time shall be so noted by the Cashier/Accounts Receivable Technician and reviewed by the Controller.

During regular working hours, any funds received or collected by college personnel after the eleven o'clock a.m. deadline shall be submitted to the Cashier/Accounts Receivable Technician for processing or safeguarding until the next banking day.

In the event the Cashier's Office is closed when funds are received or collected by college personnel, such funds shall be secured in the appropriate college safe for safeguarding until the next business day when they shall be submitted to the Business Office by eleven o'clock a.m. for processing.

Pursuant to the procedures outlined in the North Carolina Budget Manual, Section 5.D, moneys due to the College by another governmental agency, third party, vendor, or private persons shall be promptly billed, collected, and deposited. Therefore, college personnel shall inform the Cashier/Accounts Receivable Technician of all accounts due but not received as soon as possible but no later than the end of the next business day.

Cash Disbursement Requirements

In that billings to the College for goods received or services rendered are required to be paid neither early nor late, but on the discount date or the due date to the extend practical, it is imperative that receiving reports be submitted to the Business Office within three (3) business days.

Section 4 Equipment Inventory Control

Responsibility for Equipment Inventory Control

The Equipment Coordinator is designated as the inventory control officer. He or she is responsible to the Controller for all equipment at the College which has an acquisition cost of $1,000 or more and for all minor equipment that is considered to be at high risk for theft.

The Vice Presidents are responsible for all equipment assigned to their respective division. Division Chairpersons, Directors, and Instructors are responsible to the Division Chairperson for all equipment assigned to them by the Vice President.

All equipment is identified by a bar code label with the equipment number printed on it. When appropriate, the inventory number is etched on the equipment.

Institutional Internal Equipment Audit Procedures

A complete internal inventory audit of all equipment will be conducted during the months of April and May of each fiscal year.

The Equipment Coordinator conducts the annual internal inventory audit and often requires assistance from the employee responsible for the items. The Internal Equipment Audit form is used to report the audit results to the North Carolina Community College System. Copies of the form may be

obtained from the Equipment Coordinator.

The Equipment Coordinator establishes a schedule for the internal audit.

Moving Equipment

The equipment inventory control process is a computerized system, using Colleague software, which lists equipment by asset number, program code and location. All permanent or temporary changes in program assignments and/or location must be reported to the Equipment Coordinator for processing prior to the transfer/relocation. The Fixed Asset Movement Request is used for this purpose. This form is available on MCC's intranet and should be submitted to the requestor's Department Head and the Equipment Coordinator for approval before the transfer is completed.

Disposal of Serviceable Excess Equipment

Following are the procedures to follow when disposing of serviceable excess equipment. These procedures are for the Business Office; therefore, contact the Equipment Coordinator for all inquiries relating to equipment disposal.

When disposing of serviceable State-owned equipment that can be used by other colleges, notice of the equipment being disposed of should be circulated to the other community colleges by an "E-mail" message prior to the disposal including a date to respond by. Minimum bids can be requested for equipment that is circulated through the system.

If no college requests the equipment, the College may then sell or donate the equipment to public schools or other governmental agencies in accordance with G.S. 160A-274. There are no provisions to donate items to non-profit organizations. Equipment must be sold at a fair market value to non-profit organizations. (The State Surplus Property Agency may be able to help with the determination of fair market value.)

Serviceable excess equipment not taken through one of these processes may be sold through the State Surplus Agency in accordance with G.S. 115D-15.

The College has the option of disposing of locally owned equipment and materials through the State Surplus Property Agency or in the same manner as permitted for public schools. (See Purchasing Coordinator for details).

The College is not required to make locally owned equipment available to other community colleges. However, the College is encouraged to do so as there may be other colleges with a need for the excess items. Minimum bids can be requested for locally owned equipment that is circulated through the system.

Loss or Theft of Equipment

The College has the responsibility to provide accountability for all equipment in its custody. Effective equipment control measures are implemented to keep equipment losses to a minimum. If a loss should occur, the following steps should be taken:

- The Equipment Coordinator and Chief Financial Officer (CFO) should be notified immediately.
- Pursuant to G.S. 114-15.1, "Any person employed by the State of North Carolina, its agencies or institutions, who receives any information or evidence of an attempted arson, or arson, damage of, theft from, or theft of, or embezzlement from, or embezzlement of, or misuse of, any state- owned personal property, buildings or other real property, shall as soon as possible, but not later than three days from receipt of the information or evidence, report such information or evidence to his immediate supervisor, who shall in turn report such information or evidence to the head of the respective department, agency, or institution. The head of any department, agency, or institution receiving such information or evidence shall, within a reasonable time but no later than 10 days from receipt thereof, report such information in writing to the Director of the State Bureau of Investigation. Upon receipt of notification and information as provided for in this section, the State Bureau of Investigation shall, if appropriate, conduct an investigation. The employees of all State departments, agencies and institutions are hereby required to cooperate with the State Bureau of Investigation, its officers and agents, as far as may be possible, in aid of such investigation if such investigation reveals a possible violation of the criminal laws, the results thereof shall be reported by the State Bureau of Investigation to the district attorney of any district if the same concerns persons or offenses in his district." (1977, c. 763; 2003-214, s. 1(1).)
- Chief Financial Officer (CFO) should investigate a loss or suspected theft and report findings to the President of the College, stating the apparent cause of the loss or theft.
- When the losses have been confirmed, a Form NCCCS 4-11 must be prepared by the Equipment Coordinator and signed by the Controller for the file. When applicable, investigative reports should be included in the file.

<u>Cannibalization of Equipment</u>

This section provides guidance for the cannibalization of State-owned equipment that has become unserviceable due to obsolescence or excessive repair costs, but which still has serviceable component parts that can be used to repair, modify, or construct other items of equipment. These procedures are for the Business Office; therefore, contact the Equipment Coordinator for all inquiries relating to equipment cannibalization.

The Equipment Coordinator should initiate a Form 4-11 (Request to Dispose of Capital Assets) requesting approval of the President to cannibalize an equipment item. This should be done prior to cannibalization of the item.

Parts resulting from cannibalization which are identifiable and have a value of $1,000 or more should be placed on inventory and given a new inventory item number.

Disposal of residual parts cannot be used for personal gain.

Residual parts may be disposed of through one of the following methods:

- Sale as an item through State Surplus Property Agency. This would occur when the residue is identifiable as a unique item.
- Scrap sale would occur when residual items have little value as a unit but could be placed in a scrap pile with similar items.
- Items such as broken wood, plastics or glass parts with no further value may be destroyed in

a suitable site and manner (county landfill, city dump, etc). Extreme care should be taken to not discard anything which could be repaired into a useful item.

Scrap materials resulting from cannibalized equipment, as well as from other sources, should be kept until a minimum load of approximately 1,000 pounds is accumulated. The College may report the scrap material to the State Surplus Property Agency for public bid sale, giving the approximate weight and type (copper, brass, steel, etc.) of material to be sold, or disposed of by local sale in accordance with previously described procedures. Money from the sale of scrap resulting from cannibalized equipment will be deposited to the College's equipment budget.

Employee Purchase of Computer Hardware & Software on State Contract Eligibility

The State Board of Community Colleges authorizes the following classes of full-time employees to purchase microcomputer, related peripheral equipment, and system software under State contract at State contract prices:

- Classroom instructors;
- Other professional personnel including supervisors and administrators, engaged in delivering or supervising classroom instruction, or engaged in curriculum development; and,
- Other personnel in delivering services through computer related equipment.

Section 5 Year End Physical Inventories

General Procedures for Physical Inventories

The Office of the State Auditor requires that the College conduct year-end physical inventories of all consumable items including, but not limited to supplies, materials, postage, fuel oil, and items for resale.

In that the Office of the State Auditor does not wish to issue a qualified opinion relative to inventory valuations on the College's financial statements, the College is required:

- To have written procedures for the taking of all inventories; and,
- To schedule the inventories in accordance with a schedule established by the College and the Office of the State Auditor for the purpose of conducting the inventories when an auditor can be available to observe.

The Equipment Coordinator shall coordinate the year-end physical inventory process with the Office of the State Auditor.

Inventory of Consumable Properties

Each department or program area is responsible for conducting a physical inventory of all supplies and materials that are used and consumed during a normal fiscal year. All consumable supplies and materials should be recorded at their actual count on the date indicated on the inventory schedule. The inventory shall be recorded on the Supplies and Materials Inventory Form. Copies of the form may be obtained from the Purchasing Officer.

The Purchasing Officer can assist with list prices if a current requisition or purchase order is not

available.

Any consumable supplies and materials that have been opened and partially used are not included in the inventory count. Items should not be opened for the sole purpose of not including them on the inventory.

Examples of items include:

- Maintenance supplies and materials
- Janitorial supplies and materials
- Administrative supplies and materials
- Instructional supplies and materials
- Fuel oil, gas, motor oil, etc.
- Postage

If the department does not have any consumable inventory to report, the notation “NONE” should be entered on the Supplies and Materials Inventory Form. The form must be signed, dated, and submitted to the Business Office in accordance with the inventory schedule.

The completed inventory is due in the Business Office as indicated on the inventory schedule.

Caution should be taken to include all consumable items on the inventory. Particular attention should be given to items ordered and received late in the fiscal year. A random comparison of invoices and physical inventories will be conducted. Verification of the accuracy of the inventory will be randomly checked by an auditor.

The physical inventories shall be consolidated and entered on the College’s financial statements.

Inventory of Items for Resale – College Bookstore

The College Bookstore shall be closed during the inventory process, usually a period of three (3) days and nights.

The Equipment Coordinator or his or her designee shall coordinate the inventory process to include:

- The establishment of an inventory schedule, in conjunction with the Office of the State Auditor.
- Work schedule adjustments of currently employed personnel and/or employment of additional part-time personnel for the purpose of conducting the inventory.
- Obtaining copies of the perpetual Physical Inventory Report from the Bookstore Manager.

The physical inventory shall be conducted by paired employees. One employee shall count the items and the second employee shall assist in verifying an accurate count and shall report the count on the Perpetual Physical Inventory Report.

The Equipment Coordinator and/or his or her designee shall verify the accuracy of the inventory count on a random basis. Normally, a State Auditor will observe the count and may also verify the accuracy of the inventory count on a random basis.

The Bookstore Manager shall enter any inventory corrections on the perpetual inventory system. A

corrected Perpetual Physical Inventory Report shall be reviewed by the Bookstore Manager, signed as correct, and submitted to the Controller for review.

The physical inventories shall be consolidated and entered on the College's financial statements.

Section 6 Bookstore Policies and Procedures

Textbook Adoption Policy and Procedures

It is the policy of MCC to adopt a standard text plus supplemental materials as appropriate for each curriculum course offering. Should a course design require the use of learning resources other than a standard text, authorization must be obtained from the Vice President, Academic Affairs/Chief Academic Officer (CAO) and Vice President, Student Development Services. Textbooks shall be adopted for a minimum of six (6) consecutive semesters unless otherwise authorized by the Vice President, Academic Affairs/Chief Academic Officer (CAO) and the Bookstore Manager.

(Board policy adopted January 15, 1997; Revised December 19, 2017)

Student Related Operating Procedures-Bookstore
Instructors are requested to inform all students of the following procedures. Textbooks may be returned for a full refund if the following conditions are met:

- Books are returned within ten (10) days after the date on the receipt.
- Books are clean and free of any markings.
- Cash register receipts are presented.
- Bundled books are in original bundle plastic.

Defective supplies will be replaced only if cash register receipts can be presented within ten (10) days from date ofpurchase.

Checks will be accepted in the Bookstore for the amount of purchase only. When writing a check, proper identification must be shown. G.S. 25.3.506 states that "a processing fee, not to exceed twenty-five dollars ($25.00) may be charged and collected for checks on which payment has been refused by the payer bank because of insufficient funds or because the drawer did not have an account at that bank at the time the consumer presented the check."

The College Bookstore will accept credit or debit Master Cards and Visa Cards for purchases.

Procedures for Implementing Initial Textbook Adoptions
Textbooks and supplemental instructional materials adoptions shall be the responsibility of the lead instructor of the course, subject to the approval of the Division Chairperson and Vice President, Academic Affairs/Chief Academic Officer (CAO).

After previewing possible texts and supplemental instructional materials, the lead instructor for a particular course will recommend through the Division Chairperson to the Vice President, Academic Affairs/Chief Academic Officer (CAO) the textbook proposed for adoption. The TEXTBOOK

ADOPTION FORM will be utilized for this purpose.

Should a course design require the use of learning resources other than a standard text, the lead instructor for a particular course shall recommend through the Division Chairperson to the Vice President, Academic Affairs/Chief Academic Officer (CAO) that a standard text not be adopted. The

TEXTBOOK ADOPTION FORM will be returned to the Bookstore Manager with "NO TEXT" written on the form by the dates specified on the form.

A written description of the course design and copies of the learning resources to be used, as appropriate, shall be submitted for review to the Vice President, Academic Affairs/Chief Academic Officer (CAO).

Textbook Ordering Procedures

For currently adopted textbooks and supplemental instructional materials, the following procedures shall apply:

Textbook orders are initiated twelve (12) weeks prior to the beginning of each semester and are due to the Bookstore eight (8) weeks prior to the beginning of each semester.

A listing of course numbers is submitted to the Bookstore by the Vice President, Academic Affairs/Chief Academic Officer (CAO) or his or her designee of each curriculum according to courses that he/she has scheduled for an upcoming semester.

The Bookstore Manager prepares requisitions including title, author, edition, ISBN number, current inventory, and company for each course number submitted and gives it to the Division Chairperson. This information will be compiled from the Textbook Adoption Forms on file in the Bookstore.

The Division Chairperson verifies the information, i.e. correct title, author, ISBN number, and edition, and returns the completed requisition with estimated enrollment to the Bookstore within the allotted time period.

Orders are processed immediately following the return of the requisitions. Purchase orders are prepared by the Bookstore Manager and are ordered via internet, fax, phone, and mail. Delivery time is approximately four (4) to six (6) weeks.

Final quantities to be ordered are left to the discretion of the Bookstore Manager according to the number of used copies available, class history, publisher's return policies, and penalties.

Instructors may adopt new books or change existing books by completing a Textbook Adoption Form as discussed above. Forms must be complete with all information and signatures before they will be accepted. Please notify the Bookstore of any changes as soon as possible so that overstock may be returned without penalty.

Special Orders in Bookstore

The MCC Bookstore will place special orders for books and supplies upon request of a student or faculty member. The customer is responsible for paying full purchase price plus any freight or handling charge incurred before the item is ordered. Items must be picked up within five (5) days of notification.

Items not picked up within five (5) days will be sold or returned and deposit forfeited.

Loan Copies in Bookstore

Each instructor may obtain a copy of a textbook for temporary use in his or her class until a complimentary desk copy is received. Loan copies are issued by signing a charge ticket in the Bookstore only after Division Chair or Vice President, Academic Affairs/Chief Academic Officer (CAO) has given the Bookstore permission for the charge. Loan copies may not be kept in excess of thirty (30) days and must be returned in an unmarked, undamaged condition. Instructors agree at the time of issue to pay the full purchase price if these conditions are not met. As stated in instructors' contracts, final payments for services cannot be processed until all materials and records, including but not limited to loan copies, are returned.

Desk Copies in Bookstore

Upon receipt of a complimentary copy, each instructor should return their loan copy to the Bookstore in an unmarked, undamaged condition or substitute the desk copy if it is not stamped. If the instructor cannot obtain a complimentary copy, documentation of this should be made and arrangement for payment should begin.

Textbook Refund Procedures

The MCC Bookstore will accept textbooks for refunds up to a period of ten (10) days after the first day of classes each semester. New books must be free of markings and in clean, saleable condition, and bundled books must still be in the original bundle plastic. Used books may be marked in. Cash register receipts will be required for refunds. Defective items may be returned for full refunds or exchange within ten (10) days of purchase. Credit card purchases must be refunded to the original purchasing credit card. Refunds for items paid by check are required to wait five (5) days to verify the check has cleared the bank. To receive a refund for cash purchases, the Refund Request Form must be completed and submitted to the Business Office. A check will then be processed and mailed within seven (7) to ten (10) business days.

Used Book Buy Back

An additional service offered at MCC Bookstore shall be the purchase of used textbooks. In conjunction with a used book wholesaler, the Bookstore Manager or representative of the company will purchase used textbooks at prices listed in the Wholesaler's Book Buying Guide during exam days each semester. These books may be from other colleges and can be marked in. The student will be paid cash upon receipt of a book. Study Guides and workbooks are not eligible for book buyback.

Procedures for Checking Out Materials and Textbooks in Bookstore

The Bookstore will allow instructors and coordinators to check out materials to be sold at off-campus locations.

All money must be turned in by 10:00 a.m. the following business day to the Bookstore or Cashier/Accounts Receivable Technician.

Materials may not be kept in excess of five (5) working days.

Section 7 Print Shop

The Print Shop makes copies for employees, provides paper for printers, and binds items as needed. It is located in Building 1 Room 9.

In order to use Print Shop services, fill out a print request form (located in the Print Shop and in the mailroom) and submit it to the Print Shop during business hours, or in the mailroom after 4:30. Allow twenty-four hours for copies and three to four days for binding projects. Finished work will be left on a bookcase in the mailroom for pickup.

If copies of copyrighted material are being requested, there must be a permission letter from the publisher attached to the request.

Small copiers are available around campus for emergency use only (maximum of forty sheets.)

New employees are to see Print Shop Technician to receive a code to use these copiers.

Copier paper is available in the Print Shop. Fill out the form located near the reams of paper.

Section 8 Travel, Transportation, and Allowances

The regulations concerning travel, transportation, and allowances reimbursed from State funds, codified as Section 1: Fiscal Procedures, Subsection II. Travel of the North Carolina Community College System's Accounting Procedures Manual is adopted by reference including any subsequent amendments and editions. The President/designee has authority over travel, transportation, and allowance reimbursements paid from non- state funds.

A. Purpose of Travel Regulations

College employees, members of the Board of Trustees, and other individuals who have their travel expenses reimbursed by the State are subject to the limitations contained in these regulations. The President/designee has authority over such reimbursements paid from non-state funds; however, it is the intent of these regulations to apply to all travel, transportation, and allowance reimbursements regardless of funding source unless otherwise expressly approved by the President or his or her designee. Under no circumstances may duplicate reimbursement be made for any portion of an employee's non-state source.

All travel is contingent upon the availability of funds in the proper budget line item.

B. Travel Authorization

All travel must be authorized in advance. The appropriate travel request form must be utilized in obtaining authorization. The forms are located on MCC's Intranet. The approved travel request form is required back up for the reimbursement voucher.

Excess Lodging

The estimated lodging cost should be listed on the request for travel form. If approved, the form will serve as appropriate documentation; however, if the costs are excessive, a more detailed explanation may be required.

A detailed explanation of excess lodging is outlined in Subsection II of the North Carolina Community College System's Accounting Procedures Manual, Section I, Fiscal Procedures.

Travel Advances

The President or his or her designee may authorize a voucher to be issued to an employee as an advance of travel funds for an amount not to exceed 80% of the estimated travel expenses, excluding registration costs. Advances less than $25 will not be granted.

The request for a cash advance shall be made on the travel request form. The approved travel request form must be received in the Business Office seven (7) calendar days prior to the date of departure in order to process the cash advance. Properly approved travel advances shall be disbursed to the traveler the day before scheduled departure.

As a condition of a travel advance, the request for reimbursement forms must be submitted within thirty days after the travel period or June 30th, whichever comes first.

No future advances or travel reimbursement checks will be issued until such time as all previous advances are cleared.

Travel advances outstanding after sixty (60) days from the date of travel will be deducted from the employee's next paycheck.

Blanket Authorization for Travel

Blanket authorization for travel by individuals who must frequently travel within the service area to carry out their official duties requires the approval of the Vice President or division chair, Chief Financial Officer/Director Auxiliary Services and the College President or his or her designee.

C. Use of College Vehicles-Motor Fleet and College Owned

Use of College Vehicles – Motor Fleet Management

Martin Community College (MCC) contracts with Motor Fleet Management (MFM) for vehicle usage. Any employee intending to use an MFM vehicle must produce a valid North Carolina driver's license prior to obtaining an MFM vehicle. A photocopy of the valid North Carolina driver's license will be maintained on file with the MCC Business Office. Requests to use an MFM vehicle must be submitted through the appropriate travel request form and processes.

MCC does not permanently assign MFM vehicles to employees or allow for MFM vehicles to be used for commuting purposes.

All MFM vehicle mileage should be accounted for on the Mileage Log Sheet assigned for that vehicle. All receipts from gas purchases for the MFM vehicle must be maintained and submitted to the designated representative upon return of the MFM vehicle.

All accidents involving an MFM vehicle must be reported immediately to the College's CFO. Installation of special equipment in or on an MFM vehicle is strictly prohibited.

MFM vehicles shall be driven only by MCC employees and used for official business. Under no circumstances should a non-MCC employee drive a MFM vehicle. An approved travel request must be on file for each MFM driver and/or passenger.

Citations and toll charges are the responsibility of the assigned driver. MFM and MCC will not be responsible for property left in a parked MFM vehicle or for any costs associated with locking a key in a vehicle.

Under no circumstances may an MCC employee operate a MFM vehicle while under the influence of intoxicating beverages, drugs, substances, or transport these items in a MFM vehicle. There shall be no smoking, vaping, or other tobacco products used while riding in or operating an MFM vehicle. Hitchhikers are not allowed to ride in any MFM vehicle. Family, friends, or significant others; unless employed by, or a student of MCC and permitted for travel, are not permitted to accompany an MCC employee on trips in an MFM vehicle even when the travel is for college business. Pets are not permitted in an MFM vehicle. Leader dogs for blind persons and other officially certified assistance dogs are excluded from this restriction.

This procedure supports the regulations set forth in the North Carolina Motor Fleet Management Regulations Manual in conjunction with regulations specific for Martin Community College. Any individual found in violation of this procedure or in violation of any North Carolina Motor Fleet Management Regulation will have their right to operate an MFM vehicle immediately suspended and are subject to disciplinary action, dependent upon the severity, to possibly include termination/suspension of all MFM privileges.

Questions regarding MFM vehicles rules and regulations shall be submitted to the CFO.

Use of College Vehicles – MCC Owned Vehicles

Any employee intending to use a college owned vehicle must produce a valid North Carolina driver's license prior to obtaining the vehicle. A photocopy of the valid North Carolina driver's license will be maintained on file with the MCC Business Office. The appropriate travel authorizations should be on file prior to using a college owned vehicle.

At the President's discretion, a college owned vehicle can be permanently assigned to an employee if it is determined to be a substantial business necessity. Under no circumstances shall a college owned vehicle be assigned to an employee needing reliable transportation to and from work. Permanently assigned vehicles which allow for a daily commute is considered a fringe benefit and is taxable. MCC will use the Commuting Rule method in IRS Publication 15-B to determine the amount of this fringe benefit. Permanently assigned vehicle usage rights can be revoked at any point in time for any reason deemed necessary by the President.

All accidents involving college owned vehicle must be reported immediately to the supervising Senior Administration.

College owned vehicles shall be driven only by MCC employees and used for official business. Under no circumstances should a non-MCC employee drive a college owned vehicle unless approved in advance with the appropriate request forms. Exceptions may be granted for students if the vehicle is being used through part of an educational program and the vehicle will be remaining on the MCC premises. Approved travel request forms and valid driver's documentation must be on file for each driver and passenger if the vehicle will be leaving the MCC premises.

Citations and toll charges are the responsibility of the assigned driver. MCC will not be responsible for property left in a parked MCC owned vehicle or for any costs associated with locking a key in a vehicle.

Under no circumstances may a college owned vehicle be operated by a driver under the influence of intoxicating beverages, drugs, or substances. Drivers are also strictly prohibited from transporting intoxication beverages, drugs, or substances. There shall be no smoking, vaping, or other tobacco products used while riding in or operating an MCC owned vehicle.

Family, friends, or significant others; unless employed by, or a student of MCC and permitted for travel, are not permitted to accompany a MCC employee on trips in a college owned vehicle. This includes travel for college business and daily commuting.

Any individual found in violation of this procedure will have their right to operate an MCC vehicle immediately suspended and are subject to disciplinary action and, dependent upon the severity, to possibly include termination/suspension of all MCC owned vehicle driving privileges.

Questions regarding college owned vehicles rules and regulations shall be submitted to the CFO.

D. College President's Travel

The Board of Trustees has granted blanket approval of all in-state travel for the President while conducting College business without prior approval and that the President must secure prior approval for out-of-state travel on College business from the Chair of the Board.

E. Travel Reimbursement Request

Request for Travel Reimbursement

A College employee or other individual traveling on official College business must file the Request for Reimbursement of Travel and Other Expenses Incurred in the Discharge of Official Duty-Including Per Diem form with the Business Office in order to be reimbursed for travel expenses. The Request for Reimbursement forms are located on MCC's Intranet.

Timely Filing for Travel Reimbursement

Each employee is responsible for his/her own request for reimbursement. All reimbursement requests shall be filed for approval and payment within thirty (30) days after the travel period has ended as reflected on the approved travel authorization or June 30th, whichever comes first. Travel period is defined as the calendar month during which the travel occurred. In the case of part-time curriculum

and Continuing Education/Workforce Development instructors who are paid at the end of the semester, their travel period may be considered to be the end of the contract.

In order to close the fiscal year activities in a timely manner, travel expenses incurred for the first three (3) weeks in June will be reimbursed no later than June 30th. The Business Office will publish the date when travel reimbursement requests are due.

Required Documentation for Travel Reimbursement

The following items, when applicable should be documented on the request for reimbursement form. A reimbursement voucher will not be issued until all such items are documented:

- An approved Out-of-Area and/or Out-of-State Travel Request
- Receipt for tolls and parking, including airport parking
- Hotel/motel receipts
- Registration fee receipt, whether paid by the employee or paid in advance by the College
- Receipt for commercial and non-commercial air travel
- Receipt for scheduled bus and train travel
- Receipt for use of rental car
- Remember, when in doubt, it is always advisable to obtain a receipt

When traveling overnight, the time of departure and/or arrival for partial days of travel when a reimbursement request is made for meal allowances. Refer to the policies governing subsistence, Subsection II in the North Carolina Community College System's Accounting Procedures Manual, Section 1: Fiscal Procedures, of these regulations.

Meals During Daily Travel
The College is not allowing reimbursements for meals on daily travel. If the employee is reimbursed for one or more meals when the employee is not in overnight travel status, these reimbursements must be taxed as compensation.

Meals during Overnight Travel
Authorized travelers may be reimbursed for meals for partial days of travel only when in overnight travel status and the partial day is the day of departure or the day of return.
The following applies:

- Breakfast: depart duty station prior to 6:00 am and extend the workday by two hours.
- Lunch: depart duty station prior to noon on the day of departure or return to duty station after 2:00 p.m. on the day of return.
- Dinner: depart duty station prior to 5:00 p.m. on the day of departure or return to duty station after 8:00 p.m. on the day of return and extend the workday by three hours.
- The travel must involve a travel destination located at least 35 miles from the employee's regularly assigned duty station (vicinity) or home, whichever is less. Unless specifically authorized by local policy and approved in advance, allowances cannot be paid to authorized travelers for meals if travel does not involve an overnight stay.

F. Travel Contact Person

Individuals who have questions regarding these regulations should contact either the Cashier/Accounts Receivable Technician or Chief Financial Officer/Director Auxiliary Services for clarification.

Section 9 Personal Check Cashing

The College is prohibited from cashing personal checks for employees or students.

Article V: Information Technology Policies and Procedures

Section 1 Software and Service Copyright Compliance

Employees and students must comply with all applicable copyright laws, licenses, and agreements. Unauthorized use, distribution, or reproduction of copyrighted software, services, or content is prohibited. Unless a license agreement explicitly grants authorization to generate multiple copies, reproduction may be unlawful.

Employees may only use college-licensed software and services for legitimate business purposes.

Discovered violations may result in disciplinary action to include, but not limited to, suspension, leave without pay (for employees), and/or termination.

(President's Council Revised May 8, 2024)

Section 2 Internet Policy

Internet services are provided for MCC staff, faculty, and students to support professional activities and educational needs. All MCC users are responsible for using the Internet in an effective, efficient, ethical, and lawful manner. Internet access is a privilege, not a right, and, as such, can be withdrawn from those who use it irresponsibly.

This policy applies to all college-owned and managed computer systems including hardware, data, software, and the communication networks associated with these computers. In addition, this policy applies to all non-college-owned computers connected to the college's network and to all users of computer resources owned or managed by the College.

Section 3 Limitations

MCC reserves the right to limit employee and student computing resource access when federal or state laws or college policies are violated or when college contractual obligations or operations may be impeded.

MCC has the right to monitor network traffic; including e-mail sent or received over the college's computing systems or networks. Users should be aware that MCC would be compelled to share any files requested as a result of legal process or as otherwise required by law.

Users have access to a wide variety of information via MCC Internet services. The availability of such information does not imply that MCC approves or endorses its content. Moreover, there is no guarantee of the validity or accuracy of information accessed.

Section 4 Restrictions

The following are unauthorized activities; however, the list is not exhaustive, users should not assume that any system use not specifically excluded is authorized or that it will be treated as

such. If there is a question about whether a specific use would be permitted, it should be referred to the Chief Information Officer (CIO) who will review it with the Technology Committee, as necessary.

Users may not conduct activities for personal gain or commercial profit on the MCC Internet services. This includes advertising personal services, selling, soliciting jobs, or any other activities whose purpose is to generate revenue for an organization or for personal gain.

Users may not conduct activities such as harassing or threatening other users; attempting to steal passwords or other restricted information; attempting to crash the system; attempting to gain access to directories or files for which a use is not authorized; or actions, which adversely affect the performance of the computer/network system.

Copying, providing, receiving, or using copyrighted material in violation of licensing agreements is prohibited. Page creators using copyrighted material must obtain written permission documentation from the copyright holder. If photographs are used, written releases must be completed and filed.

Use of Internet services for any illegal activity will result in loss of access without prior notice. Illegal activities include, but are not limited to, computer fraud, (see Federal Statutes Title 18, Section 1030); computer hacking, accessing, retrieving, displaying, printing, and disseminating obscene literature and exhibitions (see North Carolina statutes 14-190-1 and 114-15). Legal action may also be taken.

Section 5 Procedures

MCC reserves the right to examine user files, accounting information, and backups generated by use of the computing system. System administrators and/or official designees have the authorization and ability to monitor any user's files if there is a performance reason to do so or a specific reason to believe that a user has engaged in or is engaging in unauthorized activities.

Violations will be reviewed by the Technology Committee, which may refer them for further actions to appropriate MCC authorities who may impose disciplinary actions as authorized by appropriate policies of the college.

Individual departments or divisions of the college may have additional rules and regulations pertaining to Internet use in their areas. Users are also expected to abide by these additional rules.

(Board policy adopted January 13, 2001; Revised, December 19, 2017)

Section 6 Use of Email Policy

The official email for Martin Community College is required for official Martin Community College business, including but not limited to course communication, college activities, communication between students and faculty, and any other communication exchange that involves the College business and academic operations.

(Board policy adopted March 19, 2019)

Section 7 Electronic Signature Policy

Policy:

Martin Community College recognizes an electronic signature as a valid alternative to a handwritten signature. Electronic signatures may replace written signatures, and electronic records may replace paper documents, when used to conduct the official business of the college, unless written signatures or paper documents are specifically required by law. This procedure reflects the legal intent of signees that electronic signatures have the equivalent authority as their written signature.

Definition:

An electronic signature is defined as any electronic process signifying an approval to terms, execution of a process, and/or ensuring the integrity of the related record, presented in electronic format.

Institutional Procedures:

This procedure is not intended to prescribe departmental workflow(s), though some electronic communications are prohibited for the purposes of securing valid signatures. This procedure is in addition to all applicable federal and state statutes, policies, guidelines, and standards. This procedure does not expand the authority of any college employee to sign contracts or agreements beyond any already delegated authority.

An electronic signature is considered valid under any of the following scenarios:

1. Use of valid college-issued credentials. The student or employee has logged into a college-approved electronic system (e.g., Office 365, Self-Service, Moodle, MCC Email) using the student's college-approved user account. The college must have provided the student or employee with a unique username. At least one of the following must also be true:

    A. the student/employee has configured his/her own password; and/or
    B. the student/employee has configured his/her own security key/token; and/or
    C. the student/employee has been assigned a configured security key/token from the college.

2. Use of a handwritten document that has been fully and digitally scanned. Examples include faxed documents and documents scanned using a modern scanner attached to a college-issued computing device. In all cases, all the following must be true:

    A. the entire document, including any blank pages, has been digitally scanned into a file; and
    B. the document contains a handwritten signature after having been scanned into a file; and
    C. the document was scanned at a resolution allowing for sufficient quality such that the handwritten signature can be reasonably interpreted; a minimum resolution of one-

hundred ninety-six (196) dots per inch (dpi) or pixels per inch (ppi) is recommended.

3. Use of a college-approved, electronic-approval system. The electronic document has been processed by a college-approved, electronic-signature system (e.g., “HelloSign,” “DocuSign,” etc.). In consultation with the President, the information- technology department will select the college’s approved electronic-signature system(s). All the following must be true of the document:

    A. the document contains a graphic or typographical image of a signature; and
    B. the document contains a unique document ID; and
    C. the document contains an audit trail of processes performed on the document, such as being sent to the signee, being viewed by the signee, and being signed by the signee; and
    D. the document contains a digital signature to verify that (a) the document has not been modified since the signatures were applied and (b) the signer’s identity is valid; and
    E. for each signer of the document, the signature request must have been sent to an email address that meets one of the following criteria:

        1) is a college-issued email address; or
        2) is a non-college-issued email address that (a) the requester recognizes as belonging to the signer, *and* (b) was provided by the signer to the requestor on an official, college-approved document in the past.

The following communications methods are explicitly prohibited as college-recognized electronic signatures:

1. Any communications performed via text message (including but not limited to services such as Signal Vine), Short Message Service (SMS) message, Multimedia Messaging Service (MMS) message, Rich Communication Services (RCS) message, or other texting protocols and formats.
2. Any communications performed via web-based social-media platforms.
3. Any communications performed via web-based chat platforms.

<u>Student and Employee Responsibilities</u>:

The following are responsibilities of students and employees as related to electronic signatures:

1. It is the responsibility and obligation of each user to keep their passwords, PINs, and security keys/tokens private so that others cannot use their credentials. Lost or stolen credentials and/or security keys/tokens must be immediately reported to the college’s information-technology department.
2. Once logged in to a college-approved system, students and employees are responsible for any information they provide, create, update, remove, or otherwise manipulate.
3. Students and employees are responsible for properly logging out of all electronic systems and exercising necessary precautions when using publicly accessible computers.

Official Uses:

The following is a non-exhaustive list of official activities in which students and prospective students may use electronic signatures:

1. register for classes
2. drop/withdraw from classes
3. view financial-aid awards
4. submit documents required by the college
5. pay bills owed to the college or the college's approved vendors
6. obtain transcripts and other college records
7. update contact information
8. log into campus computers, laptops, tablets, and other computing devices
9. submit class work
10. appeal grades
11. complete and submit college-approved student forms

The following is a non-exhaustive list of official activities in which college employees may use electronic signatures:

1. submit grades for students
2. administratively withdraw students from classes
3. submit attendance records and other activity records for students
4. view payroll data
5. log into campus computers, laptops, tablets, and other computing devices
6. execute employment contracts
7. execute contracts with vendors and business partners
8. approve purchasing and accounts-payable transactions
9. access protected data through the college's preferred administrative computing system
10. access and execute tasks in any web application provided by, approved by, and supported by the college's information-technology department
11. file accident/incident reports
12. submit purchasing requisitions
13. complete, approve, submit, and/or process college-approved administrative forms

(Board Policy Approved September 21, 2021)

Section 8 Administrative Employee Device Replacement Cycle

Beginning July 1, 2025, except during financial exigency as determined by the college's President, the college allocates an annual budget for replacement of employee administrative computing devices, such as laptops/desktops. The annual amount is calculated using the following formula: the number of devices approved to be on the replacement cycle ("Administrative Employee Devices"), divided by 6, multiplied by the current cost of an employee computing device, rounded to the nearest dollar amount that allows for a non-fractional number of devices to be purchased. At least annually, the current cost and the current number of Administrative Employee Devices are updated by the college's Chief Information Officer (CIO) in consultation with other college leadership.

(President's Council Approved May 8, 2024)

Section 9 Discontinuance of Unsupported Hardware, Software, and Services

Once a computing device, software, or service is unsupported by its manufacturer, or once a device, software, or service has been determined by the college's Chief Information Officer (CIO) to contain or exhibit unacceptable security vulnerabilities, the information-technology (IT) department must remove the device, software, or service from use. While the college's IT department will attempt to work with impacted areas to mitigate impact, under no circumstance will a college employee or student be allowed to use an unsupported college-sanctioned device, software, or service for more than three (3) months; in such circumstances, the device, software, or service will be removed from use.

(President's Council Approved May 8, 2024)

Section 10 One Administrative Device Per Employee

Each permanently appointed employee of the college is assigned one (1) administrative computing device, and that device is a standard-issued laptop, as determined by the college's Chief Information Officer (CIO). Employees who directly or indirectly report to the college's Director, Facilities and Grounds are generally not assigned an administrative computing device. Employees of the college who are not permanently appointed are generally not assigned an administrative computing device.

Employees assigned more than one (1) administrative computing device must (a) consult with the user's supervisor and the college's CIO to increase the number of Administrative Employee Devices to ensure the device is predictably replaced; or, (b) not consult to increase the number of Administrative Employee Devices but still understand that the college's information-technology (IT) department will be required to remove the device from use once the college's CIO has determined that the device is unsupported or non-secure to use.

Employees who are not permanently appointed, or any employee reporting directly or indirectly to the college's Director of Facilities & Grounds, who are assigned one (1) or more administrative computing devices device must (a) consult with the user's supervisor and the college's CIO to increase the number of Administrative Employee Devices to ensure the device is predictably replaced; or, (b) not consult to increase the number of Administrative Employee Devices but still understand that the college's information-technology (IT) department will be required to remove the device from use once the college's CIO has determined that the device is unsupported or non-secure to use.

(President's Council Approved May 8, 2024)

Section 11 Security and Acceptable Use Agreement for Employees

All employees, regardless of appointment type, are required to consent to an IT security and acceptable use agreement for employees, when initially hired. Permanently appointed employees must renew their consent to an IT security and acceptable use agreement approximately every twelve (12) months, or as directed by college administration. Failure to sign the agreement as required will result in revocation of all IT privileges and may result in disciplinary action to include, but not limited to, suspension, leave without pay, and/or termination.

(President's Council Approved May 8, 2024)

Section 12 Security and Acceptable Use Agreement for Students

Each student who is required to utilize college IT resources must consent to an IT security and acceptable use agreement, upon admission, class registration, and/or the student's first day of class. This agreement includes IT and distance-learning expectations of students, including but not limited to the following: explanations on how to properly protect and maintain account user credentials, expectations of students regarding online behavior and user impersonation, and general security/privacy hygiene.

(President's Council Approved May 8, 2024)

Section 13 Prohibition of Sexual Activity Content on College Devices and Networks

Martin Community College (MCC) strictly prohibits the use of college-owned or controlled computing resources for accessing, viewing, displaying, creating, storing, or transmitting pornographic material. Pornography includes any material depicting sexual activity as defined by North Carolina statutes. This prohibition applies to all employees, students, vendors, contractors, and visitors.

A. College-owned and Controlled Computing Resources

College-owned and controlled computing resources include:

1. Devices: Any cellular phone, desktop or laptop computer, tablet, television, or other electronic equipment capable of connecting to a network, regardless of physical location at the time of use.
2. Network: Internet service, internet access, or computer networks, regardless of whether the device used is owned or controlled by the college.

B. Exemptions

College employees or officials engaged in sanctioned activities, as defined by North Carolina statutes, are exempt from this procedure when performing official duties. Exceptions are permitted only for specific roles as outlined in the statutes, with no instructional or academic exemption for students or employees. All exemptions must receive authorization from the MCC Chief Information Officer (CIO).

The college employs content-filtering technology to block access to prohibited content on its computing resources. While content filtering is applied on a "best effort" basis, any malfunction or technical infeasibility of content filters does not allow employees, students, vendors, contractors, or visitors to access, display, create, store, or transmit any material depicting sexual activity.

C. Designated Authorities and Reporting

Any employee, student, vendor, contractor, or visitor who is witnessed, alleged, or suspected of using college-owned or controlled computing resources to engage in pornography is considered in violation of college procedure and shall be reported to the designated authority. All employees are considered

mandatory reporters, even if the information was shared in confidence.

1. Designated Authorities

Reports of student violations should be directed to the Vice President of Student Development Services. Reports involving employees, vendors, contractors, or visitors should be directed to the Executive Director of Human Resources.

2. Designated Authority Responsibility

Designated authorities are required to investigate reported violations, provide guidance, make disciplinary recommendations to the appropriate administrative authority, and communicate investigative conclusions and any disciplinary actions taken.

All investigative conclusions that lead to disciplinary actions must adhere to MCC policies and procedures and applicable laws. Reported violations involving pornographic materials prohibited by state or federal law, whether confirmed or not, will be immediately reported to law enforcement. Once a violation is referred to law enforcement, the college will suspend all internal investigative efforts and will only assist further if requested.

3. Chief Information Officer Responsibility

Designated authorities are required to communicate all reported violations to the MCC CIO. The MCC CIO is responsible for tracking data on prohibited use of college-owned and controlled computing resources and reporting this information annually to the State Chief Information Officer.

D. Disciplinary Actions

Confirmed violations involving the misuse of college-owned or controlled computing resources to engage in pornographic material will result in disciplinary action. Repeated violations or any egregious violation—one that is deemed outrageously wrongful to the degree it warrants immediate punishment—will lead to escalated discipline.

Disciplinary actions may include, but are not limited to, warnings, required training, removal from an educational program or campus, campus ban, suspension, expulsion, employee termination, discontinuation of services, campus restrictions, referral for prosecution, or other sanctions in line with college policies and applicable laws. Actions taken will vary based on the violation's nature, the individual's violation history, and their affiliation with MCC.

1. Employee Violations

Employees confirmed to be in violation will face disciplinary action in accordance with the MCC Disciplinary Action policy and procedure, provided the violation is not deemed egregious. If a violation is determined to be egregious, the college reserves the right to terminate the employee immediately, as outlined in the MCC Separation policy and procedure.

Employees who are terminated or suspended due to a confirmed violation are entitled to due process.

2. Student Violations

Students confirmed to be in violation will be subject to disciplinary action in accordance with MCC student policies and procedures, provided the violation is not deemed egregious. If a violation is considered egregious, the college reserves the right to dismiss, suspend, or expel the student.

Students who are dismissed, suspended, or expelled due to a confirmed violation are entitled to the student grievance process.

3. Vendor, Contractor, and Visitor Violations

Vendors, contractors, and visitors confirmed to be in violation will be subject to disciplinary action in accordance with MCC policies and procedures, provided the violation is not deemed egregious. If a violation is considered egregious, the college reserves the right to terminate current and future business with the vendor or contractor, restrict campus access, or ban the individual.

The college reserves the right to implement temporary disciplinary measures for alleged or suspected violations that have been referred to law enforcement. In such cases, the college will evaluate each situation individually and apply appropriate judgment.

(President's Council Approved November 6, 2024)

Article VI: Instructional Policies and Procedures

Section 1 Division of Academic Affairs

A. Purpose

The purpose of the Division of Academic Affairs is to improve workforce preparedness through the quality programs of study that lead to certificates, diplomas, and associate degrees. Developmental education, college transfer, and technical courses offer the students opportunities to develop academic and technical skills needed to enter the job market immediately or to proceed to a four-year institution.

B. Faculty Responsibility and Authority in Governance

Faculty should actively participate in establishing policies and procedures related to academic affairs and other student related matters, including policies and procedures on admissions, placement, attendance, suspensions, dismissals, and readmissions of students. Faculty also actively participate in the development and revision of program curriculums, learning outcomes, and grading. Faculty may be involved in policy development through standing or ad hoc committees or task forces that evaluate policies or procedures and/or develop new policies and procedures. These committees and task forces are appointed by the Vice President, Academic Affairs/Chief Academic Officer (CAO) and approved by the President. Recommendation should be submitted in writing to the President.

Faculty members are responsible for ensuring that appropriate program and course learning outcomes are reflected in syllabi, and published program information.

Faculty members are responsible for establishing graduation requirements that are in compliance with standards and guidelines established by the State Board of Community Colleges, determining if requirements have been met, and certifying to the President and the Board of Trustees that students have met degree requirements.
Faculty members are responsible for grading students but shall do so within the College's grading policies.

C. Organization of Divisions

Academic Affairs is the organizational area to which faculty are assigned (refer to Organizational Charts in Section 1). This area is organized into five separate divisions, which report to the Vice President, Academic Affairs/Chief Academic Officer (CAO). These are:

- College Transfer and Education
- Allied Health and Public Safety
- Business, Technology, and Cosmetology
- Advanced Manufacturing and Automotive
- Equine Technology

Each faculty member is assigned to one of these divisions and reports to the Division Chair or Program Director. Developmental education courses report to the Division Chair for College Transfer and

Education programs.

D. General Education Outcomes

Students who graduate from MCC with an associate degree should be able to:

- Apply principles of sound critical thinking to analyze and solve problems and make logical decisions.
- Demonstrate effective speaking, writing, and reading skills.
- Use the appropriate technology required for academic and work-related tasks.
- Demonstrate appropriate mathematical skills required for academic and work- related tasks.

E. Employer Guarantee

MCC assures employers of the quality of its graduates of associate degree and diploma programs for appropriate entry-level job skills directly related to their program of study. Should the employer find the graduate's job skills deficient, MCC will provide remediation to correct the deficiency with no charge to the graduate or employer for tuition, books, or fees provided the graduate was (1) employed within the first 90 days of graduation, (2) earned a grade of C or better in the course(s) related to the deficiency, and (3) the deficiency was identified and reported in writing to the College within the first six months of employment.

Upon receiving from the employer a written description of deficiencies, a retraining plan, mutually acceptable to the employer, the graduate, and the College, will be negotiated and documented in writing. Should either the employer or the graduate later be unable or unwilling to abide by the conditions established in this retraining plan, MCC will have no further obligation under the Employer Guarantee.

F. Qualifications of Faculty

All full-time and part-time faculty teaching courses at the associate degree level in each of the following areas humanities/fine arts, social/behavioral sciences, natural sciences, mathematics, college transfer, and business administration (not including bookkeeping, keyboarding, and other courses that are vocational/occupational in orientation and purpose) must have completed at least 18 graduate semester hours in their teaching field and hold a master's degree. In certain exceptional cases, outstanding professional experience and demonstrated competence in the teaching discipline may substitute for advanced academic preparation.

Technical specialty courses in associate degree programs should be taught by faculty having both academic preparation and work experience. The typical combination is a bachelor's degree with appropriate work experience. A master's degree is required for faculty teaching courses where substantial numbers of students do transfer to senior institutions. In all cases, faculty members must have technical competence in the fields in which they teach. In certain exceptional cases, unique experience and demonstrated competence in the teaching discipline may substitute for academic preparation.

Non-degree diploma or certificate occupational courses are typically taught by faculty with some college or specialized training, but with emphasis on competence gained through work

experience. Some courses may require faculty with a bachelor's degree or beyond with little or no work experience. Others may require little formal education beyond high school. In all cases, faculty must have a special competence in the fields in which they teach.

Faculty who teach developmental courses must have a bachelor's degree in a discipline related to their teaching assignment and either classroom experience in a discipline related to their teaching assignment or graduate training in developmental education.

(Board Policy Adopted March 16, 1977; Revised November 18, 2008; Reapproved December 19, 2017)

Prior to the offer of employment to any full or part-time faculty, the Accreditation Liaison will verify the qualifications of the faculty on the Faculty Qualifications Sheet which will then be placed in the employee's file.

G. Work Schedule for Full-Time Faculty

Faculty are paid for a 40-hour week with 30 hours required on campus Monday through Friday. The 30 hours include both the times instructors are in classes and the time instructors spend in their offices. This 30-hour schedule must be posted on the office door of each faculty member and submitted to the Vice President, Academic Affairs/Chief Academic Officer (CAO) at the beginning of each semester. Faculty must be present for the days of registration, and any scheduled faculty workdays per the academic calendar.

Attendance at the curriculum graduation is required. Graduation attire is required. Extenuating circumstances that prevent graduation attendance must be approved by the President.

H. Faculty Workload

A full-time faculty workload includes teaching, committee assignments, student advising, selected recruiting activities, and other duties specifically assigned such as sponsorship of adjunct faculty in the teaching field and interaction with advisory committees. The primary responsibility of the faculty is teaching. The NCCCS awards faculty positions based on the number of FTEs generated.

Determining Faculty Workload

The following method of determining faculty workload applies to all departments/disciplines and takes into consideration the many variables that exist in determining total workload.

Faculty Work Units

The term Faculty Work Units (FWUs) will be used in determining faculty workloads. An FWU is defined as follows:

FWU	Class Time	Semester Hour Credit
1	50 minutes lecture	1
2	100 minutes lab/shop	1
2	150 minutes lab/shop	1
3*	150 minutes lab/shop	1

*For laboratories with BIO and CHM prefixes

Faculty Workload

The workload for full-time faculty consists of 21 to 24 FWUs per week. The teaching load for program directors is 18 to 21 FWUs.

The number of students taught, number of preparations, number of advisees, and nature of the subject may be considered as factors in assigning loads within the range of 21 to 24 FWUs.

Lower teaching loads may be assigned to compensate for special duties. The special duties must be documented and authorized by the Vice President, Academic Affairs/Chief Academic Officer (CAO). A value of FWU should be assigned to the special duties.

Work-based Learning (WBL) and clinical experience

Credit towards teaching load (in terms of number of FWUs) will be given for the total number of students supervised during the academic year, as follows:

No. of Students	Contact Hours	No. of Students	Contact Hours
1-5	1	36-40	8
6-10	2	41-45	9
11-15	3	46-50	10
16-20	4	51-55	11
21-25	5	56-60	12
26-30	6	61-65	13
31-35	7	66-70	14

Directed Studies

Credit towards teaching loads will be given for directed studies, which constitute an extra preparation and are authorized by the Vice President, Academic Affairs/Chief Academic Officer (CAO).

Number of Preparations

The number of preparations should be limited to six provided that this action does not impact the minimum teaching load.

Three FWUs will be added when calculating the total workload for instructors teaching six courses with six different preparations and 21 or more FWUs.

Payment of teaching overloads

Overloads will be paid when the annual average workload exceeds 24 FWUs, (21 FWUs for program directors). Faculty will be paid during spring semester in equal payments beginning in February and ending in May.

For the purpose of calculating the average workload, the academic year starts with the fall semester.

Pay will be calculated on the number of contact hours based on adjunct faculty rate upon an overload in excess of 24 FWUs and with the approval of the Vice President, Academic Affairs/Chief Academic Officer (CAO).

I. Procedure for Establishing a New Academic Program

Faculty, administration, or any other stakeholder may propose a new academic program.

The individual(s) proposing the new program will submit a New Program of Study form to the College Curriculum Committee.

If the Curriculum Committee determines that the proposed program is directly related to the College's mission and is appropriate and consistent with good practices in higher education, the Committee may oversee additional research, including employability surveys, input from advisory committees, analysis of labor market data, and other sources, to confirm the need for the proposed program. The College may also survey institutions in neighboring service areas to ensure that the proposed program does not infringe on existing programs. If the Curriculum Committee confirms the need for the program, it will then submit the proposal to the President's Council.

The President's Council will determine that the College can provide sufficient instructional faculty, facilities, equipment, and materials to support the proposed program. If the President's Council determines that the College can support the new program and the President approves the proposal, the President will present it to the Curriculum Committee of the Board of Trustees.

If the Board Curriculum Committee approves the proposal, it will present the request to the full Board of Trustees for approval.

If the Board of Trustees approves the program, the Vice President, Academic Affairs/Chief Academic Officer (CAO) will submit the request to the NCCCS for review and subsequent approval or rejection by the State Board of Community Colleges in accordance with Section 3, Section 3A, and Section 3B of the NCCCS Curriculum Procedures Reference Manual. The Accreditation Liaison will also submit the proposal to the Southern Association of Colleges and Schools Commission on Colleges for approval, if necessary.

J. Procedure for Revising an Existing Academic Program

An academic program director, division chair, faculty, program advisory committee, or any other stakeholder may suggest a change to a program of study or course.

The individual(s) requesting the change will submit a Request for Change in a Course or Program of Study to the Curriculum Committee by November 15th. Any changes will be effective in the following academic/catalog year.

If the request is approved, the Curriculum Committee will submit the request to the Vice President, Academic Affairs/Chief Academic Officer (CAO) for approval who will then submit it to the President for approval.

Within two weeks of the President's decision, the Chair of the College Curriculum Committee will notify

the program chair or faculty whether the request has been approved or not.

If the request is approved, the responsible faculty member will make changes on all relevant materials and give them to the Office of Academic Affairs by February 15th. The Office of Academic Affairs will ensure that the change is included in all applicable publications, including:

- The program of study in Colleague
- The MCC Career Catalog
- The program brochure and any other applicable program materials
- The College website
- any other applicable publications

Changes to established curriculum standards such as adding a prefix, changing core courses, or revising the program description or program title, will follow the procedure outlined in Section 16 of the North Carolina Community College Curriculum Procedures Reference Manual.

K. Procedure for Terminating an Academic Program

If a program has not had any enrollment for the past two years at the time of the Intensive Program Review, the Curriculum Committee will make a recommendation to the President's Council to either terminate the program or to apply for a one (1) year extension as outlined in the NCCCS Curriculum Procedures Reference Manual Section 5. According to the procedure, the extension would be requested upon "justification of the potential for employment opportunities and student enrollment."

If the program has had low enrollment over the previous two years or is deemed obsolete because of a lack of job opportunities, the Curriculum Committee will evaluate whether the program should be retained based on the following criteria:

- The program is critical for developing or maintaining an economic base for the community.
- The program is unique and of economic significance to a region or the state.
- The program has a mandated enrollment cap and other restrictions placed by outside accrediting or certifying agency that prevent it from having higher enrollment.
- The program's total usefulness includes support of other programs.

If the Curriculum Committee decides that the program does not meet any of the above criteria, they will make a recommendation to the President's Council to terminate the program.

The President's Council will decide whether to recommend terminating the program and submit their recommendation to the President, who will give the final approval.

If a decision is made to terminate a program, the proper procedures as outlined in the NCCCS Curriculum Procedures Reference Manual Section 5 will be followed by the President or his/her designee.

L. Guidelines for Implementing Instructional Duties

Faculty members are required to carry out their duties in a professional, ethical, and collegial manner

that enhances the mission of MCC.

Conducting Classes

Students who are not officially registered for class must not be allowed in the class. Instructors must verify student registration as evidenced by the name appearing on the class roster. Any irregularities must be reported immediately to the Registrar's office.

In conducting classes, the faculty is expected to observe the following procedures:

- A daily attendance record must be maintained for each class.
- The official Attendance Report must be submitted to the Registrar's office immediately after 10% of the class time for the semester has occurred.
- Class breaks should be allowed as scheduled. No three (3) hour or more class should be held for the full duration of the class without permitting scheduled class breaks.
- Classes should be started on time and should not be dismissed until the class is scheduled to end.
- Class hours should be conducted as scheduled. Any scheduling exceptions must be approved by the Division Chair, and a written record filed in the office of the Vice President, Academic Affairs/Chief Academic Officer (CAO). Permanent changes in class meeting times or location must be approved by the Vice President, Academic Affairs/Chief Academic Officer (CAO) and included in the master schedule.
- Students scheduled to be in class should not be assigned to the library unless accompanied by the class instructor or upon approval by the Division Chair and notification of the Director, Library.
- On the first day of the semester, a course syllabus should be given to each student and be submitted electronically to the Division Chair and to the Vice President, Academic Affairs/Chief Academic Officer (CAO).
- Final grades will be entered online through Self-Service. For students with "W" or "WF" grades (already received), dates should match the last date of attendance on your final attendance report. All grades must be reported as a letter grade. All **courses whose end dates correspond with the last day of the semester** have grades **due by 10:00AM** of the date specified on the college calendar. All **1st mini-mester and blocked courses are due within 48 hours** after the end date of the class.
- Books and manuals loaned to the instructor should be returned to the person issuing them.

M. Advising Responsibilities

It is important that faculty provide good academic and career advice to MCC students. A faculty member is assigned advisees each academic year. Advisors are required to meet each semester with each advisee and to keep appropriate documentation of these conferences.

N. Course Syllabi

MCC has a standard syllabus template. Faculty must use this template for their syllabus. The course outline must contain the following information:

a. Course number, name, description, credit, and contact hours
b. Program learning outcomes
c. Student learning outcomes
d. Number of hours that will be expected for in-class and for online, unless fully online
e. Required textbook(s) and suggested references
f. Teaching methods
g. Course outline of instruction with due dates for all assignments and activities
h. Evaluation criteria
i. Grading scale - a 7-point or 10-point scale
j. Testing policy
k. Attendance policy
l. COVID-19 statement
m. Special notes

O. Evaluation of Student Performance

Each instructor is required to develop and administer an adequate number of assessments for each course.

P. Student Licensing

MCC assumes no responsibility for the licensing of its graduates and those students with a felony conviction or other crimes involving moral turpitude may not be recognized by the proper licensing agency.

Q. Field Trips

Instructors planning field trips must complete a Field Trip Information Form, which is available on the MCC intranet. This form should be signed by the respective instructor, his/her supervisor, supervising senior administrator, the Vice President, Student Development Services, and the President.

If the trip requires the use of a college vehicle, the following procedures must be followed:

College vehicles are intended for all official functions of MCC where transportation is needed for a large group. This includes field trips that are an integral part of the institution's programs, athletics, student club activities, and special occasions.

The vehicles are scheduled on a first come – first serve basis and are to be returned fully fueled to the school vehicle reserved area on campus.

Authorization to Drive: Persons who will be driving an MCC-owned or a State-owned vehicle must have a valid driver's license, and a copy must be on file in the Business Office. Students are not allowed to drive state-owned vehicles and are discouraged from operating College-owned vehicles. If it is necessary for a student to operate a MCC vehicle, the student must be at least 18 years of age and have a valid driver's license on file in the Business Office.

Passengers: Normally, only students, staff, and trustees of MCC are eligible to ride in college vehicles. Any exceptions must be approved in advance by the appropriate Department Head, Vice President

or the SGA advisor, and this exception logged in the Business Office.

R. Class Size

MCC will consider class size while providing educational services for the community.
When determining the minimum size of classes to be offered the College is committed to honoring its contractual relationship with its students as specified in the institutional catalog. If the college commits to offering a program for either one or two academic years, it further commits itself to offering the courses required in the curriculum.

As a standard, the College considers a minimum enrollment to be ten (10) students per class. (This is based upon the anticipated College cost vs. state support). The College will make exceptions in cases when it has committed itself to offering a curriculum and students need the course for graduation.

The College's service area is rural, and this reduces the number of individuals available for some specific levels of instruction. Multiple levels of instruction may be required in some classes. Classes that are offered will be monitored to ensure that quality educational services are provided.

S. Cheating Policy

Cheating is Unacceptable - Cheating is defined by Merriam-Webster's dictionary (2017) as: "to use unfair or dishonest methods to gain an advantage." Cheating is a form of academic dishonesty that can be intentional or unintentional and includes, but is not limited to: plagiarism, copying from another student and/or paper or online sources, misrepresenting someone else's work as your own, working with others if your instructor explicitly asks you not to, falsifying documents or other records, and/or submitting work under your name that was not done by you.

Students can avoid cheating by following the assignment instructions, clarifying with the instructor when they can and cannot collaborate with others, reviewing their work with a critical eye and honestly asking themselves if the information they are providing is their own work or if someone else should have been given credit by citing the work. Library resources are available to learn about cheating, plagiarism, and citations.

What are the consequences of cheating/plagiarism? Cheating and plagiarism are serious offenses and will result in the following sanctions:

- 1st offense: Failure of the assignment in which the action occurred
- 2nd offense: Failure of the course, with a grade of F (not WF), in which the action occurred
- 3rd offense: Expelled from Martin Community College (MCC) for one full-calendar year

Incidents of cheating and plagiarism will be reported to the Chief Academic Officers Office and will be kept on fi le as part of the student's academic record. Administrative Withdrawal should be sent to the Registrar's Office for processing.

(Note: Specific program policies may supersede this policy)

T. Grades Due Policy

Final grades will be entered online through Self-Service. For students with "W" or "WF" grades (already received), dates should match the last date of attendance on your final attendance report. All grades must be reported as a letter grade. All **courses whose end dates correspond with the last day of the semester** have grades **due by 10:00AM** of the date specified on the college calendar. All **1st mini-mester and blocked courses are due within 48 hours** after the end date of the class.

Section 2 Division of Continuing Education/Workforce Development

A. Purpose and Philosophy

The purpose of the Division of Continuing Education/Workforce Development is to deliver non-credit courses and programs to the general public, government agencies, businesses, and industries. The Continuing Education/Workforce Development Division strives to meet the needs of the community at large and designs and develops the training to specific needs. In order to achieve this purpose, courses are offered under the following programs:

- Occupational Extension
- Self-Supporting Programs
- College and Career Readiness Programs
- Business and Industry Training
- Human Resources Development
- Learning Laboratory Programs

B. Admission

Any adult 18 years of age or older, a high school graduate, or an individual between the ages of 16 and 18 who has officially withdrawn from high school is eligible to enroll in Continuing Education/Workforce Development courses.

High school students who are 16 years of age or older are permitted to enroll in Continuing Education/Workforce Development courses under the dual enrollment policy with approval from the appropriate school officials. Students interested in dual enrollment should contact his/her local school counselor for additional information.

C. Books and Supplies

Books and supplies are generally available through the College bookstore. When classes meet at off-campus sites, the College bookstore makes it possible for books to be purchased at the class location. Supply fees may be required for certain classes.

D. Attendance

Students are encouraged to attend all classes. Generally, for a student to be presented an attendance certificate, he/she must attend a minimum of 75 percent of the classes as well as successfully complete the course requirements. Certain classes may exceed this requirement.

E. Class Cancellation

MCC reserves the right to cancel any course, which has insufficient enrollment.

F. Registration Fee Refund Policy

In compliance with 1E SBCCC 900.2 and unless otherwise required by law, community colleges shall not issue a registration fee refund using State funds except under the following circumstances:

- The college shall provide a 100 percent refund to the student if the student officially withdraws or is officially withdrawn by the college from the course selection prior to the first course section meeting.
- The college shall provide a 100 percent refund to the student if the college cancels the course section in which the student is registered.
- After a regularly scheduled course section begins, the college shall provide a 75 percent refund upon the request of the student if the student officially withdraws or is officially withdrawn by the college from the course section prior to or on the 10 percent point of the scheduled hours of the course section. All course sections except those course sections that begin and end on the same calendar day. Colleges shall not provide a student a refund using State funds after the start of a course section that begins and ends on the same calendar day.
- After a non-regularly scheduled course section begins, the college shall provide a 75 percent refund upon the request of the student if the student withdraws or is withdrawn by the college from the course section prior to or on the 10th calendar day after the start of the course section.

G. Insurance

An accident insurance policy is available to all Continuing Education/Workforce Development students at a nominal fee.

H. Accountability of Enrollment

On-Site Visits to Classes

Fifty percent of all off-campus and distance education classes and twenty-five percent of on-campus classes, (excluding receipt-supported classes, and classes that meet 12 hours or less) will be visited each semester by Vice President, Continuing Education/Workforce Development, or his/her designated representative. Classes which meet 12 hours or less will be excluded from a visit by the senior administrator or his/her designated representative. The Division of Continuing Education/Workforce Development; will keep written documentation of all visits on the approved "Site Visitation" form. As a minimum, the following items shall be incorporated in the report:

- Location of class
- Instructor
- Date of Class
- Number of Students Present
- Instructor's signature
- Signature of college administrator or designee conducting the visit

All online Continuing Education/Workforce Development classes will be visited electronically in the same proportions that other Continuing Education/Workforce Development classes are required to be visited. Courses will be made accessible to the instructor's supervisor and Vice President, Continuing Education/Workforce Development for review. The review process will consist of assigning an individual log-on password for both the instructor's supervisor and the Vice President, Continuing Education/Workforce Development. This password will permit a review of the activity of any class at any time while the class is running. The Vice President, Continuing Education/Workforce Development will ensure that the System Office Compliance Reviewers.

Unannounced visits will be conducted each semester by the instructor supervisors. Documentation of these visits will be recorded by utilizing the On-Site Visitation Report.
The Vice President, Continuing Education/Workforce Development or designee will make unannounced visits to a random sample of ten (10) percent of off-campus and distance education Continuing Education/Workforce Development classes (as defined above) each semester. The Vice President, Continuing Education/Workforce Development may delegate this visitation requirement.

The Vice President, Continuing Education/Workforce Development will submit a semi-annual report to the President on internal audit findings. Included in this report will be the class locations, the instructors, the number of classes visited, the number of students present and enrolled, and any problem areas noted. A copy of this report will be maintained in the Continuing Education/Workforce Development Office. The President will inform the Board of Trustees annually of the internal accountability process, which could include positive or negative audit findings.

Visits to selected off-campus and distance education classes are regulated by the guidelines established by the North Carolina Community College System. Compliance Review Staff will have access to Continuing Education/Workforce Development distance education classes for visitation purposes.

Student Membership Verification

In a situation where the class meets physically with the same instructor or other College staff, student signatures on appropriate forms (class receipt forms, class registration, etc.) are required for student's membership verification. No student will be enrolled in a class without completing all the required forms for enrollment (registration form and class roster). In classes where the students are not capable of completing the required forms, the instructor should complete the necessary forms and have the forms initialed by a third party.

Student membership verification will consist of an enrollment verification assignment completed prior to the assigned census point in situations where the class does not meet physically (such as online or other distance education courses)

I. Institutional Approval Process for Conducting CE Class

The approval process for conducting Continuing Education/Workforce Development classes will be as follows:

- An official schedule of Continuing Education/Workforce Development classes is published each semester.

- The schedule is approved by the Vice President, Continuing Education/Workforce Development prior to publication.
- A master schedule of Continuing Education/Workforce Development classes and College and Career Readiness classes will be available within the Division of Continuing Education/Workforce Development. Schedules will include day, time, and location of all classes.
- Directions to all off-campus classes will be kept on file in the Continuing Education/Workforce Development Office.

J. Institutional Responsibility for Accuracy in Reporting Practices in CE Programs

The President has the responsibility to see that the College adheres to all guidelines established by the State Board of Community Colleges and the North Carolina Community College System. The President, at his/her discretion, may scrutinize any and all procedures set forth in this document.

K. Class Size and Course Repetition for CE

Continuing Education/Workforce Development Class Size Policy

MCC will consider class size while providing educational services for the community. Classes that are offered will be monitored to ensure that each student's educational expectations are achieved. The monitoring process may dictate change relative to class size.

The College's service area is rural, and this reduces the number of individuals available for some specific level of instruction. Therefore, multiple levels of instruction may be required in some classes.

Purpose

To ensure that classes offered in Continuing Education/Workforce Development programs have adequate enrollment and quality so that the College may continue effective utilization of institutional resources.

Minimum Class Size

The College considers the minimum enrollment for Continuing Education/Workforce Development Occupational and Community Service classes to be ten. However, it may not always be possible to meet the established minimum enrollment when starting a class. In the event that the minimum enrollment is not met, then the nature of the class and the need for the class will determine whether or not the class will be allowed to start. Classes with less than ten students must be approved by the Vice President, Continuing Education/Workforce Development, or his/her designee.

Maximum Class Size

The educational level of the targeted group, the teacher/student ratio most desirable to achieve course objectives, the requirements of the course, and the availability of space, equipment, and supplies will be factors in establishing maximum class size. State and Federal regulations or accrediting bodies govern the size of some classes with an established teacher/student ratio.

L. Continuing Education Units (CEUs)

Continuing Education/Workforce Development courses may earn Continuing Education Units (CEU). The CEU is a uniform standard of measurement for participation in non-credit Continuing Education/Workforce Development courses. One (1) CEU is defined as ten (10) contact hours of participation in an organized Continuing Education/Workforce Development experience under appropriate sponsorship, capable direction, and qualified instruction.

CEUs may be used by individuals who need to verify participation in non-curriculum courses for purposes of required professional certification or recognition for job advancement.

The Division of Continuing Education/Workforce Development maintains a permanent record of each student who takes a Continuing Education/Workforce Development course. These records are available to students upon request.

M. Continuing Education/Workforce Development Programs

Occupational Extension Programs

Occupational extension courses consist of single courses, each complete in itself, designed for the specific purposes of training an individual for full or part-time employment, upgrading the skills of persons presently employed, and retraining others for new employment in occupational fields.

Self-Supporting Programs

A self-supporting course is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled.

College and Career Readiness Programs

General Educational Development (GED)/High School Equivalency

General Education Development (GED) testing programs consist of classroom instruction or learning laboratory courses, or a combination of both, designed to qualify a student to demonstrate competency on the GED tests and to receive a High School Diploma equivalency from the State Board. The State Board is responsible for the administration of the GED testing program in cooperation with the Office on Educational Credit of the American Council on Education. The procedures regulating the GED Testing Program set forth in the GED Examiner's manual published by the General Educational Development Testing Service of the American Council on Education are hereby incorporated by reference. An annual graduation is held in May. GED classes focus on preparation for the four high school equivalency tests in the areas of reading, writing, science, social studies, and mathematics. A pre-test is available in each area to determine readiness for the official GED tests. An Agreement of Affiliation with a local public high school system is required for minors 16 or 17 years of age. No agreement is required for adults 18 years of age or older.

Adult Basic Education (ABE)

The Adult Basic Education Program is designed for adults who are functioning at or below the eighth-

grade educational level. The major objectives of the program are to enable adults to acquire the basic educational skills necessary to be fully competent in our society, to improve their ability to benefit from occupational training and to have greater opportunities for more productive and profitable employment, and to meet their own objectives for enrolling in the program. Classes are offered and focus on fundamental skills such as reading, writing, speaking, computing, critical thinking, and problem solving.

English as a Second Language

The English as a Second Language program offers classes which accommodate the varied needs of the immigrant and refugees' populations. Attention is given both the cultural and linguistic needs as instruction is focused upon the formation of accurate, appropriate communication skills and upon the student's ability to function in the adult American community. Classes are offered at the beginning through advanced levels of ESL. The curriculum is designed to develop the basic language skills of reading, writing, speaking, and listening. Instruction integrates the English language with topics that prepare students for everyday life, employment, and citizenship.

Business and Industry Training

MCC offers the following programs to serve the needs of businesses and industries in its service area.

NC Edge Customized Industry Training

The NC Edge Customized Training Program provides education, training and support services for new, expanding, and existing business and industry in North Carolina. The goal is to foster and support three key aspects of a company's well-being:

- Job Growth
- Technology Investment
- Productivity Enhancement

Those businesses and industries eligible for support through the Customized Training Program include Manufacturing, Technology Intensive (i.e., Information Technology, Life Sciences), Regional or National Warehousing and Distribution Centers, Customer Support Centers, Air Courier Services, National Headquarters with operations outside North Carolina, and Civil Service employees providing technical support to US military installations located in North Carolina.

In order to receive assistance, eligible businesses and industries must demonstrate two or more of the following criteria:

- The business is making an appreciable capital investment;
- The business is deploying new technology;
- The business is creating jobs, expending an existing workforce, or enhancing the productivity and profitability of the operations within the State; and
- The skills of the workers will be enhanced by the assistance.

Resources may support training assessment, instructional design, instructional costs, and training delivery for personnel involved in the direct production of goods and services. Production and

technology support positions are also eligible for training support.

Full-time probationary employees of qualified NC Edge Customized Training companies are eligible for training delivered by the community college.

The use of NC Edge Customized Training funds requires that trainees be paid by the company for all time during training hours.

Small Business Center

The objective of the Small Business Center Network (SBCN) is to increase the success rate and the number of viable small businesses in North Carolina by providing high quality, readily accessible assistance to prospective and existing small business owners which will lead to job creation and retention. Each Small Business Center (SBC) will be a community-based provider of education and training, counseling, referral, and information.

Human Resources Development (HRD)

The Human Resource Development (HRD) Program provides skill assessment services, employability skills training, and career development counseling to unemployed and underemployed adults. The courses address six core components as follows:

- Assessment of an individual's assets and limitations;
- Development of a positive self-concept;
- Development of employability skills;
- Development of communication skills;
- Development of problem-solving skills; and
- Awareness of the impact of information technology in the workplace.

N. Special Services

Fire Service Training

The Fire Service Training Program provides training to fire service personnel in the latest techniques and methods of firefighting. Training sessions may be held in the local communities or on campus.

Emergency Medical Services (EMS)

The Division of Continuing Education/Workforce Development has an important function in providing emergency medical services and training to the residents of northeastern North Carolina. The College is committed to the concept of Emergency Medical Services and is active on the Regional Emergency Medical Services Council and the training committee. In order to assist local rescue squads and hospitals to meet and maintain qualified and proficient manpower, the College offers a variety of specially designed courses.

Basic Law Enforcement Training (BLET)

The Division of Continuing Education/Workforce Development offers the Basic Law Enforcement

Training Program accredited by the North Carolina Criminal Justice Education Training Standards Commission. This course is mandated as a requirement for potential law enforcement officers. Anyone seeking to become a sworn officer with a law enforcement agency in North Carolina must complete the course in its entirety and pass the state examination. The course is approximately 632 hours in length.

In-service Law Enforcement Training is provided to criminal agencies. Courses are specially designed for those engaged in law enforcement or criminal justice activities.

O. Learning Laboratory

The Learning Laboratory programs consist of self-instruction using programmed texts, audio visual equipment, online, and other self-instructional materials. A learning laboratory coordinator has the function of bringing the instructional media and the student together on the basis of objective and subjective evaluation and of counseling, supervising, and encouraging persons working in the lab.

P. Fees for CE Programs

A registration fee shall be charged for each extension class (e.g., all instruction organized, supervised, or delivered outside the regular curriculum programs offered by the College) of 21 weeks or less. A registration fee shall be charged each 16 weeks for extension classes lasting longer than 21 weeks. The following fee structure applies to non-curriculum extension instruction:

Occupational Extension

A registration fee as established by the State Board shall be charged for each occupational extension course. Fees are subject to change.

- Membership hours: 0-24 = $70.00
- Membership hours: 25-50 = $125.00
- Membership hours: >50 = $180.00

Self-Supporting Program Fees

In accordance with State Board Community College Code 1E SBCCC 600.3 the College is permitted to sponsor self-supporting classes, deposit income (if any) to a local account and pay all expenses from the local account.

The College shall set self-supporting fees for c Continuing Education/Workforce Development course sections at a level at or below the local market rate for the type of Continuing Education/Workforce Development instruction provided.
If self-supporting receipts exceed expenditures for the fiscal year, the following provisions apply:

- Excess receipts shall only be used for one or more of the following purposes: instruction, student support services, student financial aid (e.g. scholarships, grants, and loans), student refunds, student activities, curriculum development, program improvement, professional development, promotional giveaway items, instructional equipment, and capital improvements and acquisition of real property.

- Excess receipts shall not be used for any of the following purposes: supplemental compensation or benefits of any personnel, administrative costs, entertainment expenses, and fundraising expenses.

General Education Development (GED)

There is a fee for those individuals taking the General Education Development Test (GED).

There are four test/modules that incur a 20.00 fee for each and each retest is 20.00. Pre- tests can be purchased prior to module testing and that incurs a 20.00 fee.

Tuition and Registration Fee Waivers

Special Training Programs. No registration fees shall be charged to students enrolling for special extension training programs that directly relate to job performance set forth in G.S. 115D-5(b) as follows:

Persons not enrolled in elementary or secondary schools leading to a high school diploma or equivalent certificate, for training courses for:

- Volunteer firefighters,
- Local fire department personnel,
- Local rescue and lifesaving department personnel,
- Radio Emergency Associated Citizens Team (REACT) members when the REACT team is under contract to a county as an emergency response agency,
- Local law enforcement officers,
- Full-time custodial employees of the Department of Correction,
- Employees of the Division of Adult Corrections of the Department of Public Safety Divisions' Section of Community Corrections and of the Departments of Juvenile Justice and Delinquency Prevention required to be certified under Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission,
- Trainees enrolled in courses conducted under the New and Expanding Industry Program,
- Clients of sheltered workshops,
- Clients of adult developmental activity programs,
- Students in Health and Human Services Development Programs,
- Juveniles of any age committed to the Department of juvenile Justice and Delinquency Prevention by a court of competent jurisdiction,
- Prison inmates,
- Members of the North Carolina State Defense Militia as defined in G.S. 127A-5 and as administered under Article 5 of Chapter 127A of the General Statutes,
- Senior citizens attending institutions operating under G.S.115B General Statutes, Tuition Waiver for Senior Citizens,
- High school students at community colleges, including students in early college and middle college high school programs, in accordance with G.S. 115D-20(4),
- Individuals meeting the criteria set forth in G.S. 115B-2 shall not be charged registration fees,
- Elementary and secondary school teachers who take CPR or first aid classes shall not be charged registration fees,

- Members of the North Carolina Civil Air Patrol and individuals engaged in civil preparedness who take special extension training courses that directly relate to their job performance shall not be charged registration fees.

Tuition and fees for enrollment in courses coded in the Combined Course Library as Human Resources Development shall be waived if the student meets at least one of the following criteria:

- Is unemployed;
- Has received notification of a pending layoff;
- Is working and is eligible for the Federal Earned Income Tax Credit (FEITC); or
- Is working and earning wages at or below two hundred percent (200%) of the federal poverty guidelines,
- Students for whom tuition and fees are waived shall sign a form adopted from the State Board of Community Colleges verifying that they meet one of these criteria

Article VII: Library Policies and Procedures

Section 1 Mission

The purpose of the Library is to support the Philosophy, Mission, and Goals of MCC and to enhance the teaching/learning process through provision of adequate, current resource collections in formats consistent with prevailing technologies; provision of access to the collections of other libraries; provision of instruction in the use of resources to enable patrons to function in an information-driven society; and promotion of life-long learning opportunities.

Section 2 Hours of Operation

Library Hours of Service

Monday – Thursday: 8:00 a.m. until 7:00 p.m.; and Friday 8:00 a.m. until 2:30 p.m. Hours of service are shortened during student breaks and holidays. When there are no evening curriculum classes scheduled, the Library will be closed for the evening. Any change of hours will be posted on the entrances to the Library.

Section 3 General Procedures

A. Check Out Procedures

Books – Books are checked out for a period of two weeks. Books may be renewed twice if no other patron has requested them. Telephone renewals are accepted.

Non-Circulating Materials – Reference materials, Local History Room materials, current magazines, and newspapers are non-circulating items.

Faculty Reserve Materials – Books and other materials placed “On Reserve” generally are not to be checked out of the Library.

Audio Books – Audio materials treated as print materials may be checked out with a two- week circulation period.

Curriculum-related DVDs – Curriculum materials will be circulated to faculty and staff only. Students may view curriculum DVDs in the Library. Instructional use of videos will have the highest priority.

Circulating DVDs– Non-curriculum-related DVDs may be checked out for a two-week circulation period.

Students, faculty, staff, citizens of the service area, institutions within the North Carolina Community College System, and members of the Interlibrary Loan Network may borrow circulating materials, as identified by library staff. Loan of other resources of the MCC Library may be limited by acceptable library practice, such as reserve materials; priority need of faculty and students; and North Carolina state law.

A faculty or staff member must obtain a library card and present it each time materials are borrowed.

Faculty and staff members are responsible for all materials charged against the library account.

Faculty members may borrow materials on a semester basis. If another person needs the material, the faculty member may be requested to return the material with a week's notice. All materials must be returned or renewed at the end of each semester.

Resources shall include both print and non-print materials and audiovisual equipment.

Exceptions include that only print and non-print materials will be loaned within the North Carolina Community College System and that only faculty and staff will be allowed to check out DVDs designated for instructor use. Only faculty, staff, SGA, and officially chartered MCC clubs may check out audiovisual equipment.

No resources will be loaned to a person or an organization if the loan will result in the unavailability of necessary materials or equipment for the use of MCC students, faculty, or staff.

Resources which are taken off campus must be properly checked out.

Audiovisual equipment must be returned at the time agreed upon by the borrower and the library staff.

The borrower will assume full responsibility for the replacement or repair of borrowed items.

No non-print and audiovisual equipment of the MCC Library shall be loaned to non-faculty/staff members for use out of the state of North Carolina. Print materials shall be loaned based on requests through the interlibrary loan network.

B. Interlibrary Loan

Students, faculty, staff, and community patrons may request items through interlibrary loan from participating community college libraries using the online catalog whose link is on the Library's web page. Books not available from another community college library may be obtained through interlibrary loan from East Carolina University. Journal articles not available in Martin's databases can often be obtained from ECU through interlibrary loan as well. Martin students, faculty, staff, and community patrons must ask library staff to request items from ECU for them. They cannot be obtained through the online catalog.

C. Lost or Damaged Materials

Lost or damaged books, audio books, and DVDS must be paid for before additional materials can be checked out. The replacement cost for a library item will be the price recorded in the catalog record of the Library's integrated library system plus a $5.00 processing fee. Charges for damages not requiring the replacement of an item will be at the discretion of the Library Director. For example, if a book is returned without its barcode, the patron would be charged a damage fee to cover a new barcode.

D. Faculty & Staff Related Procedures

Order Procedures for Materials

Requests for books should be made on Purchase Request Forms available on the Intranet. In initiating orders, faculty members are asked to complete the forms in as much detail as possible. Book orders are welcome anytime.

Because the orders must go through an approval process and are dependent on the availability of funds, it may take up to several months to receive a requested book. The library staff encourages orders well in advance of the need for the materials to ensure availability when needed by students.

The library staff will not order more than five copies of a single title. Order only as many copies of a single title as will be used. Duplicate copies are discouraged unless there is a definite need.

Periodicals and newspapers are requested by using the Purchase Request Form. The library staff should be informed of any additions or deletions, which should be made to the collection in order to supplement a particular curriculum area. Requests for additional magazines and newspapers must be held until funds become available.

Requests for audiovisual materials are to be made on the Purchase Request Form.

Equipment is purchased for the library as funds permit. The faculty is encouraged to make suggestions of desired items so as funds become available needs can be fulfilled.

Reserve Materials

Faculty members may request materials be placed “On Reserve” at any time. The faculty member should not remove the reserve materials without notification of the Library staff. A list of materials placed “On Reserve” should be given the students in the class for which it is reserved. Magazines to be used for class assignments should also be placed on reserve.

Materials placed on reserve should be removed immediately after the assignment is completed or at the end of the semester.

Audiovisual Equipment

There is a wide variety of audiovisual equipment available to the faculty for instructional use. Equipment will be loaned on a first-come, first-served basis. A request twenty-four hour in advance is desirable and would probably guarantee availability.

Delivery and Pickup Service

Faculty and staff must visit the Library to sign equipment out before the equipment will be released to them. Equipment request forms for non-MCC-sponsored events on the campus may be obtained from the Customer Services’ Desk in Building 1.

Transfer of Equipment

There should be no transfer of equipment from one person to another. Each faculty member is held responsible for all equipment charged to him/her. If an item is missing, it should be reported to the library staff immediately.

Defective Equipment

Defective equipment should be returned to the Library with a written note concerning the defect.

Proper Use of Equipment

Library staff will be glad to work with individuals on the proper use of equipment.

Library Instruction

The library staff will provide orientation programs to teach new users how to access resources. The methods to be used will include formal instruction, library brochures or handouts and individualized instruction upon request.

Research Papers and Projects

Faculty members are encouraged to coordinate paper and project topics with the library staff. Students having difficulty locating sufficient materials for a topic should contact a member of the library staff.

E. Electronic Resources Procedures

Library Databases

Links to all databases available to students, faculty and staff are located on the Library's web page. These include the Library's online catalog, more than 70 databases in NC Live, Gale Database Collection, A.D.A.M., Stat!Ref, and RCL Plus. Databases may be added or discontinued from time to time based on usage, instructional needs, and the availability of funding.

Library Internet Usage

Access to resources on the Internet is provided to support the research, educational, and administrative purposes of the College. All who use these services will do so responsibly, respecting the rights of other users, the integrity of the physical facilities, and all applicable laws and regulations.

Twenty-four computers equipped with Windows, Microsoft Office, Internet access, and printing capability are available for use by students, faculty, staff, and community patrons. Use of the computers is on a first-come, first-served basis. Patrons are required to sign in at the circulation desk for available computers. Students are given priority over community patrons for computer use. There is a limit of one person per terminal.

Internet use is a privilege, not a right, and inappropriate use will result in a loss of network privileges, disciplinary action, and, if appropriate, referral to legal authorities.

Disallowed Uses

Users may not:

- Use for illegal or improper commercial purposes or personal gain
- Use to alter computer hardware or software
- Use in violation of copyright laws or software licenses
- Transmit or display material that would be considered threatening, obscene or harassing by the average person or by community standards
- Use someone else's name or identification
- Use the Internet for a Ponzi Scheme (a form of chain letter requesting recipients to send money to people on a list). Ponzi Schemes are against the law.

Copyright Use

U. S. copyright law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use". Users may not copy or distribute electronic materials (including electronic mail, text, images, programs, or data) without the explicit permission of the copyright holder. Any responsibility for any consequences of copyright infringement lies with the user; the Library expressly disclaims any liability or responsibility resulting from such use.

The Library expressly disclaims any liability or responsibility arising from access to or use of information obtained through its electronic information systems, or any consequences thereof.

F. 3D Printer Policy

The 3D *printing service* is available for students, faculty, staff, and community patrons. The library reserves the right to refuse any 3D printing request. Applicable disallowed uses of the Internet, as described in Article VII, Section 3 (Electronic Resources Procedures), also apply to 3D printouts.

1. **The user will provide the 3D design to library staff on a flash drive provided by staff or via e-mail to the library help e-mail.**
2. **Library staff will load the design into the printer and monitor the printing. Users are not permitted to load their designs or use the printer themselves.**
3. **Users may not use for illegal or improper commercial purposes or personal gain.**
4. **Users may not use to alter computer hardware or software,**
5. **Users may not use in violation of copyright laws or software licenses,**
6. **Users may not transmit or display material that would be considered threatening, obscene, or harassing by the average person or by community standards., and/or,**
7. **Users may not use someone else's name or identification.**

Procedures:

1. Items printed will be charged at a rate approved in the annual fee schedule with a minimum charge of $1.00.
2. Items printed at the request of an instructor for a class will be charged to the department as

deemed appropriate by the library and the divisional chair/director.

3. Items not picked up after 30 days will be disposed of and charged to the user's library account.

(Board Policy Adopted September 21, 2021)

Section 4 Assessment

The total Library program will be evaluated regularly and systematically to ensure that it is meeting the needs of its users and supporting the Philosophy, Mission, and Goals of MCC.

In accordance with the current Institutional Effectiveness Process, the library staff annually will review the Library's mission and its consistency with the mission and goals of MCC.

Professional library staff will review and will analyze relevant data and use input from the Library Committee to assess unit outcomes and implement strategies for improvement.

Section 5 Library Selection Policy

Responsibility

The library staff and faculty share the responsibility for the development of all collections of the Library.

To support the diverse learning outcomes of MCC's educational programs, faculty and the library staff will engage in regular systematic review of the library's resources.

Opportunities for collaborative review are available through annual program reviews, collection development, weeding, and participation on the Library Committee.

Policy

The expansion of the Library resources to include a diversity of materials is a natural outgrowth of the acceptance of the concept of the Library as an integral aspect of the instructional program of the College. The function of the Library is to provide materials which undergird the College curriculum. To support its educational programs, a College must provide material in many forms related to all curriculum areas.

Intelligent selection of these materials is a time-consuming task, which requires professional competence as well as the ability to profit by the professional competence of others. The first requisite is depth of knowledge of the curriculum and the second is knowledge of the needs, interests, and abilities of the College clientele. Related factors are the amount of money available, the materials already available in the Library, and materials available from other sources.

Selection of the types of materials should be made on the basis of the medium available that most effectively conveys or interprets the content or the concept. All materials selected for the Library, in whatever format, should meet high standards of excellence. Materials which deal with current topics should be up-to-date; those which reflect a biased point of view should make the prejudice recognizable.

The Library collection should include all facets of the curriculum with materials which reflect different points of view of controversial subjects. Since there is within the College little homogeneity of either ability or interest, the collection should contain materials with varying degrees of difficulty.

Selection is a cooperative process, which should involve the faculty and library staff. Faculty are subject specialists with the added knowledge of the needs, interests, and abilities of their students. It is the responsibility of the professional library staff to consult with them, to provide them with as much bibliographic information as possible, and to secure their assistance in the evaluation of materials. Students can be encouraged to use bibliographic sources and to make recommendations for materials in which they are interested or which they need.

The safest method of selection is, of course, a firsthand knowledge of the material itself; the next is the use of reliable selection aids. Factors to consider in evaluating lists of materials include the reliability of the person or organization who prepared them and their degree of expertise.

At MCC the selection of materials for the Library is a cooperative and continuous process. The faculty and library staff are involved in the selection of materials. The faculty requests books and other materials by completing the Purchase Request Form. Final decisions concerning the purchasing of materials are vested in the professional library staff.

It is the policy of the MCC Library to select materials in accordance with the following: Materials shall be chosen for values of interest and enlightenment of all students and employees of the College as well as other interested patrons. Material shall not be excluded because of the race, gender, nationality, sexual orientation, or the political or religious views of the writer.

There shall be the fullest practical provision of material presenting all points of view concerning the problems and issues of our times and materials of sound factual authority shall not be proscribed or removed from the shelves because of partisan or doctrinal disapproval.

Censorship of materials shall be challenged in order to maintain the College’s responsibility to provide information and enlightenment.

It is the right and responsibility of teachers and professional library personnel to select materials which are carefully balanced to include various points of view on any controversial subject.

Since materials are selected to provide for the interest and needs of the College community and the College programs, they will be selected cooperatively by the faculty and professional library personnel, sometimes with the assistance of students.

Selection of materials will be assisted by the reading, examination, and checking of standard evaluation aids which include catalogs and book reviews.

Two basic factors, truth and art, will be considered in the selection of Library materials. Truth involves factual accuracy, authoritativeness, balance, and integrity. Art is a quality of stimulating presentation, imagination, vision, creativity, style appropriate to the idea, vitality, and distinction.

Materials for the Library shall be examined to select those in which the presentation and subject matter are suitable for the ability and interest level at which they are to be used.

Books and materials meeting the above standards and principles will not be banned but books or materials of an obscene nature or those advocating overthrow of the government of the United States by force or revolution shall not be recommended for purchase.

MCC Library reaffirms the Library Bill of Rights, which affirms that all libraries are forums for information and ideas, and that the following basic polices should guide their services.

- Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Criticisms of materials that are in the Library should be submitted in writing to the President of MCC. A form is available which enables a citizen to make a request for consideration of educational media. The Library Committee will be informed. Complaints thus submitted will be considered by the committee. The challenged materials will be judged by the committee as to its conformity to the aforementioned principles. The decision of the Library Committee is final. If the committee rules against the citizen's request, the citizen has the right to take the issue to court.

The MCC Library is an academic library. Certain materials in an academic library setting may be inappropriate for persons under the age of 16, many of whom, without the guidance of a parent or guardian, may lack the maturity level to relate to an academic library environment in a manner that is conducive to study.

<u>Criteria</u>

Library Criteria for Selection of Material

- Needs of the College.
- Based on knowledge of the curriculum.
- Based on requests from faculty.
- Needs of the Students:
- Based on knowledge of students.
- Based on requests from students.
- Provision of a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view.

- Provision of materials of high artistic quality.
- Provision of materials with superior format.

The following questions should be asked of each item before purchasing:

- Is the material needed by the College?
- Is it the best of its kind?
- Does it fit into or enrich the curriculum?
- Are substance and format suitable for the level of its patrons?
- Does the material have literary merit?
- Will it appeal to the students for whom it is intended?
- Does it appear on one or more approved lists?
- Does it fulfill the responsibility of the library as expressed in the Library Bill of Rights?

Section 7 Duplicate Copies Policy

The purchase of duplicate copies of materials for the Library is discouraged.

Purchase of duplicate copies is discouraged unless a faculty member or the Director, Library demonstrates a need for additional copies.
Materials used for extensive required research should ordinarily be duplicated at the rate of one copy for every ten students. Length and difficulty of the material should be considered in using this formula.

Final decision on the number of copies of an item recommended for purchase will be made by the library staff in consultation with the department making the request.

Five is the maximum number of copies of a single title which will be ordered.

Section 8 Gift Policy

The MCC Library will accept appropriate gifts for its collection under certain conditions. Gifts that are not appropriate to the educational program will not be accepted.

- Materials cannot be accepted on “indefinite loan.”
- Professional library staff reserves the right to decide which materials to keep. Those that are inappropriate or unwanted duplicates will be handled in one of four ways according to the will of the donor:
    - Returned to donor.
    - Disposed of by sale.
    - Donated to another library.
    - Discarded.

Any appraisal for income tax purposes of a gift of books or other materials is the responsibility of the donor.

Section 9 Textbook Policy

Textbooks adopted for classroom use will not normally be purchased for the Library collection. Textbooks are purchased only when no other material in a given field is available or the material is the best on the subject. No attempt is made to supply student demands for textbooks in specific subject, although one copy of selected adopted textbooks may be purchased for the Reserve collection if the instructor and library staff deem it advantageous.

Section 10 Inventory Policy

The Library collection will be inventoried bi-annually.

Since inventorying is done most efficiently when the majority of the collection is in place and when demand for service is at a minimum, inventory will be taken bi-annually during July and/or August.

The following steps will be followed in conducting the inventory:

- Arrange the collection in the correct order on the shelves.
- Compare the shelf list or accession list with the materials on the shelf. Make notes of materials not found or use the Mobile Circ application available in conjunction with the Library's circulation software.
- Check the records of materials not located with the circulation records and other records, which might account for the missing materials.
- Make a periodic search for missing materials.
- Withdraw records of materials not found.
- The library staff will not be responsible for conducting the inventory.
- The Vice President, Student Development Services will be responsible for assuring the bi-annual inventory is conducted and for providing staff to assist the library staff.

<u>Library Replacement of Materials</u>

The Library will not automatically replace all materials withdrawn because of loss, damage, or wear. Decisions will be based on the following considerations:

- Demand for the specific title.
- Importance and value of the specific title.
- Number of copies held.
- Existing coverage of the subject.
- Availability of newer and better materials on the subject.
- Availability of the item in another format.
- Other considerations

Materials chosen for replacement will be replaced by the most current edition available.

Reference materials will be replaced automatically as new editions become available unless coverage of the subject area is already sufficient based upon other print materials and/or electronic items.

Section 11 Weeding Policy

Weeding is the systematic evaluation of the Library's collection with an eye to the withdrawal of damaged or obsolete materials from the collection. This process is an integral part of collection development and maintenance.

The entire Library collection will be evaluated annually to determine if there are materials which should be discarded to maintain the quality of the collection.

The process of weeding requires the same participation by the faculty, as does the selection of materials.

Professional library staff will direct to the faculty those materials which should be considered for withdrawal.

The recommendations of faculty are essential and will be given full consideration.

The final decision on weeding will rest with the Vice President, Student Development Services.

The following categories of materials should be considered for removal from the collection:

- Materials in poor physical condition.
- Outdated materials.
- Materials superseded by newer and revised editions.
- Unnecessary duplicate materials.
- Materials no longer of value to patrons of the Library.

Discarded materials must be disposed of in accordance with State regulations. Materials donated to the Library will be handled according to the Gift Policy.

Materials purchased with State funds which are to be discarded shall have as many ownership markings as practicable removed or marked over and shall be stamped with the word "discard" or "withdrawn." Disposal of discarded items purchased with State funds shall be in accordance with State Code 1H SBCCC 400.2.

Section 12 Student Laptop Loan Program

Procedure:

A. Purpose and Eligibility

Students currently registered for curriculum and continuing education classes at Martin Community College (MCC) are eligible to check out laptops and related accessories (charger, carrying case, etc.). All items are intended to assist students in their academic achievements while enrolled at the College. Eligible students must have tuition and fees paid or demonstrate approved financial sponsorship or aid; eligible students must not have an outstanding balance. Checkout requires a current college ID badge.

B. Unreturned Laptops and Replacement Costs

All items are the property of MCC and must be returned to the library in good working condition by the designated due date. A 10-business day grace period is provided in the instance of overdue returns. Laptops not returned by the end of the grace period are remotely disabled. Students are charged the replacement cost of laptops and all other items. Replacement costs are determined by MCC. The replacement value of lost laptops is the original value of the laptop depreciated by 20% per year from the date of purchase. The minimum depreciated value of a laptop is $200.00.

C. Damaged Laptops and Repair Costs

Items must be returned in good working condition, with only minimal signs of use and no visible damage, including but not limited to cracks, dents, scratches, missing keys, or other hardware or software issues. Students are charged the cost of repairs for damages occurring while in their possession. If damages are determined, repair costs are determined by MCC. Students are encouraged to notify and seek help immediately from the library staff if a laptop or other item is broken or malfunctioning; such help may prevent further damage and reduce the cost of repairs. Laptops that are damaged beyond repair are assessed per the lost laptop replacement cost schedule.

D. Sanctions

Students are not allowed to register for classes, receive a transcript, or graduate until all items are returned, replacements or repairs have been assessed and any required balances are paid. Lost or damaged items must be paid for before additional materials can be checked out.

MCC is not liable for any damage to students' personal equipment (flash drives, cell phones or any other devices) connected to laptops.

Additional details are provided in the "Semester Laptop Checkout Agreement."

(President's Council adopted February 5, 2025)

Article VIII: Student Policies and Procedures

Section 1: Leon's Law – Education Records of Minor Students

Policy:

Martin Community College requires each minor student to complete a form, prior to registration in any course, acknowledging the following:

1. **To the extent allowed under FERPA, the education records of a minor student shall be provided to the student's parent as long as the parent has not opted out of receiving the education records.**
2. **To the extent allowed under FERPA, the education records of a minor student shall be provided to the school administrators and school counselors at the school in which the student is dually enrolled.**

(Policy approved by MCC Board of Trustees on November 18, 2025)

Procedure:

The Education Records Acknowledgment (ERA) restriction is applied by the Office of Admission Counseling and Student Support Services (OACSSS) on all minor students when admitted. ERA will remain open until the education records acknowledgement form is received. That form is distributed to traditional students through OACSSS; the form is distributed to Career and College Promise (CCP) students by High School Programs staff. The student is not permitted to register for classes so long as the restriction is open. The restriction will be ended when the completed form has been submitted to and processed by the college Registrar. Ending the restriction acknowledges the college's receipt of the form and the student's permission to register for classes.

The minor's failure or refusal to submit the form does not negate the College's responsibility to disclose the education record to the qualified parent.

Parents attempting to gain access to a minor's education records must provide evidence that the student was claimed as a dependent on the most recently filed income tax return. The tax return, and a state or federally issued identification, must be provided to the college's Registrar to verify a parent's identity.

Parents who wish to opt out of receiving the education records of the minor student are able to do so by notifying the college's Registrar. In such cases, the minor student is still required to acknowledge parental access under Leon's Law. The opt-out may be revoked at any time by submitting a written request to the college's Registrar.

(Procedure approved by President's Council on February 11, 2026)

Definitions:

The following definitions apply to information related to Leon's Law within this section:

1. Dependent – As defined in section 152 of the federal Internal Revenue Code of 1986.

2. Education records – As defined in 34 C.F.R. § 99.3.
3. FERPA – Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.
4. Minor student – A student who is under the age of 18 and a dependent of his or her parent.
5. Parent – The parent, guardian, or an individual acting as a parent in the absence of a parent or guardian of the minor student.

Section 2: Course Auditing

Policy:

Students who wish to audit a course must officially register for that course. Auditors do not receive credit. Even though it is not required, auditors are encouraged to attend classes regularly, participate in class discussions, and take all examinations. Tuition for auditors is the same as that for credit students. A grade of "AU" with no credit hours or quality points is recorded on the student's record. The decision to register as an auditor must be made by the "Last Day to Add Courses" as published in the Academic Calendar and clearly noted on the Student Class schedule form or Registration Change form. Audited hours cannot be used in calculating the amount of financial aid (Pell Grants, DVA, etc.) that students receive. Auditing students may not displace credit or degree seeking students, as those students will receive priority enrollment.

(Policy approved by MCC Board of Trustees on March 17, 2026)

Glossary

Administration: Defined as the President, Vice-President, Associate Vice President, and Executive Director.

Alcoholic beverage: Includes beer, wine, whiskey, and any other beverage listed in Chapter 18B of the General Statutes of North Carolina.

Board Hearing Committee or **Hearing Committee:** Defined as an ad hoc committee of the Board of Trustees composed of three (3) to five (5) members to hear, on the Board's behalf, any appeal under this Grievance Policy. The Chairperson of the Board of Trustees shall appoint the chairperson and the other members of the Board Hearing Committee. In all appeals hereunder, the Hearing Committee represents the Board of Trustees and has been fully authorized to render a decision on its behalf. The decision rendered by the Committee will be the final decision of the College. No board member serving on the Personnel Committee may serve, at the same time, on the Hearing Committee.

Board of Trustee or **Board:** Shall mean the Board of Trustees of MCC.

Bona Fide: Genuine, real

Burden of Proof: The party having that burden is required to present evidence to prove the existence of those facts which entitle him or her to a favorable answer to his or her contentions. Under this Grievance Policy, the burden of proof is on the employee to prove his or her contentions to a substantial certainty and that such contentions if proven merit relief, except where a member of the Board, administration, or a College official involved in the matter appeals a decision rendered hereunder in which event the burden of proof will shift to the member of the Board, administration, or College official.

Business Day: Any normal workday that the College is open for business.

Child: For purposes of the Family and Medical Leave Act, child is defined as a son or daughter who is under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability who is: (1) a biological child; (2) an adopted child; (3) a foster child – a child for whom the employee performs the duties of a parent as if he or she were the employee's child; (4) a stepchild; (5) a legal ward; or, (6) a child of an employee standing in loco parentis.

Class I Felony Weapon: Per GS 14-269.2(b) any gun, rifle, pistol, or other firearm of any kind. (Does not apply to BB guns, stun guns, air rifles, or air pistols).

Class 1 Misdemeanor Weapon: Per GS 14-269.2(d) any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except for personal shaving), firework, or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for the preparation of food, instruction, and maintenance.

College Community: A student, employee, or patron of MCC.

College Official: Teaching faculty and supervisory personnel.

College or **Institution:** Shall mean MCC.

Compensatory Time: For nonexempt employees, compensatory time is defined as each hour worked in excess of, in half-hour units, or a combination of work hours and approved leave in excess of eight (8) on any given day during a week which includes a holiday and/or approved leave. The hours worked must be in physical or mental exertion controlled or required by the College and pursued necessarily and primarily for the benefit of the College. It includes any work, which the employee performs on or away from the premises.

Contract: As used in these policies means a written agreement of employment, signed by the President of the college and the employee, specifying the employee's job position/title, period of employment, and salary or rate of pay.

Contractual Employee: An employee occupying a position which is typically funded on an annual basis by federal, state, or local grants, and which can reasonably be expected to be funded for a minimum of two (2) years.

Controlled Substance: Any drug listed in Title 21 (21 CFR), Section 812, Schedules I-V, and other regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, these are drugs which have a high potential for abuse, including, but not limited to heroin, marijuana, cocaine, PCP, and "crack." The term also includes "legal drugs" which are not prescribed by a licensed physician.

Conviction: A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or State criminal drug statutes.

Criminal Drug Statute: A criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

Day: Each calendar day including weekends and holidays. When any time limitation prescribed by these regulations expires on a weekend or institutional holiday, said time limitation shall be deemed to expire on the next scheduled workday.

Decline in Student Enrollment: A significant reduction in student enrollment on a full- time equivalency basis in a particular program area, both curriculum and non- curriculum, over that of previous academic year or semester which necessitates the elimination, curtailment, or reorganization of the program offerings. This definition shall also include new programs when the beginning student enrollment is insufficient to justify its initiation.

Disability: A physical or mental impairment that substantially limits one or more of the major life activities, a record of such impairment or being regarded as having such an impairment.

Dismissal: Means the termination of employment prior to the expiration date of the employment contract of the employee.

Drug-free Workplace: A site for the performance of work done in connection with a specific grant or contract of an entity at which employees of such entity are prohibited from engaging in the unlawful

manufacture, distribution, dispensation, possession, or use of a controlled substance.

Educational Leave: Refers to the release from duties or time normally required of a full-time employee in carrying out his/her full load of assigned responsibilities and includes release time from teaching loads for a full-time faculty member. It does not apply to off-duty time used for educational purposes.

Eligible Veteran: A veteran who served during a period of war; or the spouse of a disabled veteran; or the surviving spouse or dependent of a veteran who dies on active duty during a period of war either directly or indirectly as the result of such service; or a veteran who suffered a disabling injury for service-related reasons during peacetime; or the spouse of a veteran; or the surviving spouse or dependent of a person who served in the Armed Forces of the United States on active duty, for reasons other than training, who dies for service-related reasons during peacetime.

Employee: An employee occupying a budgeted position, which can reasonably be expected to be funded on a continuing basis. It shall also include any agency or institution under a contractual agreement to provide instruction. Students employed under the College Work-Study Program are considered to be employees of MCC.

Exempt Employee: Those employees who have executive, professional or administrative exempt status as prescribed by the Fair Labor Standards Act. Human Resources will subject all the positions at the College to the Fair Labor Standards Act exemption requirements and notify all employees of their exempt or nonexempt status.

Expelled: A student who has been expelled is cut off from membership or relations with the College. Expelled students are barred from registering and/or attending classes and official College functions. Appearance on College premises should be limited to official business with the College, such as attendance at a Grievance Hearing or reinstatement proceedings.

Financial Exigency: A demonstrable, bona fide reduction in the College's financial resources that are brought about by a decline in enrollment or by other actions or events that compel a reduction in the College's current operating budgets.

Flextime: A work schedule adjustment on an hour-for hour basis. It includes only those hours the exempt employee is performing his/her job at his/her designated workstation.

Full-Time Annual Faculty Appointment: To be classified as Full-Time Faculty appointment the employee must work forty (40) hours per week and be employed by contract for nine (9) continuous months or more during the fiscal year in a budgeted position.

Full-Time Faculty will be required to show a minimum of thirty (30) hours on campus on their official teaching schedules. It is understood that the remaining ten (10) hours of their forty (40) hours week may be fulfilled at the workstation and time most appropriate to the faculty members in completing their instructional assignments. It is further understood that faculty members may be required to be on campus beyond the officially scheduled thirty (30) hours to meet the College's needs at the discretion of their supervisors.

Full-Time Annual Staff Appointment: To be classified as Full-Time Annual Staff, the employee must

work forty (40) hours per week and be employed by contract for twelve (12) continuous months during the fiscal year in a budgeted position.

Grievance: Any matter of employee concern or dissatisfaction within the control of the College, except for the following: The content of College policies except as such policies modify or impact on an employee's employment. The decision to terminate an employee's contract during the term of the contract. The decision not to offer an annual contract for an additional year following the expiration of the current contract.

Handler: A person responsible for handling the Service Animal.

Hours of Work: Those hours actually spent on the job performing work as required by the employee's supervisor. Holidays and leave of different types are not included in hours of work.

Immediate Family: Immediate family is defined as wife, husband, son, daughter, step- son, stepdaughter, son-in-law, daughter-in-law, grandson, granddaughter, step- granddaughter, step-grandson, grandson-in-law, granddaughter-in-law, mother, father, step-mother, step-father, mother-in-law, father-in-law, grandmother, grandfather, step- grandmother, step-grandfather, grand-mother-in-law, grandfather-in-law, sister, brother, step-sister, step-brother, sister-in-law, brother-in-law, legal guardian, legal ward, foster child, an individual standing in loco parentis to the employee, and a child of an employee standing in loco parentis.

Intermittent Work Schedule: A work schedule in which an employee works on an irregular basis and is taking leave in separate blocks of time, rather than for one continuous period of time, usually to accommodate some form of regularly scheduled medical treatment.

Just Cause: Inadequate performance; physical, mental, or emotional inability to perform one's assignment; felonious conduct, conviction of a felony or a crime involving moral turpitude; willful or negligent failure to comply with rules and regulations of the State Board of Community Colleges, the Board of Trustees, or lawful directives of the President or his or her designated representative; and, conduct unbecoming a member of the faculty or staff, provided that no such charge be sustained that constitutes interference with the academic freedom of the person charged.

Moral Turpitude: An act or behavior that gravely violates the sentiment or accepted standard of the community.

Non-exempt Employee: Those employees subject to overtime compensation as defined by the Fair Labor Standards Act: Human Resources will subject all the positions at the College to the Fair Labor Standards Act exemption requirements and notify all employees of their exempt or nonexempt status.

Non-renewal: Means conclusion of employment at the expiration date of the employment contract.

Overtime: Overtime for nonexempt employees is defined as all hours worked in excess of forty (40) in any given week in physical or mental exertion controlled or required by the College and pursued necessarily and primarily for the benefit of the College. It includes any work, which the employee performs on or away from the premises.

Parent: A biological or adoptive parent or an individual who stood in loco parentis (a person who is in

the position or place of a parent) to an employee when the employee was a child.

Part-Time Annual Faculty Appointment: To be classified as Part-Time Annual Faculty, the employee must work at least twenty (20) hours but less than thirty (30) per week and be employed by a contract for nine (9) continuous months or more during the fiscal year in a budgeted position.

Part-Time Annual Staff Appointment: To be classified as Part-Time Annual Staff, the employee must work at least twenty (20) hours but less than thirty (30) hours per week and be employed by contract for twelve (12) continuous months during the fiscal year in a budgeted position.

Part-Time Temporary Faculty Appointment: An employee in this type of appointment is an "employee at will" for a specific course or instructional semester. Instructional load may be as high as twenty (20) hours of work per week. The employee will be paid based on contact hours and will not receive any fringe benefits.

Part-Time Temporary Staff Appointment: An employee in this type of appointment is an "employee at will" and may not work more than twenty (20) hours per week. The employee will be paid hourly and will not receive and fringe benefits.

Period of War: Includes World War I (April 16, 1917, through November 11, 1918), World War II (December 7, 1941, through December 31, 1946), the Korean Conflict (June 27,1950, through January 31, 1955), the period of time between January 31, 1955, and the end of the hostilities in Vietnam (May 7, 1975), or any other campaign, expedition, or engagement for which a campaign badge or medal is authorized by the United States Department of Defense.

Permanent: A permanent position is a budgeted position, which can reasonably be expected to be funded on a continuing basis.

Personnel Committee: Is defined as the personnel committee of the Board of Trustees.

Pet: Means a domestic animal kept for pleasure or companionship.

Powerful Explosive: Per GS 14-284.1 includes but is not limited to nitroglycerin, trinitrotoluene, and blasting caps, detonators, and fuses for the explosion thereof.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the College's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

Program or **Organizational Change:** Shall mean any elimination, curtailment, or reorganization of a program or division within the College, the reasons for which are not related to decline in student enrollment or financial exigency but are related to a demonstrable, bone fide institutional circumstance.

Prospective Employee: An individual who has contacted the College requesting information concerning employment with the College.
Prospective Student: An individual who has contacted the College requesting information about

admission to the College.

Reduced Work Schedule: A work schedule involving less hours that an employee is regularly scheduled to work.

Reduction in Force: Shall mean the reduction of College personnel during a contract term in the event of (1) a decline in student enrollment, (2) financial exigency, or (3) program or organizational changes for demonstrable, bona fide institutional reasons.

Secondary Employment: Includes self-employment and any other employment or work that is in addition to the work covered in the employee's employment contract with the College. It includes part-time or full-time employment or work with an agency or organization outside the College and also work for another department or unit of the College other than the department or unit that the employee is assigned based on the employment contract.

Serious Health Condition: For purposes of the Family and Medical Leave Act, a serious health condition is defined as (1) an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility, or that involves continuing treatment by a health care provider; (2) any period of incapacity requiring absence from work or more than three workdays that also involves continuing treatment by a health care provider; or, (3) continuing treatment by a health care provider for conditions so serious that, if not treated, would likely result in an absence of more than three workdays. Prenatal care is also included. The period of actual physical disability associated with childbirth is considered a serious health condition and must be taken as family and medical leave, whether as paid or unpaid leave.

Service Animal: Any guide dog, signal dog, miniature horse, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing animal protection or rescue work, pulling a wheelchair, or fetching dropped items. If an animal meets this definition, it is considered a Service Animal for purposes of this regulation even if it has not been licensed or certified by a state or local government, or by a private agency.

Special Time-Limited Appointment: This appointment type is for employees that are substitutes for any full-time, annual employees that are on some type of extended leave of absence, disability, extended sick leave, etc. as long as the absent employee's position continues to exist.

This appointment may also be used for positions that are grant funded and intended to be short-term programs that are non-renewable.

Standard Annual Hours: For full-time non-instructional personnel, the standard annual hours are 2,080. For full-time instructional personnel, the standard annual hours are determined by the official class schedule but shall consist of not less than eighty (80) days per semester plus registration days, assigned faculty workdays, and their respective graduation ceremony.

Standard Work Week: The standard workweek begins at 12:00 a.m. on Sunday morning and extends through 11:59 p.m. the following Saturday night.

Student Appointment: This appointment type is to be used to enable currently enrolled students to

obtain work experience while employed under the College Work Study, Cooperative Education programs and other financial aid programs. Unless specified elsewhere, the appointment is governed by the Federal and State rules and regulations applicable for each program. Student employees under this classification are “employees at will.”

Therapy Animal: A dog trained to provide affection and comfort to people.

Temporary Employee: An employee occupying a terminal position such as those funded by federal, state, and local grants and those other positions created to meet short-term special needs.

Termination: The cessation of employment for an employee before the expiration of the contract term for reasons of decline in student enrollment, financial exigency, or program or organizational change. It shall also include the transfer to a lower-paying position, reduction to part-time employment, or a combination of these. The failure of the College to nominate an employee for a new contract after the expiration of the term of his or her employment contract is not a termination, and no objection may be filed under this policy.

Veteran: A person who served in the Armed Forces of the United States on active duty, for reasons other than training, and has been discharged under other than dishonorable conditions.