

**JUNIOR COLLEGE DISTRICT OF EAST CENTRAL MISSOURI
BOARD OF TRUSTEES MEETING
Monday, December 6, 2021**

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order at 5:30 p.m. by Board President Ann Hartley. Other Board members present were Joseph Stroetker, Cookie Hays, Eric Park, and Audrey Freitag. Prudence Fink Johnson was absent. Also present were President of the College Jon Bauer; Administrators – Vice President of External Relations Joel Doepker, Vice President of Finance and Administration DeAnna Cassat, and Vice President of Student Development Sarah Leassner; Faculty – Faculty Association President Reginald Brigham and NEA Vice President Parvatha Govindaswamy; Other Staff – Executive Director of Institutional Effectiveness Michelle Smith, Foundation Executive Director Bridgette Kelch, Director of Human Resources Wendy Hartmann, Director of the Rolla Campus Christina Ayres, Communications & Marketing Director Gregg Jones, Coordinator of Campus Life & Leadership Carson Mowery, Professional Staff Association President Jenny Kuchem, Executive Assistant to the President Bonnie Gardner, and Classified Staff Association Treasurer Bethany Herron; Students – Student Government Association President Brooklyn Hyatt and Lyndsey McGilvray.

Also present were Reid Glenn of the *Missourian*, Matt Wallace of KPM, and Dennis Hartmann.

The meeting was held via Zoom due to the current COVID-19 pandemic and social distancing recommendations. The Zoom link was included on the published agenda.

PUBLIC COMMENT: There were no public comments.

APPROVAL OF AGENDA: Each item on the consent agenda shall be deemed to have been duly approved with the same validity as if each action were separately moved, seconded, and adopted.

Motion: To **approve** the agenda for the December 6, 2021, meeting of the Board of Trustees.

Motion by Audrey Freitag; Seconded by Eric Park; Carried Unanimously

***APPROVAL OF MINUTES:** The Board approved the minutes of the November 8, 2021, regular meeting of the Board of Trustees.

TREASURER’S REPORT AND FINANCIAL REPORT: Vice President DeAnna Cassat presented the financial statements. She noted that \$800,000 was transferred into a CD on December 2, and that transaction will be reflected in the financial statements for the month of December. A correcting journal entry was made in the tuition/fees account as mentioned last month.

Motion: To **approve** the treasurer’s report, the financial report, and the payment of bills subject to the annual audit.

Motion by Eric Park; Seconded by Cookie Hays; Carried Unanimously

AUDITOR’S REPORT: Matt Wallace from KPM reviewed the audit report and noted the college once again received an unmodified opinion, meaning the financial statements are free from material misstatements. The audit now contains information for both the college and the ECC Foundation. The statement of net position and other financial statements are for both entities combined. Total college assets have increased over last year, and the Foundation cash/investments are up significantly due to the \$5 million donation. Total liabilities have also increased with the net effect of the pension

and post-employment benefits liability totaling about \$14.7 million. The college's total net position has increased.

There were three significant deficiencies, which are low-level findings. 1) Enrollment Reporting – There were three instances of students changing enrollment status where the effective dates did not match the reporting date. 2) Return of Title IV Funds – There were two instances where students withdrew and the funds, although calculated correctly, were returned beyond the reporting window. 3) Education Stabilization Fund – There are specific items that must be reported on the college website concerning the use of Higher Education Emergency Relief Funds. Specific quarterly information was reported but was not included on the website. This has already been corrected.

Recommendations from the auditors include evaluating the college's cybersecurity risk and taking necessary steps to reduce the risk of threats to information systems, reviewing and complying with all attendance taking requirements, and ensuring all bank accounts using the tax ID utilize the general ledger and follow the accounting procedures of the college. Per GASB87, all operating leases will be added to the balance sheet for next year. Per GASB96, any subscription-based information technology arrangements will be listed on the balance sheet; this includes Colleague licensing.

A new aspect of the audit is the review of agreed-upon procedures. Six specific procedures related to the customized training program were reviewed. There were two findings: 1) The program-related administrative expenses for the Center for Workforce Development are aggregated into all administrative expenses in the general ledger rather than separated. In response, the college will implement an annual time and effort report to reflect the time spent administering customized-training programs. 2) Payment reimbursement requests from companies contain the company signature but no college signature exists. A signature line will be added for FY22 to ensure those signatures.

Motion: To **accept** the audit report for the fiscal year ending June 30, 2021.

Motion by Eric Park; Seconded by Joseph Stroetker; Carried Unanimously

REDISTRICTING COMMITTEE: Following publication of the decennial census data, ECC is required to review its subdistricts and make any recommendations for necessary boundary changes to ensure the subdistrict are substantially equal in population. State law provides the process that starts with a committee appointed by the ECC Board and the Coordinating Board for Higher Education (CBHE). The committee will meet in January to review population data and determine if changes are needed. The committee recommendation will be submitted to the ECC Board and CBHE. Any changes will not affect the upcoming April election but would go into effect next year. The 2024 Board election would be the first impacted. Voting precincts will be kept intact when making changes to the subdistricts.

Amended Motion: To **approve** the appointment of Richard Purschke, Union; Charles Betz, Sullivan; and Susan Eckelkamp, Washington to the East Central College Redistricting Committee.

Motion by Cookie Hays; Seconded by Audrey Freitag; Carried Unanimously

CONSORTIUM AGREEMENT WITH THE SCHOOL DISTRICT OF WASHINGTON: Dr. Bauer noted that this is a renewal of the longstanding agreement for shared programming at the Four Rivers Career Center for the fiscal year beginning in July 2022. The school district will present this same agreement to their Board later in December.

Motion: To **approve** a consortium agreement with the School District of Washington for the delivery of shared programming in academic year 2022-2023.

Motion by Joseph Stroetker; Seconded by Audrey Freitag; Carried Unanimously

REVISIONS TO CHAPTER 3 BOARD POLICY & PROCEDURES: Dr. Bauer indicated there were no changes from the first reading and reminded the Board that these revisions are the result of the regular policy review process.

Motion: To **approve** revisions to Chapter 3 of Board Policies and Procedures as outlined in the attached document.

Motion by Audrey Freitag; Seconded by Cookie Hays; Carried Unanimously

PROPOSED NEW BOARD POLICY: Following a request by the Franklin County Remembrance Project Coalition to establish a memorial on campus, it was questioned whether approval would create a precedent. Dr. Bauer consulted with legal counsel and found there is a significant amount of case law dealing with monuments and memorials and how they are considered in light of the right to expressive activity on campus. A monument becomes government speech within the eyes of the law and approval is strictly in the purview of the Board. Approval does not mean that additional requests must be approved or accepted. The Board was asked to look at the draft policy and consider it for action in February. Shared Governance Council has reviewed the policy and recommends it for approval.

A question was raised about editorial control over material associated with a monument. Dr. Bauer responded that the College has the right to approve any material published in print or online about the memorial. It would not be prudent to approve a memorial and not have any oversight going forward for anything used to promote, explain, or describe the memorial. Comments on social media may not be controllable but if there is a sponsoring organization, the college could have control through that organization.

***PERSONNEL:** The Board approved the appointment of adjunct faculty for the Winter 2022 and Spring 2022 semesters as listed in the attached memoranda.

BOARD PRESIDENT'S REPORT: Board President Ann Hartley noted that the Missouri Community College Association convention in November was well attended by ECC employees, and several made outstanding presentations. She reviewed the list of ECC presenters and expressed her pride in their work. Four of the six trustees attended the conference in person.

REPORTS:

- A. FACULTY ASSOCIATION REPORT:** Faculty Association President Reg Brigham stated that the Association had no update.
- B. ECC-NEA:** ECC-NEA Vice President Parvatha Govindaswamy indicated the NEA also had no update.
- C. PROFESSIONAL STAFF ASSOCIATION REPORT:** Professional Staff Association President Jenny Kuchem noted the Professional Staff Association had no update.
- D. CLASSIFIED STAFF ASSOCIATION REPORT:** Classified Staff Association Treasurer Bethany Herron reported the 2021 Denim Days raised \$1,650 for local charities, and the 2022 charities that will be supported have now been identified. The Christmas Outreach Committee organized a gift drive for two families for the holidays and has initiated a coat drive that will run through January 31. The coats will be provided to students and their families with any remaining coats donated to a community organization.

E. STUDENT GOVERNMENT ASSOCIATION REPORT: SGA President Brooklyn Hyatt reported that SGA is working with Campus Life to host a Polar Express-theme coffee and cocoa station for staff and students.

PRESIDENT’S REPORT: Dr. Bauer introduced Dr. Parvatha Govindaswamy, United Way campaign co-chair, who reported that College employees contributed \$14,597.40 to this year’s United Way campaign. This is an increase of \$4,000 over last year and about \$1,700 more than in pre-COVID years. Dr. Bauer noted that ECC has been affiliated with the United Way for over 20 years and has always had a strong campaign. Melissa Willmore co-chaired the campaign with Dr. Govindaswamy.

Recipients of the recent MCCA awards were Tom Fitts, Governor’s Award for Excellence in Teaching; Judy Bieker, Senior Service Award; Lisa Blackmore, Outstanding Adjunct Award; and Scott Breckenkamp, Outstanding Alumni Award.

The MCCA legislative agenda will have core funding for institutions as a top priority. There have been some gains in recent years, but more is needed. Additional areas of focus will be A+ funding and federal funds for higher education institutions. The recent allocation of ARPA funds will be awarded at the state’s discretion and MCCA is working to ensure that higher education benefits from the federal allocation. There is also concern about bills being introduced that would reduce or eliminate property taxes in the state. The local tax base is a key component of the college’s revenue base. MCCA will be advocating for these community colleges and pointing out the negative effects of the elimination of property taxes.

Grant funds from all sources are being pursued whenever possible. The conversion of HH270 to the Falcon Career Center is a grant-funded project awarded through the state. The use of grant funds is consistent with the strategic plan, and Dr. Bauer acknowledged the work being done by numerous employees to develop grant proposals.

The Music Department has received a donation of a Steinway piano through the ECC Foundation. PTK prepared and donated supplies for the homeless in the area; these were presented to the Sheriff’s Department for distribution. The baseball team spearheaded a project to deliver Thanksgiving meals to those in need in the area.

Federal COVID fund grants were provided to 1,464 students. The grants were tiered based on enrollment status and financial need and ranged from \$400 to \$2,025 per individual. The total amount distributed was \$1,559,900. These were federal funds provided to ECC for distribution to students to assist those impacted by the COVID pandemic.

Dr. Bauer expressed condolences to the family of Tom Fitts, a longtime faculty member who passed away after a very difficult year. Tom was very devoted to the institution and his students as well as the EMS community. ECC is grateful for his service, and he will be greatly missed.

ADJOURNMENT:

Motion: To **adjourn** the December 6, 2021, public meeting of the Board of Trustees at 7:04 p.m.

Motion by Joseph Stroetker; Seconded by Prudence Johnson; Carried Unanimously

President, Board of Trustees

Secretary, Board of Trustees

SECTION 3: STUDENT SERVICES POLICIES AND PROCEDURES

3.1 **Admissions Policies** *(Adopted 2-6-1989; Revised 12-4-2000; Revised 6-23-2003; Reaffirmed 8-25-2014; Revised XXX 2021)*

The administration of the College will develop and implement admissions procedures in accordance with the Revised Statutes of Missouri, guidelines of the Coordinating Board for Higher Education and the Department of Higher Education and Workforce Development, and best practices recommended by The Higher Learning Commission North Central Association of Colleges and Schools. Some programs and majors have specific admission requirements, such as educational prerequisites, cumulative grade point averages, and/or test scores. Admission to the College does not insure ensure a student's admission to a specific program.

Procedures *(Revised 5-12-2008; Revised 8-25-2014, XXX 2021):*

- A. **3.1.1** All graduates of accredited high schools and Missouri residents those who hold a General Educational Development (GED) or High School Equivalency (HSE) certificate are eligible to enroll at East Central College.
- B. ~~Students without a high school diploma, GED or HSE certificate may be provisionally admitted and allowed to complete a maximum of 15 credit hours.~~
- C. **3.1.2** Graduates of high schools not accredited by a regional accrediting agency or appropriate state agency must, before admission, present evidence to the Early College & Admissions Office of a composite ACT score of 21 or above or a High School Equivalency (HSE/GED) certificate. In the event of extenuating circumstances, the applicant should discuss their application with the Director, Early College & Admissions.
- D. **3.1.3** ~~Students who have graduated from home schooling are subject to the regulations found in Chapter 167 of the Revised Statutes of Missouri and as such are eligible to enroll at East Central College.~~ Graduates of home schools students must present a final high school transcript from a parent, guardian, or external correspondence program with evidence of final cumulative GPA and a graduation date or a GED/HSE High School Equivalency certificate.

~~All home-schooled students will be placed in appropriate levels of coursework based upon college placement measures in effect at the time of admission.~~

~~Home-schooled students may be admitted at the start of the semester following certification of completion by a parent or guardian, or external correspondence program regardless of their age.~~ Home school students under the age of seventeen 17 must also follow the special admission process complete the Special Admissions Form when they apply to the College.

3.1.4 Students who have not completed high school or home school are eligible to enroll as a dual credit or dual enrollment student. Dual credit students earn both college and high school credit simultaneously. Dual credit classes are taught by ECC-certified high school faculty in the high school. Dual enrollment students enroll in classes taught by ECC faculty, either on campus or online. Dual enrollment also includes the Early College Academy, a program in which students enroll during junior year in high school and complete an associate degree at the same time as their high school diploma. Students in the academy are selected for participation by their high school administrators.

Upon enrollment, dual enrollment and dual credit students are also subject to the Coordinating Board of Higher Education Student Eligibility Criteria outlined by grade level, which includes specific grade point average requirements, permissions from school administrators and/or parent/legal guardian, or ACT or SAT scores.

Dual enrollment students under the age of 17 must also complete the Special Admissions Form when they apply to the College. Secondary students enrolled in dual credit classes at the high school campus are exempt from this requirement.

~~E. 3.1.5 To be admitted~~ Upon admittance, all full-time students and certain part-time students will be required to complete an assessment of basic reading, writing and mathematics for placement in appropriate course levels are subject to the placement guidelines in place at that time, which will include review of the high school or home school transcript, college transcripts, and/or placement testing. ~~unless official transcripts from accredited colleges indicate successful completion of college level reading, English composition, and mathematics courses.~~

~~F. — Registration of dual credit and dual enrollment students is covered in the Course Credit Options Policy.~~

3.2 International Student and Non-U.S. Citizen Student Admissions Policy *(Reaffirmed 12-2-1991; Revised 9-27-2007, 7-14-2014) (formerly 3.3)*

East Central College is approved by the United States Department of Justice Immigration and Customs Enforcement (Permit STL-214F-220, 3 April 1973) as a Student and Exchange Visitor Program (SEVP) certified an institution of higher learning education for non-immigrant international students. The term “International Students” is defined as students who are in the United States pursuant to valid, non-immigrant student visas and students who wish to come to the United States pursuant to valid, non-immigrant student visas to attend East Central College. Typically, International Students seeking admission to East Central College apply for admission from their home country. International Students already physically present in the United States may be admitted to East Central College by transfer from another college or university in the United States if they have attained a grade point average of 2.0 or

higher, based upon a 4.0 scale or the equivalent, and is they are entitled to an honorable dismissal from that college or university. **Individuals already physically present in the United States in another lawful visa status (i.e., in a valid visa status other than a student visa) may also be eligible for admission to East Central College if such admittance is permitted by the applicant's current visa status and is in accordance with all relevant immigration laws.**

International Students and non-U.S. citizen students seeking admission to East Central College must submit the proper documents and information, as outlined herein, in addition to meeting the general College admission requirements.

Procedures:

3.2.1 International Students *(Revised 7-14-2014; XXX 2021)*

International Students seeking admission to East Central College must:

- A. Complete an East Central College Application for Admission;
- B. Submit an original copy of an Affidavit of Support [U.S. Citizenship and Immigration Services (USCIS) Form I-134] indicating minimum support as designated in the catalog;
- ~~C. Submit an East Central College Sponsorship of International Students form;~~
~~NOTE: The sponsor must be a resident of the East Central College service district and be responsible for assisting with the International Student's housing and transportation needs (not necessarily financial liability).~~
- C. Verify proficiency in English through one of the following: *(revised 12-23-14)*
 - Successful completion of the Test of English as a Foreign Language (TOEFL) (minimum score of 497 on the written test or 60 on the Internet-based test), or a score of 5.5 from the International English Language Testing System (IELTS), or B1 on the Common European Framework of Reference (CEFR); **or PTE Academic score of 44.**
 - Successful completion of a course equivalent to English Composition I taken in residence at a U.S. college or university;
 - Successful completion of an English as a Second Language Program; or
 - English is the native language of the applicant's home country.
- D. Submit original transcripts from secondary schools and universities previously attended translated into English and accompanied by an explanation of the grading system used. Transcripts must be sent directly from school/college records/registrar's offices ~~to the address below~~. These records cannot be received directly from students or sponsors unless they are in sealed envelopes with the issuing school's or university's official stamp or seal.

~~Send all documents to:~~

~~International Student Advisor
East Central College
1964 Prairie Dell Road~~

Union, Missouri 63084
intladmissions@eastcentral.edu

All documents must be received by the following dates:

- _____ April 15 for Summer Semester
- _____ July 15 for Fall Semester
- _____ November 15 for Spring Semester

If an International Student's admission is approved, an I-20 Form will be issued within 30 days of receipt of the above records.

- E. ~~International Students must also~~ Show evidence of health insurance covering a 12-month period. This insurance coverage must be maintained during the entire period that the student is attending East Central College, and documentation of such coverage must be on file with the International Student Advisor.
- F. ~~International Students will be charged~~ Pay International Student tuition rates.

3.2.2 Non-U.S. Citizen Students Who Are Not International Students *(Adopted 7-14-2014; Revised XXX 2021)*

Non-U.S. citizen students, lawfully present in the United States, who do not qualify as International Students may be admitted to the College under the regular admissions requirements and should submit the following information as part of the admissions process:

- An East Central College Application for Admission;
- Verification of high school completion or its equivalent;
- Proof of lawful presence in the United States through any document issued by the federal government that confirms such lawful presence;
- ~~Proof of English proficiency; and~~
- Official college transcripts from all colleges where credit was attempted or earned, including dual credit-

If admitted, non-U.S. citizen students who do not qualify as International Students will be charged tuition as follows:

- Students in lawful permanent resident status will be charged tuition according to their district residency status at the time of their application for admission.
- Students present in Missouri as representatives of a foreign government or at the convenience of the United States and Missouri governments who hold a G visa (except for those who are government-funded students) will be charged tuition according to their district residency status at the time of their application for admission.
- Students who hold A or L visas and who are individually designated as representatives of their governments and whose education is not government-funded will be charged tuition according to their district residency status at the time of their application for admission.
- All other non-U.S. citizen students who are lawfully present in the United

States [including, but not limited to, students who have been granted Deferred Action for Childhood Arrivals (“DACA”)] will be charged out-of-state tuition rates.

3.3 Admission of Students with Past Felonies *(adopted 5-6-2019)* *(formerly 3.31)*

To enhance student success and the safety of the East Central College community, all applicants are responsible for informing the College on the application for admission if they have pled guilty to or been convicted of a felony. The College may admit, admit with restrictions, defer, or deny admission based on the nature and circumstance of the crime(s). Admission to the College does not guarantee admission to selective admission programs.

Upon pleading guilty to or being convicted of a felony, admitted students are required to self-report in writing to the ~~Vice President of Student Development~~ **Chief Student Affairs Officer**. The College may deny continued enrollment based upon the nature and circumstances of the allegation or conviction.

Procedures: *(adopted 5-6-2019)*

3.3.1 Application Review Process

- A. If an applicant responds “yes” to either of the criminal background questions on the application for admission, ~~his/her~~ **the** application will be placed in pending status, which prohibits applicants from enrolling in or accessing other College services.
- B. The applicant will be required to submit a personal statement form. The form requires students to list all prior felony convictions, provide a statement regarding the positive changes made since conviction, and provide a declaration of academic and career goals. Additionally, if a student is currently on probation and/or parole, ~~he/she~~ **the student** is required to list ~~his/her~~ **their** probation and/or parole officer.
- C. The applicant will be required to submit a certified criminal background check. If the applicant’s criminal record extends beyond the state of Missouri, it will be the responsibility of the applicant to obtain a certified background check for each state, as appropriate. The applicant is responsible for payment of all costs associated with the background check.
- D. After the supplemental application and the background check are submitted, the documents will be reviewed by members of the Behavioral Intervention Team (BIT). The BIT will determine if the applicant should be admitted or be required to interview with the members of the BIT.
- E. If an applicant is required to participate in an interview, the applicant will receive notification from the College of the time, date, and location for the interview. If the applicant cannot attend the scheduled interview, ~~he/she~~ **they** must notify the office of the ~~Vice President of Student Development~~ **Chief Student Affairs Officer (CSAO)** and request to reschedule the interview. Failure to reschedule or attend the interview will result in the application remaining in pending status until such a time

the interview can take place. Admission will not be approved for any applicant whose status is pending.

- F. For each file review and/or interview, three members of the BIT will participate. Each member will have one vote. A simple majority vote is necessary to make any decision or recommendation.
- G. A simple majority vote is sufficient for the BIT panel to require a psychological assessment of an applicant as a condition of admission. The applicant will pay all costs related to such assessment. The panel will specify a timeline for assessment and provisions for communicating the assessment outcome to the BIT panel.
- H. Based on a majority vote, the BIT panel will issue a short rationale ~~of~~ **for** its recommendation, which shall be shown to the applicant upon request. The BIT panel may recommend to:
 - (1) Admit the applicant;
 - (2) Admit the applicant with restrictions or conditions;
 - (3) Continue the applicant's status as pending, awaiting the outcome of a psychological assessment or other required information;
 - (4) Continue the applicant's status as pending, deferring admission for a specified period of time;
 - (5) Deny admission;
 - (6) Void an admission that was obtained inappropriately.
- I. The BIT panel will make recommendations to the ~~Vice President of Student Development~~ **CSAO** on admission to the College and conditions of enrollment if applicable. Final determinations regarding enrollment of students with past criminal activity rests with the ~~Vice President of Student Development~~ **CSAO**. The ~~Vice President~~ **CSAO** may require the student to meet with them and other designees prior to an admission decision. If the ~~Vice President of Student Development~~ **CSAO** does not concur with the recommendation of the BIT panel, a short rationale regarding the decision will be issued, which shall be shown to the applicant upon request.
- J. Upon pleading guilty to or being convicted of a felony, an admitted student is required to notify the ~~Vice President of Student Development~~ **CSAO** in writing. The student will then be required to meet with a BIT panel. The panel will make a recommendation to the ~~Vice President of Student Development~~ **CSAO** on whether enrollment should continue.
- K. If a student incorrectly indicates on ~~his/her~~ **their** application that ~~he/she~~ **has they** ~~have~~ a felony conviction(s), ~~he/she~~ **the student** may sign a statement indicating an error was made. A signed statement will allow the student to continue the admission process without participating in the review process.

3.4 Program Admission Policy (Adopted 5-9-2005, Revised XXX 2021) (formerly 3.2)

The faculty, staff, and Chief Academic Officer will devise, implement, and monitor an objective, timely and nondiscriminatory method for selecting applicants for admission to specific College programs with admissions criteria. These programs are identified annually and information is publicized in each semester's schedule of classes in the course catalog. The selection process will reflect good practice, and criteria will be made available to interested parties in the departmental offices or academic advisement.

Procedures: (Adopted 5-31-2007)

3.4.1 Criminal Background Check/Drug Screening

In response to external agency requirements and as a condition of required participation in activities at these agencies, students in designated programs must consent to a criminal background check and/or drug screening and must be responsible for all costs involved.

Students who do not consent to or do not pass the drug screening cannot remain a student in the designated program. Any information derived from the criminal background check and/or drug screening will not result in disciplinary action by the College, nor will it be made part of the student's College record. The student may remain enrolled at the College and continue in another program that does not have a criminal background and/or drug screening examination requirement.

3.5 Residency Status Policy (Revised 10-7-1985, 6-23-2003, XXX 2021) (formerly 3.4)

Student residency status will be determined at the time of enrollment admission at to East Central College. Student residency guidelines followed by the College will be those adopted by the Coordinating Board for Higher Education. In the case of international students or resident aliens, residency will be determined based upon both federal determination of status and state guidelines. A copy of such guidelines may be found in the Office of the Registrar.

Procedures: (Revised 8-17-2007; XXX 2021)

3.5.1 If the student disagrees with the College's assessment of his or her their resident/non-resident status, the following procedure should be followed to appeal the decision:

A. Informal Appeal

Meet informally with the ~~Student Service Center Coordinator~~ Registrar to discuss the residency status and reasons why the student should be considered an in-district student. The ~~Coordinator~~ Registrar will render an informal decision based upon the information provided in this discussion.

B. ~~First Level of~~ Formal Appeal

If the informal decision determines that the student is not an in-district resident and if the student wishes to appeal this decision further, then the next

level of appeal may be implemented. The student ~~is obligated to~~ **must** submit the appeal in writing to the Chief Student Affairs Officer, accompanied by written documentation of those criteria which the student meets for in-district residency as set forth in the Student Residency Requirements published by the Missouri Department of Higher Education **and Workforce Development**. The Chief Student Affairs Officer will review and verify the information provided and render a decision within three **(3)** working days of receipt of the written appeal.

C. ~~Second Level of Formal Appeal~~

The final level of appeal requires the student to submit an appeal in writing to ~~the Office of~~ the President of the College. The Chief Student Affairs Officer will forward to the President the documentation previously provided by the student at the first level of **the** formal appeal. The President will deliver a decision within five **(5)** working days of receipt of the written appeal.

3.6 Institutional Scholarships Policy *(Revised 5-12-2008; Revised 7-14-2014)* *(formerly 3.5)*

The East Central College institutional scholarship program, funded through the general fund of the College, is intended to provide access to East Central College to students who demonstrate academic or performance excellence or could not otherwise attend due to the lack of necessary financial resources. The number of scholarships awarded each year will be contingent upon funding, as determined by the College during its budget development process.

Scholarships: *(Revised 7-14-2014, 11-6-2017, XXX 2021)*

The following scholarships are approved by the Board of Trustees for funding through the general fund of the College.

Board of Trustees Scholarship

This award is for full-time students and ~~will~~ **recognizes** high academic achievers who reside in the East Central College taxing and service district and who have graduated within the last five **(5)** calendar years. Awards will not exceed the amount equal to **the** in-district tuition and ~~common~~ **general** fees charge.

New Recipient Eligibility

New recipients must meet one of the following criteria:

- a. High school graduates with a minimum cumulative grade point average of 3.75 or who rank in the top 10% of their high school class.
- b. High school equivalency completion - HiSET students who have made a minimum total scaled score of 75 on the examination.
- c. Home-schooled students, ~~completing~~ **who have completed** a course of home study and ~~scoring~~ **score** in the ~~ninetieth~~ **90th** percentile on a nationally recognized test measuring academic achievement.
- d. Currently enrolled East Central College (ECC) students who have completed at least ~~twelve~~ **12** credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5.

- e. Transfer students who have completed at least ~~twelve~~ 12 credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5. **These courses can be completed at the transfer institution or at ECC.**

Renewal Recipient Eligibility

- a. Recipients must maintain a 3.3 minimum cumulative grade point average.
- b. Recipients must complete at least 30 credit hours annually.
- c. Recipients may be awarded for up to five (5) terms, including summer, if eligible.

President's Scholarship

This award is for students enrolled less than full-time, but at least half-time, and ~~will~~ recognizes high academic achievers who reside in the East Central College taxing and service district and who have graduated within the last five (5) calendar years. Awards will not exceed the amount equal to in-district tuition and ~~common~~ general fees charge.

New Recipient Eligibility

New recipients must meet one of the following criteria:

- a. High school graduates with a minimum cumulative grade point average of 3.75 or who rank in the top 10% of their high school class.
- b. High school equivalency completion - HiSET students who have made a minimum total scaled score of 75 on the examination.
- c. Home-schooled students, ~~completing~~ **who have completed** a course of home study and ~~scoring score~~ in the ~~ninetieth~~ 90th percentile on a nationally recognized test measuring academic achievement.
- d. Currently enrolled East Central College (ECC) students who have completed at least six (6) credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5.
- e. Transfer students who have completed at least six (6) credit hours of coursework numbered above 100 at ECC and have a minimum cumulative grade point average of 3.5. **These courses can be completed at the transfer institution or at ECC.**

Renewal Recipient Eligibility

- a. Recipients must maintain a 3.3 minimum cumulative grade point average.
- b. Recipients must complete at least 15 credit hours annually.
- c. Recipients may be awarded for up to ten (10) terms, including summer, if eligible.

Non-traditional Student Scholarship

This non-renewable award is for students over the age of 23 whose family income makes the student ineligible for need-based federal financial aid. To be eligible, the student must be enrolled in no fewer than six (6) credit hours and have completed a minimum of 15 credit hours at East Central College with a 3.0 grade point average.

Awards will not exceed the amount equal to **the** in-district tuition and ~~common~~ **general** fees charge.

Targeted Recruitment Scholarships

Targeted recruitment scholarships will be utilized to help realize the College's recruitment goals.

1. Music

This award is for full-time students. Awards will not exceed the amount equal to **the** in-district tuition and ~~common~~ **general** fees charge.

Scholarship awards are provided for music majors and for students who may not be music majors but who participate in musical group performances. Eligibility criteria will be determined by faculty from the discipline. Scholarships will be awarded based on faculty recommendations.

2. Art

This award is for full-time students. Awards will not exceed the amount equal to **the** in-district tuition and ~~common~~ **general** fees charge.

Scholarship awards are provided for art majors. Eligibility criteria will be determined by faculty from the discipline. Scholarships will be awarded based on faculty recommendations.

3. ~~Communications, Media, and~~ Theater

This award is for full-time students. Awards will not exceed the amount equal to **the** in-district tuition and ~~common~~ **general** fees charge.

Scholarships are provided for ~~communications, media and~~ theater majors and/or students working in and on theater productions. Eligibility criteria will be determined by faculty from the discipline. Scholarships will be awarded based on faculty recommendations.

Athletic Scholarship

A limited number of scholarships are available for full-time student athletes competing in the following sports: women's volleyball, women's softball, women's soccer, men's soccer, and men's baseball. Scholarships will be awarded based on recommendations from the Athletics Department.

Academic ~~Division~~ Pathway Scholarship

This award is for full-time students. Each ~~division~~ **academic pathway** will be approved for an equal number of one-year, non-renewable awards. ~~Each division will decide on the award distribution within and among the disciplines, taking into~~ **Faculty in each academic pathway recommend students for the awards. Awards are made based on** consideration of the availability of other scholarships and financial aid. Those awards ~~made to the division(s)~~ **available to the academic pathways** that house the disciplines of art, music, and theater will go to students enrolled in or majoring in other areas; since those disciplines have their own awards.

Harrison M. Eaton Scholarship

This waiver of tuition and general fees is provided for an education major **and is** renewable if a 3.3 grade point average is maintained on at least 30 credit hours completed annually.

Technical Skills Scholarship

This full scholarship award is available to students from any high school in the East Central College taxing and service district pursuing an AAS degree in an area where they have demonstrated exemplary skills by scoring either first, second, or third in a state-level (or higher) level technical skills competition in a program area articulated from their high school or area career center to a degree program at the College. The scholarship is renewable for a second year if a 3.3 grade point average is maintained on at least 30 credit hours completed annually.

A partial scholarship award is available to students from any high school in the East Central College taxing and service district pursuing an AAS degree in an area where they have demonstrated high potential in their chosen career field by scoring either first, second, or third in a district-level technical skills competition in a program area articulated from their high school or area career center to a degree program at the College. The scholarship is renewable for a second year if a 3.3 grade point average is maintained on at least 30 credit hours completed annually.

College Completion Scholarship

This award is for students who are within 12 credit hours of degree or certificate completion. Awards will not exceed the amount equal to **the** in-district tuition and ~~common~~ **general** fees charges for one course.

Recipient Eligibility

- a. Must be 12 credits or less away from degree completion.
- b. Must have a cumulative grade point average of 2.0 or above.
- c. Must not receive federal or state grants or loans, nor third-party forms of payment

Operation: Graduation! Scholarship

This one-time, \$500 award is for students who are meeting the 15 to Finish timeline toward degree completion within the first two **(2)** years of college coursework following high school graduation.

Recipient Eligibility

- a. Student must complete 30 credit hours during a one **(1)**-year period at ECC.
- b. Must have a cumulative grade point average of 3.3 or above.

Additional scholarships are available through the ECC Foundation. Information is available on the Foundation website at ~~www.eccfoundation.org~~
www.eastcentral.edu/foundation.

Procedures: *(Revised 7/14/2014; 11/6/2017; 6/13/2018; XXXX2021)*

- A. 3.6.1 Scholarships will be awarded on the basis of merit and/or need as defined by the scholarship type.
- B. 3.6.2 All award processes will abide by federal and state statutes and regulations concerning non-discrimination.
- C. 3.6.3 A full award is the cost of no more than 15 credit hours, plus general fees, per semester at the Tier I rate. ~~It does not cover~~ Special fees ~~or~~ and books are not covered. With administrative approval, full awards may be divided into partial awards and divided among students.
- D. 3.6.4 A supplemental award will provide up to \$500 credit per semester to be that is applied to special fees, books, or summer session. These scholarships are limited in number and funded by the ECC Foundation.
- E. 3.6.5 Scholarships not used in the semester in which they are awarded will be forfeited.
- F. 3.6.6 Unless otherwise noted, all scholarship award recipients must enroll full-time for a ~~minimum of~~ at least 15 credit hours per semester or the number of credit hours available per their academic plan if less than 15.
- G. 3.6.7 To be eligible for an institutional scholarship, all scholarship applicants must first complete a Free Application for Federal Student Aid (FAFSA) and the online College scholarship application by the priority deadline for early consideration. Information on financial aid, scholarships, the application process, and relevant deadlines is available electronically through the Office of Financial Aid and the ECC Foundation Office.
- H. 3.6.8 Institutional awards will not exceed the amount equal to the in-district tuition and ~~common~~ general fees charge. The students must be a native U.S. Citizen, Naturalized Citizen, or Permanent Resident. Students who have been granted an institutional award equal to the amount of in-district tuition and ~~common~~ general fees charges from one college source shall not be eligible to receive an additional award from another college source. Other tuition-specific awards (e.g., A+, VA funding) will be used applied before any institutional scholarship is awarded (e.g., A+, VA funding). The student is not eligible for an institutional scholarship if other tuition-specific awards cover their tuition and general fees.
- I. 3.6.9 Scholarships will only pay for courses required for a student's degree or certificate. General eligibility for scholarships is terminated when a student completes 66 or more credit hours at ECC (students are allowed to change ~~majors~~ degree or certificate program one time and, in such cases, will no longer be eligible at 96 credit hours); when a student completes the requirements for an ECC degree, regardless of whether or not they apply for graduation; or when a student obtains a degree from ECC.

- J. **3.6.10** Unless otherwise noted, scholarships may be awarded to new or returning students.
- K. **3.6.11** Students found to be in violation of a Code of Conduct may lose scholarships as a consequence.
- L. **3.6.12** All scholarship awards, whatever the source of funding, must be awarded and monitored by the Office of Financial Aid.

3.7 Financial Aid Code of Conduct *(Adopted 12/7/2015; Revised xxx2021) (formerly 3.27)*

~~The Board of Trustees believes opportunities for higher education should not depend upon a student's financial circumstances and that when students choose to take advantage of available financial assistance programs, they should fully understand and be provided assistance to self-manage their financial information. Therefore, The Board of Trustees~~ authorizes the ~~President~~ to establish regulations governing the administration of financial aid to students.

Procedures: *(Adopted 12/7/2015; Revised xxx2021)*

3.7.1 Conflict of Interest

No action will be taken by financial aid staff that is for their personal benefit or that could be perceived to be a conflict of interest.

- a. Employees within the financial aid office will not award aid to themselves or their immediate family members. Staff will reserve this task to an institutionally designated person to avoid any conflict of interest or the appearance of a conflict of interest.
- b. If a preferred lender list is provided, it will be compiled without prejudice and for the sole benefit of the students attending the institution. The information included about lenders and loan terms will be transparent, complete, and accurate. The complete process through which preferred lenders are selected will be fully and ~~publically~~ publicly disclosed. Borrowers will not be auto-assigned to any particular lender.
- c. A borrower's choice of a lender will not be denied, impeded, or unnecessarily delayed by the institution, even if that lender is not included on the institution's preferred lender list.
- d. No amount of cash, gift, or benefit in excess of \$25 or combination of gifts from one source over the course of a one-year period which totals more than \$25 shall be accepted by a financial aid staff member from any financial aid applicant (or ~~his/her~~ their family), or from any entity doing business with or seeking to do business with the institution (including service on advisory committees or

boards beyond reimbursement for reasonable expenses directly associated with such service).

3.7.2 Information Provided

Information provided by the financial aid office shall be accurate, unbiased, and shall not reflect preference arising from actual or potential personal gain.

3.7.3 Award Notifications

Institutional award notifications and/or other institutionally provided materials shall include the following:

- a. A breakdown of individual components of the institution's Cost of Attendance, designating all potential billable charges.
- b. Clear identification of each award, indicating the type of aid, i.e., gift aid (grant, scholarship), work, or loan.
- c. **Estimated net price.**
- d. Standard terminology and definitions, using the National Association of Student Financial Aid Administrators' glossary of award letter terms.
- e. Renewal requirements for each award.

3.7.4 Consumer Information

All required consumer information shall be displayed in a prominent location on the institutional ~~web site(s)~~ **website(s)** and in any printed materials, easily identified and found, and labeled as "Consumer Information."

3.7.5 Disclosure

Financial aid professionals will disclose to the College any involvement, interest in, or potential conflict of interest with any entity with which the College has a business relationship.

3.8 Return of Title IV Funds Policy *(Adopted 9-11-2000) (formerly 3.14)*

East Central College complies with the Federal Return of Title IV Funds requirements as added to law by the Higher Education Amendments of 1998 (Public Law 105-244) and found in section 488B of the Higher Education Act of 1965, as amended.

Procedures:

- 3.8.1** ~~Students are required~~ **To** earn Title IV financial aid ~~by~~ **students are required to** attending classes beyond the 60% point of the semester for which aid was received. Students who withdraw from or stop attending classes prior to completing 60% of the semester are subject to a recalculation of their Title IV financial aid as directed by the Federal Return of Title IV Funds policy.

- A. Title IV Funds refers to Federal financial aid programs authorized under the Higher Education Act of 1965, as amended. Title IV Funds include Subsidized and Unsubsidized Stafford Loans, PLUS Loans, Federal Pell Grants, Federal SEOG Grants, and LEAP grant funds.
- B. A student's withdrawal date is determined by the Financial Aid Office in accordance with federal guidelines.
- C. Title IV financial aid is earned in a prorated manner by attending classes up to and including the 60% point in the semester. Title IV financial aid is considered 100% earned by attending classes beyond the 60% point in the semester.
- D. The Financial Aid Office will utilize a formula dictated by the Federal Return of Title IV Funds policy to assign responsibility to both East Central College and the student for returning unearned Title IV financial aid to the Title IV programs.
- E. Students are responsible for payment of any outstanding balance on their East Central College account resulting from their withdrawal and the return of Title IV funds.

3.9 Student Attendance Policy *(Adopted 5-9-2005; Revised 8-25-2014)* *(formerly 3.23)*

Student attendance in class, regardless of the delivery modality, is important for student success. East Central College is an attendance-taking institution. As such, faculty members are required to submit daily attendance records to the Registrar on a timely basis. Specific attendance guidelines and consequences are provided in each course syllabus and are enforceable as written unless otherwise specified.

Procedures *(Adopted 8-25-2014; Revised 2-27-2017):*

- 3.9.1** All faculty will distribute to students a current course syllabus that includes a statement detailing the specific course attendance policy, guidelines, and actions. Such course attendance policy will be congruent with the institutional attendance guidelines, as stated here.
- 3.9.2** Faculty will take attendance at each class meeting and record attendance in a class record. For a student to be considered attending the following conditions must be met:
 - A student cannot be absent for all the class meetings held within 14 consecutive calendar days (or a prorated amount based on a reduced class meeting calendar) without having made regular and frequent contact with the instructor regarding class progress.
 - A student who fails to meet the attendance policy will be recommended for administrative withdrawal to the registrar's office by reporting a WX on grade reports.

- At the faculty member’s discretion, the student may be allowed to re-enter or be reinstated to the course.

3.10 Assignment of Grades Policy (Adopted 8-28-2003; Revised 8-27-2007, 8-31-2009; xxx2021) (formerly 3.6)

The faculty at East Central College have sole responsibility for **developing grading criteria and assignment of assigning** grades to students based upon student academic performance and other **detailed** criteria as described in the official course syllabus provided to each student. ~~These criteria have been developed by the faculty and are approved by the academic administration of the College.~~

Procedures:

3.10.1 Grade Descriptions and Records (Revised 3-1-2012; xxx2021)

Each faculty member’s assignment of grades reflects the following standard college grading scale and corresponding grade points earned:

Grade	Explanation	Grade Quality Points Per Credit Hr.
A	Superior	4
B	Above Average	3
C	Average	2
D	Below Average, Passing	1
F	Failing	0
W	Withdrawal with Approval	0
WX	Administrative Withdrawal	0
I	Incomplete	0
H	Audit	0
P	Pass	0
NCP	No Credit Pass	0

At the end of each academic semester, faculty are required to submit final course grades to the Registrar and file a record of the grade plus the criteria used to arrive at the official grade with the appropriate instructional division. Grades are available to students via eCentral **the online student account** on the College website. All submitted grades become part of the student’s official record (transcript) and are used in the computation of the semester grade point average and the student’s cumulative grade point average.

3.10.2 Other Grade Options Explanations (revised xxx2021)

A. Mid-Semester Progress Reports

~~In addition to final grades, faculty may report mid-semester student progress. At that time, in addition to the mid-semester grades of “D” and “F”, the following may be reported:~~

~~U Unsatisfactory Progress~~

While not an official transcript grade, “U” is used at mid-semester to identify unsatisfactory progress within a course.

A. Withdrawal (W or WX)

A student may initiate the withdrawal from a course with the approval of the instructor, advisor, or other appropriate campus official **per the timeline published in the academic calendar** and **will receive a grade of “W-” will be recorded**. The grade is not used in calculating the grade point average and by itself does not represent the quality of the student’s academic performance or conduct.

A student may be **administratively** withdrawn from a class **administratively** by the instructor or a campus official due to excessive absence or other reason and **will receive a grade of “WX-” will be recorded**.

In either situation, a grade of “W” or “WX” carries no credit hour value and will count in credit hours attempted in certain financial aid programs.

B. Incomplete (I)

A grade of Incomplete (I) may be recorded for a student who has completed 80% of the required coursework with a passing grade but, because of reasons acceptable to the instructor, has failed to complete all coursework. Each grade of “I” must be accompanied by a written contract with specific terms for satisfactory course completion and the signatures of the instructor and student. All coursework must be completed during the following semester. If class attendance is required, coursework must be completed during the semester when the course is next offered. A final grade will be recorded as determined by the instructor. Students on financial aid should consult with the Financial Aid Office regarding the impact a grade of “I” may have on student financial aid status.

C. Audit (H)

A student may elect an audit grade option following the procedures outlined below. Audit (H) grades carry no credit hour value and will not count in credit hours attempted in certain financial aid programs.

- 1) A student is admitted to the College, meets all course admission requirements, ~~and registers for the course, paying~~ the usual tuition and fees, and enrolls as an audit student. Faculty may or may not require that the audit student take exams, but all attendance requirements are the same as other students in the class. A student completing the class and meeting the audit requirements as established by the faculty member will receive a grade of “H” for the class, but no credit hour completion will be associated with the grade. A student who fails to meet the attendance requirement may ~~withdraw or~~ be administratively withdrawn from the class and a grade of “WX” will be recorded.

- 2) A student is admitted to the College, meets all course admission requirements, registers for the course paying the usual tuition and fees, and enrolls in a class. Within the College refund period (as defined in the course schedule and available in the Registrar's Office), a student may change status to audit (H). All the procedures for an audit class will then apply.

D. Pass (P)

In some courses and under certain circumstances, a grade of "P" is used to indicate that a student has attained a sufficient level of knowledge within a course or program for the student to receive credit. Circumstances that warrant the use of "P" include, but are not limited to, articulated credit, advanced placement, and foreign language credit. Any specific course must receive approval from Academic Council to have a grade option of "P". In each of these circumstances, credit is awarded but no grade point average points are computed. Students may not request a Pass grade option.

E. No Credit (NC) Pass (NP)

~~An option only for students enrolled in dual technical credit courses, the "NC" grade demonstrates that the student has not achieved the minimum standard to receive credit.~~ **An option for students enrolled in a zero-credit hour course who have not met the outcomes of the course.**

3.10.3 Grade Point Average *(revised xxx2021)*

Grade point average is determined using the following steps:

- Exclude for purposes of computation all grades of W, **WX**, **P**, **I**, **and H, P, and NP.**
- For all other grades, multiply the credit hour value of the course by the point value of the grade; this value is the student's **grade points.**
- Total the number of semester hours attempted in all courses used to determine grade points; this value is the student's **hours attempted.**
- Divide the grade points by the hours attempted; this number (a value of at least 0.00 and not to exceed 4.00) is the grade point average.

Cumulative grade point average computations will include all courses taken at East Central College plus any courses transferred and accepted by East Central College **but will exclude any course for which the grade was forgiven (Policy 3.12) and include only the highest grade awarded for a repeated course (Policy 3.13).**

3.11 Grade Appeals Process Policy *(Adopted 8-28-2003; Revised 8-27-2007) (formerly 3.7)*

Students at East Central College have the right to appeal a final course grade. The right to appeal is limited to grades given for the semester most recently completed.

Procedures: *(revised xxx2021)*

- 3.11.1. Students must make **an** appeal within eight (8) **calendar** weeks of the official end date of the semester for which the grade is reported. Students must submit in writing to the Chief Academic Officer (CAO) a statement detailing the course, the faculty member, the grade received, and the reason the appeal is sought.
- 3.11.2 The CAO will review the appeal and seek a resolution. Should no resolution be reached, the student will be notified and a formal hearing conducted.
- 3.11.3 A hearing committee will be appointed by the Chief Academic Officer, and a hearing **will be** conducted for the purpose of allowing all parties to state their positions. The committee will render a decision in writing to the student and faculty member within five (5) ~~school~~ **working** days.
- 3.11.4 The student may appeal the decision of the committee to the President in writing within ten (10) **working** days of the committee's decision. The President will conduct a review and render a decision within thirty (30) **working** days. The decision of the President is final.

3.12 Grade Forgiveness **Petition Policy** *(Adopted 8-28-2003; Revised 8-27-2007) (formerly 3.8)*

Students at East Central College may petition for grade forgiveness; application is limited to grades of D or F earned in coursework in a single semester.

Procedures: *(revised xxx2021)*

- 3.12.1 Certain conditions apply to be eligible. The original grade(s) remains on the transcript, and the forgiveness is noted. **Forgiven grades will be excluded in the calculation of the cumulative GPA.** Transfer institutions may or may not, at their discretion, honor the grade forgiveness from East Central College. Students should consult with the transfer school regarding its policies.
- 3.12.2. Students may obtain more information on Grade Forgiveness from their academic advisor. The grade forgiveness petition is available in the Registrar's ~~O~~office or on the College website.

3.13 Course Repeated **Courses Policy** *(Adopted 1-1- 2013; revised xxx2021) (formerly 3.9)*

A student enrolled at East Central College may repeat a course ~~one time, if either the student received a grade of D, F, W or WX or the course content and/or credit hour value changed significantly since the original enrollment. If a student needs to repeat a course an additional time and conditions warrant such exception, the student must receive written permission from the chief academic officer (CAO) or the chief student affairs officer (CSAO).~~ All attempts at the course will be recorded on the official college transcript and the highest grade will be factored into the student's GPA. Financial aid rules may prohibit students from receiving funding for repeating a course under any circumstances.

Procedures:

3.13.1 Once a course has been repeated, the student grade point average will be computed based on the highest grade awarded in the course. Any course repeat is noted on the official college transcript. Transfer institutions may or may not honor a repeat course grade.

~~**3.9.2** Students seeking written permission to repeat a course as detailed in the policy can find more information from the registrar's office, the CAO or CSAO, or from an academic advisor.~~

3.14 Academic Standards of Progress *(Adopted 12-3-1968; Revised 8-27-2007, 7-18-2019; XXX 2021)*
(formerly 3.11)

Upon enrollment at East Central College, students are expected to make progress toward graduation. The College defines minimal academic progress based on the following grade point averages and course completion rates:

Completion of at least 12 semester credit hours of coursework: 1.80 cumulative grade point average ~~and a course completion rate of 67%~~

Completion of at least 24 semester credit hours of coursework: 2.00 cumulative grade point average ~~and a course completion rate of 67%~~

3.15 Academic Probation and Suspension *(Adopted 12-3-1968; Revised 8-27-2007, 7-18-2019, XXX 2021)*
(formerly 3.12)

~~Any student with a grade point average or course completion rate that falls below minimal academic standards of progress will be placed on academic probation. Students will have a full semester to remedy academic probation.~~

If at the end of the academic probation semester the probation status is not remedied, the student is automatically suspended. Students have the right to appeal any academic suspension.

Procedures: *(Revised 7-18-2019, XXX 2021)*

3.15.1 Students on academic probation are notified by the Chief Student Affairs Officer ~~and a registration hold is placed on the student account. The hold is removed once the student has met with an academic advisor and completed an academic improvement plan.~~ **Students on academic suspension are notified by the Chief Student Affairs Officer and a registration hold is placed on the student account.**

3.15.2 A student appeal of an academic suspension requires a written petition to the Chief Student Affairs Officer for reinstatement as an active student. ~~The petition should include two components: a statement of the circumstances which led to the current academic status and a statement detailing a remedy of the current academic circumstances.~~

3.15.3 Upon completion of the semester of suspension, ~~a student must apply for readmission to the College.~~ students must meet with an academic advisor and develop an academic improvement plan.

3.15.4 Specific academic programs and eligibility criteria established for various financial aid and benefit programs may include additional academic requirements for enrollment, program continuation, or graduation.

3.16 **Graduation Requirements** (*Adopted 12-3-1968; Revised 6-1-1998*) (*formerly 3.13*)
Specific graduation requirements will be ~~set up~~ **established** by the College faculty in accordance with the requirements of the State of Missouri and appropriate accrediting agencies.

3.17 **Transfer Articulation Officer** (*Adopted 10-1-1973; Revised 4-7-2003, 8-31-2009*) (*formerly 3.22*)
East Central College will designate a Transfer and Articulation Officer for the purpose of assisting students with matters related to transfer and articulation of credit.

~~**3.15** **Extracurricular Activities Policies** (*Revised 5-12-2003*)~~

~~**3.15.1** **Athletics Policy**~~

~~A program of intercollegiate athletics, which fosters student development and enriches student life, will be encouraged.~~

Procedures:

~~A. The Board of Trustees will approve all intercollegiate sports.~~

~~B. Coaches and athletes will abide by the rules and regulations of the National Junior College Athletic Association (NJCAA). A copy of the rules and regulations is available through the Chief Student Affairs Officer.~~

~~C. Intercollegiate athletics will be funded from student activity fees.~~

~~**3.15.2** **Student Organizations Policy**~~

~~The establishment of and participation in student organizations, which support the mission of the College, is encouraged.~~

Procedures:

~~To be established and maintained on the East Central College campus, a student organization must meet the following requirements:~~

~~A. Have an employee sponsor.~~

~~B. File a mission statement and application with the Chief Student Affairs Officer.~~

~~C. Gain approval of the Student Senate as a beneficial and worthy college organization.~~

~~Student organizations are governed by the constitution of the Student Government Association. Failure to function in accordance with the aforementioned mission statement or constitution will bring about loss of approval.~~

~~3.15.3 Student Publications~~

~~The editor of the student newspaper will be chosen near the end of the school year by a committee consisting of: 1) the faculty sponsor; 2) the Chief Student Affairs Officer (non-voting member); 3) the present editor; and 4) the president of the Student Senate.~~

~~Guidelines for all student publications are available in the Student Publications Handbook available through the faculty sponsor or the Chief Student Affairs Officer.~~

3.18 Extracurricular and Co-curricular Activities *(Revised 5-12-2003; revised xxxx) (formerly 3.15)*
East Central College will offer a range of activities to foster student development, enrich student life, enhance the instructional curriculum, and support the mission of the College.

Procedures: *(revised xxx2021)*

3.18.1 The Board of Trustees will approve all intercollegiate sports.

3.18.2 Coaches and athletes will abide by the rules and regulations of the National Junior College Athletic Association (NJCAA). A copy of the rules and regulations is available through the Chief Student Affairs Officer and Athletic Director.

3.18.3 Intercollegiate athletics will be funded from student activity fees.

3.18.4 The College recognizes the Student Government Association (SGA) as the organization that represents the students' view in matters involving campus improvement and oversees the activities of all other student clubs and organizations recognized as active by the SGA. There is a maximum of one student government association per location (Union and Rolla).

3.18.5 Student clubs and organizations must have an employee sponsor, file an application with the Campus Life and Leadership Coordinator, gather a minimum of five signatures of current East Central College students, and be formally recognized by the Student Government Association.

3.18.6 Student clubs and organizations are governed by the constitution of the Student Government Association. Failure to function in accordance with the SGA mission statement or constitution will bring about loss of approval.

3.18.7 Student publications are produced by students who are enrolled in related Journalism/Mass Media and English classes and/or who are active with the ECC Student Media Club.

3.18.8 Guidelines for all student publications are available in the Student Publications Handbook available through the faculty sponsor or the Chief Student Affairs Officer.

2.16 3.19 Animals on Campus (Adopted March 7, 2016; Revised XXX 2021) (moved from Ch.2 – 2.16)

East Central College welcomes the presence of trained Service Animals assisting individuals with disabilities on its campus in areas open to the public consistent with the provisions of this Policy and applicable law. ~~An individual with a disability may be accompanied by his/her Service Animal in all areas of the College's facilities where members of the public are permitted.~~ This Policy, however, applies only to facilities owned by the College or under its control. There may be restrictions imposed on the use of Service Animals in non-College facilities, such as hospitals, science laboratories, or other clinical or internship experience locations. Such restrictions are established by the individual facilities, and the College has no control over such restrictions. In addition, the College reserves the right to impose restrictions on the use of Service Animals on its property in order to maintain safety or to avoid disruption of College operations. For purposes of this Policy, a "Service Animal" is defined as a dog, or in certain circumstances, a miniature horse, that has been individually trained to do work or perform tasks for the benefit of individuals with disabilities. Animals that are not Service Animals will not be permitted inside College buildings unless specifically approved by the College President.

Procedures: (Adopted 3-7-2016)

3.19.1 Service Animals

The Access Services Department at East Central College strives to provide equal opportunities for individuals with disabilities, which may include the use of Service Animals. Service Animals are working animals, not pets. The work or tasks performed by a Service Animal must be directly related to its handler's disability.

Examples of work or tasks performed by Service Animals may include, but are not limited to:

- assisting individuals who are blind or have low vision with navigation and other tasks;
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- providing non-violent protection or rescue work;
- pulling a wheelchair;
- assisting an individual during a seizure;
- alerting individuals to the presence of allergens;
- retrieving items such as medicine or the telephone;
- providing physical support and assistance with balance and stability to individuals with mobility disabilities; ~~and~~
- helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Services that do not qualify as work or tasks performed by a Service Animal include:

- deterring crime;~~and~~
- providing emotional support, comfort, or companionship, often referred to as “therapy” or “companion” animals.

An animal does not have to be licensed or certified as a Service Animal in order to serve in that capacity. Individuals with Service Animals will not be required to provide documentation proving that the animal has had particular training as or is a “certified” Service Animal. However, consistent with state law, all Service Animals on campus should still:

- be licensed in compliance with state and/or local laws applicable to non-service animals;
- be properly immunized and vaccinated;
- and wear a current license and rabies vaccination tag.

In situations where it is not obvious that the dog or miniature horse is a Service Animal, the College may ask the following questions:

- (1) Is the dog or miniature horse a Service Animal required because of a disability? ~~and~~
- (2) What work or task has the dog or miniature horse been trained to perform?

A Service Animal is not required to wear a certain kind of harness that identifies it as a Service Animal, although all Service Animals must be on a leash or a harness at all times unless the nature of the accommodations provided by the Service Animal would be negatively impacted by a harness or leash. In that case, the handler must maintain control of the animal through voice, signal, or other effective controls.

The College may direct an individual with a disability to remove a Service Animal from College premises if the animal:

- is out of control and its handler does not take effective action to control it (including the animal posing a direct threat to others on campus and/or exhibiting behavior that interferes with the educational process);
- is not housebroken or is ill;~~or~~.
- is not properly licensed and/or vaccinated in accordance with state and/or local laws applicable to non-service animals.

3.19.2 Non-Service Animals

Pets under the control of an adult (i.e., 18 years or older) are permitted on College property; but are not permitted within College-owned or leased buildings. Only Service Animals or animals being used in College laboratories

for research, classroom, or observation purposes are permitted within College-owned or leased buildings.

Animals must be leashed and under the control of an adult at all times. A loose animal trailing a leash; or one tied to a fixed object; is not under the control of an adult. Animals that are unleashed, or leashed and unattended, on College property may be subject to impoundment at the expense of the owner. Animals left unattended in motor vehicles on College property may also be impounded at the expense of the owner if they become a nuisance or if the welfare of the animal is threatened.

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

3.20 Student Conduct Policy *(Revised 5-7-1973; Reaffirmed 12-2-1991; Revised 8-28-2003, 6-16-2014) (formerly 3.17)*

Admission to East Central College carries an obligation to conduct ~~one's self~~ **oneself** as a responsible member of the College community. Individual students and student organizations are required to observe the policies of the College and the laws of city, state, and federal governments. Student and organizational behavior must be compatible with the educational objectives of the College thereby maintaining safety standards and promoting the health and wellness of each member of the College community. Students are expected to approach each academic course and activity with a willingness to learn and an attitude of cooperation. Students and student organizations are expected to uphold the key principles of honor, truthfulness, and respect for people and property. Prohibited conduct will lead to student discipline.

Procedures: *(Revised 5-12-2008; Revised 8-2012, 6-16-2014, xxx2021)*

3.20.1 Prohibited Conduct:

- A. Violations of standards established by College academic programs for student conduct in areas and classes such as the gym, fitness center, locker rooms, clinical settings, labs, shops, and internships.
- B. Violation of or disregard for safety policies and procedures, e.g., lab safety contract.
- C. Violation of ~~the~~ **Policy 4.31 Tobacco-Free Campus Policy**.
- D. Violation of ~~East Central College's Information~~ **Policy 4.45 Acceptable Use of Technology Policy**.
- E. All forms of academic dishonesty such as cheating, aiding or abetting cheating, plagiarism, fabrication, or multiple submission of papers in courses without prior instructor consent, or representation of others' work as one's own. (Refer to Academic Honor Code.)
- F. Knowingly furnishing false information to the College.

- G. Forgery, alteration, or misuse of College documents, records, or identification, whether in written or electronic form.
- H. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or any other College events or activities, including public service functions and other authorized activities on College premises.
- I. Disturbing others with strong, pervasive odors such as perfume, cologne, body odor, animal odor, alcohol, or illegal substances.
- J. Assault, abuse, or conduct ~~which~~ **that** threatens or endangers the health or safety of another person on College-owned or controlled property or at a College-sponsored or supervised function.
- K. Theft, malicious destruction, damage, misuse, or conversion of property belonging to the College, a College employee, a College student, or a campus visitor.
- L. Unauthorized entry into or use of College facilities.
- M. Violation of local, state, or federal laws on College-owned or controlled property or at College-sponsored or supervised functions.
- N. ~~The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, an imitation controlled substance, or alcoholic beverages on College premises or at off-campus sites, in College vehicles and in any private vehicles parked on College premises or at off-campus sites or at College-sponsored or supervised functions. An imitation controlled substance is a substance that is not a controlled substance, which by appearance (including color, shape, size, and markings), or by representations made, would lead a reasonable person to believe that a substance is a controlled substance.~~ **Violation of Policy 3.25 Drugs and Alcohol Abuse Prevention.**
- O. Failure to identify ~~one's self~~ **oneself** when requested to by College officials or College agents or failure to comply with directions of College officials acting in the performance of their duties.
- P. Possession or use of firearms or other weapons, explosives, dangerous chemicals, or fireworks on campus or at College-sponsored or supervised activities.
- Q. Gambling on College-owned or controlled property or at College-sponsored or supervised functions. Charitable or fund-raising raffles may be permitted for student organizations with the approval of the ~~Vice President of Student Development~~ **Chief Student Affairs Officer.**

- R. Violation of ~~the Policy 3.30 Regarding Student Protections Against Sexual Assault, Relationship Violence, and Stalking~~ **Discrimination and Harassment or Policy 3.31 Student Title IX Sexual Harassment.**
- S. Violation of College policies regarding **d**iscrimination and **h**arassment.
- T. Disorderly conduct, breach of public decency, breach of the peace, aiding or inciting another to breach the peace, infringement upon the rights of another, or defamation of another either on College property or at College-authorized activities.
- U. Hazing, or any act that intimidates, frightens, or degrades an individual.
- V. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person; physically or mentally.
- W. Stalking, defined as engaging in a course of conduct directed at a specific member of the College community that would cause a reasonable person to fear for ~~his or her~~ **personal** safety or the safety of others, or to suffer substantial emotional distress. For purposes of this definition, a course of conduct means that two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Stalking may involve physical stalking and/or cyber stalking.
- X. Any aforementioned **act** committed in concert with other persons, ~~may make~~ each participant responsible for the acts of the entire group.

3.20.2 Jurisdiction for this Policy applies to student conduct ~~which~~ **that** occurs on all property owned, ~~or~~ operated, or maintained by East Central College as well as actions ~~which~~ **that** occur off-campus when the misconduct affects the well-being of students and other members of the College community.

3.21 Student Discipline Policy *(Revised 5-1-1989; Reaffirmed 12-2-1991; Revised 8-28-2003; Reaffirmed 6-16-2014) (formerly 3.18)*
 All students are expected to meet the expectations of College administrators and faculty and the norms of a civil society and to avoid prohibited conduct (see **Policy 3.20 Student Conduct Policy 3.15**). If the need for student discipline arises, students can expect due process as defined by the following procedures.

Procedures: *(revised xxx2021)*

A. 3.21.1 Definitions *(Revised 6-16-2014)*

The following definitions apply to this Policy:

1. Chief Student Affairs Officer (CSAO): - The administrator responsible for student services such as counseling and advising.
2. Chief Academic Officer (CAO): - The administrator responsible for the oversight and direction of academic programs and faculty.
3. Hearing Committee: - A five-member committee called upon for hearings whose membership includes two (2) faculty, two (2) administrative/professional staff, and one (1) support staff member. The CSAO and the CAO are not voting members of the hearing committee, but they are nevertheless involved in the hearing. The CSAO will preside over, and the CAO will present the charges, at all hearings where the misconduct does not involve an academic issue. If the misconduct involves an academic issue, their roles will be reversed.
4. Sanctions: - Any action taken during the institutional discipline process, not including those actions an instructor may take within the classroom in cases of academic dishonesty such as assigning a lowered or failing grade for the assignment or class.

Procedures:

3.21.2 In most cases, disciplinary actions are meant to be remedial rather than punitive. Ideally, disciplinary proceedings will be conducted informally between the student(s) and the ~~Chief Student Affairs Officer~~ CSAO. However, when this means of resolution is not possible, a student has the right to formal processes of discipline and appeal.

B. 3.21.3 Possible Sanctions *(Revised 8-2012, 6-16-2014, xxx2021)*

1. Warning: A verbal admonition by a College official regarding a violation of the Student Conduct Code.
2. Fines, community service, rehabilitation, or other restitution: A monetary fee, assigned task, or other means of reparation.
3. Disciplinary Probation: A status resulting from a finding of misconduct. The student remains enrolled but under stated conditions.
4. Summary Suspension: An involuntary and immediate separation of the student from the institution when, in the judgment of the CAO, CSAO, and/or President, the student presents the potential for behavior dangerous or destructive to ~~him/herself~~ **themselves**, others, or College property. Such suspension will be for a limited time until further disciplinary determination is made.
5. Disciplinary Suspension: An involuntary separation of the student from the institution for a specified period of time due to misconduct. **The** student may be re-admitted following a specified period of time.

6. Expulsion: Permanent loss of student status due to misconduct. Other stated conditions may be applied.

€. 3.21.4 Formal Student Disciplinary Process *(Revised 12-23-2014)*

Students subject to sanctions will be accorded the opportunity for a hearing before a hearing committee. For a hearing to be held, the student is required to submit a written request for a hearing (electronic submission is acceptable) to the ~~Chief Student Affairs Officer~~ **CSAO** or designee within five (5) **business working** days. The following guidelines will be applicable:

1. Students will be informed in writing of the time, date, and location of the hearing by personal delivery, certified mail, or via electronic communication at least seven (7) **business working** days in advance of the hearing.
2. The entire case file will be available for inspection by the student in the office of the ~~Chief Student Affairs Officer~~ **CSAO** during normal business hours. The file, which should be available at least two (2) **business working** days before the hearing, need not include the personal and confidential notes of any College official or participant in the hearing process.
3. The hearing will be conversational and non-adversarial. Formal rules of evidence will not apply. The ~~Chief Student Affairs Officer~~ **CSAO** or designee shall exercise active control over the proceedings to avoid needless consumption of time and to achieve the orderly completion of the hearing. Any person who disrupts the hearing may be excluded.
4. The student may choose to be assisted by a member of the faculty or staff of the institution. Furthermore, the student may be accompanied by legal counsel, although the role of legal counsel will be limited to providing legal advice to the student, and such legal counsel may not participate in any other way.
5. Those assisting the student, except for legal counsel, will be given reasonable time to ask relevant questions of any individual appearing at the hearing, as well as to present relevant evidence. In some circumstances, including those involving sexual assault or other sensitive allegations, the ~~Chief Student Affairs Officer~~ **CSAO** or designee may determine that direct questioning of a witness by the student or the individual assisting the student is not appropriate. In those cases, the student or their representative will submit the questions to the ~~Chief Student Affairs Officer~~ **CSAO** or designee, who will then ask the questions.
6. Whenever possible, the student will be expected to respond to questions asked by the ~~Chief Student Affairs Officer~~ **CSAO** or designee.
7. If the student requests a hearing and fails to appear after proper notice, the hearing committee may either proceed with the hearing in the student's absence or may make a decision without holding a hearing.
8. The hearing will be recorded. The recording(s) shall be kept with the pertinent case file for a minimum of six (6) months.

9. A written decision will be rendered by the hearing committee within five (5) ~~business~~ **working** days after the completion of the hearing. The written decision, which should be mailed or personally delivered to the student, should contain a brief statement of reasons for any determination leading to sanctions. The student should also be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement. The decision of the hearing committee will be final unless a timely appeal is made to the College President.

3.21.5 A student who wishes to appeal a disciplinary decision must do so within 30 **calendar** days of the notice of **the** written decision of the hearing committee by filing a written appeal with the College President. The written notice to the President should state the basis for the appeal.

1) An appeal is limited to the following issues:

- A. Prejudice or other irregularities that improperly influence the outcome of the disciplinary hearing.
- B. Discovery of new or significant evidence that was not available at the time of the original hearing.
- C. A sanction that is extraordinarily disproportionate to the violation.

11. 2) The College President will meet with the student and render a decision within seven (7) days. The decision of the President will be final.

12. 3) In all non-grade appeals, the student may **choose to** withdraw from College or the class of ~~his/her own volition~~ at any time during the disciplinary process.

3.22 ~~Student Privacy Policy~~ **Student Privacy Policy** (*Reaffirmed 12-2-1991; Revised 4-7-2003;5-8-2017*) (*formerly 3.20*)
East Central College will comply with all state and federal statutes regarding **the** use and release of student information including the Family Educational Rights and Privacy Act (FERPA) of 1974 (as amended). Students, parents, or guardians seeking clarification of laws, regulations, and practice may request such information from the office of the Chief Student Affairs Officer.

Procedures (*Adopted 5-8-2017*)

A. 3.22.1 Confidentiality of Student Records

FERPA (U.S. Public Law 93-579) guarantees individuals' rights to access of their education record. This federal law also provides guidelines as to third-party access and the appropriate security of the education record. FERPA stipulates that students have the right to:

1. Inspect and review their education records within 45 days of the day the College receives a request for access. Students must submit written requests to the Registrar's Office that identify the record(s) they wish to inspect. The

Registrar will make arrangements for access and notify the student of the time and location where the records may be inspected.

2. Request amendment to the education record if the student believes the record is inaccurate or misleading. If the student believes the record is inaccurate or misleading, the student should write the College Registrar, clearly identify the part of the record they want changed, and specify what is inaccurate or misleading. If the decision is made not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of ~~his or her~~ **their** right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. Control disclosure of their academic records without written consent, and to designate confidentiality of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. File a complaint with the U.S. Department of Education concerning alleged failures by ECC to comply with the requirements of FERPA.

B. 3.22.2 Release of Student Records

The College will not permit access to, or the release of, education records or personally identifiable information contained in the student's education record without the written consent of the student, except to the extent that FERPA authorizes disclosure without consent. FERPA allows for disclosure without consent to the following parties or under the following conditions:

1. School officials who have a legitimate educational interest. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional duties;
2. Upon request, ECC discloses education records without consent to officials of educational institutions in which a student seeks or intends to enroll;
3. Specified officials for audit or evaluation purposes;
4. Appropriate parties in connection with financial aid to a student;
5. Organizations conducting certain studies for, or on behalf of, the College;
6. Accrediting organizations;
7. To comply with a judicial order of lawfully issued subpoena;
8. Appropriate officials in cases of health and safety emergencies; and
9. State and local authorities, pursuant to State law.

C. 3.22.3 Access to Education Records

Information contained in a student's education record remains confidential between the student and ECC, and will not be released to third parties without the written consent of the student, as allowed by FERPA and its regulations.

D. 3.22.4 Directory Information

1. Pursuant to FERPA, ECC may disclose certain types of information, which ECC has designated as “directory information,” without a student’s prior consent. ECC has designated the following information as “directory information” for the purposes of FERPA:
 - a. Student’s Name
 - b. City of Residence
 - c. Program of Study
 - d. Academic Classification (Freshman/Sophomore and Full-time/Part-time)
 - e. Participation in Recognized Activities, including photographs of sponsored activities
 - f. Dates of Attendance, including matriculation and withdrawal dates
 - g. Degrees, Certificates, Recognitions, and Awards Received
 - h. Individual or Group Photographs

Additionally, ECC may release lists of students who qualify for academic honors, as well as lists of graduates, to paper and digital media publications.

2. Directory information may be disclosed by ECC for any purpose, at its discretion, without the consent of a student. Students, however, have the right to refuse to permit the release of their directory information. Requests for non-disclosure will be honored until written notice is received from the student to remove the request for non-disclosure. If a student requests non-disclosure, no information regarding the student will be provided unless photo identification is shown verifying it is the student who is present and making the request.
3. Any student who wishes to refuse to permit the release of directory information must file written notice with the College Registrar. Forms for this purpose are available at the Student Service Center. The written notice does not apply retroactively to previously released directory information. To prevent publication of directory information, written notice must be given no later than the second week of the term in question.

3.23 Student Right-to-Know and Campus Security Act Policy-Compliance (Revised 4-7-2003) (formerly 3.21)

East Central College will comply with all federal and state statutes and regulations concerning student right-to-know, including Public Law 101-524, The Student Right-to-Know Act and Campus Security Act, as amended by Public Law 102-26, The Higher Education Technical Amendments. Detailed information regarding these statutes and regulations is available from the Chief Student Affairs Officer.

3.24 Behavioral Intervention Team *(adopted 3-4-2019)* *(formerly 3.30)*

East Central College recognizes the Behavioral Intervention Team (BIT) as an official College team. It is the responsibility of the team to review behavioral incidents and concerns and ensure a systematic response to students whose behavior may be disruptive or harmful to themselves or other members of the College community.

Procedures *(adopted 3/4/2019):*

3.24.1 Team Charges

The specific BIT charges are:

- A. Assess student situations when concerning behaviors are identified.
- C. Consult with administration, faculty, staff, and other students affected by concerning behaviors.
- C. Coordinate the College response to a violent, threatening, or significantly disruptive student or a student's situation.
- D. Develop a specific strategy to manage the threatening, disrupting, or concerning behavior with regard to the safety and rights of others, as well as those of the student at issue, and to minimize the disruption to the College community.
- E. Make recommendations to responsible College officials on appropriate action consistent with College policy and procedure statements, and with state and federal law.

3.24.2 Team Composition *(Revised xx2021)*

- A. The BIT is chaired by the ~~Vice President of Student Development~~ **Chief Student Affairs Officer (CSAO)** or a designee ~~in her/his absence~~.
- B. The core members include:
 - (1) ~~Vice President for Student Development~~ **Chief Student Affairs Officer**
 - (2) Director of Advising and Counseling Services
 - (3) **Up to two** licensed ~~Clinical~~ Counselors or Social Workers **on staff**
 - (4) Campus Police Officer(s)

The auxiliary members include:

 - (1) Up to two **faculty** appointed by the ~~Vice President for Academic Affairs~~ **Chief Academic Affairs Officer**
 - (2) **One** representative from Rolla Campus appointed by **the** site director
- C. The ~~Vice President of Student Development~~ **CSAO** may consult with other College officials as needed, and request that other College officials serve on the team in specific situations.
- D. ~~All core members are required to attend continuing education opportunities pertaining to behavior intervention and threat assessment.~~

3.24.3 Operations and Procedures Guidelines for Case Management *(Revised xx2021)*

- A. At the beginning of each fall and spring semester, the ~~Vice President for Student Development~~ **CSAO or designee** will send a notice to faculty and staff, through appropriate communication channels, stating the team is available for consultation when they are concerned about potentially harmful, threatening, or disruptive behavior of a student or students.
- B. **Employees should** report emergency or extreme situations immediately by calling 911 if a student displays an imminent threat to self or others, or serious disruptive or threatening behavior.
- C. A student's behavior that is not extreme or severe should be reported **to the BIT** by ~~completing an ECC Cares Incident of Student Concern form~~. Once the report is received, the ~~Vice President of Student Development~~ **CSAO** or designee will present the case to the BIT for an assessment and develop an appropriate response plan. The BIT's response will be based on the nature of the behavior, the severity of the risk, and the needs of the student **and will be consistent with the codes of conduct, mandatory reporting responsibilities, and applicable laws**.
- ~~D. All meetings will be chaired by the Vice President of Student Development. In the event the Vice President of Student Development is unavailable to chair a meeting, the meeting will be chaired by a core designee of the team as determined by the Vice President of Student Development.~~
- D. The **core** team meets ~~on a weekly basis~~, but in a time-sensitive high-risk situation, a special team meeting may be called by any member.
- E. The team uses the National Behavioral Intervention Team Association's threat assessment ~~tool to classify reports into risk levels and determine appropriate to~~ **support** interventions.
- F. The desired outcome of a consultation and or intervention with a student by a member of BIT is to recommend a course of action. Specific issues to be considered in a consultation or intervention include: assessment of potential violence, evidence of mental illness as the possible cause of behavior, containment of disruption, appropriate referral resources, and setting appropriate behavioral boundaries within existing College policies.

3.24.4 Case Information and Confidentiality Procedures

Members of the Team may provide each other, faculty, staff, and students involved in a particular case, or outside parties in connection with the situation, with information as is necessary to protect the health, safety, and privacy of the student or other persons, and to generate a recommended course of action, in accordance with applicable legal and professional standards of confidentiality, including the release of information pursuant to the Family Educational Rights and Privacy Act of 1974.

3.25 Student Drugs and Alcohol Abuse Prevention Policy *(Reaffirmed 12-2-1992; Revised 11-5-2001, xxx2021) (formerly 3.19)*

It is the objective and goal of East Central College to provide a drug and alcohol free environment for students. prohibits the manufacture, distribution, dispensation, possession, or use of a controlled substance or an imitation controlled substance and the possession, use, or distribution of alcoholic beverages (except as specified in Board Policy 4.42) on any East Central College-owned or controlled property or at College-sponsored functions.

Procedures: *(Revised 5-12-2008, xxx2021)*

3.25.1 Definition: An imitation controlled substance is a substance that is not a controlled substance, which by appearance (including color, shape, size, and markings), or by representations made, would lead a reasonable person to believe that a substance is a controlled substance.

~~**3.19.1 Explanation and Consequences of Prohibitive Behavior.** The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, an imitation controlled substance, or alcoholic beverages on College premises or off-campus sites (including College vehicles and any private vehicles parked on College premises or off-campus sites), or College sponsored functions is absolutely prohibited. An imitation controlled substance is a substance that is not a controlled substance, which by appearance (including color, shape, size, and markings), or by representations made, would lead a reasonable person to believe that a substance is a controlled substance.~~

3.25.2 Violations of this Policy will result in disciplinary actions, up to student expulsion, and may have legal consequences. Instances of **Certain** violations could result in the involvement of civil law enforcement authorities.

~~**3.25.3 Federal Law Compliance.** It is the College's intent and obligation to comply with the Drug Free Workplace Act of 1988, Public Law 100-690, and update to the Drug Free School Community Act of 1989, Public Law 101-226 to provide a drug free, healthful, safe work environment.~~ **The College complies with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. § 1011i) and the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.). Although medical marijuana is legal in Missouri, it is still considered illegal under federal law as a "Schedule I" drug. As such, the distribution, possession, and consumption of medical marijuana are prohibited on property owned or operated by the College or its affiliates.**

3.25.4 Student Responsibilities. The College recognizes drug and alcohol abuse as a potential health, safety, and security problem; and **recognizes** dependency as an illness for which there is effective treatment.

~~A. **Student Seeking Help.** Students needing help in dealing with such problems are encouraged to use the College's counseling services for referral assistance for treatment centers.~~

~~B. **Student Violations.** Student violations are subject to ECC procedures as outlined in the Student Discipline Policy (see 3.18).~~

3.26 Suicide Awareness and Prevention (Adopted 10-1-2018) (formerly 3.29)

East Central College encourages students to maintain a reasonable concern for their own health and safety. Therefore, the College will take action in accordance with this Policy to create awareness in the area of suicide prevention and response, consistent with Missouri Revised Statutes 173.1200.

Procedures: (adopted 10/1/2018; Revised xxx2021)

3.26.1 Definitions: The following definitions apply to this Policy:

Suicide: - Death from an injury which is self-inflicted and by which the student intended to kill himself or herself **themselves**.

Suicidal Behavior: - Any potentially injurious behavior which is self-inflicted and by which a student intends, or gives the appearance of intending, to kill himself or herself.

Suicide Threat: - Any interpersonal action, verbal or non-verbal, that a reasonable person would interpret as communicating or suggesting that suicidal behavior may occur in the near future.

Suicidal Ideation: - Any self-reported thoughts or feelings about engaging in suicidal behavior.

Suicide Plan: - A proposed method of self-inflicted injury through which the potential and intentional outcome is death.

3.26.2 When a student in the College community is facing a crisis, the entire College can be affected. It is critical that a basic framework exist to enhance coordinated efforts that protect the safety and well-being of the student in crisis and each member of the campus community. In the event a member of the College community learns, either directly or indirectly, that a student has a) engaged in suicidal behavior, b) communicated a suicide threat, or c) exhibited warning signs for suicide, that student should be referred for assistance according to the **appropriate College** procedures ~~outlined below~~.

3.26.3 Suicidal Behavior

Any member of the College community who learns that a student has just engaged in, is in the processing of engaging in, or is about to engage in suicidal behavior, should immediately report this behavior to emergency

personnel by calling 911. If possible, provide responding emergency personnel with any pertinent information that is known about the student.

Contact the ~~Vice President of Student Development~~ **Chief Student Affairs Officer** as soon as possible at (636) 584-6565 or via email if after business hours. The ~~Vice President~~ **CSAO** may then consult, activate and/or convene other Behavioral Intervention Team members to help coordinate information, identify support strategies, and implement a follow-up action plan.

If the ~~Vice President of Student Development~~ **CSAO** is not available, contact the Director of Advising & Counseling at (636) 584-6581 or via email if after business hours. In Rolla, contact the Coordinator, Student Success at 573-466-4081 or via email if after business hours.

After the threat has passed, fill out the incident form available ~~on-line~~ **online** at: <https://cm.maxient.com/reportingform.php?EastCentralCollege>

3.26.4 Suicide Threat

Any member of the College community who learns that a student has communicated a suicide threat should contact the ~~Vice President of Student Development~~ **CSAO** as soon as possible at (636) 584-6565 or via email if after business hours. The ~~Vice President~~ **CSAO** may then consult, activate or convene other Behavioral Intervention Team members to help coordinate information, identify support strategies, and implement an action plan.

If the ~~Vice President of Student Development~~ **CSAO** is not available, contact the Director of Advising & Counseling at (636) 584-6581, or via email if after business hours. In Rolla, contact the Coordinator, Student Success at 573-466-4081 or via email if after business hours.

After the threat has passed, fill out the incident form available ~~on-line~~ **online** at: <https://cm.maxient.com/reportingform.php?EastCentralCollege>

A student who has communicated a suicide threat may be required to be assessed by a mental health professional to determine the level of suicide risk. The assessment may be performed by a mental health professional in the community or a crisis worker at a hospital emergency room.

All suicide threats should be taken seriously. In every case, a trained professional should evaluate the validity or imminence of a potential suicide threat.

If at any point it seems reasonable to assume that suicidal behavior is imminent, especially if the student is uncooperative with attempts to help, call 911 or Campus Police at (636) 584-6600. Share the student's name, description, details of the suicide threat, and location/destination (if known). Police officers can check on the student and take them into custody, as appropriate, to be evaluated for suicidal risk.

3.26.5 Warning Signs of Suicide:

Any member of the College community who learns that a student is exhibiting warning signs of suicide, but has not engaged in suicidal behavior or communicated a suicide threat, should contact the Director of Advising & Counseling at (636) 584-6581 for consultation and support, especially if the student is exhibiting suicidal ideation. The ~~Vice President of Student Development~~ **CSAO** should also be notified.

If Advising & Counseling is closed and the ~~Vice President of Student Development~~ **CSAO** is not available, call one of the following suicide prevention hotlines:

National Suicide Prevention Lifeline (800) 273-8255

Eastern Missouri Behavioral Health Response Crisis Line (314) 469-6644

If unable to receive assistance, call 911.

A student may be referred directly to Advising & Counseling for counseling services and encouraged to make an appointment on their own. However, a call may be made to Advising & Counseling on behalf of the student to alert the counselor of the situation. In Rolla, contact the Coordinator, Student Success at 573-466-4081 or via email if after business hours.

After the threat has passed, fill out the incident form available ~~on-line~~ **online** at: <https://cm.maxient.com/reportingform.php?EastCentralCollege>

The most common warning signs of suicide include:

Ideation: talk of suicide, researching suicide means, preoccupation with death

Substance abuse: increasing abuse of drugs or alcohol

Purposelessness: lacking meaning or purpose, having no reason to live, a sudden loss

Anxiety: restlessness, inability to sleep, panic, and anxiety

Trapped: feeling there is no way out, stuck in unbearable pain

Hopelessness: depression, despair, feeling like a burden to others

Withdrawal: isolating oneself from friends, family, or others; feeling alienated

Anger: exhibiting uncontrolled rage or wanting to seek revenge

Recklessness: thoughtless or impulsive engagement in risky activities

Mood changes: displaying extreme or dramatic changes of mood or behavior

Other: getting affairs in order, having a suicide plan, past suicide attempts

3.26.6 Post Intervention Plans

In the event the College community is impacted by the death of a student, including a student whose death is caused by suicide, the College has developed a communication plan to address a variety of issues that may be caused by this type of loss. This plan includes reminding members of the College community about existing support and mental health resources, including resources related to suicide prevention.

3.26.7 Resources, Education, and Training

The counseling staff in Advising & Counseling will maintain current information about the availability of local mental health clinics, student health services, and counseling services that can assist with suicide prevention and intervention. This information will be made available on the College's website.

Further education and training in identifying and assisting emotionally distressed and at-risk students can be provided by the counseling staff in Advising & Counseling and is available upon request. To inquire about training, contact the Director of Advising & Counseling at (636) 584-6581. In Rolla, contact the Coordinator, Student Success at 573-466-4081.

3.27 Communicable Diseases Policy *(Revised 5-12-2008; revised 8-25-2014) (formerly 3.16)*

East Central College endeavors to provide its students with a safe and healthy environment in which learning can occur. This Policy is intended to prevent the transmission of communicable diseases from a student to other members of the College community. A student with a communicable disease may present a reasonably foreseeable risk of harm to others. Therefore, the College will take action in accordance with this Policy to minimize the risk of transmission and to maintain a safe campus and educational environment. Some College departments have additional restrictions and procedures that must be followed due to the nature of the educational environment.

Note: Procedures will be further revised at a later date to include community transmission of disease.

Procedures:

3.27.1 Definitions *(Revised 8-25-2014)*

The following definitions apply to this Policy:

The term "Communicable Disease" - ~~shall mean~~ An infectious disease that is readily capable of transmission to other individuals through close contact, exposure to routine secretions, and/or physical proximity on a college campus. A communicable disease may be acute (short-term) or chronic (long-term). For purposes of this Policy, this term is not intended to include diseases for which transmission is virtually eliminated as a result of the application of standard universal precautions or other effective measures.

~~The term “Assessment Team” shall mean~~ - A multi-disciplinary team convened to review and assess the student’s communicable disease and its effect on the College community.

~~The terms “Others” or “Others in the College Community” shall mean~~ - Employees, students, and visitors to the College or any of its satellite facilities or properties.

3.27.2 Disclosure *(Revised 8-25-2014)*

A student who becomes aware that ~~he/she~~ **they have** ~~has~~ or may have a communicable disease shall self-report this information to the Chief Student Affairs Officer **or designee**. A College employee who has personal knowledge that a College student has or may have a communicable disease must also report this fact to the Chief Student Affairs Officer **or designee**.

3.27.3 Assessment *(Revised 8-25-2014, xxx2021)*

Upon receipt of a report that a student has or may have a communicable disease, the Chief Student Affairs Officer is authorized to temporarily exclude the student from College property until a multi-disciplinary team (“Assessment Team” or “Team”) is convened to review and assess the student’s condition.

The Assessment Team will be composed of the following: (1) the Chief Student Affairs Officer or ~~his/her~~ **designee**; (2) a physician or other consultant **with knowledge of the particular disease**, selected by the College, ~~with knowledge of the particular disease~~; (3) the student’s health care provider; and (4) other College representatives, as appropriate. The student and/or ~~his/her~~ **their** representative will be involved in the assessment process, but the decision on how the situation will be handled will be determined by the College.

The Chief Student Affairs Officer must convene the Team within a ~~reasonable prompt period of time~~ **five (5) working days** after receiving a report that a student has or may have a communicable disease. ~~The Team should be convened within five (5) business days of the report, if not sooner.~~ Members of the Team are responsible for arranging their schedules to meet at the time and place designated by the Chief Student Affairs Officer. Because of the importance of addressing the communicable disease ~~in a prompt manner~~ **promptly**, this meeting will not be rescheduled because of the unavailability of one or more members. However, members of the Team may participate ~~by telephone~~ **remotely** upon giving advance notice to the Chief Student Affairs Officer.

The Team will assess, review, and consider the following: (1) the student’s condition; (2) the present and future risk of transmission to others; (3) the existence and practicality of implementing precautions, methods, and strategies to eliminate or reduce the risk of transmission to others; (4) the restrictions, if any, that will be required to prevent the student from creating the risk of

transmission to others; (5) whether the student should be excluded (or continue to be excluded) from College premises, and, if so, whether alternative educational arrangements can be made; and (6) if warranted, the date upon which the Team will reconvene to reassess the matter.

The Team will make a determination regarding the student's exclusion (or continued exclusion) from the College and/or the conditions or restrictions on the student's return to the College (if any) within three (3) working days after it has convened. The Team's determination will be documented in writing and the Chief Student Affairs Officer shall provide written notice of the determination to the student and President of the College.

If the student's condition is chronic or persists for more than a short, definable period, the Team shall reassess its determination as often as the Team deems appropriate.

This assessment process is not intended to limit or otherwise inhibit the right of the College to contact the local health authority or other public health official for guidance or direction in handling a communicable disease situation. Directives or orders from public health officials shall supersede the assessment process in this Policy.

3.27.4 Consent

To aid in its assessment, the Team may request that the student provide a HIPAA compliant authorization that permits the Team to communicate with the student's health care provider(s) regarding the status and effect of the student's communicable disease. In addition, the Team may require, at the College's expense and in accordance with law, the student to undergo a physical examination and/or medical tests that are narrowly tailored to assist the Team in determining whether the student still has a communicable disease. A student who refuses to provide consent to enable the Team to communicate with the student's health care provider(s) or to undergo the required examination/tests may be subject to exclusion from College property, as permitted by law, until such time as consent is provided or the Team determines that the student may return in accordance with this Policy.

3.27.5 Return to the College *(Revised 8-25-2014)*

The Team is authorized to decide that the student may return to the College if it determines that one or more of the following is true:

1. The student never had or no longer has the communicable disease; or
2. The communicable disease is not in the infectious or contagious stage; or
3. The communicable disease poses little to no risk of transmission in the College environment upon the application of universal precautions or other effective measures.

3.27.6 Appeal *(Revised 8-25-2014, XXX 2021)*

The student may appeal the Team's determination to the President of the College in writing within three (3) **business working** days of the receipt of the Team's decision. The student shall set forth in writing the reasons why the Team's decision should be modified or reversed. As part of the appeal process, the President is entitled to review all documentation produced and considered by the Team. Upon conclusion of this review, the President will issue a written decision to the Team and the student. The President's decision shall be final. However, if the student believes that the actions under this **Policy** were taken in violation of Section 504 of the Rehabilitation Act of 1974 ("Section 504") or the Americans with Disabilities Act ("ADA"), the student is permitted to submit an appeal by proceeding to the final level of the College's grievance **Policy** on Section 504/ADA complaints. A copy of that **Policy** may be obtained from the College's Compliance Coordinator for these laws, whose contact information is as follows:

Chief Student Affairs Officer
East Central College
1964 Prairie Dell Road
Union, MO 63084
Phone: 636-584-6565

A student who is unable to resolve a problem or grievance under Section 504 or the ADA has the right to file a complaint with the Office for Civil Rights for the United States Department of Education, ~~Region VII, 8930 Ward Parkway, Suite 2037,~~ **1010 Walnut Street, Suite 320**, Kansas City, MO ~~65114~~ **64106**; phone 816-268-0550.

3.27.7 Confidentiality *(Revised 8-25-2014)*

Students with communicable diseases have a right to privacy and a need for confidentiality of their medical information. Therefore, to preserve this right, the following rules will apply:

- 1 The student's medical condition and related information may be disclosed only to those individuals who ~~have a~~ "need to know" the information ~~in order~~ to implement this Policy, to assure that proper care is provided, and/or to detect/monitor situations in which the potential for transmission of the communicable disease may increase, as well as to those individuals who are otherwise authorized to receive, or who must receive, this information under law.
- 2 The student's medical information shall be retained in a file separate from the student's other records. This separate file shall be maintained by the Chief Student Affairs Officer.

- 3 Willful, negligent, or unauthorized disclosure of information about a student's medical condition will be cause for remedial or disciplinary action, up to and including dismissal.

3.28 General Student Complaints Policy *(Adopted 7-20-2017)*

East Central College encourages students to report concerns and complaints so that the College may review, respond to, and resolve these issues in an open and professional manner. Any student may initiate a complaint alleging a violation of ECC administrative or academic policies, or other established practices related to action or inaction by the College. ECC encourages informal resolution of these concerns and complaints through direct communication with the individuals involved. Formal complaints will be reviewed once the student has properly exhausted the informal processes.

In accordance with federal regulations, ECC accepts and maintains records of formal written complaints.

Procedures *(Adopted 7-20-2017; Revised xxx2021)*

- 3.28.1** East Central College is committed to providing an environment where the rights of all individuals are protected and where concerns regarding those rights are reviewed and resolved in an appropriate and professional manner.

The ECC Student Complaint Policy is available to students who have a concern or complaint about an alleged violation of ECC administrative or academic policies, or other established practices, and where there is no other existing college process through which the student may resolve the concern or complaint. Complaints related to student conduct, requests for accommodations, sexual harassment, sexual violence, discrimination, financial aid determinations, or grading concerns are addressed under separate policies, and therefore, are not covered by the General Student Complaint Policy.

Complaints submitted pursuant to this Policy that are covered by more specific college policies will be forwarded to the appropriate college personnel and addressed pursuant to the applicable Policy.

The objective of the ECC General Student Complaint Policy is to resolve concerns as quickly and efficiently as possible, at the level closest to the student. Every effort will be made to resolve complaints informally and within 90 ~~business~~ **working** days of notice of the complaint. Before filing a formal complaint, students should attempt to resolve their complaint with the other involved party or parties through consultation and discussion.

3.28.2 Informal Complaint Process

For complaints that are not academic or instructional in nature, students should attempt to resolve the concern at the source of the complaint. If the matter remains unresolved, the student should contact the immediate supervisor.

For complaints covered by this Policy that are academic or instructional in nature, including complaints about classroom or laboratory activities, students should attempt to resolve the concern through a discussion with the instructor. This General Student Complaint Policy does not cover complaints or concerns about grading, as those complaints are subject to a specific College Policy. If the matter remains unresolved after speaking with the instructor, the student should contact the appropriate division chair.

3.28.3 Formal Complaint Process

If attempts at informal resolution are not successful and the student elects to use the formal complaint process, the complaint should be filed during the semester of occurrence, but no later than 60 calendar days from the first day of the following academic semester.

Formal complaints should be submitted to the College using the form located at www.eastcentral.edu/studentconcern.

The College will provide a response to the complainant within ten (10) business working days of receipt of the complaint. If a longer time is needed to investigate and make a decision, the appropriate ~~Vice President~~ administrator will make a reasonable extension of the deadline and contact the complainant to notify them of the new deadline, which will be no more than 90 calendar working days from notice of the complaint.

Formal complaints that are academic or instructional in nature will be reviewed by the ~~Vice President of Academic Affairs~~ Chief Academic Officer (CAO). All other formal complaints will be reviewed by the ~~Vice President of Student Development~~ Chief Student Affairs Officer (CSAO).

If the student is not in agreement with the determination, the student may seek review by the College President by written request within ten (10) business working days of the ~~Vice President's~~ CAO's/CSAO's notice of determination. The written request must explain the reason that the ~~Vice President's~~ CAO's/CSAO's determination has been deemed unacceptable by the student.

The College President is the final level of appeal.

The College will attempt to resolve all complaints within 90 calendar working days of receipt.

3.29 Student ADA Grievance Process Policy (Adopted 5-8-2006) (formerly 3.24)

East Central College will provide for expeditious and reasonable resolution of student grievances related to the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, or other disability-related statutory rights. A grievance must be filed during the semester in which accommodations are requested.

3.29.1 Informal Procedure If a student disagrees with the College's assessment of their need for ADA accommodations, the following procedures should be followed to appeal the decision:

~~A. Step 1:~~

- ~~1. Student contacts faculty and/or Access staff regarding implementation of academic accommodations.~~
- ~~2. Resolved or go to Step 2~~

~~B. Step 2:~~ **A. Informal Appeal**

- 1. The student requests a conference with the Access staff and/or faculty/staff involved in the accommodation request.** When deemed appropriate by the Access staff, the division chair will also be included.
- 2. If the faculty/staff have been asked to provide the accommodations by the Access staff, the faculty/staff will continue to provide the accommodations during the appeal process. If the issue is not resolved following this conference, the**
- ~~3. Resolved or go to Step 3.~~

~~C. Step 3:~~

- 1. student will requests a conference with the appropriate Vice President administrator, as well as the parties listed above.**
- 2. Within ten (10) working days, the appropriate Vice President administrator will convene a conference of the parties from above and may consult with the Chief Student Affairs Officer. If the issue is not**
- ~~3. resolved or the student may initiates a formal grievance procedure.~~

~~3.24.2 Formal Procedure~~

~~A. Step 1:~~ **B. Formal Appeal**

- 1. The student appeals by filing a Formal ADA Grievance Form with the Chief Student Affairs Officer within ten (10) working days of receipt of the informal grievance decision.**
- ~~2. Chief Student Affairs Officer conducts investigation with all parties involved and issues a statement of findings.~~
- ~~3. Resolved or go to Step 2.~~

~~B. Step 2:~~

- 1. The Chief Student Affairs Officer will appoints and convenes an ADA Hearing Committee, which is a five-member committee composed of faculty and staff chaired by the Chief Student Affairs Officer, within ten**

- (10) working days of receipt of the formal appeal being filed. the hearing will be audio recorded.
 - 2. The ADA Hearing Committee will reviews all documentation and meets with all parties involved. The
 - 3. Chief Student Affairs Officer will notify notifies all concerned parties of the committee's decision in writing within ten (10) working days.
 - 4. Resolved or go to Step 3.
- C. Step 3: The final level of appeal requires the student to submit an appeal in writing to the College President
- 1. Student files written appeal to President within ten (10) working days of the committee's decision, including copies of the Informal and Formal Grievance proceedings. The
 - 2. President will renders a decision, which is final.

3.30 Student Protection Against Discrimination and Harassment *(Adopted 6-16-2014)*
(formerly 3.25)

East Central College is committed to maintaining an educational environment that is free from illegal discrimination or harassment in admission or access to its programs, activities, and facilities. This includes conduct on property owned or operated by the College, at College-sanctioned functions, and certain off-campus events.

Discrimination, harassment, or retaliation against students or others on the basis of race, color, religion, national origin, ancestry, gender, sexual orientation, disability, age, genetic information, veteran status, or any other characteristic protected by law is strictly prohibited in accordance with law. The College also prohibits:

- 1. Retaliatory actions based on making complaints of prohibited discrimination or harassment or based on participation in an investigation, formal proceeding, or informal resolution concerning prohibited discrimination or harassment.
- 2. Aiding, abetting, inciting, compelling, or coercing discrimination or harassment.
- 3. Discrimination or harassment against any person because of such person's association with a person protected from discrimination or harassment due to one (1) or more of the above-stated characteristics.

General Rule

Except as otherwise set forth in Policy, all employees, students, and visitors must immediately report to the College for investigation any incident or behavior that could constitute illegal discrimination or harassment.

This Policy addresses illegal discrimination or harassment directed at students, which does not rise to the level of sexual assault, sexual harassment, relationship violence, or stalking, as those terms are defined in Policy 3.31 ~~Policy Regarding Student Protections Against Sexual Assault, Relationship Violence, and Stalking~~ **Student Title IX Sexual Harassment**. Complaints regarding sexual harassment, as defined by Policy 3.31 **Student Title IX Sexual Harassment**, are governed by that policy. Other complaints regarding sexual assault, relationship violence, or stalking that do not fall within the scope of Policy

3.31 Student Title IX Sexual Harassment may be ~~are~~ governed by other policies, including this Policy. ~~Policy 3.31.~~

Policy 3.29 Student ADA Grievance ~~Policy~~ **Process** governs grievances by students who believe they have been denied requested accommodations or discriminated against on the basis of a disability in violation of the Americans with Disabilities Act, Sec 504 of the Rehabilitation Act, or other related disability statutes. Students may file such a grievance under this Policy 3.30, Policy 3.31, or Policy 3.29; the College's Compliance Officer will determine which Policy governs resolution of the specific complaint.

The College also prohibits illegal discrimination and harassment against employees, and specific information about the College's Policy and response to allegations of illegal discrimination and harassment against employees is found in Policy 5.4.

Procedures:

3.30.1 Definitions – The following definitions apply to this Policy:

Other Policies may contain different definitions. The below definitions apply only to this Policy.

Discrimination – Conferring, refusing, or denying benefits or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, gender, national origin, ancestry, disability, age, sexual orientation, genetic information, veteran status, or any other characteristic protected by law.

Harassment – A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment. Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, gender, national origin, ancestry, disability, age, sexual orientation, genetic information, veteran status, or any other characteristic protected by law: verbal, nonverbal, or physical aggression; stalking; graffiti; display of written material or pictures; name-calling; slurs; jokes; gestures; stereotyping; threatening, intimidating or hostile acts; theft; or damage to property.

Sexual Harassment – A form of discrimination, as defined above, on the basis of sex. Sexual harassment, which includes sexual assault, includes a variety of unwelcome conduct of a sexual nature ranging from unwelcome sexual advances, requests for sexual favors, sexual exploitation, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault, that is sufficiently severe to the point it interferes with or limits a student's ability to participate in or benefit from the College's programs. Sexual assault is a severe form of sexual harassment and one instance may be sufficient to create a hostile environment.

Complaint– A verbal or written report of discrimination or harassment made to the Compliance Officer.

3.30.2 Compliance Officers

The Board of Trustees designates the following individuals to act as the College’s Compliance Officers:

<u>Title IX Administrator</u> <u>Section 504 Administrator</u>	<u>Title IX Deputy Administrator</u> <u>ADA Administrator</u>
Vice President of Student Development East Central College 1964 Prairie Dell Road Union, MO 63084 636-584-6565	Director of Human Resources East Central College 1964 Prairie Dell Road Union, MO 63084 Phone: 636-584-6712

The Compliance Officer will:

1. Coordinate compliance with this Policy and the law.
2. Receive all complaints regarding discrimination and harassment at East Central College.
3. Serve as the College’s contact person for compliance with discrimination laws.
4. Investigate or assign persons to investigate complaints; monitor the status of complaints; and recommend consequences.
5. Seek legal advice, when necessary, to enforce this Policy.
6. Report to the College President and the Board of Trustees aggregate information regarding the number and frequency of complaints and compliance with this Policy.
7. Make recommendations regarding changing this Policy or the implementation of this Policy.
8. Coordinate and institute training programs for College staff and supervisors as necessary to meet the goals of this Policy, including instruction in recognizing behavior that constitutes discrimination and harassment.
9. Perform other duties as assigned by the College President.

3.30.3 Reporting a Complaint

Students who believe that they have been victims of illegal discrimination or harassment, may file a formal (verbal, written, or online) complaint with the ~~Vice President of Student Development~~ **Chief Student Affairs Officer (CSAO)** and it will be promptly investigated. There is no time limit on the filing of complaints.

As noted above, all employees, students, and visitors must immediately report to the College for investigation any incident or behavior that could constitute illegal discrimination or harassment. Such reports should be made to the ~~Vice President of Student Development~~ CSAO or the Director of Human Resources, as the College's Compliance Officers. All College employees will instruct persons seeking to make a complaint under this Policy to communicate directly with the College Compliance Officers. Even if the potential victim of discrimination, harassment, or retaliation does not file a complaint, College employees are required to report to the Compliance Officers any observations, rumors, or other information regarding actions prohibited by this Policy.

After receiving a complaint, the Compliance Officer to whom the complaint is made will determine the appropriate College Policy for processing the complaint. Once the determination is reached, the Compliance Officer will notify the student making the complaint of which College Policy will govern the disposition of the student's complaint.

3.30.4 Interim Measures

When a report is made or the College otherwise learns of potential discrimination, harassment, or retaliation, the College will, if appropriate, take immediate action to protect the alleged victim, including implementing interim measures (also referred to as supportive measures). For example, the College may alter a student's class schedule, provide additional support for a student (such as counseling or academic support), suspend an employee pending an investigation, or, if applicable, alter transportation or working situations. The College will take immediate steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees, and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. The College will provide these types of interim measures if requested by the victim and if such measures are reasonably available and appropriate in the circumstances. Individuals are encouraged to speak with the College's Compliance Officers about the availability of such measures. In the case of a confidential reporting discussed below in Procedure 3.30.6), the Reporting Party should speak with the College counselor to whom they made the report about any requested interim measures.

3.30.5 Procedure for Investigation and Resolution of Complaints

In determining whether alleged conduct constitutes discrimination or harassment, the College will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents,

the context in which the alleged incidents occurred, and all other relevant information. Whether a particular action or incident constitutes a violation of this Policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, College officials determine that it is more likely than not that discrimination, harassment, or other prohibited behavior has occurred, the College will take immediate corrective action.

The following procedures will be used as a guideline for investigating complaints:

1. Interview the person making the complaint regarding the nature and specifics of the incident(s);
2. Interview the person accused; and
3. Interview other possible witnesses, if appropriate.

A. Complaints Against Employees of the College

If a complaint under this Policy is against an employee of the College, the complaint will be investigated by the Director of Human Resources or designee, and will be handled according to the procedures found in Policy 5.4. Employees who violate this Policy will be disciplined, up to and including employment termination.

B. Complaints Against College Students

If a complaint under this Policy is against another student, the complaint will be investigated by the ~~Vice President of Student Development~~ **CSAO** or designee.

Both the person making the complaint and the person accused will have equal opportunity to provide relevant information, including the identities of any witnesses they believe should be contacted as part of the investigation.

After reviewing all the relevant information, the ~~Vice President of Student Development~~ **CSAO** or designee will render a determination as to whether the Policy was violated and what additional actions may be necessary, including disciplinary action against the person accused and/or making available to the victim appropriate College resources.

Students who violate this Policy will be disciplined, which may include suspension or expulsion. Other possible sanctions are found in the Student Discipline Code.

The ~~Vice President of Student Development~~ **CSAO** will notify both the complainant and the person accused of his or her determination, but, unless otherwise authorized by law, will only notify the complainant of

any sanctions imposed against the accused student, to the extent such sanctions impact the complainant, such as a determination that the accused may not come within a certain distance of the complainant.

B.1. Appeals

If either the person making the complaint or the person accused disagrees with the ~~Vice President of Student Development~~ **CSAO** or designee's determination, either student may request that the complaint be handled according to the procedures found in ~~the Policy 3.21 Student Discipline Policy, Policy 3.18.~~ **Policy 3.21**

3.30.6 Confidentiality, Records and Counseling

To the extent practicable, the College will endeavor to keep confidential the identity of the person filing a complaint, witnesses, or other parties interviewed, and any complaint or other document that is generated or received pertaining to complaints. Information may be disclosed if necessary, to further the investigation, or resolution of a complaint, or if necessary, to carry out disciplinary measures. The College will disclose information to the College's attorney, law enforcement, and others when necessary, to enforce this Policy or when required by law.

In implementing this Policy, the College will comply with state and federal laws regarding the confidentiality of student and employee records.

Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record.

Any student who believes ~~he/she has~~ **they have** been a victim of illegal discrimination or harassment has the option of speaking confidentially to a College counselor. Counseling services are available at no cost to the student and referrals to community resources are available. College counselors can also help the alleged victim identify other available College resources.

All other employees are mandated to report the information regarding illegal discrimination or harassment to the Compliance Officer.

~~3.31 Policy Regarding Student Protections Against Sexual Assault, Relationship Violence, and Stalking (Adopted 6-16-2014) (formerly 3.26) (incorporated into new 3.31)~~

~~East Central College is committed to maintaining an educational environment that is free from illegal discrimination or harassment in admission or access to its programs, activities, and facilities. This includes conduct on property owned or operated by the College, at College-sanctioned functions, and certain off-campus events. Sexual assault, as that term is defined in this Policy, is a form of sexual harassment and is strictly prohibited. Relationship violence and stalking may also be forms of discrimination and harassment and are also strictly prohibited. For purposes of this Policy, "relationship~~

violence” refers to both dating and domestic violence, as those terms as are defined below. The College also prohibits:

1. Retaliatory actions based on making complaints of prohibited discrimination or harassment or based on participation in an investigation, formal proceeding, or informal resolution concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling, or coercing discrimination or harassment.
3. Discrimination or harassment against any person because of such person’s association with a person protected from discrimination or harassment as described in this Policy.

General Rule

The College is committed to ensuring that all students feel and are free to benefit fully from the College’s programs and activities. As part of this commitment, the College seeks to create an environment that encourages individuals to report incidents of sexual assault, relationship violence, and stalking. Reporting allows the College to provide support to victims, and is the only procedure through which the College can address offenders and attempt to reduce the risk of future occurrences. This Policy provides information about how individuals may report allegations of sexual assault, relationship violence, and stalking to the College, how the College responds to such reports, as well as information about resources available to victims of sexual assault, relationship violence, and stalking.

In investigating and responding to complaints of sexual assault, relationship violence, or stalking, the College’s primary focus is to address the sexual assault, relationship violence, or stalking, and, in most cases, the College will grant amnesty to a Reporting Party for other potential violations, such as alcohol violations. Such potential violations should not discourage a Reporting Party from notifying the College of incidents of sexual assault, relationship violence, or stalking.

This Policy addresses behavior where the Accused Individual is a student. Behavior that does not rise to the level of sexual assault, relationship violence, or stalking, as those terms are defined in this Policy, may still violate College Policy, and may be addressed by the College’s Policy regarding Student Protections Against Discrimination and Harassment (Policy 3.30) or the College’s Student Conduct Policy (Policy 3.20). In the event the Accused Individual is an employee, the reporting procedures and resources are the same as set forth in this Policy, but the investigation and response to allegations against employees is found in Policy 5.4.

3.31.1 Definitions – The following definitions apply to this Policy:

— **Accused Individual** — Any person identified by the Reporting Party as the perpetrator of sexual assault, relationship violence, or stalking.

— **Consent** — An affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. The person initiating sexual activity must obtain the other person’s consent throughout the duration of the sexual activity. Consenting persons must act freely, voluntarily, and have knowledge of the act or transaction involved. Consent will not be

implied by silence or mere passivity from a state of intoxication or unconsciousness; it may not be inferred in circumstances in which consent is not clear, including, but not limited to situations that involve the absence of “no” or “stop,” or those that involve the existence of a prior or current relationship or sexual activity. Consent cannot be given if the Accused Individual has taken advantage of a position of influence which that person has over the Reporting Party. Consent cannot be given by an individual who is incapacitated through the effect of drugs or alcohol or for any other reason. Consent may be withdrawn at any time.

Dating Violence—Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition: (a) A social relationship of a romantic or intimate nature means a relationship which that is characterized by the expectation of affection or sexual involvement between the parties. (b) Dating violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical abuse. (c) Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence—(1) A felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (e) by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. (2) Domestic violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual, or physical abuse.

Discrimination—Conferring, refusing, or denying benefits or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, gender, national origin, ancestry, disability, age, sexual orientation, genetic information, veteran status, or any other characteristic protected by law.

Harassment—A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment. Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, gender, national origin, ancestry, disability, age, sexual orientation, genetic information, veteran status or any other characteristic protected by law: verbal, nonverbal, or physical

aggression; stalking; graffiti; display of written material or pictures; name calling; slurs; jokes; gestures; stereotyping; threatening, intimidating or hostile acts; theft; or damage to property.

————— **Reporting Party** — A member of the College community, who reports to the College that he or she has been the victim of alleged sexual assault, relationship violence, and/or stalking.

————— **Sexual Assault** — A form of sexual harassment, and is defined as physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. Sexual assault includes intentional touching, either of the victim or when the victim is forced to touch, directly or through clothing, another person’s genitals, breasts, thighs, buttocks, or other intimate parts. Sexual assault also includes attempted or actual sexual penetration of any kind without a person’s consent.

————— **Sexual Harassment** — A form of discrimination, as defined above, on the basis of sex. Sexual harassment, which includes sexual assault, includes a variety of unwelcome conduct of a sexual nature ranging from unwelcome sexual advances, requests for sexual favors, sexual exploitation, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault, that is sufficiently severe to the point it interferes with or limits a student’s ability to participate in or benefit from the College’s programs. Sexual assault is a severe form of sexual harassment and one instance may be sufficient to create a hostile environment.

————— **Stalking** — Activity that may be a form of harassment, as defined above, that involves engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her their safety or the safety of others, or to suffer substantial emotional distress. For purposes of this definition, a course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property. Stalking may involve physical stalking and/or cyber stalking.

3.31.2 Compliance Officers

————— The Board of Trustees designates the following individuals to act as the College’s compliance officers:

————— Title IX Administrator	————— Title IX Deputy Administrator
————— Section 504 Administrator	————— ADA Administrator
————— Vice President of Student Development	————— Director of Human Resources
————— East Central College	————— East Central College
————— 1964 Prairie Dell Road	————— 1964 Prairie Dell Road
————— Union, MO 63084	————— Union, MO 63084
————— 636 584 6565	————— Phone: 636 584 6712

The compliance officer will:

- ~~1. Coordinate compliance with this Policy and the law.~~
- ~~2. Receive all complaints regarding discrimination and harassment at East Central College.~~
- ~~3. Serve as the College's contact person for compliance with discrimination laws.~~
- ~~4. Investigate or assign persons to investigate complaints;; monitor the status of complaints;; and recommend consequences.~~
- ~~5. Seek legal advice, when necessary, to enforce this Policy.~~
- ~~6. Report to the College President and the Board of Trustees aggregate information regarding the number and frequency of complaints and compliance with this Policy.~~
- ~~7. Make recommendations regarding changing this Policy or the implementation of this Policy.~~
- ~~8. Coordinate and institute training programs for College staff and supervisors as necessary to meet the goals of this Policy, including instruction in recognizing behavior that constitutes discrimination and harassment.~~
- ~~9. Perform other duties as assigned by the College President.~~

3.31.3—Reporting a Complaint

~~—————The College encourages the reporting of all incidents of sexual harassment, including, but not limited to, sexual assault, relationship violence, and stalking. The decision to report such incidents is a deeply personal and often difficult decision, but is often a way for the victim to begin healing. Such reporting may also help prevent future incidents of a similar nature from occurring. Victims are not required, however, to report such incidents, and will not be penalized if they choose not to report an incident to law enforcement or a Compliance Officer.~~

~~—————The first priority for any victim of sexual assault or relationship violence is to receive appropriate medical attention for any medical injuries and to preserve evidence in the event the Reporting Party chooses to pursue a complaint. The College will maintain and publish information containing resources and guidance for victims of sexual assault, relationship violence, and stalking. Such information will be maintained in the College's Annual Security Report and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College's Title IX Administrator, who will make such information available to any interested person.~~

~~— The College provides several options for reporting incidents of sexual harassment, including, sexual assault, relationship violence, and/or stalking:~~

- ~~1. Confidential Reporting— Individuals may make a confidential report to a College counselor. Counseling services are available at no cost to students and referrals to community resources are available. College counselors can also help the alleged victim identify other available College resources.~~
- ~~2. Formal Complaint— Individuals may also file a formal (verbal, written, or online) complaint with the Vice President of Student Development and it will be promptly investigated. There is no time limit on the filing of complaints, though the College encourages prompt reporting, as delayed reporting may hinder the College's ability to pursue disciplinary action against an Accused Individual.~~
- ~~3. Criminal Report— Individuals may make a criminal report with local law enforcement, or appropriate jurisdiction. College personnel are available to assist individuals with contacting the appropriate jurisdiction for making such a report.~~

~~— In addition to pursuing criminal or College disciplinary proceedings, individuals may wish to obtain an order of protection, no contact order, or restraining order from the relevant jurisdiction. Such orders are enforced by the local law enforcement agency in the relevant jurisdiction.~~

~~— Upon receiving a complaint of sexual assault, relationship violence, or stalking, the College will provide to the Reporting Party a written notice describing the reporting options listed above. Reporting Parties are not limited to one form of reporting and may pursue multiple methods of reporting options.~~

~~— In addition, except as otherwise provided in this Policy, all employees, students, and visitors must immediately report to the College for investigation any incident or behavior that could constitute illegal discrimination or harassment, which includes sexual assault and may include relationship violence and stalking. Such reports should be made to the Vice President of Student Development or the Director of Human Resources, as the College's Compliance Officers. All College employees will instruct persons seeking to make a complaint under this Policy to communicate directly with the College compliance officers. Even if the potential victim of discrimination, harassment, or retaliation does not file a complaint, College employees, except members of the College's counseling staff who are considered confidential reporters, are required to report to the Compliance Officers any observations, rumors, or other information regarding actions prohibited by this Policy.~~

~~— After receiving a complaint, the Compliance Officer will determine the appropriate College Policy for processing the complaint. In making this determination, the Compliance Officer will consider the specific facts~~

alleged by the Reporting Party. Allegations related to acts of Sexual Assault, Relationship Violence, or Stalking, as those terms as defined in this Policy, will be processed according to this Policy. Allegations that may constitute sexual or other forms of harassment prohibited by the College, but not rising to the level of Sexual Assault, Relationship Violence, or Stalking, will be reviewed according to Policy 3.30 Student Protection Against Discrimination and Harassment. Once the determination is reached, the Compliance Officer will notify the Reporting Party of which College Policy will govern the disposition of the Reporting Party's complaint, and will provide the Reporting Party with a copy of the applicable Policy. The College encourages the Reporting Party to seek clarification from the Compliance Officer if the Reporting Party believes the Compliance Officer has selected the wrong Policy to resolve the complaint.

3.31.4 — Interim Measures

When a report is made or the College otherwise learns of potential discrimination, harassment, or retaliation, the College will, if appropriate, take immediate action to protect the alleged victim, including implementing interim measures. For example, the College may alter a student's class schedule, provide additional support for a student (such as counseling or academic support), suspend an employee pending an investigation, or, if applicable, alter transportation or working situations. The College will take immediate steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees, and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. The College will provide these types of interim measures if requested by the victim and if such measures are reasonably available and appropriate in the circumstances. Individuals are encouraged to speak with the College's Compliance Officers about the availability of such measures. In the case of a confidential reporting, the Reporting Party should speak with the College counselor to whom they made the report about any requested interim measures.

3.31.5 — Procedure for Investigation and Resolution of Complaints

In determining whether alleged conduct constitutes a violation of College Policy, the College will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred, and all other relevant information. Whether a particular action or incident constitutes a violation of this Policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, College officials determine that it is

~~more likely than not that prohibited behavior has occurred, the College will take immediate corrective action.~~

~~The following procedures will be used as a guideline for investigating complaints:~~

- ~~1. Interview the Reporting Party regarding the nature and specifics of the incident(s);~~
- ~~2. Interview the Accused Individual; and~~
- ~~3. Interview other possible witnesses, if appropriate.~~

~~A. Complaints Against Employees of the College~~

~~If a complaint under this Policy is against an employee of the College, the complaint will be investigated by the Director of Human Resources or designee, and will be handled according to the procedures found in Policy 5.4. Employees who violate this Policy will be disciplined, up to and including employment termination.~~

~~B. Complaints Against College Students~~

~~If a complaint under this Policy is against another student, the complaint will be investigated by the Vice President of Student Development or designee. The procedures will follow those set forth in the Student Code of Conduct, except that to the extent there are any inconsistencies between the Student Code of Conduct and this Policy, the procedures set forth in this Policy will apply in cases of Sexual Assault, Relationship Violence, or Stalking:~~

- ~~1. The College will conduct a thorough, fair, and impartial investigation.~~
- ~~2. Proceedings under this Policy will be conducted without undue delay, and will be conducted by officials who receive annual training on the issues related to relationship violence, sexual assault, and stalking, and how to conduct a hearing process that protects victim safety and promotes accountability. In general, proceedings pursuant to this Policy, including adjudication through the Student Discipline Policy, should be completed within sixty (60) calendar days of the Reporting Party's complaint to the Compliance Officer.~~
- ~~3. Mediation will not be used in cases alleging sexual assault, relationship violence, or stalking.~~
- ~~4. The Compliance Officer or designee may issue a "no contact" order to all parties identified in a sexual assault, relationship violence, or stalking complaint. The Compliance Officer will consider other interim measures that may be appropriate.~~

- ~~5. Both the Reporting Party and the Accused Individual will have equal opportunity to provide relevant information, including the identities of any witnesses they believe should be contacted as part of the investigation. Both the Reporting Party and the Accused Individual have the right to have an advisor of their choosing present during any meetings or proceedings related to the investigation. For purposes of this Policy only, there is no limitation on the choice of an advisor by either the Reporting Party or the Accused Individual. The limitations on the role of legal counsel in a disciplinary proceeding are defined by the Student Discipline Policy.~~
- ~~6. After reviewing all the relevant information, the Vice President of Student Development or designee will render a determination as to whether the Policy was violated and what additional actions may be necessary, including disciplinary action against the Accused Individual and/or making available to the Reporting Party appropriate College resources. In making this determination, the Vice President of Student Development or designee will utilize a “preponderance of the evidence standard,” meaning that he or she will determine whether it is more likely than not that a Policy violation occurred.~~
- ~~7. Students who violate this Policy will be disciplined, which may include suspension or expulsion. Other possible sanctions are found in the Student Discipline Policy.~~
- ~~8. The Vice President of Student Development will notify both the Reporting Party and the Accused Individual, in writing, of his or her determination. The written notification will also notify both the Reporting Party and the Accused Individual of the availability of appeal, as described below.~~
- ~~9. If either the Reporting Party or the Accused Individual disagrees with the Vice President of Student Development or designee’s determination, either student may request that the complaint be handled according to the procedures found in the Student Discipline Policy, Policy 3.21 Student Discipline. In those circumstances, both the Reporting Party and the Accused Individual will have equal opportunity to participate in the process, and the process will utilize a “preponderance of the evidence standard,” meaning that it will determine whether it is more likely than not that a Policy violation occurred.~~
- ~~10. At the conclusion of any portion of the disciplinary proceeding, including any appeal, both the Reporting Party and the Accused Individual will be notified in writing, and simultaneously, of the result of that portion of the disciplinary proceeding, when that result becomes final, and the availability of any appeal.~~

3.31.6 — Confidentiality, Records and Counseling

————— To the extent feasible, the College will endeavor to keep confidential the identity of the person filing a complaint, witnesses or other parties interviewed,

and any complaint or other document that is generated or received pertaining to complaints. Information may be disclosed if necessary to further the investigation, or resolution of a complaint, or if necessary to carry out disciplinary measures. The College will disclose information to the College's attorney, law enforcement, and others when necessary to enforce this Policy or when required by law.

— In implementing this Policy, the College will comply with state and federal laws regarding the confidentiality of student and employee records.

— Any student who believes he/she has they have been a victim of illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking has the option of speaking confidentially to a College counselor. Counseling services are available at no cost to the student and referrals to community resources are available. College counselors can also help the alleged victim identify other available College resources.

— All other employees are mandated to report the information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Compliance Officer.

3.31.7 Training and Awareness Programs

In addition to the information contained in this Policy, the College will, in accordance with the Campus Sexual Violence Act ("SaVE Act"), provide training and information to members of the campus community regarding the following topics:

1. Safe and positive steps an individual may take to intervene to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against another person;.
2. Information about how to recognize warning signs of abusive behavior in order to mitigate the likelihood of perpetration, victimization, or bystander inaction;.
3. Awareness campaigns and prevention programs intended to stop domestic violence, dating violence, sexual assault, and stalking before they occur, and to increase campus awareness and share information and resources for the same purpose;.
4. Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both within the institution and in the community;.

The College will distribute this information to members of the campus community through the College's Annual Security Report, and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies

will also be maintained by the College's Title IX Administrator, who will make such information available to any interested person.

3.31 Student Title IX Sexual Harassment *(Adopted 8-31-2020)*

Statement of Nondiscrimination Policy and Prohibition on Sexual Harassment

East Central College is committed to maintaining an environment that is free of discrimination on the basis of sex within its educational programs and activities. The College cannot and will not tolerate discrimination against or harassment of any individual or group based upon race, sex, color, religion, ethnic or national origin, genetic information, age, disability, sexual orientation, gender identity, gender expression, veteran's status, or any factor that is a prohibited consideration under applicable law. The prohibition on sex discrimination also prohibits Sexual Harassment, as defined in this Policy.

The Nondiscrimination Policy applies to registered or enrolled students, College employees, contractors, vendors, visitors, guests, or other third parties.

Procedures *(Adopted 8-31-2020)*

3.31.1 Scope of Title IX Sexual Harassment Grievance Process

The Sexual Harassment Grievance Process pertains to Sexual Harassment under Title IX, as defined by this Policy, committed by students against either students and/or employees, when: (1) the conduct occurs on campus or other property owned or controlled by the College; or (2) the conduct occurs in the context of a College employment or education program or activity within the United States. The College's education program and activities includes locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by the College.

All members of the East Central College community have the right to submit a complaint or raise concerns regarding Sexual Harassment under Title IX pursuant to this Policy without fear of retaliation.

A complete copy of the College's Title IX Sexual Harassment Policy can be accessed online. Hard copies are available at the Title IX Coordinator's office and the Title IX Deputy Coordinator's office.

Complaints that do not fall under the scope of this process will be handled through ~~student conduct policies~~ other College Policies, including the Policy 3.20 Student Conduct Policy (3.17) and the Policy 3.30 Student Protection Against Discrimination and Harassment Policy (3.25).

3.31.2 Definitions – The following definitions apply to this Policy:

Other Policies may contain different definitions. The below definitions apply only to this Policy.

Sexual Harassment – Sexual Harassment is conduct based on sex that may be one or more of the following:

- 1) Employee conditioning provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., a quid pro quo);~~or.~~
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity;~~or.~~
- 3) Sexual assault, stalking, dating/domestic violence, as defined herein.
 - Sexual Assault – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - Sexual Assault includes, but is not limited to, the following acts when they occur without consent of the victim:
 - Any penetration, however slight, of the genitals or anus of one person with the genitals of another person;
 - Any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person;
 - Any sexual act involving penetration, however slight, of the genitals or anus of one person by a finger, instrument, or object;
 - Touching of another person's genitals or breasts under or over the clothing;~~or~~
 - Touching of one person with the genitals of another person under or over the clothing.
 - Domestic Violence - Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
 - Stalking – Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress. A course of conduct is two or more incidents. Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media.
 - Dating Violence – Violence by a person who has been in a romantic or intimate relationship with the individual to whom the violence is

directed. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Complainant – A Complainant is any individual who is alleged to be the victim of conduct that could constitute sexual harassment under this Policy, in connection with ~~his or her~~ **the individual's** participation in or attempt to participate in an educational program or activity of the College. A Complainant may be a student, an employee, or a third party.

Respondent – A Respondent is an individual who is purported to be the perpetrator of conduct that could constitute sexual harassment. A Respondent need not be affiliated with the College in any respect.

Title IX Advisor – A Title IX Advisor is an individual who supports a Complainant or Respondent through the Title IX Sexual Harassment Grievance Process. Each party has the right to select an advisor of their choice, and for that advisor to accompany the party to any part of the grievance process, including all meetings, interviews, and/or hearings. A Title IX Advisor can be a friend, family member, faculty member, mentor, attorney, or any other person of the party's choice who is available and agrees to serve as advisor. The College will appoint a Title IX Advisor at no cost to the party to conduct cross-examination during the grievance process hearing if a party does not have a Title IX Advisor.

Consent – An affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. The person initiating sexual activity must obtain the other person's consent throughout the duration of the sexual activity. Consenting persons must act freely, voluntarily, and have knowledge of the act or transaction involved. Consent will not be implied by silence or mere passivity from a state of intoxication or unconsciousness; it may not be inferred in circumstances in which consent is not clear, including, but not limited to situations that involve the absence of "no" or "stop," or those that involve the existence of a prior or current relationship or sexual activity. Consent cannot be given if the Respondent has taken advantage of a position of influence which that person has over the Complainant. Consent cannot be given by an individual who is incapacitated through the effect of drugs or alcohol or for any other reason. Consent may be withdrawn at any time.

3.31.3 Title IX Coordinator

The Title IX Coordinator is charged with monitoring East Central College's compliance with Title IX, ensuring appropriate education and training, coordinating investigations, responses, and resolution of all reports pursuant to this Policy. ~~In his or her~~ **At their** discretion, the Title IX Coordinator may also designate Deputy Title IX Coordinators to assist in the discharge of these duties.

Any questions or concerns regarding the College's application of this **P**olicy

may be addressed to the Title IX Coordinator.

The Title IX Coordinator and Deputy Title IX Coordinator may be reached in person during regular office hours, or by telephone, written correspondence, email, or other electronic communication at any other time.

Paul Lampe Sarah Leassner	Wendy Hartmann
Title IX Coordinator	Title IX Deputy Coordinator
Section 504 Administrator	ADA Administrator
Vice President of Student Development	Director of Human Resources
East Central College	East Central College
1964 Prairie Dell Road	1964 Prairie Dell Road
Union, MO 63084	Union, MO 63084
636-584-6565	636-584-6712
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3.31.4 Resources and Information for Victims of Sexual Harassment

The first priority for any victim of sexual assault or relationship violence is to receive appropriate medical attention for any medical injuries and to preserve evidence in the event the Complainant chooses to pursue a complaint. The College will maintain and publish information containing resources and guidance for victims of sexual assault, relationship violence, and stalking. Such information will be maintained in the College's Annual Security Report and the College's Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College's Title IX Coordinator, who will make such information available to any interested person.

3.31.5 How to Report Potential Violations of This Policy

1. Reporting Options

The College encourages the reporting of all incidents of Sexual Harassment, including, but not limited to, sexual assault, relationship violence, and stalking. The decision to report such incidents is a deeply personal and often difficult decision but is often a way for the victim to begin healing. Such reporting may also help prevent future incidents of a similar nature from occurring. Victims are not required, however, to report such incidents, and will not be penalized if they choose not to report an incident to law enforcement or to the Title IX Coordinator.

a. Report to the Title IX Coordinator or to a Responsible Employee

Individuals who believe they have been subjected to, or are aware that another individual has been subjected to, Sexual Harassment in connection with a College education program or activity, and who wish to report a potential violation of this Policy should notify the Title IX

Coordinator or Deputy Title IX Coordinator.

Reports can be made through email, by phone, in person, or by mail.

Upon receipt of any report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, explain the process for filing a formal complaint, and to provide information about other reporting options and available resources as applicable.

While reports to College counselors will remain confidential, all other employees are required to report the information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Title IX Coordinator.

Reporting Sexual Harassment to the Title IX Coordinator does not automatically start the grievance process – the Title IX Coordinator will explain to the Complainant how to start the grievance process by filing a Formal Complaint. An individual can make a report of Sexual Harassment in order to obtain supporting measures and resources – an individual making a report of Sexual Harassment is not required to file a Formal Complaint.

There is no time limit on reporting Sexual Harassment, though the College encourages prompt reporting, as delayed reporting may hinder the College's ability to complete the grievance process.

b. Confidential Reporting

Individuals may make a confidential report to a College counselor. Counseling services are available at no cost to students and referrals to community resources are available. College counselors can also help the alleged victim identify other available College resources.

All other employees are mandated to report the information regarding illegal discrimination, harassment, sexual harassment, sexual assault, relationship violence, or stalking to the Title IX Coordinator and cannot keep reports confidential.

The College will keep confidential the identity of Complainants, Respondents, and witnesses involved in Title IX hearings, except when disclosure is required by law or as necessary to carry out the purposes of this Policy.

c. Other Reporting Options and Resources

Individuals may make a criminal report with local law enforcement, or appropriate jurisdiction. College personnel are available to assist individuals with contacting the appropriate jurisdiction for making such a report.

In addition to pursuing criminal or College disciplinary proceedings, individuals may wish to obtain an order of protection, no-contact

order, or restraining order from the relevant jurisdiction. Such orders are enforced by the local law enforcement agency in the relevant jurisdiction.

d. Amnesty

In investigating and responding to complaints of Sexual Harassment, the College's primary focus is to address the Sexual Harassment, and, in most cases, the College will grant amnesty to a Complainant or witness for other potential violations, such as alcohol violations. Such potential violations should not discourage a Complainant from notifying the College of incidents of Sexual Harassment.

2. Offer and Provision of Supportive Measures

Upon receipt of a report, the Title IX Coordinator will promptly and confidentially reach out to the Complainant to discuss the availability of a variety of supportive measures (also referred to as interim measures). Supportive measures should also be offered to the Respondent as necessary and appropriate.

Supportive measures are designed to restore or preserve equal access to the College's education programs and activities, protect the safety of all parties and the educational environment, or deter Sexual Harassment. These supportive measures should be non-disciplinary, non-punitive, individualized, and provided free of charge. They must be offered regardless of whether a Formal Complaint is filed and must be kept confidential to the extent that such confidentiality would not interfere with providing the supportive measures.

Examples of supportive measures include, but are not limited to:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Additional academic support
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in work locations or assignments
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

3. Emergency Removal

The College reserves the right to remove a student Respondent from its educational program or activity on an emergency basis. Such a removal may only occur if, after an individualized safety and risk analysis, the College determines an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event a decision is made to remove a Respondent, ~~he or she~~ the Respondent will be provided with notice by the

Title IX Coordinator, and given the opportunity to challenge that decision immediately following the removal by submitting a request in writing to the Title IX Coordinator.

3.31.6 Filing a Formal Complaint of Sexual Harassment

In the event that a Complainant wishes for the College to proceed with an investigation and hearing into the allegations of Sexual Harassment pursuant to the grievance process procedures in this Policy, ~~he or she~~ **the Complainant** must file a Formal Complaint. A Formal Complaint is a document alleging Sexual Harassment against a Respondent and requesting that the College investigate the allegation of Sexual Harassment. The Complainant must be participating in or attempting to access a College education program or activity at the time the Formal Complaint is submitted.

A Formal Complaint must be in written form, but it may be submitted in person, by mail, or by email. It must be signed by the Complainant but the required signature may be physical or digital.

A Title IX Coordinator may also initiate a Formal Complaint by signing it. The Title IX Coordinator may consider the specific facts and circumstances and whether there is a pattern of misconduct involving a particular Respondent. A Title IX Coordinator may only sign a Formal Complaint after ~~he or she~~ **the Coordinator** has contacted the Complainant and discussed supportive measures and the Formal Complaint process with the Complainant. The Title IX Coordinator must consider the Complainant's wishes for how the College responds to the report of Sexual Harassment. The Title IX Coordinator should balance campus safety concerns with respect for survivor autonomy.

The Title IX Coordinator may consolidate Formal Complaints where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a Formal Complaint includes more than one Complainant or more than one Respondent, any references in this **Policy** to a single Complainant and/or Respondent will also refer to multiple Complainants and/or Respondents.

3.31.7 Dismissal of Formal Complaints

Upon receipt of a Formal Complaint, the Title IX Coordinator will review the allegations set forth therein and determine whether the Complaint may proceed. Although the allegations may still be investigated and resolved pursuant to another College **Policy** (as noted above), Formal Complaints of Sexual Harassment brought pursuant to this **Policy** must be dismissed if:

- 1) The conduct alleged would not constitute Sexual Harassment as defined in this Policy;
- 2) The conduct did not occur in connection with a College education program or activity;
- 3) The conduct did not occur against a person in the United States.

Furthermore, the Title IX Coordinator may, in ~~his or her~~ **their** discretion, determine that even though it meets the basic threshold requirements to proceed, a particular Formal Complaint should be dismissed. Specifically, a Formal Complaint may be dismissed if:

- 1) Complainant notified Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations within;
- 2) Respondent is no longer enrolled or employed by the College;
- 3) Specific circumstances prevent the College from gathering evidence to reach a determination.

After an initial review of the Formal Complaint, the Title IX Coordinator will continue to monitor the investigation and evaluate the Formal Complaint to determine if the above criteria for dismissal apply. Following any dismissal of a Formal Complaint, the Title IX Coordinator will simultaneously send a written notice to the parties of the dismissal and the reasons for the dismissal.

To the extent the behavior alleged in the Formal Complaint could constitute a violation of another College **Policy**, it may be pursued under that **Policy**. The Title IX Coordinator has the discretion to refer the allegations to the appropriate College official.

3.31.8 Informal Resolution

After a Formal Complaint has been filed, if both Complainant and Respondent give voluntary, informed, written consent, the College will assist the parties in reaching an informal resolution to the allegations of Sexual Harassment in the Formal Complaint. An informal resolution cannot be used for Formal Complaints that contain allegations that an employee sexually harassed a student.

3.31.9 Prohibition of Retaliation

The College expressly prohibits retaliation against any individual for exercising their Title IX rights under this Policy. No individual may be discriminated against, intimidated, threatened, or coerced for the purpose of interfering with ~~his or her~~ **their** Title IX rights, or because the individual has made a report pursuant to this Policy, testified, assisted, participated, or refused to participate in a Title IX investigation, proceeding, or hearing.

If an individual feels that ~~he or she has~~ **they have** been subject to retaliation pursuant to this Policy, ~~he or she~~ **the individual** should notify the Title IX Coordinator as soon as possible.

3.31.10 Sexual Harassment Grievance Process Procedures

If any party believes that the Title IX Coordinator has a conflict of interest or bias for or against the individual parties and/or for or against complainants or respondents generally, that party should report their concern to the College President. If the College President finds that a conflict of interest or bias

exists, the President will designate another individual to serve as Title IX Coordinator for the purposes of the specific grievance process involving the parties.

The Respondent will be presumed not responsible for the Policy violation that is alleged in the Formal Complaint unless and until the respondent is found responsible by the Hearing Decision Maker at the conclusion of the grievance process.

The grievance process generally will be completed within 120 calendar days. However, extensions to this time frame may be granted at the request of either party; or at the discretion of the Title IX Coordinator when good cause exists for the delay. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Title IX Coordinator will notify all parties in writing of the delay, the length of the extension granted, and the reason for the extension.

3.31.11 Sexual Harassment Grievance Process – Notice

Within five (5) working days of receipt of a Formal Complaint, the Title IX Coordinator or designee will issue a written notice to the parties. The written notice should include, if known, the identity of the parties, the conduct alleged to be Sexual Harassment, and the date(s) and location(s) of the incident(s). The notice will also include a statement that the Respondent is presumed to be not responsible for any Policy violations. The notice must also inform the parties that they have the right to an advisor of their choice during the grievance process, that they may inspect and review evidence gathered during the investigation, and that ~~the Student Conduct~~ Policy 3.20.1 **Student Conduct** prohibits knowingly furnishing false information to the College (<https://www.eastcentral.edu/board-policies/3-16student-conduct-policy/>).
(note - need to correct link after changes are made on website)

If during the course of the investigation, additional allegations are going to be investigated that were not included in the original notice, the Title IX Coordinator or designee will issue a supplemental written notice to the parties.

Parties will also be provided with notice of all meetings, interviews, or hearings with sufficient time to prepare for any meeting, interview, or hearing. Such notice will include the date, time, location, participants, and purpose of the meeting, interview, or hearing.

3.31.12 Sexual Harassment Grievance Process – Title IX Advisors

Each party has the right to select a Title IX Advisor of their choice, and for that Title IX Advisor to accompany the party to any part of the grievance process, including all meetings, interviews, and/or hearings. A Title IX Advisor can be a friend, family member, faculty member, mentor, attorney, or

any other person of the party's choice who is available and agrees to serve as a Title IX Advisor.

Parties must provide notice of who will serve as their Title IX Advisor during any grievance hearings at least five (5) working days prior to the hearing. If a party does not have a Title IX Advisor for a grievance hearing, a Title IX Advisor will be selected by the Title IX Coordinator and will be provided at no cost to the party for the purpose of cross examination during the hearing. This appointed Title IX Advisor may be a College employee or may be an outside individual contracted to serve in the role of Title IX Advisor.

Title IX Advisors may offer advice to and confer with the party during any meeting, interview, and/or hearing, but generally may not speak on behalf of the party. The only time a Title IX Advisor may speak on behalf of the party is to conduct cross examination questioning during a grievance hearing. Title IX Advisors are expected to comply with the Rules of Procedure and Decorum for hearings and remain respectful throughout the entire grievance process.

Any Title IX Advisor who fails to comply with these policies, the Rules of Procedure and Decorum for hearings, and/or who does not treat all others with respect throughout the grievance process may be warned by the Title IX Coordinator, Investigator, and/or Hearing Decision Maker for ~~his or her~~ **the Title IX Advisor's** first infraction. A Title IX Advisor may be asked to leave the grievance proceeding if after being warned ~~he or she~~ **the advisor** continues to violate these policies or the Rules of Procedure and Decorum for a hearing, and/or continues to not treat others with respect. If an advisor is asked to leave a meeting, interview, or hearing, the proceeding will end and be continued at another time when the party has a Title IX Advisor. Whether an advisor who has been asked to leave a proceeding may serve as a Title IX Advisor to the party at a later meeting, interview, or hearing will be a decision in the sole discretion of the Title IX Coordinator.

3.31.13 Sexual Harassment Grievance Process - Investigation

The Title IX Coordinator or designee will designate an Investigator to conduct a fair, thorough investigation of the allegations in the Formal Complaint. In general, the ~~Vice President of Student Development~~ **Chief Student Affairs Officer (CSAO)** will investigate complaints against student Respondents. The College may designate an outside investigator as Investigator. The Investigator will have received training as outlined in Section 3.32.18 of this **Policy**.

The Investigator will provide written notice of any meetings or interviews to the parties and/or witnesses at least three (3) working days in advance of the meeting or interview **unless the party or witness wishes to meet sooner**. This notice will include the date, time, and location for the meeting, as well as who will be participating in the meeting and the purpose for the meeting.

The burden will be on the Investigator to fully and fairly investigate the allegation in the formal complaint. All parties will have an equal opportunity

to present witnesses and evidence to the Investigator.

At the conclusion of the investigation, the Investigator will send a copy of the evidence that is directly related to the allegations in the Formal Complaint to the parties and their advisors for inspection and review. The parties will then have ten (10) **calendar** days in order to submit a written response to the evidence, if they choose to do so. The Investigator will consider any written response to the evidence before the completion of the investigative report. The Investigator will make all evidence that is directly related to the allegations available at the grievance hearing.

The Investigator will prepare an investigative report that fairly summarizes all the relevant evidence. The investigative report should include a description of all steps taken in the investigation as well as summaries of all interviews with parties and/or witnesses and all relevant evidence reviewed by the Investigator.

The Investigator will send a copy of the report to the parties and their advisors at least ten (10) **calendar** days prior to any hearing for the parties' review and written response.

3.31.14 Sexual Harassment Grievance Process – Hearing

After the conclusion of the investigation, a live hearing will be held before a Hearing Decision Maker. The Hearing Decision Maker will be appointed by the Title IX Coordinator and may be a single individual or a panel. A single Hearing Decision Maker may be a member of the College community or may be an outside individual contracted to serve in the role. A panel Hearing Decision Maker may include members of the College Community and/or outside individuals contracted to serve on the panel. The Hearing Decision Maker will have received training as outlined in Section 3.32.18 of this **Policy**. The Hearing Decision Maker will issue notice of the hearing to the parties, including the date, time, and location of the hearing. This notice will be provided at least ten (10) working days before the hearing.

The hearing will be held pursuant to the Rules of Procedure and Decorum. At the request of either party, the hearing will be held with the parties in separate rooms or locations, with the parties' Hearing Decision Maker able to simultaneously see and hear each other through technology. Whether the hearing is conducted virtually or in person, it will be recorded.

The Investigator will make all evidence that is directly related to the allegations available at the grievance hearing. All parties may refer to such evidence and may use it in cross examination. The Investigator will provide a copy of the investigative report and all evidence that is relevant to the allegations in the formal complaint to the Hearing Decision Maker. However, the Hearing Decision Maker may not defer to the investigative report and must objectively evaluate all relevant evidence and independently reach a determination regarding responsibility.

The Investigator, Complainant, and Respondent all have the ability to testify and call witnesses at the hearing, and to provide evidence to the Hearing Decision Maker, who will have the opportunity to ask questions of all parties and witnesses during the hearing.

After the Hearing Decision Maker asks their questions, each party's Title IX Advisor will have the opportunity to ask all relevant and follow-up questions of the other party and all witnesses during cross examination. No party shall be questioned directly by the other party. Title IX Advisors must abide by the Rules of Procedure and Decorum in questioning parties and witnesses. Any Title IX Advisor who does not abide by the Rules of Procedure and Decorum will be warned or dismissed from the hearing at the discretion of the Hearing Decision Maker.

The Hearing Decision Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions during the hearing, including cross examination.

In general, the Hearing Decision Maker cannot rely on any statement by a party or witness who does not submit to cross-examination during the course of the hearing in reaching a determination on responsibility. However, in very limited circumstances, the Hearing Decision Maker may consider statements by Complainants and Respondents that are against the individual's interest even if that individual does not submit to cross-examination. A statement against interest is a statement that could expose the individual to a finding of responsibility and sanctions, or a statement that tends to invalidate an individual's complaint against another. For example, if during an interview with an Investigator, a Respondent makes a statement admitting to the alleged conduct that would violate this Policy, or a Complainant makes a statement that information in the Formal Complaint was false, then the Hearing Decision Maker may consider those statements even if the individual does not submit to cross-examination.

The Hearing Decision Maker will state whether each question is relevant before the questions is answered by the party or witness to whom it is directed and explain any decision to exclude a question as not relevant. If the Hearing Decision Maker is a panel, the panel will designate one member as chair, and that individual will determine and state whether each question is relevant. Questions or evidence that are deemed irrelevant by the Hearing Decision Maker will be excluded from the hearing. Formal rules of evidence shall not apply.

The following types of evidence must be considered irrelevant by the Hearing Decision Maker:

- 1) Evidence that is not pertinent to proving whether a fact material to the allegation is more or less likely to be true;
- 2) Information that is protected by privilege (e.g. attorney-client privilege);

- 3) Any party's medical, psychiatric, psychological, or counseling records without that party's voluntary, written consent;
- 4) Any information about the Complainant's sexual predisposition or prior sexual behavior, unless it is offered to prove that someone other than the Respondent committed the behavior alleged in the formal complaint or **the information pertains to prior specific incidents with the Respondent and is offered to prove consent.**

3.31.15 Sexual Harassment Grievance Process - Determination of Responsibility

The Hearing Decision Maker will issue a written determination whether the Respondent is responsible for the **P**olicy violations alleged in the Formal Complaint within five (5) working days of the conclusion of the hearing. The Hearing Decision Maker must determine the weight of the evidence and credibility of the parties in reaching a determination.

The written determination shall include:

- 1) An identification of the allegations in the Formal Complaint;
- 2) A description of procedural steps taken from the receipt of the Formal Complaint through the determination, including any notices, interviews, investigations, and hearings;
- 3) Findings of fact that support the determination;
- 4) Conclusions regarding the application of the **P**olicy to the facts;
- 5) A statement and rationale for the result for each allegation including the determination of responsibility, any sanctions that will be imposed on the Respondent, and whether any remedies designed to restore and preserve equal access to the College's educational program will be provided to the Complainant; and
- 6) The procedures and acceptable bases for appeal of this determination.

The standard of proof will be "preponderance of the evidence," which means whether the evidence shows it is more likely than not that a **P**olicy violation occurred.

The written determination will be provided simultaneously to all parties. The determination will become final and any sanctions will take effect after the resolution of any appeal, or if no appeal is filed, after the deadline to file an appeal.

3.31.16 Sexual Harassment Grievance Process - Sanctions and Remedies

If the Respondent is found responsible for any violations of **P**olicy, then the Hearing Decision Maker will determine what disciplinary sanctions will be imposed on the Respondent and what remedies designed to restore and preserve equal access to the College's educational programs will be offered to the Complainant.

The possible sanctions that can be imposed on a student Respondent found responsible include:

- 1) Warning: A verbal admonition by a College official regarding a violation of the Student Conduct Code.
- 2) Fines, community service, rehabilitation, or other restitution: A monetary fee, assigned task, or other means of reparation.
- 3) Disciplinary Probation: A status resulting from a finding of misconduct. The student remains enrolled but under stated conditions.
- 4) Disciplinary Suspension: An involuntary separation of the student from the institution for a specified period of time due to misconduct. The student may be re-admitted following a specified period of time.
- 5) Expulsion: Permanent loss of student status due to misconduct. Other stated conditions may be applied.

In addition to sanctions imposed on the Respondent, remedies can be offered to the Complainant in order to restore and preserve equal access to the College's educational program and activities. Remedies may be, but are not limited to, a continuation of previously offered supportive measures. Additionally, remedies may burden the Respondent or be punitive/disciplinary in nature.

3.31.17 Sexual Harassment Grievance Process – Appeals

Any party may appeal the determination of responsibility or a dismissal of a Formal Complaint by submitting a written request to the College President within five (5) working days of the issuance of the Hearing Decision Maker's determination of responsibility. The request should include a short statement outlining the basis for appeal.

Appeals are limited to the following bases:

- 1) Procedural irregularity that affected the outcome of the matter;
- 2) New evidence that was not reasonably available at the time of the determination of responsibility or the dismissal of the Formal Complaint that would affect the outcome of the matter; or
- 3) The Title IX Coordinator, Investigator, or Hearing Decision Maker had a conflict of interest or bias for or against complainants or respondents generally that affected the outcome of the matter.

The College President will notify the parties in writing that an appeal has been filed. Each party will then have ten (10) working days to submit a written statement in support of or challenging the outcome of the hearing.

The College President will issue a written determination of the outcome of the appeal, describing the result of the appeal and the rationale in support of that decision within seven (7) working days of the deadline for parties to submit their written statements. The College President's written determination will be provided simultaneously to all parties.

3.31.18 Training

In addition to the information contained in this Policy, the College will, in accordance with the Campus Sexual Violence Act (“SaVE Act”), provide training and information to members of the campus community regarding the following topics:

1. Safe and positive steps an individual may take to intervene to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against another person;
2. Information about how to recognize warning signs of abusive behavior in order to mitigate the likelihood of perpetration, victimization, or bystander inaction;
3. Awareness campaigns and prevention programs intended to stop domestic violence, dating violence, sexual assault, and stalking before they occur, and to increase campus awareness and share information and resources for the same purpose;
4. Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both within the institution and in the community;

The College will distribute this information to members of the campus community through the College’s Annual Security Report and the College’s Student Handbook, and any other means identified by the College administration to make the information readily available to the campus. Copies will also be maintained by the College’s Title IX Coordinator, who will make such information available to any interested person.

Additionally, the College will ensure that the Title IX Coordinator, Investigator, Hearing Decision Maker, and any person who facilitates an informal resolution has received training on:

- The definition of Sexual Harassment as set out in this Policy;
- The definition of Consent under this Policy and how to apply the definition of Consent consistently and impartially;
- The scope of the College’s education program or activity;
- How to conduct the grievance process, including investigations, hearings, appeals, and informal resolutions (as applicable); and
- How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

Hearing Decision Makers will also receive training on:

- How to operate any technology used in conducting a hearing; and
- How to determine relevance of questions and evidence, including the provisions of this Policy pertaining to the exclusion of evidence of a Complainant’s previous sexual behavior.

Investigators will also receive training on:

- How to determine if evidence is relevant to an investigation; and
- How to create an investigative report that fairly summarizes relevant

evidence.

All training materials used by the College must not rely on sex stereotypes and must promote the impartial investigation and adjudication of Formal Complaints. All training materials used to train the Title IX Coordinator, Investigator, Hearing Decision Maker, and any individual who facilitates an informal resolution must be made publicly available. These materials will be published online.

3.31.19 Recordkeeping

The Title IX Coordinator must create and maintain for a period of at least seven years records of any actions, including any supportive measures taken in response to a report or formal complaint of Sexual Harassment. For each instance, the Title IX Coordinator must document: 1) the basis for the conclusion that the College's response was not deliberately indifferent, and 2) that the College has taken measures designed to restore or preserve equal access to the College's educational program or activity. If the Title IX Coordinator does not provide the Complainant with supportive measures, then the Title IX Coordinator must document why it was not clearly unreasonable to not provide supportive measures.

The Title IX Coordinator will also maintain the following records for a period of at least seven years:

- Records related to each Sexual Harassment investigation, including any determination regarding responsibility;
- Any audio or audiovisual recording or transcript from a grievance hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal from a grievance process and the result of the appeal;
- Records related to any informal resolution and the result of the informal resolution;
- All materials used to train the Title IX Coordinators, Investigator, Hearing Decision Maker, and any individual who facilitates an informal resolution.

~~**3.10 Graduation and Academic Honors Policy** (Adopted 5-6-1974; Revised 6-23-2003; Revised 6-8-2020) — *Moved to Chapter 2*~~

~~The College will establish appropriate procedures for selecting and recognizing students who exemplify the tradition of outstanding academic achievement.~~

~~**Procedures:** (adopted 6-8-2020)~~

~~**3.10.1 President's List:** At the conclusion of each fall and spring semester, East Central College will publish a President's List recognizing students who have~~

completed at least twelve (12) credit hours in that semester, earning a semester GPA of 3.85 or above.

~~3.10.2 Vice President's List: At the conclusion of each fall and spring semester, East Central College will publish a Vice President's List recognizing students who have completed at least twelve (12) credit hours in that semester, earning a semester GPA of 3.50—3.84.~~

~~3.10.3 Dean's List: At the conclusion of each fall and spring semester, East Central College will publish a Dean's List recognizing students who have completed between six (6) and eleven (11) credit hours in that semester, earning a semester GPA of 3.50 or above.~~

~~3.10.4 Graduation Honors: The cumulative grade point average at the end of a student's program of study will determine if graduation honors are awarded. Candidates with a 4.0 cumulative grade point average shall graduate summa cum laude. Candidates with a cumulative grade point average of at least 3.85, but less than 4.0, shall graduate magna cum laude. Candidates with a cumulative grade point average of at least 3.50, but less than 3.85, shall graduate cum laude.~~



Interoffice Memo

TO: Dr. Jon Bauer
DATE: November 29, 2021
FROM: Office of Academic Affairs
RE: Adjunct Memo for Winter Semester 2022

Please approve the following adjunct memo for the winter 2022 semester.

Science & Engineering

Tiffanie Atherton, Biology

Fine & Performing Arts

Aaron Bounds, Music

Social Sciences

Steven Campbell, Political Science

Coreen Derifield, History

Rachel Howard, Sociology

Wendy Pecka, Psychology

English & Humanities

Matthew Gifford, Philosophy

Shanee, Haynes, Communications

Signatures:

A handwritten signature in black ink that reads "Robyn C. Walter".

Robyn Walter, Vice President, Academic Affairs

A handwritten signature in black ink that reads "Wendy A. Hartmann".

Wendy Hartmann, Director, Human Resources



Interoffice Memo

TO: Dr. Bauer
DATE: November 30, 2021
FROM: Office of Academic Affairs
RE: Adjunct Approval

Please approve the following adjuncts for the spring 2022 semester.

Career & Technical Education

Michael Askins, CIS	Dawn Falloon, HIM	Deborah Schultze, HIM
Brooke Durbin, CIS	Richard Hudanick, Bus/Fal Sem	Jeffrey Sloan, CIS
Gary Durham, Prec. Mach	Stephanie Juengling, Buiness	Jerry Stone, HVAC
Bonnie Eversmeyer, HVAC	Steffani McCrary, Bus/Fal Sem	

Health Sciences

Kelly Adkins, Nursing	Stephanie Levine, Nursing	Heather Sluis, Nursing
Tristan Donner, Nursing	Barbara McNamara, Nursing	Nancy Tappe, Nursing
Julie Harrison, Nursing	Jeannie Miles, Nursing	Robyn Walter, Nursing
Michelle Koons, Nursing	Nancy Mitchell, Nursing	Melissa Walters, Med Asst.
Lisa Korn, EMT	Wayne Prince, EMT	Elisha Chaney - Nursing

English & Humanities

Shana Collier, Communications	Micah Miller, English/Religion	Regina Zervos, Communications
Shawna Flanigan, Communications	Gregory Stratman, English	

Fine & Performing Arts

Kelly Austermann, Music	Tamara Campbell, Music	Margret Noud, Music
Jeremy Bates, Music	S. Patrick Charles, Music	Benjamin Sachs, Music
Lisa Blackmore, Music	William Hopkins, Music	Hannah Serafino, Music
Justin Branum, Music	Connor Joyce, Music	

Mathematics & Education

Susan Giesing, Education	Connie Lutz, Mathematics	Margaret Vogel, Education
Jennifer Heberlie, Education	Johnathan Mills, Physical Education	Brad Wallach, Physical Education
Mary Beth Huxel, Education	Susan Reisner, Mathematics	Vanessa Whittle, Education
Olivia Kerwin, Mathematics	Shawn Riley, Education	

Science & Engineering

Tiffanie Atherton, Biology	Jeffrey Jacquess, Geology	Mark Palmier, Biology
Lucy Crain, Health Science	Travis McDowell, Chemistry	Lindsey Pender, Agriculture
Amanda Duerden, Chemistry	Fatemeh Nichols, Chemistry	Bijaya Shrestha, Physics
Nancy Hayes, Biology	Abduffaouf Okok, Phy Sci	James Small, Physics
Dan Jacobson, Agriculture		

Falcon Seminar

Christina Ayres, ECC, PSA	Philip Giacomelli, ECC PSA	Lesley Peters, ECC, PSA
Hannah Domino, ECC, CSA	Sarah Leassner, ECC, Admin	Jessica Robart, ECC, ADJ
Krista Frohling, ECC, ADJ		

December 6, 2021

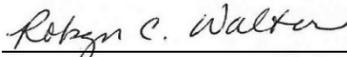
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Dual Credit

Andrew Allen, Chemistry, SFBRHS
Curtis Beers, CIS, WHS
Emily Brasher, English, SFBRHS
Dan Brinkmann, Auto Technology, FRC
Terry Brookshire, Auto Technology, RTI
Tim Bruckerhoff, Welding, FRCC
Sarah Buchheit, Comm/Theatre, UHS
Tim Buchheit, Communications, SFBRHS
Nathan Caldwell, History, SFBRHS
Jaelyn Campos, Mathematics, CHS
Christopher Case, English, CHS
Charles Cassidy, Building Construction, RTI
Ruth Diaz, Education, RTI
Colin Flynn, English, WHS
Kerri Flynn, English, WHS
Jeff Frankenberg, Building Construction, FRCC
Alex Garber, History, CHS
Nicole Griffin, Mathematics, UHS
Cathy Jinkerson, Business (CAPS), WHS

Alyssa Johnson, Biology, SFBRHS
Dan Kemper, Welding, FRCC
Lana Mabe, Accounting, SHS
Gary Maune, Auto Technology, FRCC
Glenn Mechem, History, UHS
Danika, Novak, English, UHS
Mary Pelster, Mathematics, SFBRHS
Michael Pelster, Mathematics, SFBRHS
Sharlet Peterson, Mathematics, LHS
Blake Poertner, Precision Machining, FRCC
Robert Prichard, History, SCHS
Mitchel Rightnowar, Auto Technology, RTI
Robert Robinson, Building Construction, RTI
Olivia Santhuff, History, SHS
Robert Schulze, Collision Repair, FRCC
Ed Stahl, History, WHS
Deborah Starkey, English, VHS
AJ Tinker, Building Construction, SHS
Robert York, Building Construction, FRCC

Signatures:



Robyn Walter, Vice President, Academic Affairs



Wendy Hartmann, Director, Human Resources