

CHAPTER 3: PERSONNEL SERVICES

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3358: 14-3-01 Employee definitions. (Effective Date: Revised 4/15/2014)

An employee is defined as any person holding a position that is subject to appointment, removal, promotion, or reduction by the board of trustees. Employees do not include student workers.

- (A) A full-time employee is employed in a board-approved position and normally works forty-hours a week; unless otherwise defined in a collective bargaining agreement. Exceptions are board approved.
- (B) A part-time employee is employed in a board-approved position normally working less than twenty-five hours a week. Exceptions are board approved.
- (C) An adjunct instructor is an employee that works less than twenty-nine hours a week and is employed in a board-approved position for duration of one semester or less. Appointments may be renewed for additional semesters.
- (D) A temporary employee is employed in a board-approved position that is expected to be six months or less in duration.
- (E) A substitute employee is an employee who is employed to fill a full-time or part-time position on a per diem/hourly basis while the regular employee is absent or on approved leave.
- (F) An externally funded employee is employed in a non-board-approved position which is not funded from the unrestricted general fund resources of the college. Due to the nature of the funding (commonly contracts or grants), externally funded employment is subject to special employment conditions and/or restrictions.
- (G) The president will establish procedures that define work categories.

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NORTHWEST STATE COMMUNITY COLLEGE
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3358: 14-3-02 Employment. (Effective date: Revised 4/15/2014)

Policy statement: Northwest state community college believes in a globally diverse and multicultural environment that promotes equal opportunities to all applicants and employees. This is achieved through a competitive recruitment and employment process that provides qualified and diverse employees.

- (A) The human resources department is responsible for classifying positions properly and applying the appropriate pay and grade or class.
- (B) The human resources department is responsible for the establishment of procedures for creation and revisions to job descriptions.
- (C) The human resources department is responsible for the establishment of procedures for the employment of all employees.
- (D) To more adequately safeguard students and staff members, the board of trustees of Northwest state community college requires an inquiry into the background of final candidate upon acceptance of contingent offer of employment. This excludes applicants for student employment.
- (E) The final determination of all hiring decisions rests with the president. Former and retired employees of the college are eligible for rehire on a case-by-case basis only after written or electronic approval of the president

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NORTHWEST STATE COMMUNITY COLLEGE
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Procedure No. 3-02 (A): JOB DESCRIPTION PROCEDURES

Revised: 4/15/2014

Statement of Purpose: The purpose of the job description is to memorialize the essential functions of the job along with qualifications. Job descriptions will be provided for all positions and will follow guidelines established by the Human Resources Department in collaboration with the President or designee.

- (A) Job descriptions will be reviewed annually at the time of the annual performance reviews or when a vacancy occurs.
- (B) The Human Resources Department will provide a template to the department head in order to promote consistency.
- (C) The Human Resources Department will ensure that job descriptions for all college positions are compliant, on file, and posted electronically on the shared drive.
- (D) Job descriptions are to be signed and dated by the employee and their immediate supervisor. The signed original is to be included in the personnel file. Copies are to be retained by the supervisor and the employee.

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Procedure No. 3-02 (B): HIRING PROCEDURES FOR ALL EMPLOYEES

Revised: 4/15/2014, 11/1/2022

Statement of Purpose: The Board shall approve the employment, and also, when not covered by the terms of a collective bargaining agreement, fix the compensation and establish the term of employment for each person employed by the College.

Internal candidates who meet the definition of an internal applicant will be eligible to apply during the internal posting period.

Definition of an Internal Candidate: Current NSCC employees who hold an appointed position at the College. Interim employees who were hired from outside of the College (without a search) to fill their interim position are not considered "internal applicants" for the purpose of applying for positions available to internal candidates.

Part-Time Instructors, Students, Substitute, and Temporary workers on the College's payroll or through a staffing agency are not considered "internal" for posting purposes.

Applicants who have been involuntarily separated except if for cause are permitted to apply as internal candidates during their notification period.

1. Hiring Procedures for Full-Time Faculty, Graded and Support Positions

- (a) Hiring managers fill out an open position requisition form along with an updated job description. The documents must go to cabinet for approval. The request is then forwarded to the Human Resources Department. The president has exclusive authority to bypass this process.
- (b) The position announcement will be developed and posted by the Human Resources Department. The position may be advertised externally at the same time.

Faculty: The position announcement will be posted on campus for seven (7) calendar days by the Human Resources Department. Working days are defined as Monday through Friday excluding holidays. Qualified internal candidates will proceed through the interview process as referenced in the collective bargaining agreement.

Graded: The position announcement will be posted on campus for five (5) working days by the Human Resources Department. Working days are defined as Monday through Friday excluding holidays. If qualified internal candidates apply, they may proceed through the interview

process.

Support: The position announcement must be posted on campus for seven (7) calendar days by the Human Resources Department. Qualified internal candidates will proceed through the interview process as referenced in the collective bargaining agreement.

(c) The Human Resources Department will determine the need and method for outside advertising in consultation with the hiring manager.

(d) The search committee will be assembled by the Human Resources Department with input from the hiring manager.

Faculty: The search committee will consist of a minimum of three (3), but no more than six (6), including the hiring manager, at least one (1) person from the department, if possible, a representative from the Human Resources Department, and when possible, one community member that represents the profession and is not employed by the college.

Graded: The committee will be comprised of at least three (3) individuals but not more than six (6), including the hiring manager, at least one (1) person from the department if possible, and one (1) person from Human Resources.

Support: The committee will be comprised of at least three (3) individuals but not more than six (6), including the hiring manager, at least one (1) person from the department if possible, and one (1) person from Human Resources.

(e) A completed application consists of the following:

- i. Online Employment Application
- ii. Letter of Interest (Optional)
- iii. Resume or Curriculum Vitae
- iv. Unofficial copies of College Transcripts (if required for the position)

(f) The Human Resources Department will submit qualified applicant files to the hiring manager for preliminary screening.

(g) The hiring manager will forward their recommendations on candidates to be interviewed to the Human Resources Department within 3 business days.

(h) The Human Resources Department will set up a pre-interview meeting to discuss the process with the Search Committee. All members must attend this meeting

and all interviews to be a part of the committee. After this meeting, all candidate information will be sent to the Search Committee.

- (i) The Human Resources Department will schedule the interviews for the selected candidates.

Faculty: The Search Committee will determine which candidate(s) are to be selected for a second-round interview with the Vice President for Academics and teaching demonstration after first round interviews are complete. The Human Resources Department will schedule the interview and teaching demonstration for those selected. The Vice President for Academics in consultation with the Human Resources Department recommends a final candidate to the President.

Graded: Positions that are a director level or above may require a second-round interview, which will be scheduled by the Human Resources Department. The hiring manager will recommend candidate(s) that have been chosen by the search committee to the President or appropriate member of Cabinet.

Support: The hiring manager will recommend candidates that have been chosen by the search committee to the President or appropriate member of the President's Cabinet.

- (j) The human resources department will start the background check process after first round interviews.
- (k) Internal candidates who are not selected to fill the position will be notified by the hiring manager or the Human Resources Department. A career counseling meeting may also occur if needed or if requested by the employee. External candidates will be notified by the Human Resources Department.
- (l) The President approves the hire and makes final recommendation to the Board of Trustees.
- (m) The Board of Trustees affirms the hire.

2. Hiring Procedures for Part-Time Instructors

- (a) The hiring manager will notify the Human Resources Department of the need to hire Part-Time Instructor(s).
- (b) The Human Resources Department will post the position on the College website.
- (c) The Human Resources Department will determine the need and method for outside advertising in consultation with the hiring manager.

- (d) A completed application consists of the following:
 - i. Online Employment Application
 - ii. Resume or Curriculum Vitae
 - iii. Unofficial copies of College Transcripts (if required for the position)
- (e) All documents are to be submitted electronically via the college website. The Human Resources Department will forward information to the hiring manager.
- (f) The hiring manager will review applications, interview and hire candidates.
- (g) The Vice President of Academics documents the hiring.
- (h) The President approves the hire.
- (i) The Board of Trustees affirms the hire.

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Procedure No. 3-02 (C): PART-TIME FACULTY PAY SCHEDULE

Revision Dates: Fall Semester 2015; Fall Semester 2016; September 2019; June 2024; June 2026

PART-TIME FACULTY 2026					
	PT Class	Meet any of the listed criteria	Credit Hours Taught	Lecture Hour	Lab Hour
B	Beginning	0-25 credit hours taught, < 2 yrs. work experience, or Bachelor's degree	0-25	\$658.00	\$493.00
C	Continuing	26-50 credit hours taught, 2 - 5 yrs. work experience, or Master's degree	26-50	\$690.00	\$517.00
C2	Continuing II	51-100 credit hours taught, 5+ yrs. work experience, or Ph.D.	51-100	\$721.00	\$541.00
C3	Continuing III	900-hour apprenticeship program or Journeyman's card or 10 yrs. experience	101-175	\$753.00	\$565.00
C4	Continuing IV		176+	\$785.00	\$589.00
PART-TIME NURSING LAB/CLINICAL 2026					
	Class	Meet any of the listed criteria	Cumulative Hours	Nursing Lab/hr.	Nursing Clinical/hr.
N1	Beginning	0-400 clinical/lab hours, < 2 yrs. work experience, or Bachelor's degree	0-400	\$36.00	\$45.00
N2	Continuing	401-1000 clinical/lab hours, 2 - 5 yrs. work experience, or Master's degree	401-1000	\$39.00	\$48.00
N3	Continuing II	1001-2000 clinical/lab hours, 5+ yrs. work experience, or Ph.D.	1001-2000	\$42.00	\$51.00
N4	Continuing III	2001+ clinical/lab hours	2001+	\$46.00	\$54.00
Miscellaneous Part-time Faculty Hourly Pay Rates 2026					
MA L	M.A. Lab Instruction	Lab Instruction (Medical Assisting, ECD)	\$29.00		
LAB	Misc. Lab Work	Laboratory setup, maintenance, special projects on and off campus	\$29.00		
LEA	Law Enforcement Academy	Part-time faculty for law enforcement academy not including the commander	\$29.00		
Tutoring Pay Scale/hr. 2026					
T1	Beginning Student	Student tutor with 0-50 hours of tutoring completed.	\$13.00		

T2	Continuing Student	Student tutor with 51 or more hours of tutoring completed	\$14.00
T3	Professional	Qualified faculty or equivalent including e-Tutors	\$18.00

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Procedure No. 3-02 (D): Employment eligibility verification

Effective Date: April 15, 2014

State of Purpose: The Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990 require employers to hire only persons who may legally work in the United States citizens and nationals of the United States and aliens authorized to work.

- (1) To the extent practical, candidates will complete the Form I-9 (Employment Eligibility Verification) before their first day of employment. The I-9 form is completed at the time an employee presents himself in the Human Resources Department to complete the pre-employment requirements
- (2) The Form I-9 identifies various documents that will satisfy the requirements. The Form I-9 must be completed and presented in person within three (3) business days of the date employment begins. Persons are ineligible for employment if they are unable to present the required documents. Persons unable to present the required documents are employment eligible if they present a receipt for the application of the document(s) within three (3) business days and the actual document(s) within ninety (90) days
- (3) The Human Resources Department has a list of acceptable documents.
- (4) Once completed, I-9's will remain in a separate file from the employee personnel file.

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Procedure No. 3-02 (E): New Employee Orientation

Date: April 15, 2014

Statement of Purpose: The new employee orientation is provided by the Human Resources Department and is designed to welcome new employees and begin the process of assimilating them to The College.

- (1) The Human Resources Department will present a general orientation that introduces new staff to the mission and vision of Northwest State Community College and an in-depth discussion of Northwest State's core values; provide an overview organizational structure and pertinent general policies and procedures and presents information regarding employee benefits and provides relevant enrollment documents.
- (2) Each department is responsible for providing new staff an orientation specific to the departmental unit. The department orientation focuses on job responsibilities and competencies, department specific safety policies and procedures, performance expectations, and a general introduction and orientation of campus facilities.

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Procedure No. 3-02 (F): New Employee Assessment
Effective Date: April 15, 2014

Statement of Purpose: Northwest State Community College will conduct criminal background checks on all final candidates hired or rehired for faculty, staff, substitute, temporary, and undergraduate student employment positions as part of the hiring process. Criminal background checks will be conducted to support the college's mission and to achieve the goal of providing a safe and secure environment.

- (1) Individuals applying for positions are required to self-disclose criminal conviction information when they apply. Failure to disclose criminal convictions will make the candidate ineligible for hire.
- (2) All offers are contingent upon successful completion of the background check. All offers of employment, oral or written, must include a statement as follows: "This offer is contingent on the college's verification of credentials and other information required by law and/or college policies including but not limited to a criminal background check."
- (3) The college may refuse to hire the finalist or may rescind an offer of employment to a finalist that has not successfully completed the background check process.
- (4) The background Authorization To Release Information form must be used for any background check performed by a third party vendor.
Assessments of criminal background check information:
- (5) Background checks will be assessed on the relevancy of the candidate's criminal history to the position the candidate is seeking using the following principles:
 - a. Only convictions will be taken into account when reviewing a final candidate's criminal history. An arrest without a conviction in a closed case will not be considered. Expunged records must not be considered when making a determination of a candidate's eligibility.
 - b. Open criminal cases may preclude a final candidate from eligibility for employment depending on the relevancy of the charge to the job responsibilities.
 - c. Negative information will be evaluated by considering factors such as
 - (i) The nature of the criminal act
 - (ii) The frequency of the criminal acts
 - (iii) The time since the last conviction
 - (iv) The time between convictions
 - (v) The relevancy to the job
- (6) Adverse Action Notification procedures as required under the Fair Credit Reporting Act (FCRA) – in order to comply with the federal statutory requirements under FCRA, the following two (2) letters will be sent out to applicants when any information contained in the background investigation report could result in the withdrawal of the conditional offer of employment.

- a. 1st Adverse Action Notice letter – this letter will be sent out immediately along with two attachments (1) copy of the background report and (2) a copy of the Summary of Your Rights Under the Fair Credit Reporting Act. Candidate will be allowed to explain the results and provide clarifying information within five business days from date of letter.
 - b. After review of the supplemental information submitted by the candidate, the final decision to withdraw the conditional offer of employment will be made by Human Resources Department in consultation with the College’s Legal Counsel and/or the College Police Department as needed and in accordance with the provisions of this policy. This decision will be based in whole or in part on the adverse information received.
 - c. 2nd Adverse Action Notice letter – this letter will be sent out if the final decision is to withdraw the conditional offer of employment along with a copy of the Summary of Your Rights under the Fair Credit Reporting Act.
- (7) Candidates not hired due to information revealed on a criminal background check conducted by a third-party vendor, must be provided with a copy of the results and the name and contact information of the agency used. Candidates must also be informed that the College made the decision not the agency. Candidates will be informed of their rights to dispute information contained in the report and the right to require an additional free copy of the report within 60 days.
- (8) To the extent possible, all information received in connection with the criminal background check process will be treated as confidential except when disclosure is necessary.
- (9) For information pertaining to the retention of criminal background check results refer to the College Archive Records Retention schedule. Criminal background check documentation will be stored in a confidential file separate from the official employment file.

NORTHWEST STATE COMMUNITY COLLEGE
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3358: 14-3-03 Standards of conduct. (Effective date: Revised 4/15/14)

Statement of purpose: Northwest state community college goals of excellence are supported by a set of standards of conduct. The college seeks to encourage a safe and pleasant work atmosphere which occurs when everyone cooperates and commits to appropriate standards of conduct.

- (A) All vice presidents, deans, and other supervisors are responsible for the appropriate and consistent application of this policy. All vice presidents, deans, and other supervisors are also responsible for initiating the request for disciplinary action as soon as they are aware of a potential situation.
- (B) Employees are expected to become familiar with the established rules of the college and the departments in which they work. Employees are responsible for complying with and adhering to all performance expectations, policies and procedures. Employees are expected to conduct themselves in a manner both on and off duty that does not adversely affect the ability of the employee to perform the duties of their position.
- (C) General rules of conduct and policies have been established to help achieve the objectives of this policy. The expectation is that all employees are held to the highest standards of conduct in all areas related to their employment. Inappropriate conduct of any kind including but not limited to, disruptive, discourteous, disrespectful, abusive behavior, substandard quality of work, theft, falsifying records, failure to properly record time worked or any other behavior deemed inappropriate will be subject to disciplinary action based on the circumstances of the situation.
- (D) Employees should recognize that "failure of good behavior" may be grounds for disciplinary action. Failure of good behavior includes but is not limited to discourtesy to the public, absenteeism, tardiness, insubordination, inappropriate attire, and dishonesty.
- (E) In the event any Northwest state community college employee is convicted of any felony the employee shall within ten days, notify the human resources department. Failure to notify human resources may subject the employee to discipline up to and including termination.
- (F) It is best to avoid situations that may cause a question as to your integrity or motives. Employees who witness or have knowledge of such behavior are required to immediately report it to their immediate supervisor/manager or to the human resources department.
- (G) Disciplinary actions may have an effect on transfers and promotions as well as other situations in which performance is a determining factor.

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3358: 14-3-04 Employee performance appraisal.

Effective Date: Revised 4/15/14, Revised 6/26/2025

The board delegates all personnel employments and discharges to the president or designee who will establish and implement a program of performance appraisal.

(A) It is the purpose of the employee performance appraisal to:

- (1) Review and evaluate an employee's job performance as supported and supplemented by ongoing documentation, continuous monitoring, coaching, and providing feedback so that employees may learn if their job performance is meeting expectations and identify strengths and weaknesses;
- (2) Receive recognition for good performance;
- (3) Learn what the employee could do to improve their outcomes by stressing the importance of job performance improvement on the part of employees so that each student may be provided a quality education;
- (4) Ensure the continuous improvement of administrative and supervisory services that are provided employees;
- (5) Establish a process of continuous and systematic employee performance evaluation; and
- (6) Establish a plan for employee development and/or training.

(B) The evaluation program shall aim at the early identification of specific areas in which the employee needs help so that appropriate assistance may be provided. A supervisor offering suggestions for improvement to an employee shall not release the employee from the responsibility to improve. In the case of an employee, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal or non-renewal procedures may be invoked. In such an instance, all relative evaluation documents may be used in the proceedings.

(C) Evaluations shall be conducted for each full-time employee. Employees shall be given a copy of any documents relating to his/her performance, which are to be placed in the personnel file.

- (1) Examples of good documents relating to the evaluation are, position descriptions, the last performance review document, work product files, written observations of job performance, significant job-related incidents, certificates, awards and thank-you notes.
- (2) Examples of inappropriate documents for the evaluation are medical records and unsigned observation notes.

3358:14-3-04

- (3) The supervisor conducting the evaluation should be cautious of making subjective judgments as the review should be based on objective facts that can be documented and consistent with disciplinary or other performance records.
 - (4) All evaluations will follow the prescribed guidelines within the applicable collective bargaining agreements.
- (D) Additional Performance Evaluation Guidance for Full Time Faculty per ORC 3345.0216 of the Advance Ohio Higher Education Act
- (1) Evaluations must be conducted annually by the Division Chair or Associate Dean and reviewed and approved by the Dean. The evaluation must be submitted to the Vice President of Academics (VPA) for review. If the Chair or Associate Dean disagree with the Dean, VPA has final decision-making authority as to the content of the evaluation.
 - (2) The evaluation must be comprehensive and include standardized, objective, and measurable performance metrics.
 - (3) The evaluation must include an assessment for each of the following areas that the faculty member has spent at least 5% of their annual work time on over the preceding year:
 - (a) Teaching
 - (b) Research
 - (c) Service
 - (d) Clinical Care
 - (e) Administration
 - (4) Student evaluations must account for at least 25% of the teaching area component of the evaluation.
 - (5) The evaluation must include a summary assessment of the above performance areas that include the parameters “exceeds performance expectations,” “meets performance expectations,” or “does not meet performance expectations.”
 - (6) The evaluation establishes a projected work effort distribution for the faculty member which will be used for the next year’s evaluation. This distribution must be compliant with established workload policies and must be approved by the Division Associate Dean or Dean.
 - (7) Faculty may use the grievance procedure contained in the bargaining unit agreement to appeal the final evaluation.

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Procedure No. 3-04 (A): Employee Performance Appraisal
Effective Date: 4/15/2014

- (1) In an effort to assist probationary employees in becoming proficient in their jobs as quickly as possible, the performance of all new management and staff employees will be reviewed by their managers after thirty, sixty, and ninety calendar days.
- (2) Upon completion of the probationary period all employees should be evaluated annually. The Human Resources Department will determine the due date.
- (3) The Department of Human Resources will send the manager the appropriate form in a timely manner. The performance of all probationary faculty members will be reviewed by the Department/Division Dean each semester they teach during the first two semesters of employment and once annually thereafter until tenure is awarded or denied. The forms for such reviews will be developed and issued by the Human Resource department in conjunction with the Vice President for Academics.
- (4) The evaluator's supervisor will review all annual appraisals. It is recommended that the immediate supervisor's manager also review the evaluation prior to presenting to the employee.
- (5) Managers will schedule a time to meet with the employee. The employee will complete a self-evaluation and should be encouraged to participate in the process. The employee should be permitted to write notes in the comment section or provide a supplemental statement to be attached to the performance evaluation.
- (6) Upon request, The Human Resources Department will conduct training sessions that review techniques for conducting performance evaluation feedback sessions and the process of performance evaluations.
- (7) The Human Resources Department will work with the local manager on developing a performance improvement plan if needed.
- (8) An up to date job description signed by the manager and the employee should be attached to the performance evaluation.

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3358: 14-3-05 Employee salary and deductions.

Effective Date: Revised 4/15/14

- (A) Salary schedules for all jobs shall be maintained by the department of human resources with the approval of the president.
- (B) Changes to employee salaries require approval of the board of trustees.
- (C) The board of trustees shall determine the salary of the president.
- (D) Initial placement of employees in the salary schedule will be made in accordance with:
 - (1) Professional agreement – Northwest state community college and Northwest state community college education association.
 - (2) School support personnel agreement – Northwest state community college and Northwest state community college education association
 - (3) Administrative salary procedure
- (E) Professional association employees who earn an academic degree more advanced than they already possess shall be compensated for earning that degree in accordance with the professional agreement – Northwest state community college and Northwest state community college education association.
- (F) The college will comply with all legal requirements concerning the garnishment of pay that is directed by a court order. The human resources department is directed to develop a procedure that will meet all legal requirements.
- (G) Deductions from the salary of the president and graded employees is defined in procedure 3 – 05(g)
- (H) Deductions for all other employees is defined in procedure 3 – 05(h)

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Procedure No. 3-05 (A): Deductions from Salary for President and Graded Position Employees
Effective date: 4/15/14

- (1) A deduction from an employee's salary because of absence from duties not covered by sick leave is a matter of determination by the Human Resources Department in compliance with the Fair Labor Standards Act (FLSA).
- (2) The following deductions shall be made for any absence which is determined to be an invalid absence:
 - (a) Graded non-exempt employees: Twelve (12) month employees - 1/260 of contract salary per day
 - (b) Graded exempt employees: Deductions will be made only in full day increments
- (3) Deductions include those that are mandated by law and deemed appropriate by the Chief Fiscal and Administrative Officer.

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3358: 14-3-06 Overtime.

Effective: Revised 4/15/14

Statement of purpose: overtime compensation policy that complies with the Fair Labor Standards Act.

- (A) Staff who are defined as non-exempt in current wage-hour regulations as they apply to the college are eligible for overtime compensation.
- (B) Overtime is generally defined as hours outside regularly scheduled hours and above and beyond the full-time workweek of forty hours.
- (C) The rate of overtime compensation will be one and one-half times the employee's regular rate of pay.
- (D) The appropriate manager must approve overtime in advance of the work. No overtime eligible employee shall begin work prior to his or her scheduled work hours or continue to work after his or her scheduled work hours or during a scheduled lunch period without advance approval by the appropriate manager.
- (E) Employees are expected to work overtime when requested by their managers, especially during an emergency situation or during peak periods such as before semesters.
- (F) Assignment and payment for overtime shall be in accordance with procedures adopted by the school support personnel agreement – Northwest state community college and Northwest state community college education association.

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03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-06 (A): OVERTIME

Effective Date: 4/15/2014

- (1) Please refer to the **School Support Personnel Agreement – Northwest State Community College and Northwest State Community College Education Association** Article VII (E).
- (2) Overtime for non-exempt graded employees will be paid in compliance with the Fair Labor Standards Act.

NORTHWEST STATE COMMUNITY COLLEGE
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3358: 14-3-07 Benefits administration.

Effective date: Revised 10/26/2018

The board of trustees of Northwest state community college directs the president and/or designee to develop procedures for the implementation of the benefits described in this policy.

(A) Eligibility

Full-time and part-time employees who work a minimum of twenty hours per week are eligible to participate in the college's fringe benefits program provided in this paragraph. Part-time who work less than twenty hours, temporary employees, adjunct instructors, and guest lecturers are not eligible to participate in the program, except as required by federal and state regulations or as may be specifically defined in this policy.

(B) Retirement

- (1) All eligible employees participate in the state teacher's retirement system, the school employees retirement system, or an alternative retirement plan, if applicable. Eligibility for participation in these systems is governed by 3307. and 3309. of the Revised Code.
- (2) Effective March 1, 1999 all full-time employees who meet the qualifications established by 3305.01 of the Revised Code and/or STRS/SERS shall be eligible to enroll in an alternative retirement program. The guidelines are established by the Northwest state community college in chapter 3305. of the Revised Code (alternative retirement plan document) adopted by the college board of trustees February 4, 1999. This document is housed in the college's human resources department.

(C) Insurance

Medical insurance dental insurance, vision care insurance is available to full-time and part-time employees and their dependents for those who work a minimum of twenty hours per week. Life insurance coverage is available to full-time and part-time employees who work a minimum of twenty hours per week. These insurance offerings are within the salary and benefit program approved by the board of trustees.

(D) Fee waiver

- (1) Northwest state community college encourages employees to become avid learners and to continually develop their knowledge, skills, and abilities. To that end, the college provides a fee waiver program.
- (2) The fee waiver program will provide full-time and part-time employees and their dependents, and adjunct instructors the opportunity to take credit courses at Northwest state community college.

- (3) The fee waiver procedure for bargaining unit employees is detailed in the respective collective bargaining agreements. The human resource department will write a procedure for graded employees and adjunct instructors.

(E) Vacation

- (1) Full-time twelve -month employees will accrue time off annually for vacation.
- (2) Vacation time will accrue monthly on a prorated basis.

(F) Holidays

The college schedule of holidays is defined in article xxvi of the professional agreement and article xvi of the support agreement. Graded employees shall follow those schedules.

(G) Personal time

Full-time employees/twelve-month employees will be allocated personal.

(H) Military leave

Full-time and part-time employees will be allowed up to thirty-one days in a calendar year for United States military leave.

(I) Employee assistance program

- (1) All employees will experience problems and challenges at one time or another. Whether it's a personal or a workplace issue, the resulting anxiety or stress can threaten their mental and physical well-being and impact productivity and job performance. For these reasons, the trustees provide an employee assistance program to all employees. The employee assistance program will cover all or part of the cost for employees to receive initial counseling, referrals, and advice in dealing with stressful issues in their lives. These may include substance abuse, bereavement, marital problems, weight issues, or general wellness issues.
- (2) Employee assistance services will be provided by a third-party and the college will receive only summary statistical data from the service provider. Employee names and services received will be kept confidential by the provider.

(J) Development fund

Northwest state community college promotes the continuing education of its employees. Employees may be reimbursed through the employee development fund for authorized education within established guidelines and within budget constraints.

(K) Severance pay

All graded employees shall receive sick leave payout upon retirement. The professional and support staff will receive sick leave payout as outlined in their respective collective bargaining agreements.

(L) Voluntary payroll deductions

For the convenience of the college employees, there are a number of voluntary deductions available. Information on available deductions is available through the payroll processing office.

(M) Employee discounts

A ten percent discount is given on purchases for non-edible products from the college bookstore for staff and faculty members, full-time and part-time, who are under current contract. The discount does not apply to student workers employed on college work-study or a part-time student employee basis.

(N) Fitness room

The college feels that staying physically fit is important to overall health. With that in mind, a fitness room is provided for faculty, staff and students. The facility is available during regular college hours.

(O) Parking

Northwest state community college provides parking on campus free of charge for faculty, staff and students.

Effective: 6/2/2020

CERTIFIED ELECTRONICALLY

Certification

05/19/2020

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

Prior Effective Dates: 03/16/2015

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-07 (A): ELIGIBILITY

Revision Date: 4/15/2014, 10/26/2018

- (1) Full-time and part-time employees who work a minimum of twenty (20) hours per week are eligible to participate in the college's fringe benefits program provided in this section unless otherwise noted. Part-time employees who work less than 20 hours, temporary employees, adjunct instructors, and guest lecturers are not eligible to participate in the program, except as required by federal and state regulations or as may be specifically defined in this section.
- (2) The Human Resource Department will administer the enrollment of eligible employees in the various insurance plans. Details and rules concerning eligibility will be discussed during orientation, where you will have an opportunity to enroll.

NORTHWEST STATE COMMUNITY COLLEGE
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Procedure No. 3-07 (B): RETIREMENT AND SICK LEAVE PAYOUT

Revision Date: 4/15/2014

Retirement Eligibility

- (a) Northwest State Community College employees are public employees, who are eligible to participate in one of the state of Ohio's retirement systems and in some cases, may be eligible to instead participate in an alternative retirement plan. Effective March 1, 1999, all employees who meet the qualifications established by O.R.C. 3305.01 and/or STRS/SERS shall be eligible to enroll in an Alternative Retirement Program. The guidelines are established by the Northwest State Community College Chapter 3305 Alternative Retirement Plan Document adopted by the College Board of Trustees on February 4, 1999. This document is housed in the College's Human Resource Department.
- (b) Eligibility for retirement is dependent upon the rules of the state of Ohio retirement system or, if applicable, according to the terms of the Alternative Retirement plan document.
- (c) Effective July 1, 2013, any employee who is receiving the NSCC retirement pick-up who quits, retires, or is separated from employment for any reason will not receive a continuation of the retirement pick-up upon re-employment with the College.
 - a. In the event of a lay-off of support unit employees who are receiving the pick-up, and are subject to the recall rules of the NSCCEA Support Unit CBA, they will receive the pick-up if re-employed within two years.
 - b. In the event of a lay-off of professional unit employees who are receiving the pick-up, and are subject to the recall rules of the NSCCEA Professional Unit CBA, they will receive the pick-up if re-employed within three years.
 - c. In the event of a lay-off of graded employees who are receiving the pick-up, and are subject to the recall, they will receive the pick-up if they are reemployed within three years.
 - d. Adjunct faculty are considered to be a new employee each semester and will be treated as such.
- (d) Employees who retire from employment with the College through their respective retirement system of the State of Ohio are eligible to receive a portion of accrued and unused sick leave as provided for under the Ohio Revised Code.
- (e) State Teacher Retirement System (STRS) rehired retirees will be provided medical benefits in full compliance with STRS regulations.
- (f) The following is the calculation of STRS Service Credit for Part-time Faculty agreed to by STRS:

Full-time FTE

Criteria Full-time faculty status
Minimum 28 cr. hours/year

Part-time FTE

Criteria 28 cr. hours/year
-When credit hours are not assigned the conversion of 20
contact hours to 1 credit hour will be used.

Service credit will be calculated for full-time and part-time instructors as:

$$\frac{\text{Credit hours minus overload}}{28}$$

Overload is any credit hours over 14 worked within a semester.

Full-year credit will be granted when the workload exceeds 66% of the FTE.

All calculations will be based on the fiscal year, not the academic year.

To receive a full semester of credit, the entire period must occur within the fiscal year.

For semesters that fall into two fiscal years, the credit will be divided between the fiscal years based on the percentage of completion each fiscal year.

- (g) Effective April 1, 2018, the Board of Trustees authorized a 5% pick-up of the retirement contribution for the position of President.

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Procedure No. 3-07 (C): INSURANCE

Revision Date: 4/15/2014

- (1) Northwest State Community College offers a comprehensive list of insurance programs. Newly hired fulltime and part-time employees that are hired into a position that meets the minimum hour requirements are eligible for Medical, Dental and Vision Insurance that is effective on your first date of employment provided you enroll within the first 30 days of hire. Current information regarding insurance options can be found on the college's web- site www.northweststate.edu, or through the Human Resource Department. From the home page click the "Faculty-Staff" tab. Next click the "Human Resources" tab, then click the "Current Employees" tab and scroll down to the insurance information.

Insurances currently provided are:

(a) Medical/Prescription Drug

The Health Insurance Portability and Accountability Act (HIPAA) provides standards for the protection of individually identified health information created, received, stored, or transmitted by health plans and health care providers. These standards along with privacy standards of compliance developed by the insurance provider will be followed to ensure compliance.

(b) Dental

(c) Vision

(d) Life

The life insurance procedure for the Professional Staff is found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association -- Article XXI.

The life insurance procedure for the Support Staff is found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association -- Article XVII.

The life insurance for the graded employees of the college is equal to each full-time graded employee's annual salary, rounded to the next higher \$1,000 with a minimum level of life insurance of \$45,000.

(e) Flexible Spending Account

These insurances vary in cost depending on the plan, with a portion of the cost paid by the College and a portion paid by the employee. The Board of Trustees authorizes the amount of employer contribution to the employee flexible spending account.

(2) The insurances listed below are voluntary and are meant to enhance the benefit plan for employees while taking advantage of the purchasing power of the College to provide reasonable rates. As an employee you are responsible for the full cost of the benefit, which is made through payroll deduction. They are:

(a) Short-term disability

(b) Long-term disability

(c) Additional employee life insurance

(d) Spouse and dependent life insurance

(e) Accident Insurance

(f) Critical illness insurance

(g) Hospital indemnity insurance

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Procedure No. 3-07 (D): FEE WAIVER

Revision Date: 4/15/2014, 11/1/2022

Approving Officer: Chief Fiscal and Administrative Officer

Scope: All employees of the College

- (1) The Fee Waiver procedure for the Professional Staff is found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association -- Article XXI. The fee waiver should be applied to cover tuition expense prior to any type of financial aid for all covered by the Professional Agreement.
- (2) The Fee Waiver procedure for the college Support Staff is found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association -- Article XXV. The fee waiver should be applied to cover tuition expense prior to any type of financial aid for all covered by the Support Agreement, with the exception of dependents covered under Article XXV, Section B. The dependent must apply for FAFSA. If they are eligible for grants, the grant money would be used first to cover the cost of tuition and the waiver would cover any additional tuition costs not covered by the grant.

(3) Graded Employees Fee Waiver Procedure

(a) Credit Courses

The College will waive the instructional fee, general fee, and out-of-state tuition surcharge for all courses, excluding independent studies. The employee will pay all other fees.

(b) Non-Credit Courses

Noncredit community service course instructional fee will be waived up to the equivalent cost of six (6) credit hours per semester. These classes must have a sustainable enrollment of non-employees.

(c) Eligibility

Graded employees working 25 hours or more per week, their spouse and dependents (defined as natural born, adopted, step-children or children the employee has guardianship and under the age of 26), re-employed retirees and their spouse are eligible.

(d) Payment

The order of payment for employees, spouses, retirees and/or dependents will be: fee waiver first then other sources such as but not limited to grant, scholarship

money, etc. The employee will pay all other fees, such as laboratory, supplies, and textbooks, etc.

(e) Deceased Employee

In case of death of a full-time employee who has completed five consecutive years of successful employment at the College, the waiver of instructional fee and out-of-state tuition surcharge shall continue for the surviving spouse as long as s/he has not remarried and for any dependent children up to a maximum age limit of twenty-one (21).

(f) Termination of Eligibility

If an employee is no longer employed by the College when a fee waiver is being used by that person, spouse, or dependent, s/he will be responsible for the pro-rated cost of the instructional fee and out-of-state tuition surcharge. If a dependent child or spouse loses eligibility status, and a fee waiver is in effect for that dependent or spouse, the employee is responsible for the pro-rated cost of the instructional fee, general fee, and out-of-state tuition surcharge.

(4) Part-Time Instructor Fee Waiver Procedure

(a) Credit Courses

The College will waive the instructional fee and general fee for courses equal to their teaching load not to exceed 6 credit hours per semester, excluding independent studies. The employee will pay all other fees.

(b) Non-credit Courses

The tuition waiver benefit does not apply to contract training or non-credit courses.

(c) Eligibility

Part-Time Instructors teaching 3 or more credit hours per semester can receive an instructional fee waiver equivalent to their teaching load credit hours but not to exceed 6 credit hours per semester.

(d) Payment

The order of payment for part-time instructors will be: fee waiver first, then other sources such as but not limited to grant, scholarship money, etc. The employee will pay all other fees, such as laboratory, supplies, textbooks, etc.

(e) Termination of Eligibility

If an employee is no longer employed by the College when a fee waiver is being used by that person, s/he will be responsible for the pro-rated cost of the instructional and general fee.

Process for Obtaining the Instructional Fee Waiver

- (a) Obtain and complete a fee waiver form prior to each semester. Copies of the form are available in the Human Resource office and copy center and shared drive forms folder.
- (b) Submit the completed form to the related division head or Dean for his/her approval. The forms are then routed through remaining required approvals.
- (c) The employee, spouse, and/or dependent shall register for class in the same manner as any other student and is considered registered only when all additional fees are paid.

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Procedure No. 3-07 (E): VACATION

Revision Date: 4/15/2014, 12/7/2020, 7/13/2021, 12/19/2024

- (1) Vacation procedures for the Professional Staff can be found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association. Prior public service time will not be transferred in calculating Northwest State Community College vacation time.
- (2) Vacation procedures for the Support Staff can be found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association. Prior public service time will not be transferred in calculating Northwest State Community College vacation time.
- (3) Vacation procedures for Graded Employees are as follows:
 - (a) Employees will accrue vacation monthly at the rate of twenty (20) vacation days per calendar year.
 - (b) Vacations require proper approval of the employee's immediate supervisor.
 - (c) Vacations may be advanced with the approval of the immediate supervisor and the College President. Upon resignation or termination any advanced vacation beyond that earned will be deducted from the employee's final pay(s).
 - (d) Vacation may be accrued to a maximum allowed of three years through December 31. Upon December 31 of each year, an accrual over the maximum allowed of two and one-half years will be forfeited. This calculation is completed after the deduction for the vacation buy back an employee may elect.
 - (e) Upon termination of employment, payment will be made at the current per diem rate for all accrued and unused vacation up to the maximum allowed for two years of accrual.
 - (f) In case of death, accrued and unused vacation time up to the maximum allowed for two years of service shall be paid accordance with Section 2113.04 of the O.R.C.
 - (g) In the event any paid legal holiday falls during the employee's scheduled vacation, said day shall not be charged as a vacation day or deducted from the employee's vacation balance.
 - (h) Prior public service employment time will not be transferred in calculating Northwest State Community College vacation time.

(4) Vacation Buyback procedures:

Employees may elect to cash in 40 hours of their vacation each calendar year if the employee meets the eligibility requirements. If the employee requests the vacation buy back benefit, payment will be made no later than the last pay period of the year. The vacation buy back benefit is for 40 hours of earned vacation. There will not be any payments made for more than or less than the 40 hours.

All employees who earn vacation are eligible for the vacation buy back benefit. In order to qualify the employee must:

- (a) have used at least one-half of their earned vacation for calendar year as of December 31.
- (b) request the 40 hours vacation buy back benefit by filling out a form in payroll no later than December 15.
- (c) have 80 hours in their vacation bank after the buy back.

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Procedure No. 3-07 (F): HOLIDAYS

Revision Date: 4/15/2014, 12/19/2024

- (1) Holiday procedures for the Professional Staff can be found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association Article X.
- (2) Holiday procedures for the Support Staff can be found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association Article XII.

Holiday Procedures for Graded Employees

- (1) All full-time 12-month graded employees shall receive paid holidays under the schedule listed below. Employees scheduled to work less than 40 hours/week for twelve (12) months are not eligible to receive holiday pay.
 - a. Labor Day
 - b. Veterans Day
 - c. Thanksgiving Day
 - d. Friday after Thanksgiving Day
 - e. December 24
 - f. December 25
 - g. Four (4) end of calendar year special days
 - h. New Year's Eve
 - i. New Year's Day
 - j. Martin Luther King Day
 - k. Memorial Day
 - l. Juneteenth
 - m. Independence Day
- (2) See the College calendar for specific dates of all college recognized holidays.

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Procedure No. 3-07 (G): PERSONAL DAYS

Revision Date: 4/15/2014

- (1) Personal leave procedures for the Professional Staff can be found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association Article XV.
- (2) Personal leave procedures for the Support Staff can be found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association Article XVIII.

Personal Leave Procedures for Graded Employees

- (1) All full-time 12-month graded employees shall receive three personal leave days per year.
- (2) All unused personal days per year will be rolled over into accumulated sick leave at the end of each fiscal year.
- (3) All part-time graded employees working more than 18 hours per week will earn personal hours at the rate of one hour for each 150 hours worked.

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Procedure No. 3-07 (H) MILITARY LEAVE

Revision Date: 4/15/2014

All employees of the College who are members of the Ohio National Guard, the Ohio Defense Corps, and the Ohio Naval Militia, or member of other reserve components of armed forces of the United States are entitled to leave of absence from their respective duties and pay for the difference between their regular salary and their military service pay for such time as they are in the military service on field training or active duty for periods not to exceed thirty-one (31) days in any one calendar year.

During the time period covered by an approved paid leave of absence beyond (10) days, the College will not issue any additional supplemental contracts which require work to be performed during the leave period.

NORTHWEST STATE COMMUNITY COLLEGE
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Procedure No. 3-07 (I): EMPLOYEE ASSISTANCE PROGRAM

Revision Date: 4/15/2014

- (1) Northwest State Community College has established an Employee Assistance Program (EAP) to provide an opportunity for employees to obtain professional assistance when they are experiencing personal problems which may have the potential to adversely affect job performance or overall quality of life. The purpose of the EAP is :
 - (a) to assist employees directly seeking assistance through confidential self-referral;
 - (b) to assist employees referred by supervisors through confidential assessment, referral, and follow-up;
 - (c) to assist family members (family member is defined as someone who is either included in the employee's health plan or living in the employee's household).
- (2) All discussions with EAP counselors are held in strict confidence. When employees are referred by supervisors, they will be asked by counselors to sign a release enabling the counselor to share certain specific information limited to the following: (1) that the employee has kept appointments with the EAP counselor; and (2) that the employee has followed the steps prescribed by the counselor. However, confidentiality laws and regulations provide that in any situation of imminent danger (e.g. imminent suicidal/homicidal behavior or child abuse), written consent is not required and measures would be taken to protect the participant or others as needed.
- (3) The College has secured the services of an outside vendor to provide EAP services. Employees may access services by contacting Human Resources for brochures detailing EAP services.
- (4) The EAP provides assistance for issues including but not limited to:
 - (a) alcohol and substance misuse
 - (b) relationships and family issues
 - (b) emotional stress
 - (d) concerns about children
 - (e) financial and legal problems
 - (f) grief and bereavement
 - (g) health and lifestyle issues
 - (h) trauma and critical incidents

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Procedure No. 3-07 (J): DEVELOPMENT FUND PROCEDURES (Tuition Reimbursement)

Revision Date: 4/15/2014; 1/1/18; 7/12/23, 7/1/24

The Employee Development Fund program provides employees the opportunity to obtain skills, knowledge, and abilities to enhance the effectiveness of their performance in their current positions and/or for career-related opportunities within the college through participation in credit courses at accredited colleges and universities.

(1) Employees eligible to apply for funding include:

(a) All full-time employees.

(b) Part-time faculty are eligible to apply for funding if the additional education is needed to meet accreditation and/or certification requirements. The part-time faculty must be currently employed to receive funding.

(2) Development funds are not to be used after an individual's first masters or doctorate unless required for certification or necessary for their job position. Multiple degrees at the same level will not be funded unless required by the College.

(3) Qualifying Educational Expenses

(a) Full-time employees: The College will reimburse up to a maximum of 30 credit hours per fiscal year at the maximum rate of the average undergraduate or graduate tuition cost per credit hour for University of Toledo, Bowling Green State University and Defiance College as of their current fall term. Employees who are enrolled in accelerated programs may be reimbursed for classes in excess of the above limits if approved by their supervisor.

(b) Part-time Faculty: The College will reimburse on a pro-rated basis up to a maximum of 15 credit hours per fiscal year at the maximum rate of the average undergraduate or graduate tuition cost per credit hour for University of Toledo, Bowling Green State University and Defiance College as of their current fall term.

(4) The application will require a statement of the employee's goals as related to individual professional development and the college's derived benefit. The employee's supervisor must submit a statement clearly indicating the future benefit to the college and indicate approval or non-approval for the application. The application must include a list of courses to be completed. If the applicant is seeking a specific degree or certification, a list of all courses needed to obtain the degree/certification must be provided. The initial application should be submitted for approval at least 30 days prior to the start of the first class. No reimbursement will be made for classes started prior to the application being approved by the supervisor, human resources, and the CFO. If the list of courses initially approved changes for any reason, the employee must submit a new application.

- (5) After the initial application is approved, the employee need only submit a copy of their invoice and final grade for reimbursement. The approved course's grade must be a B or better in a course where a letter grade is provided or official documentation from the school that the course offers "Pass" or "Satisfactory" for coursework where a letter grade is not used. Requests for reimbursement must be filed no later than 60 days after the end of the class to be considered for reimbursement for the Development Fund. The Development Fund Committee will serve as the review committee for employees who wish to challenge a funding decision.
- (6) The Human Resources Office and the Chief Fiscal and Administrative Officer will administer the fund. Approval of the application does not guarantee the funding level beyond the current fiscal year. Funding levels are reviewed each fiscal year.
- (7) Funds will be disbursed in accordance with IRS and Related Expense guidelines.
- (8) Full-time employees who leave employment at NSCC or are terminated for cause will be required to re-pay any Development Fund money that they have received in the two-year period preceding their departure. Part-time faculty who leave employment at NSCC will be required to re-pay any Development Fund money that they have received in the two-year period preceding their departure.
- (9) Employees who lose employment due to job elimination or layoff will not be required to repay money they received.
- (10) The College reserves the right to deduct tuition reimbursement monies owed to the College from the final pay(s) of an employee who violates this provision.
- (11) The Development Fund Committee will be appointed by the President and will serve as a review committee for employees who wish to challenge a funding decision. The Vice President for Academics will serve as a member of the review committee when the review relates to a faculty employee

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Procedure No. 3-07 (K): SEVERANCE – SICK LEAVE PAYOUT

Revision Date: 04/15/2014

- (1) Upon normal retirement or disability retirement under either STRS or SERS, the Board will provide severance pay in the amount of \$400 for each year worked at the College, or twenty-five percent (25%) of all accumulated but unused sick leave to a maximum of forty-five (45) days at the per diem rate in effect at the time of severance. Either the \$400 per year worked or 25% of accumulated sick leave to forty-five (45) days maximum, will apply, whichever results in the greater amount.
- (2) Death of an employee while under contract of employment with the employer shall also establish eligibility for severance pay.
- (4) The Professional and Support Staff will receive severance as outlined in their respective collective bargaining agreement.

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Procedure No. 3-07 (L): VOLUNTARY PAYROLL DEDUCTIONS

Revision Date: 04/15/2014

- (1) Payroll deduction procedures for the Professional Staff can be found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association Article XX.
- (2) Payroll deduction procedures for the Support Staff can be found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association Article XVIII.
- (3) Payroll deduction procedures for Graded employees shall include those that are mandated by law plus the following:
 - (a) United Way
 - (b) Flexible Spending – medical and childcare
 - (c) State of Ohio Deferred Compensation
 - (d) NSCC and Foundation Scholarships
 - (e) Tax sheltered annuities
 - (f) Other request deductions (a minimum of 5 enrollees are required to establish a new deduction).

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Procedure No. 3-07 (M): EMPLOYEE TRAVEL PROCEDURES

Revision Date: 07/01/16, 6/28/19, 10/14/19

- (1) The following procedures have been developed to provide guidance and direction for employees traveling on college related business.

(2) Definitions

- (a) "College" means Northwest State Community College.
- (b) "Employee" means: any employee of Northwest State Community College.
- (c) "Official Business" means: any travel necessary and/or required in the performance of an employee's position at the College.
- (d) "Reimbursement" means: payment for expenses incurred while on official College business.
- (e) "Per diem" is the allowance for meals and incidental expenses as published by the United States Government General Services Administration (GSA).

(3) Transportation

- (a) Employees may use College vehicles, when available, for travel on all official College business.
- (b) Employees who elect to use their personal vehicle for travel on College related business shall be reimbursed for their mileage at a rate of 100% of the IRS index.
- (c) Travel by privately owned vehicles is authorized only if the owner is insured under a policy of liability insurance complying with the requirements of Section 4509.51 of the Revised Code.
- (d) Commercial air carrier

The travel procedure provides for payment of commercial airfare when traveling on College business. No reimbursement will be made for first class or premium rates unless there is a medical necessity that is documented prior to travel.

(e) Frequent Flyer Miles

In accordance with Ohio Ethics Commission Advisory Opinion 91-010, College employees are prohibited from accepting, soliciting or using the

authority or influence of their position to receive discounted or free “frequent flyer” airline ticket for personal travel if the ticket or benefits were obtained through the purchase of airline tickets for the use on official College travel. Any rebates or commissions earned based on College business and paid to a College employee offered by any source, including but not limited to credit card issuers, can only be applied to College approved travel.

(f) Rental Vehicles

Reimbursement may be made for rental of an economy or midsize class vehicle when circumstances warrant. Luxury vehicle rentals will not be reimbursed.

(g) Parking Fees and Toll Charges

Reimbursement is provided for parking fees and toll charges incurred

(h) Taxi, Shuttle Van, Ride-Share, and Public Transportation Fares

Reimbursement is provided for reasonable transportation costs including car rental, taxi, shuttle van, ride-share, and public transportation fares while away on College business.

(4) Meals

(a) College purchasing cards (pcard) shall not be used to pay for meals that are to be reimbursed as per diem expenses (see item 4.c below).

(b) Individuals traveling for the college may request a cash advance prior to travel.

(a) The cash advance amount cannot exceed the anticipated meal per diem costs during travel.

(b) To ensure timely distribution of the cash advance, the travel approval form should be approved and submitted to the Business Office at least 14 days in advance of travel.

(c) Normally, cash advances will be reconciled following travel using the expense reimbursement process. In any event, cash advances must be reconciled with the College within 30 days following travel.

(d) Individuals who received a cash advance for travel that is subsequently cancelled must notify their supervisor and make arrangements for reimbursement with the Business Office.

(c) The GSA establishes per diem rates for meals and incidental expenses (M&IE) including taxes and gratuity. The college will reimburse the employee the daily per diem rate for M&IE established by the GSA. Current rates can be

obtained from the GSA web site at: <http://www.gsa.gov/travel/plan-book/per-diem-rates>.

- (a) Receipts are not required for M&IE reimbursements.
 - (b) First and last day of travel will be reimbursed in accordance with established GSA rates as outlined on the GSA website for first and last day of travel.
 - (c) For same day travel, employees will receive the GSA per diem for traditional meal times that occur during the travel. The meal per diem reimbursement amounts can be found on the GSA web site.
 - (d) Any meal that is provided to the employee as part of an event should not be submitted for reimbursement.
- (d) Meals in conjunction with a business meeting may be charged to a college pcard. An itemized receipt is required in this instance.

(5) Lodging Bills

- (a) Approval for lodging will be made by the employee's supervisor. An original itemized bill must support the lodging reimbursement request.
- (b) No lodging reimbursement will be made for informal lodging arrangements such as staying with friends, colleagues, or relatives.

(6) Other Reimbursable Expenses

- (a) The following expenses may be reimbursed (Itemized receipt required unless otherwise noted):
 - Business telephone calls if the employee is not receiving a cell phone stipend
 - Incidentals as defined on the GSA website (receipt not required)
 - Faxes
 - Data transmission charges

Business phone calls, facsimiles and data transmission charges must be supported by documentation that includes the date, points and parties involved, the business purpose of the call, and the charges incurred.

- Checked luggage
- Registration fees
- Internet charge

Travelers are permitted to incur charges for use of the internet at hotels, airports or other locations if internet access is necessary for business activity. To be reimbursed for internet charges, travelers must provide an

explanation of the internet usage, such as checking and responding to email. The explanation may be written on the itemized hotel bill or internet provider receipt.

(7) Non-Reimbursable Expenses

(a) The following is a list of common expenses that are not reimbursable. The list is not all-inclusive.

- Lost or stolen articles
- Alcoholic beverages
- Excessive lodging charges
- Damage to personal vehicles, clothing or other items
- Services to gain entry to locked vehicles
- Speeding tickets
- Towing charges (unless it is a college vehicle)
- Insurance associated with rental cars in the United States
- Excessive parking and gasoline charges
- Incidentals charged to the hotel room such as room service, cash bar, movie rental, etc.

(8) Expense Reports

(a) Expense reports must include the following:

- The purpose of the trip
- The date and place of the trip
- Receipts for lodging and other non-per diem associated reimbursable expenses

(b) Employees should file the expense report within a reasonable period of time (30 days).

(9) Travel Approval Process

(a) Employees who complete same day travel on a regular basis need not request approval prior to travel but are expected to document their travel using Google calendar. Travel expenses should be submitted at the end of each month.

(b) Travel that requires an overnight stay must be pre-approved, in writing, by the employee's supervisor.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-08 Transitional work.

Effective Date: Revised 4/15/14

- (A) The purpose of this policy is to promote an efficient return to work program for employees who have missed work through injury or illness. The efficient return to work of these employees benefits both themselves and the college.
- (B) The board of trustees of Northwest state community college directs the president and/or designee to develop procedures for the implementation of the transitional work program.

Effective: 03/16/2015

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

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Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-09 Leaves of absence other than FMLA.

Effective date: Revised 4/15/14

Policy statement: The college supports a work environment that offers solutions to the complex issues individuals face in balancing their work and family commitments. This policy is intended to explain the various leaves of absence except Family Medical Leave Act leave. Specifically covered in this policy are the following.

(A) Other leaves of absence approved by the board of trustees include:

- (1) Sick leave
- (2) Personal leave
- (3) Maternity/paternity leave
- (4) Military leave
- (5) Jury duty
- (6) Professional leave
- (7) Other leaves of absence without pay.

(B) The above-mentioned leaves are defined in detail in the professional collective bargaining agreement – Northwest state community college and Northwest state community college education association and the school support personnel collective bargaining agreement – Northwest state community college and Northwest state community college education association and procedures.

(C) The president shall provide procedures for the graded staff.

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-09 (A): LEAVES OF ABSENCE - PROFESSIONAL/SUPPORT STAFF

Revision Date: 4/15/2014

- (1) A comprehensive list of leaves of absence with administration guidelines for professional staff can be found in the Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association -- Articles XIV, XV, XVI and XVII.
- (2) A comprehensive list of leaves of absence with administration guidelines for support staff can be found in the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association -- Article XVIII.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-09 (B): LEAVES OF ABSENCE – GRADED EMPLOYEES

Revision Date: 4/15/2014

(1) The procedure for sick leave for all covered employees is as follows:

(a) Sick Leave

- (1) Sick leave shall be granted for absence due to personal illness, pregnancy, injury, and exposure to contagious disease, which could be communicated to others, and for absence due to illness, injury or death in the employees' immediate family.
- (1) Each employee shall be entitled to accrue fifteen (15) days sick leave with pay for each year under contract accrued at the rate of one and one-fourth (1.25) days for each calendar month under contract up to a maximum of three hundred (300) days. Unused personal leave hours will be added to this sick leave bank each year at June 30th.
- (2) The employee will complete the appropriate form to be approved by his/her immediate supervisor and/or acknowledged by the appropriate department head. The signed form must state that the absence was caused by illness or other cause set forth in Section (b)(i).
- (3) Each employee under regular, full-time contract but absent on paid sick leave will continue to accumulate sick leave at the rate of one and one-fourth (1.25) days per month.
- (4) Sick leave may be taken in units as small as one-half (.5) hour rounded to the nearest one-half (.5) hour. Sick leave is earned at rates equivalent to 1.25 days per month. Sick leave accumulation will be posted on the MyNSCC account for each eligible employee.
- (5) Graded employees will be deducted at 40 hours per week or 8 hours per day
- (6) A certificate stating the general nature of the illness and fitness to return to duty may be required in case of frequent absences or absences of three consecutive days or more. When required, this certificate will be attached to the sick leave form, and remain on file with the form. Absences may be considered frequent whenever the sick leave usage rate exceeds 50 percent of the accumulation rate for the year.

(b) Advancement of Sick Leave

- (1) Each new full-time employee or an employee who has exhausted his/her leave can request on the sixth work day after actual service begins with five days of sick leave which may be used in case any such employee is unable to work because of personal illness or death in the immediate family.
- (2) If any of said five days of sick leave are used, these days will be deducted from the total sick leave accumulated during the year of service as provided in these regulations. If an employee uses all or part of said five days of sick leave advancement and terminates employment before such sick leave has actually accrued, the employee shall reimburse the College for sick leave used but not earned at the per diem rate of the employee.

(c) Exhaustion of Leave and Separation Benefit

An employee with five (5) years or more seniority who is unable to work in accordance with items in Section 7, usage A, and who has exhausted all sick leave available shall upon application be granted a leave of absence without pay for the duration up to two (2) years. If the employee has less than five (5) years of seniority, the two (2) years will be prorated accordingly. The College will comply with the COBRA law concerning the continuation of benefits provided by this agreement.

(d) Sick Leave Transfer

- (1) An employee who has accumulated unused sick leave in any public agency in the State of Ohio shall be credited with the unused sick leave balance upon receipt of an official sick leave certification from the employee's most recent public employing agency, providing that such employment takes place within ten years of the date on which the employee was last terminated from public service. A person transferring from any Ohio public agency to the College shall be credited with the unused balance of accumulated sick leave up to the maximum of sick leave accumulation permitted by the College.
- (2) The responsibility for the transfer of unused sick leave shall rest with the incoming employee.

(e) Immediate Family

- (1) Immediate family is designated as husband, wife, child, mother, father, brother, sister, grandmother, grandfather, mother-in-law, father-in-law, step-mother, step-father, step-sister, step-brother, half-sister, half-

brother, grandchild, step-grandchild or anyone who has held the position of parent or child or is a permanent member of the employee's home.

- (2) Employees may use up to five (5) days of sick leave for each illness, injury or death in the immediate family (see above), with additional days approved by the immediate supervisor or designated representative.
- (3) Employees shall be permitted to use sick leave for bereavement for an uncle, aunt, nephew, niece, cousin, brother-in-law, sister-in-law, or any relative, close personal friend, or neighbor. Up to three (3) days per occurrence, will be allowed, if such things as travel time are needed. Additional days may be approved by the supervisor or designated administrator.

(f) Calamity Days

Unit members employees absent for purposes of sick leave when the College is closed due to calamity will not be charged for any hours missed during periods when the College was not actually in session.

(2) Personal Leave

Personal leave with pay will be authorized for all employees who are full-time employees, up to at least three unrestricted personal leave days per year. They cannot be taken immediately before or after vacation days and/or holidays, or the first or last student calendar day, except in case of emergency. Personal leave should not be used for activities or situations for which other provisions for paid time, such as illness, have been provided. Notification (a filled out request form) for personal leave shall be made to the employee's supervisor at least two (2) days prior to such leave, except in case of emergency. Personal leave time will be deducted on the basis of one-half (1/2) hour of personal time for one-half (1/2) hour of absence.

Personal leave with pay will be pro-rated for those employees hired after the beginning of a fiscal year.

All unused personal days per year will be rolled over into accumulated sick leave at the end of each contract year.

(3) Personal Leave – Part-time Employees

Beginning January 1, 2001, an employee whose position by the job description shows 18 hours or more per week will earn unrestricted personal hours

For employees with less than five (5) continuous years of service for every one hundred twenty (120) hours worked, they will have one hour credited to their account to be used as unrestricted personal time; one (1) hour for every one hundred (100) hours worked for employees with at least five (5) continuous years of service but less than ten (10) years, and one (1) hour for every eighty (80) hours worked for employees with at least ten (10) continuous years of service. An employee can accumulate up to 22.5 hours. Hours accumulated above 22.5 hours will be forfeited. Normal personal day provisions apply. An exception is given to the part-time employee to use this time for holiday hours.

(4) Maternity/Paternity Leave

- (a) Request for leave of absence for the care of a newborn infant or newly adopted child shall be granted up to a maximum of one full year to a full-time employee. Such request must be submitted to the Supervisor at least eight (8) weeks prior to the beginning of such leave except in emergency circumstances.
- (b) A written notice of return to active duty must be submitted to the Supervisor not later than the first week of the month preceding the month in which the employee will return.
- (c) Upon timely written notice and at the expiration of such leave, the employee shall be returned to duty in the same position vacated, unless the position itself has been substantially changed, suspended or eliminated, in which case the College will reassign the affected employee to a position closely matching that prior to the leave.
- (d) Upon return to employment the same contract status attained prior to the leave of absence will be retained unless the contract is affected by a reduction in force.

(5) Military Leave

All employees who are members of the Ohio National Guard, the Ohio Defense Corps., the Ohio Naval Militia, or members of other reserve components of armed forces of the United States are entitled to leave of absence from their respective duties and pay for the difference between their regular salary and their military service pay for which they are in the military service on field training or active duty for periods not to exceed thirty-one (31) calendar days in any calendar year.

(6) Jury Duty

Employees will receive their regular rate of pay while serving as jurors, or acting as witnesses in court. Any money paid to the employee by the court shall be returned to the College. The employee is required to present proof of jury duty before payment by the College is made.

(7) Professional Leave

Absence with pay will be allowed for professional meetings or field trips involving College business, which the President or his designated representative determines to approve. Approval is required in advance and the appropriate form must be submitted to the department head for approval.

Professional leave of absence requiring travel outside the United States must have advance approval of the Board of Trustees.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-10 Interruption of campus operations.

Effective date: Revised 4/15/14

Policy statement: The president has responsibility and authority to interrupt all or a specific part of the operations of the college due to weather conditions, natural calamity, at the direction of state or federal offices, or if in his/her judgment the health, safety, or well-being of employees and students is jeopardized.

- (A) When an interruption occurs, compensation of employees will be determined using procedure 3-10(b).
- (B) In the event the operation of the college is interrupted for more than two days per semester, the board of trustees or the president will decide if the interrupted days will be rescheduled and, if so, the nature of that schedule. Employees may elect to use vacation in lieu of work for the rescheduled days.
- (C) The president will determine when an emergency is declared.
- (D) The president will establish procedures to administer this policy.

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Certification

03/04/2015

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-10(A): INTERRUPTION OF CAMPUS OPERATIONS FOR
INCLEMENT WEATHER

Revision Date: 4/15/2014, 1/1/2022

Statement of Purpose: This procedure is intended to clarify and summarize our expectations for ongoing operation of Northwest State Community College due to weather conditions.

(1) Weather related closing

- (a) There are times in which the college will close due to weather conditions. At those announced times the expectation is that only essential personnel may be required to be working once that decision as to a time for closing the college has taken place. We are truly closed. Essential personnel are defined as those required to maintain the facility for access and in emergency situations.
- (b) In the event of extreme severe weather conditions or other emergencies, the president (or an administrative designee) may decide to close Northwest State classroom, office or support functions for all or part of the day. If that occurs, affected employees will be notified as soon as possible through the Northwest State "Rave" alert system. Information will also be posted on Northwest State's website and a notice will be provided to local radio and television stations. Please keep in mind that we are not responsible for a misreporting of information by the radio or television stations.

(2) Severe Weather

- (a) There are also times when we may make the decision to cancel classes at a certain time during the day, thereby not bringing additional students & faculty to our campus. In this situation the expectation is that employees are responsible to work their shift, unless at their own discretion due to their individual circumstances, they decide that they need to go home. We hope that with this decision also comes the awareness that we have a community obligation to continue to meet the needs of our students as best we can even when the weather is challenging.
- (b) Always, individual employees need to determine whether the dangers of weather-related travel are such that arrival or departure times from work need to be adjusted for reasons of personal safety. This decision should be made in consultation with the employee's supervisor on a case-by-case basis, recognizing that not all employees are in similar circumstances regarding travel. Every effort should be made to keep offices and support functions operating unless the college is officially announced as being closed.

(3) During inclement weather conditions, work continues (on campus and remotely), unless the college has been officially closed (as described above) or the county in which they reside is under a level 3-road condition emergency situation. Employees who are not able to work (on campus or remotely) are required to take a personal or vacation day.

Please understand that everyone's safety is of the utmost concern and we, as a college would never put anyone intentionally in harm's way. We will use the expertise of our service county officials to assist us in making our decisions.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-10(B): INCLEMENT WEATHER PAY SCHEDULE

Revision Date: 4/15/2014

(1) A calamity day is a day (or portion of a day) when the College is closed by the administration for reasons beyond their control.

(2) Support Employees

- (a) Full-time employees will receive their regular pay for calamity days in accordance with the School Support Personnel Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association.
- (b) Part-time employees will be paid for calamity days for their scheduled hours up to their calculated banked hours. Payroll and HR have a list of the banked hours available for part-time employees.
- (c) If employees **are asked** to work on a calamity day, they will receive their regular pay or flex time for time worked in addition to their regular pay for the calamity day. If a person worked on a calamity day **without being asked**, they get regular pay for actual hours worked and calamity hours to cover any remaining scheduled hours. Example: Employee that normally is scheduled to work 8.0 hours, came in not knowing college was closed and chose to work 3 hours then left for the day. Pay for this day would be 3 hours of regular pay and 5.0 hours calamity pay.

(3) Faculty

- (a) Both full and part-time faculty will not have their pay reduced as a result of hours missed from their load sheet due to a calamity day called by administration.

(4) Non-teaching Professionals

- (a) Both full and part-time employees, if scheduled to work, will receive their regular pay in accordance with School Professional Collective Bargaining Agreement – Northwest State Community College and Northwest State Community College Education Association

(5) Graded Employees

- (a) Both full and part-time employees, if scheduled to work, will receive their regular pay. If a person worked on a calamity day **without being asked**, they get regular pay for actual hours worked and calamity hours to cover any remaining scheduled hours.

Example: Employee normally scheduled to work 8.0 hours, came in not knowing college was closed and chose to work 3 hours then left for the day. Pay for this day would be 3 hours of regular pay and 5 hours calamity pay.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-11 Conflicts of interest/nepotism.

Effective Date: Revised 4/15/17

Policy Statement: This policy is established to ensure that hires, transfers, promotions, disciplinary action, supervision, and all other aspects of the college's day-to-day operations are conducted in a manner which helps prevent partiality, preferential treatment, improper influence, or conflict of interest or the appearance thereof. This policy is necessary to ensure the efficient operation of the college and to increase public confidence that officials and employees of the college act with integrity to promote the goals and welfare of the college.

- (A) Nepotism - no employee or trustee shall use his or her authority or influence because of his or her position at the college to transfer, effect promotion for, give preferential treatment to, or to hire or cause to be hired any person closely related by blood, marriage, or other significant relationship to serve in any position at the college. This includes: parent, sibling, grandparent, child, spouse, parents-in-law, children-in-law, sibling-in-law, grandchild, stepparents, stepchildren, a legal guardian or other person who stands in the place of a parent, other persons residing in the home of the employee, or a domestic partner. No employee shall directly supervise a relative as defined above.
- (1) The college recognizes that occasionally, relationships develop in the workplace that may present the possibility of a conflict of interest/nepotism when co-workers marry or an employee's relatives come to work for the college.
 - (2) No immediate relative of a member of the board of trustees shall be appointed as an employee of the college without the board of trustees being specifically informed of the relationship prior to the appointment.
 - (3) No immediate relative of an employee of Northwest state community college shall be appointed as an employee of the college without the president being specifically informed of the relationship prior to the appointment.
- (B) Conflict of interest - employees, trustees, and their families will neither solicit nor accept personal gifts or services from vendors or potential vendors to the college. Gifts do not include advertising or promotional items such as pens, calendars, or note pads, nor do they include complimentary copies of textbooks that are being considered for adoption.
- Northwest state community college complies with the law as set forth by the Ohio Ethics Commission. Vendors include firms or individuals that provide equipment, materials, or professional services to the college.
- (C) Individual employees shall not solicit nor accept, for their personal gain, special discounts from vendors. Employees shall not use their employment status with the college to seek/receive anything of value for personal gain or for the avoidance of taxes.

(D) In making statements as private citizens, employees have the responsibility to make it clear that they are not representing the college.

(E) Procedures to monitor this policy will be adopted by the president.

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-11(A): CONFLICT OF INTEREST/NEPOTISM - PERSONAL
RELATIONSHIPS

Revision Date: 4/15/2014

- (1) In the event employees marry or develop a significant relationship after the college employs both, the college shall take reasonable steps to ensure that such employees do not work for the same immediate supervisor. If this is not possible, the college shall take steps to ensure that the employees do not have a supervisor/subordinate relationship.
- (2) If a situation mentioned in (1) above occurs, it is the responsibility of the affected employees to notify their supervisor. The supervisor and the employees will meet with the appropriate administrator to determine the best resolution of the situation. Specific steps will be taken by the administrator to ensure that the affected employees are not in a direct supervisor/subordinate relationship. Such steps may include but are not limited to one of the following:
 - (a) Transfer the affected subordinate employee to another position in the college as long as there is a need for that position and the transfer does not create a new violation of the Conflict of Interest/Nepotism policy.
 - (b) Transfer the supervisor to another position in the college as long as there is a need for the position and the transfer does not create a new violation of the Conflict of Interest/Nepotism policy.
 - (c) Voluntary resignation.
 - (d) Termination of one of the affected employees if there is no other way to resolve the supervisor/subordinate relationship

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-11(B): CONFLICT OF INTEREST/NEPOTISM –
PROFESSIONAL RELATIONSHIPS

Revision Date: 4/15/2014

- (1) No employee will engage in any non-college activity for which the employee receives financial remuneration or equivalent goods or services if such activity occurs during the employee's assigned working hours without the express consent, in writing, of the President. In the case of faculty members who have a non-traditional teaching schedule such as distance learning, practicum, or primarily night or weekend classes, such faculty may not engage in non-college activity for the purpose of profit or gain to the degree that such activity hinders their ability to fully carry out the duties of their instruction/counseling. As Northwest State Community College continues to meet the needs of learners in the community, faculty schedules shall be subject to change on a semester basis. Any faculty member who has a non-traditional teaching schedule and wants to engage in non-college activity for profit or gain shall notify the President of the college prior to commencing the activity.
- (2) Employees shall not represent any vendor nor be an employee of any vendor that does business with the college without the express consent, in writing, of the President.
- (3) Employees shall not engage the services of any vendor on behalf of the college with a person closely related by blood, marriage, or other significant relationship as defined in Policy No. 3- 11 without the express consent, in writing, of the President.
- (4) Employees shall not conduct classes under their own auspices or on behalf of another educational institution or agency using the college's resources without the express consent, in writing, of the President. This includes use of institutional time and facilities for personal purposes
- (5) Employees shall not use confidential information obtained as a result of their association with the college for personal gain. Employees shall not knowingly permit unauthorized disclosure of confidential information.
- (6) Failure to obtain consent for activities mentioned in this procedure shall be grounds for disciplinary action, up to and including immediate discharge.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-12 Personnel records/public records.

Effective Date: Revised 4/15/14

Policy Statement: It is the policy of Northwest state community college that openness leads to a better-informed citizenry, which leads to better government and better public policy. It is the policy of Northwest state community college to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

- (A) All requests for public records should be directed to: records custodian c/o business office, Northwest state community college, room c107, 22600 state route 34, Archbold, Ohio 43502. The records custodian may also be reached by phone at 419-267-5511. The records custodian will distribute the request to the proper Northwest state community college office and coordinate the response to the requestor.
- (B) The support staff files will be managed in accordance with the school support personnel agreement – Northwest state community college and Northwest state community college education association article ix.
- (C) The professional staff files will be managed in accordance with the professional agreement – Northwest state community college and Northwest state community college education association article xiii.
- (D) The president and graded employee personnel files will be managed in accordance with the procedure 3–13 (e)
- (E) Public records - Northwest state community college, in accordance with the Ohio Revised Code, defines records as including the following: any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of Northwest state community college are public unless they are specifically exempt from disclosure under the Ohio Revised Code.
- (F) It is the policy of Northwest state community college that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (see procedure 3 – 13 (f)(3) for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-14 Equal opportunity.

Effective date: Revised 4/15/14, 4/26/19

It is the established policy of Northwest state community college not to discriminate against any individual employee or student, groups of employees or students, or prospective employees or students for reasons of age, ancestry, color, disability, familial status (status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, status as a foster parent), gender, gender identity or expression, genetic information (GINA), military or veteran status, national origin, race, religion, sex, and sexual orientation, or any other bases under the law. This college is fully committed to providing equal opportunities in all employment related activities, and educational programs, including, but not limited to, recruiting, hiring, advancement, demotion, layoff, compensation, training, benefits, transfers, tuition assistance, terms of employment, physical access to facilities, and social and recreational programs, within the financial resources of the college. The college will promote equal opportunities to all employees, applicants for employment, students, and student applicants for admission to the college through a positive and continuing affirmative action program. Northwest state community college will fully comply with all federal, state, and local laws and regulations to guarantee equal opportunities. All contractors of this college will comply with existing federal and state regulations concerning equal employment opportunities and affirmative action. Concerns or complaints regarding equal employment opportunities and affirmative action should be filed with the human resource department of the college.

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05/19/2020

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-15 Separation from employment.

Effective date: Revised 4/15/14

Policy statement: Northwest state community college recognizes that employees may separate their employment with the college for various reasons. Any employee who separates employment at the college is required to participate in the separation process. The employee's department is responsible for initiating the separation process.

(A) Employees leave the college for various reasons that may be either voluntary or involuntary including:

- (1) Resignation
- (2) Retirement
- (3) Contract, grant, temporary assignment expiration/funding ends
- (4) Event of an employee's death
- (5) Reduction in force
- (6) Disciplinary actions

(B) The board of trustees will be notified of all employee separations of employment.

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-16 Grievance procedure.

Effective date: Revised 4/15/14

Policy statement: The purpose of this policy is to promote fair, expedient, and equitable treatment, reduce dissatisfaction, and resolve problems at their point of origin for full-time employees (including temporary full-time employees) so that constructive, work-producing relationships can be maintained.

- (A) This policy provides for the consideration of employee complaints on matters for which a procedure is not otherwise provided. This policy does not, therefore, apply to disputed employee performance appraisals, sexual misconduct, disciplinary separation from employment, sexual harassment issues, or any aspect of cases involving appeals of promotion or tenure.
- (B) This policy applies to graded employees, professional staff and support staff, although it is not meant to supplant any negotiated labor agreement.
- (C) The human resource department is responsible for development of a procedure to implement this policy.

Effective: 03/16/2015

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-17 Discipline and discharge policy graded employees.

Effective date: 4/15/14

Policy statement: the college has adopted standards of conduct and makes them applicable to all persons. These rules are not intended to restrict the rights of employees, but rather to advise employees of prohibited conduct and allow the department and ultimately the college to attain its objectives in an orderly manner. The purpose of employee disciplinary action is to correct unacceptable employee behavior. This unacceptable employee behavior may be disregard of college policy, failure to complete job assignments, or other behavior unacceptable in the work environment. The disciplinary action will generally be progressive: verbal warning, written warning, time off without pay, and discharge. Any of the progressive steps may be omitted depending on the nature of the behavior.

(A) Discharge is generally, but not necessarily, preceded by progressive and corrective discipline. Behaviors upon which discharge may be based include, but are not limited to, the following:

- (1) Illegally bringing or bearing firearms or other lethal weapons on campus.
- (2) Misuse or misappropriation of college equipment, materials, funds, or other resources.
- (3) Insubordination, defined as "a willful disregard of express or implied directions of the employer and/or refusal to obey reasonable orders."
- (4) Falsification of college records.
- (5) Conviction of any violent offense covered by Section 2901.01 of the Ohio Revised Code, which automatically effects discharge from the college.
- (6) The unlawful possession or use of illicit drugs, a controlled substance, and/or alcohol on college property.
- (7) The unlawful distribution of illicit drugs or a controlled substance.
- (8) Violation of the college's policies on harassment, sexual harassment, or sexual misconduct.
- (9) Failure to call or report to work for three consecutive, assigned working days ("no call-no show").
- (10) Assault.

(B) The president shall adopt procedures for disciplinary action.

Effective: 03/16/2015
CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-17(A): DISCIPLINARY ACTION

Revision Date: 1/3/2019

Approving Officer: Vice President Human Resources & Leadership Development

Scope: All employees of the College

This procedure shall serve as the disciplinary procedure for all employee-related violations of any college policies unless otherwise specified in a particular policy.

- (1) Disciplinary action pertaining to a professional employee can be accessed in the Professional Agreement – Northwest State Community college and Northwest State Community College Education Association Article IX.
- (2) Disciplinary action pertaining to a staff employee can be accessed in the School support Personnel Agreement – Northwest State Community college and Northwest State Community College Education Association Article XX.
- (3) Disciplinary action pertaining to any employee not covered by a collective bargaining agreement is as follows:
 - (a) Each supervisor of a graded position employee is responsible for counseling, developing performance improvement plans, and administering discipline. Generally, progressive discipline is preferred and will be implemented; however, the College reserves the right to impose discipline without observing progressive discipline when the circumstances warrant it. Steps for progressive discipline include:
 - (i) Verbal warning;
 - (ii) Written warning;
 - (iii) Suspension with or without pay;
 - (iv) Involuntary/voluntary termination
 - (b) Verbal and written warning should be initiated by the immediate supervisor and coordinated through the Human Resources Department. Suspensions, with or without pay, must be approved by the President and terminations must be approved by the College Board of Trustees at the next scheduled Board of Trustees meeting.
 - (i) The Board of Trustees delegates the responsibility to suspend or terminate the employee to the President.
 - (c) The College reserves the right to impose immediate interim action such as administrative leave, with or without pay, pending investigations into reported misconduct.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-18 College property.

Effective date: Revised 4/15/14

Policy statement: due to the fact that the college is supported by the taxpayers of the state of Ohio and also due to concerns regarding liability, it is necessary for the board of trustees to prohibit the removal of college property for the personal use of employees. The president and/or designee will write a procedure that is designed to give direction to this policy and enumerate any possible exceptions.

Effective: 03/16/2015

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-19 Equal Opportunity and Non-Discrimination/Anti-Harassment.

Effective date: 4/1/12; Revised 12/14/18, 4/26/19, 8/28/20, 12/8/2023

Policy statement: Northwest state community college (“NSCC” or “the college”) is committed to maintaining a workplace and academic environment free of discrimination and harassment. Therefore, the college shall not tolerate discriminatory or harassing behavior by or against trustees, employees, vendors, customers, students, or other persons participating or attempting to participate in a college program or activity. “Attempting to participate” extends mandated protections against person who are applicants for admission or employment or who are determined by the administration of this policy to be otherwise accessing the College’s educational program.

- (A) Employees and students are expected to assist in the college’s efforts to prevent discrimination or harassment from occurring. Administrators, supervisors, and employees who have been designated to act on behalf of the college are specifically responsible for identifying and taking proper action to stop such behavior when they see it occurring and to report it to the reporting structure of the college as identified in this policy.
- (B) While the college does not tolerate any form of discrimination or harassment, the Non-Discrimination/Anti-Harassment Policy and related procedures are intended to cover discrimination and harassment based on a protected class. Protected classes for purposes of this policy are age, ancestry, color, disability, familial status, gender, genetic information (GINA), military or veteran status, national origin, race, religion, sex, and sexual orientation, or any other bases under the law. “Antisemitism” is a certain perception of Jews, which may be expressed as hatred toward Jewish people. Many Jewish people hold their identity of being “Jewish” as both a religion and a race (or as their religion or race), although Jewish people can be from anywhere in the world and may or may not be actively practicing Judaism. Rhetorical and physical manifestations of antisemitism are directed to-ward Jewish or non-Jewish individuals and/or their property and toward Jewish community institutions and religious facilities. Antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identity, affiliation, or faith, is strictly prohibited at NSCC. Like many other forms of civil rights abuses, acts against actual or perceived Jewish persons are illegal and in violation of our policies. In reviewing, investigating, or deciding whether antisemitism has occurred in violation of this policy, in accordance with Ohio Executive Order 2019-05D, NSCC shall take into consideration the definition of antisemitism set forth above for purposes of determining whether the alleged act was motivated by discriminatory antisemitic intent. Through this and related policies, the college acknowledges and complies with its duties under Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Clery Act, as amended, by the 2013 Reauthorization of the Violence Against Women Act (VAWA), the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975,

Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, as amended, the Pregnancy Discrimination Act, The Pregnant Worker's Fairness Act (PWFA) and the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act and relevant state and local laws, by setting forth comprehensive frameworks for receiving, processing, investigating, and resolving complaints.

- (C) Anyone who is subjected to conduct that creates an intimidating or hostile environment, regardless if the conduct is based on a protected class, shall report the conduct to a person outlined in section (E) of this rule. If human resources determines that the conduct alleged to be creating an intimidating or hostile environment is not based on a protected class, the report may be referred for remediation according to the relevant policy.
- (D) Reports of sexual assault, sexual exploitation, dating or domestic violence, stalking, or sexual harassment ("sexual misconduct") are governed by the college's sexual misconduct policy governing student and employees (policy 3358:14-3-35 or the sexual misconduct policy), which establishes separate procedures for reporting and resolving allegations of Sexual Misconduct against students and employees pursuant to Title IX of the Education Amendments of 1972 (as well as provides for resolution options when the reported behavior is sexual misconduct, but does not rise to meet the jurisdictional requirements of title IX through non-title IX resolution procedures which sit in that same policy.) For more information on the title IX policy, including definitions of the sex-based prohibited conduct and reporting options, please visit the [NSCC Title IX Website](#) or refer to the sexual misconduct policy governing students and employees.
- (E) In furtherance of these expectations, all employees are required to participate in required training.
 - (1) Definitions of discrimination/harassment. As used in this policy, the following terms are defined and will be adhered to as follows:
 - (a) Discrimination – occurs when an adverse employment action is taken and is based upon a protected class. Discrimination may occur in several forms, such as:
 - (i) Disparate treatment - when a person, or a group of people are treated less favorably than another person or group of people on the basis of a protected class.
 - (ii) Disparate impact - when a college policy, practice or decision is based on neutral factors that have an adverse impact on a protected class.
 - (b) Harassment* – (1) Unwelcome, protected class-based physical non-verbal or verbal conduct that (2) is sufficiently severe, persistent or pervasive that (3) it unreasonably interferes with, denies, or limits and individual's

ability to participate in or benefit from the college's education and employment programs and activities; and (4) is based on power differentials (quid pro quo) or the creation of a hostile environment. *This definition does not include sex-based harassment/discrimination ("sexual misconduct"). To understand how the college defines sexual misconduct and to report incidents of sexual misconduct, see policy 3358:14-3-35.

- (i) Hostile Work Environment - occurs when the conduct at issue is sufficiently severe or pervasive that it creates an intimidating, abusive or offensive environment regarding employment or academic decisions for a person in a protected class. A single instance of discrimination may be sufficient to create a hostile work environment.

(2) Discrimination/harassment indicators and examples

- (a) Examples of discrimination/harassment include, but are not limited to the following:

- (i) Conduct that explicitly or implicitly affects an individual's or group's employment or academic achievement; unreasonably interferes with an individual's work performance or learning ability; and/or creates an intimidating, hostile or offensive work, or academic environment when that person belongs to a protected class;
- (ii) Verbal behaviors or comments, slurs, jokes, recordings, videos, music and personal references or use of negative terms used to identify someone in a protected class;
- (iii) Non-verbal, offensive, graphic communication (i.e. obscene hand or finger gestures), bullying, demeaning, insulting, intimidating, or suggestive written material, email, posters, graffiti, cartoons, other electronically transmitted messages or use of social media which are directed at someone because of a protected class;
- (iv) Any other conduct that has the effect of creating an intimidating, hostile, offensive work environment, or unreasonably interferes with a person's work or academic environment based on a protected class.

(3) Consequences of discrimination/harassment

- (a) Employees - any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

- (b) Students - any student found to be in violation of this policy will be subject to review and resolution in accordance with the student code of conduct policy 3358:14-5-08 and may be subject to disciplinary action in accordance therewith.

(4) Reporting responsibilities and filing a complaint

- (a) Anyone who believes that an administrator, any employee, supervisor, student, or non-employee's behavior constitutes discrimination or harassment has a responsibility to report the behavior/action as soon as it is known so that the College may administer this policy.
 - (i) Allegations can be made by individuals who are directly involved in, who observe, or who receive reliable information that discrimination/harassment may have occurred.
- (b) Complaints involving employees: In cases of alleged discrimination/harassment in employment or if the victim or alleged perpetrator is an employee, the complaint may be made to any of the following:
 - (i) an employee of human resources; or
 - (ii) the institution's Title IX coordinator; or
 - (iii) an employee of the NSCC police department.
- (c) Complaints involving students: In cases of alleged discrimination/harassment when the victim and/or alleged perpetrator is a student, a potential student, or someone participating in a college-sponsored event or activity, the complaint may be made to any of the following:
 - (i) human resources;
 - (ii) the institution's Title IX coordinator; or
 - (iii) the vice president of academics;
 - (iv) an academic dean; or
 - (v) an employee of the NSCC police department.
- (d) Any person designated to receive complaints under this policy who has direct or constructive knowledge of alleged discriminatory or harassing behavior must immediately report the behavior to the office of human resources or chief student affairs officer. Failure to do so may result in disciplinary action, up to and including termination of employment.

(e) Emergency: Any person seeking immediate assistance or relief from bodily danger or a threat of bodily danger should immediately contact the northwest state community college police department at 419-267-1452 or by dialing 9-1-1

(f) Reporting: Complaints made in good faith regardless of whether or not there is sufficient information to render a substantiated finding will not be held against an employee or student in any way.

(i) Any employee who knowingly or maliciously makes a false allegation of discrimination or harassment will be subject to disciplinary action, up to and including termination of employment.

(ii) Any student who knowingly or maliciously makes a false allegation of discrimination or harassment will be subject to the process outlined by the student code of conduct policy 3358:14-5-08.

(5) Academic freedom/first amendment guidelines

(a) The college is committed to providing a safe, anti-harassing, and nondiscriminatory environment that protects the civil rights of individuals, per college policies and in compliance with state and federal law, and the college recognizes the value of academic freedom in the classroom.

(b) College policies are not intended to restrict serious discussion of controversial issues in the academic classrooms or trainings. In light of this, to minimize the potential for multiple claims that course content is discriminatory, harassing or offensive, it is recommended that in courses where such discussions occur, faculty provide a disclosure that the content covered may be controversial. However, employees and students are encouraged to file complaints in accordance with section D in this policy for reasons specified therein.

(6) Confidentiality

To the extent possible, all information received in connection with the reporting, investigation, and resolution of allegations will be treated as confidential, except to the extent it is necessary to disclose information in order to investigate, prevent or address the effects of the discrimination/harassment, resolve the complaint or when compelled to do so by law. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

(7) Retaliation

The college, in compliance with federal, state and local law that strictly prohibits it, will not tolerate retaliation in any form against any individual who files a complaint or report, makes an allegation, or who participates in an investigation of discrimination or harassment. Retaliation is a serious violation that can subject the offender to discipline, up to and including termination of employment and/or student status, independent of the merits of the underlying allegation. Allegations of retaliation should promptly be directed to human resources or student affairs. If at any time, a party feels as though the retaliatory conduct poses a threat to their safety or the safety of others, the party should contact law enforcement.

(8) Formal complaint procedures

Complainants may initiate formal procedures by filing a complaint with human resources (HR). HR responds to complaints in accordance with the procedures outlined below. However, there may be exceptional circumstances that justify a departure from these procedures, and, should such circumstances arise, HR will advise the parties to the complaint as soon as possible. If a complaint alleges sex-based harassment or discrimination in addition to protected class harassment or discrimination covered by this policy, HR may work in concert with the institution's Title IX Coordinator to investigate and resolve the complaint, if applicable and at their discretion. HR may work independently if it is determined that conducting two investigations makes the most sense given the specific facts of the matter alleged. Decisions made with regard to the consolidation of investigations will be made on a case-by-case basis.

(a) Filing a complaint

- (i) HR and student affairs work in concert to accept and respond to complaints. Student affairs will accept student reports and will aid students in reporting to HR. A complaint must be filed with HR by any current employee or student or applicant for employment or admission who believe that they have been subject to protected class harassment or discrimination. If the complaint involves allegations of employment discrimination, it must be filed with HR within three hundred days of the most recent alleged prohibited discriminatory or retaliatory conduct. HR retains discretion to accept complaints filed outside of the three-hundred-day timeframe for good cause. A complainant may also file a formal charge of discrimination, harassment, and/or retaliation with a state or federal agency authorized by law to receive such complaints.
- (ii) HR and/or student affairs (respectively) will also initially accept complaints in alternate written form, such as email, or verbal where the human resources department will attempt to collect the at a minimum:
 - (1) the complainant's name and contact information; (2) the name of the

respondent(s); (3) an explanation of the conduct believed to constitute protected class harassment or discrimination or an allegation of retaliation with approximate date(s) of when these actions occurred; and (4) a brief description of why the complainant believes that the alleged conduct at issue is based on one or more protected characteristics. If a reasonable accommodation or other assistance is needed to file a complaint, please contact HR.

- (iii) As stated, reports of sexual assault, sexual exploitation, dating and domestic violence, stalking, and/or sex-based harassment (“sexual misconduct”) are governed by the sexual misconduct policy governing students and employees. However, reports of harassment or discrimination based on sexual orientation, gender identity, pregnant or parenting status, or other gender-based misconduct that does not rise to the level of constituting hostile environment sexual harassment as defined by Title IX will be resolved utilizing this policy and procedure.

(b) Receipt of complaint and initial assessment

- (i) Upon notice of a complaint, HR/student affairs will first assess the allegations to determine whether interim measures pending resolution of the matter are appropriate. Interim measures may include, but are not limited to, a safety plan, schedule change, temporary removal of the respondent from the workplace or academic program, if warranted, and other measures, including issuance of a “no contact” directive. In making this assessment, HR/student affairs will consider the totality of the circumstances, the nature and severity of the allegations, and whether the allegations implicate a potential, ongoing safety threat to the complainant or the community. HR/student affairs will consult with college administrators, as appropriate.
- (ii) From this point forward, the party alleging to be the victim of the harassment or discrimination will be called the “complainant” and the person accused of engaging in the unwanted behavior will be called the “respondent.”

(c) Evaluation of a complaint

- (i) Following HR’s notice of a complaint, HR shall decide whether the complaint states a potential violation of this policy and shall notify the complainant of its decision. If the complaint lacks sufficient information for HR to make this decision, HR will contact the complainant to gather additional information.
- (ii) If HR determines that the complainant’s allegations, if true, do not state a violation of college policies, an explanation of this decision shall be

explained to why the complaint does not state a violation and may inform the complainant of other possible avenues of redress, such as through other college policies or offices.

- (iii) If HR concludes that the complainant's allegations do not state a policy violation, but nevertheless implicate potentially concerning behaviors, HR will advise complainants of steps that HR will take to assist them in addressing their concerns informally.
- (iv) If HR concludes that the allegations of the complaint state a potential violation, HR will notify the complainant of that determination and will meet with the complainant to confirm the specific factual allegations upon which the complaint is based and to discuss the formal complaint procedures.
- (v) For complaints that also implicate conduct prohibited by the sexual misconduct policy, HR will consult with the Title IX Coordinator. Generally, such complaints or reports will be investigated concurrently under the appropriate Title IX procedures, unless the Title IX Coordinator determines that doing so would unduly delay resolution of the allegations under the Title IX policy. In these situations, HR will notify complainants under which policies and procedures their reported allegations will be resolved.

(d) Investigation

- (i) Notice of the investigation: As soon as practicable, HR will provide notice to the complainant and the respondent(s) of the commencement of the investigation. Such notice will: (a) name the complainant and the respondent; (b) specify the nature of the alleged harassment; (c) explain that the complaint will be investigated in accordance with these procedures; (d) identify the investigator; (e) explain the college's prohibition against retaliation; and (f) provide a copy of this policy and the complaint procedures.
- (ii) Investigation overview: If HR has not already done so, HR will conduct a formal interview of the complainant and the respondent(s). During the investigation, the parties will have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the investigator to each other or to any witness. The investigator will notify and seek to meet separately with the complainant, the respondent, and any third-party witnesses, if applicable, and will gather other relevant and available evidence and information, including electronic or other records of communications between the

parties or witnesses (via voice-mail, text message, email and social media sites), photographs (including those stored on computers and smartphones), and medical records (subject to the consent of the applicable party). The investigation conducted by HR may further include, but is not limited to:

- (a) Interviewing material witnesses;
- (b) Reviewing relevant files and records;
- (c) Comparing the treatment of the complainant to that of others similarly situated in the department or unit;
- (d) Reviewing applicable policies and procedures; and/or
- (e) Following up with the parties as new evidence is collected, as appropriate, and permitting the parties to provide additional information to the record.

(e) Timeframe for investigation

The investigation shall be promptly and thoroughly investigated and would not normally exceed sixty business days. This timeframe may be extended for good cause. HR will notify the parties in writing of any extension of this timeframe.

(f) Findings

- (i) Upon conclusion of the investigation, HR will conduct a meeting with the complainant and respondent separately to provide a verbal outcome of the investigation will include a finding as to whether there is sufficient information, by a preponderance of the evidence, to support a finding that the respondent(s) engaged in the alleged harassment in violation of this policy.
- (ii) If HR issues a finding of violation, HR will construct a letter that will include recommended action items, which may include, but are not limited to: (a) a directive to stop any ongoing discriminatory, harassing and/or retaliatory behavior/practices; (b) disciplinary or other corrective action be taken against the respondent and/or others; (c) relief be granted to the complainant, such as accommodations, reinstatement, hiring, reassignment, promotion, training, back pay or other compensation and/or benefits (specific remedies shall be fact-specific to each complaint); and/or (d) other proactive measures, such as targeted training or education.

(9) Administrative review

- (a) HR retains discretion to conduct an administrative review into allegations of harassment or discriminatory conduct, in absence of a formal complaint. In

determining whether to initiate an administrative review of allegations harassment or discrimination, HR will consider all known information, including: (1) the nature and the severity of the allegations; (2) whether the allegations are amenable to resolution through other channels, such as human resources intervention; (3) the history of prior complaints regarding the same individuals, department and/or area; (4) the expressed wishes, if known, of the affected individual(s); and (5) any other pertinent information.

- (b) Administrative reviews will include interviewing witnesses and reviewing pertinent documents and will normally be concluded within 60 business days. This timeframe may be extended for good cause and any recommended action items will be presented to the College's Legal Counsel. The same level of confidentiality applicable in complaint investigations will apply to administrative reviews.

(10) Obligation to provide truthful information

All college community members are expected to provide truthful information in connection with any report made under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or to intentionally harm another in connection with a complaint under these policies is prohibited and subject to disciplinary sanction. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

(11) External complaints

Individuals also have the right to file complaints with one of the following federal or state agencies. Please be advised that separate deadlines and time limitations for filing complaints with the external agencies may apply, and HR's investigation does not toll or otherwise suspend these deadlines or time limitations. Please contact the following agencies for more information about the applicable deadlines:

(a) Equal Employment Opportunity Commission

To file a claim with the **EEOC**, contact the nearest local EEOC office. More information about filing a claim with the EEOC can be found at <http://www.eeoc.gov/facts/howtofil.html>

EEOC — Cincinnati Area Office	EEOC — Cleveland District Office
550 Main Street	1240 E 9 th Street
10 th Floor	Suite 3001
Cincinnati, OH 45202	Cleveland, OH 44113-1454
Phone: (513) 684-2851	Phone: (216) 522-2001
TTY: (513) 684-2074	TTY: (216) 522-8441

(b) U.S. Department of Education Office for Civil Rights

The majority of OCR staff are working remotely. Therefore, to ensure receipt of your correspondence, please consider emailing (OCR@ed.gov) or faxing (202-453-6012) it to their office, where it will receive immediate attention. If neither of these options are available to you, mail your correspondence to the address below and we will process it as soon as conditions allow. You may also contact them at 800-421-3481 or OCR@ed.gov to confirm receipt of your correspondence.

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100

(c) To file a claim with the Ohio Civil Rights Commission (**OCRC**), contact the nearest office below. More information about filing a claim with the OCRC can be found at the website. You may also check out more information at the [Office of Civil Rights Commission](#) website.

Columbus — Central Office

Rhodes State Office Tower
30 East Broad Street, 5th Floor
Columbus, OH 43215
Phone: (614) 466-2785
Toll-Free: (888) 278-7101

Columbus Regional Office

30 East Broad Street 4th Floor
Columbus, OH 43215
Phone: (614) 466-5928
TTY: (614) 752-2391
Fax: (614) 466-6250

Counties Served: Franklin, Union, Madison, Delaware, Pickaway, Licking, Fairfield, Hocking, Muskingum, Perry, Athens, Morgan, Guernsey, Noble, Washington, Belmont, Monroe, Ross, Marion, Morrow

Akron Regional Office

Akron Government Building
Suite 205
161 South High Street
Akron, OH 44308
Phone: (330) 643-3100
TTY: (330) 643-3100
Fax: (330) 643-3120

Counties Served: Wayne, Summit, Stark, Portage, Trumbull, Mahoning, Columbiana, Knox, Holmes, Coshocton,

Dayton Regional Office

Point West III
3055 Kettering Blvd, Suite 111
Dayton, OH 45402
Phone: (937) 285-6500
TTY: (937) 285-6500
Fax: (937) 285-6606

Counties Served: Darke, Preble, Shelby, Miami, Montgomery, Logan, Champaign, Clark, Greene, Van Wert, Mercer, Allen, Auglaize, Hardin

Tuscarawas, Carroll, Jefferson, Harrison

Cincinnati Satellite Office

Mid-Pointe Towers

7162 Reading Road

Suite 1005

Cincinnati Ohio 45237

Phone: (513) 351-2541

Fax: (513) 351-2616

TTY: (513) 852-3344

Counties Served: Butler, Hamilton,

Clermont, Clinton, Warren, Brown,

Fayette, Highland, Adams, Pike, Scioto,

Vinton, Jackson, Lawrence, Gallia, Meigs

Toledo Regional Office

One Government Center

640 Jackson Street, Suite 396

Toledo, OH 43604

Phone: (419) 245-2900

TTY: (419) 245-2900

Fax: (419) 245-2668

Counties Served: Williams, Defiance, Paulding,

Fulton, Henry, Putnam, Lucas, Wood, Hancock,

Ottawa, Sandusky, Seneca, Wyandot, Crawford

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-20 Conflict of interest.

Effective date: Revised 4/15/14

Policy statement: no employee will engage in any activity for which the employee receives financial remuneration or equivalent goods or services if such activity occurs during the employee's normal working hours without the express consent, in writing, of the president and on file with the chief fiscal office.

- (A) Employees shall not represent any vendor nor be an employee of any vendor that does business with the college without the express consent, in writing, of the president and on file with the chief fiscal office.
- (B) Employees shall not conduct classes under their own auspices or on behalf of another educational institution or agency using the college's course outlines, materials, equipment, or supplies without the express consent, in writing, of the president and on file with the chief fiscal office. This includes use of institutional time and facilities for personal purposes.
- (C) Employees shall not use confidential information obtained as a result of their association with the college for personal gain. Employees shall not permit unauthorized disclosure of confidential information.
- (D) Failure to obtain consent for activities mentioned in paragraphs (a), (b), (c), and (d) of this section shall be grounds for disciplinary action, up to and including immediate discharge.
- (E) Employees, trustees, and their families will neither solicit nor accept personal gifts or services from vendors or potential vendors to the college. Gifts do not include advertising or promotional items such as pens, calendars, or note pads, nor do they include complimentary copies of textbooks that are being considered for adoption. Gifts do not include a reasonable number of meals or travel provided by vendors as may be necessary in the usual conduct of business. Vendors include firms or individuals that provide equipment, materials, or professional services to the college. Any gifts received are subject to the provisions of the NSCC ethics policy and appropriate provisions of the Ohio Revised Code.
- (F) In making statements as private citizens, employees have the responsibility to make it clear that they are not representing the college.
- (G) Vendors may offer special considerations such as discounts to employees of the College. Individual employees shall not solicit nor accept, for their personal gain, special discounts from vendors. Employees shall not use their employment status with the College for the avoidance of taxes.
- (H) The Human Resource Department shall provide a copy of this policy to new employees during their orientation program. The policy will be available on the college shared drive.

Effective: 03/16/2015
CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-21 Drug free workplace.

Effective date: Revised 4/15/14, 8/23/2020

- (A) Northwest state community college shall comply with the Drug-free Workplace Act of 1988 and the Drug-free School and Community Act of 1989.
- (B) Northwest state community college shall maintain a drug and alcohol prevention plan.

Effective: 11/24/2020

CERTIFIED ELECTRONICALLY

Certification

011/10/2020

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

Prior Effective Dates: 03/16/2015

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-22 Ethics.

Effective date: Revised 4/15/14

Policy statement: it is the policy of Northwest state community college to carry out its mission in accordance with the strictest ethical guidelines and to ensure that board of trustees' members and employees conduct themselves in a manner that fosters public confidence in the integrity of Northwest state community college, its processes, and its accomplishments.

- (A) Northwest state community college officials and employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in chapters 102. and 2921. of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. (A copy of these laws is provided by the Northwest state community college, and receipt acknowledged, as required in R.C. 102.09(D).) Board of trustee members and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.
- (B) A general summary of the restraints upon the conduct of all members and employees is found in procedure no. 3-22 (a)
- (C) This policy may be changed only by a majority vote of the Northwest state community college board of trustees.

Effective: 03/16/2015

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-22(A): ETHICS

Revision Date: 4/15/2014

- (1) A general summary of the restraints upon the conduct of all members and employees includes, but is not limited to, those listed below. No member or employee shall:
 - (a) Solicit or accept anything of value from anyone doing business with Northwest State Community College;
 - (b) Solicit or accept employment from anyone doing business with the Northwest State Community College Board of Trustees, unless the official or employee completely withdraws from Northwest State Community College Board of Trustees activity regarding the party offering employment, and the Board of Trustees approves the withdrawal;
 - (c) Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
 - (d) Be paid or accept any form of compensation for personal services rendered on a matter before, or sells goods or services to, the Northwest State Community College Board of Trustees;
 - (e) Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to, any state agency other than the Northwest State Community College Board of Trustees, unless the member or employee first discloses the services or sales and withdraws from matters before the Board that directly affect officials and employees of the other state agency, as directed in R.C. 102.04;
 - (f) Hold or benefit from a contract with, authorized by, or approved by, the Northwest State Community College Board of Trustees, (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met);
 - (g) Vote, authorize, recommend, or in any other way use his or her position to secure approval of a contract Northwest State Community College Board of Trustees including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
 - (h) Solicit or accept honoraria (see R.C. 102.01(H) and 102.03(H));

- (i) During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the Northwest State Community College Board of Trustees;
- (j) Use or disclose confidential information protected by law, unless appropriately authorized; or
- (k) Use, or authorize the use of, his or her title, the name “Northwest State Community College Board of Trustees,” or the Northwest State Community College logo in a manner that suggests impropriety, favoritism, or bias by the Northwest State Community College Board of Trustees or the official or employee.

(2) For purposes of this policy:

- (a) “Anything of value” includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. “Value” means worth greater than de minimis or nominal.
- (b) “Anyone doing business with the Northwest State Community College Board of Trustees” includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the Northwest State Community College Board of Trustees.

(3) Financial Disclosure

- (a) Every Northwest State Community College Board of Trustees member or employee required to file a financial disclosure statement must file a complete and accurate statement with the Ethics Commission by April 15 of each year. Any member or employee appointed, or employed to a filing position after February 15 and required to file a financial disclosure statement must file a statement within ninety days of appointment or employment.

(4) Assistance

- (a) The Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes. The Commission can be contacted at (614) 466-7090. The Commission’s web site address is: www.ethics.ohio.gov. Northwest State Community College Board of Trustees counsel and counsel for the Governor’s office are available to answer questions involving this policy.

(5) Penalties

- (a) Failure of any Northwest State Community College Board of Trustees official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

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3358: 14-3-23 Rehire of retirees.

- (A) The president and the college board of trustees have final and complete authority to offer or not to offer employment to persons after they retire from Northwest state community college.
- (B) Each person will be entitled to the same benefits, including but not limited to: insurance, sick leave, personal leave, vacation time and holidays as any other employee in the same classification. Any new unused vacation time will be paid to the employee at their second retirement as per the policy.
- (C) Northwest state community college will continue to pay the board's approved retirement contribution into the person's STRS or SERS annuity.
- (D) A person who is employed by the college on a retired rehired person basis will be eligible for salary increases and merit pay as deemed appropriate by the president and the college board of trustees.
- (E) A retired rehired person is not eligible for any future retirement incentive plan.
- (F) Retired rehired person salary – the person will be offered employment at a salary that is based on the needs of the college and the circumstances of their retirement.

Effective: 03/16/2015
CERTIFIED ELECTRONICALLY

Certification
03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358:14-3-24: Organizational chart

Effective Date: Revised 12/2/16

Policy Statement: The Board of Trustees of Northwest State Community College understands the importance of maintaining an up-to-date Organizational Chart that describes the reporting structure of the employees of NSCC.

- (A) Northwest State Community College shall maintain an up-to-date Organizational Chart that will be available only through myNSCC on the college web site.
- (B) The Human Resources Department or President's designee shall have responsibility for the maintenance of that chart.

NORTHWEST STATE COMMUNITY COLLEGE
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3358: 14-3-25 Sick leave donation policy.

Effective Date: Revised 4/15/2014, 12/11/2020

- (A) Policy statement: Northwest state community college is committed to recruiting and retaining quality employees. To accomplish this goal the college strives to stand out as an employer of choice. The college goal is to create a community that supports employees and their families and the college regards family care concerns as legitimate and important.
- (B) The purpose of the sick leave donation policy is to provide financial assistance during approved unpaid leaves of absence due to serious, life-threatening or terminal illness and/or injury to self or immediate family members. This policy visibly demonstrates the college's commitment to work/life balance. The human resource department will be responsible for the administration of this policy and procedure.

Effective: 02/26/2021

CERTIFIED ELECTRONICALLY

Certification

02/12/2021

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

Prior Effective Dates: 03/16/2015

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-25(A): SICK LEAVE DONATION PROCEDURES FOR NSCC
EMPLOYEES

Revision Date: 4/15/2014, 12/11/2020, 8/1/2025

(1) Procedure:

- (a) When an employee is on a documented, approved medical leave and has exhausted all paid leave (sick leave, vacation, personal, and up to five days (40 hours) negative sick leave), the employee may request to receive donated sick leave so that the employee can care for himself or herself or an immediate family member.
- (b) The recipient must have a position that is eligible to accrue sick time and must have exhausted all paid leave balances before using donated hours.
- (c) Employees may donate a maximum of 20 hours per affected employee. Employees may not go into a negative balance when donating hours.
- (d) The recipient may use up to a combined 12 weeks (480 hours) of paid time off and donated sick leave provided there are available hours donated. An employee who has used 12 weeks or more of paid time off would not be eligible for the sick leave donation. This is consistent with the College's FMLA policy. The President's Cabinet will consider extenuating circumstances.
- (e) The Human Resources Department is responsible for the administration of this policy.
- (f) The President's Cabinet will evaluate and approve or deny all requests and exceptions to this policy.

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3358: 14-3-26 Non-retaliation.

Effective date: Revised 4/15/14

- (A) Statement of purpose: this policy is intended to protect any individual who engages in good faith disclosure of alleged wrongful conduct to a designated college official or public body. More specifically it:
- (1) Encourages individuals to disclose wrongful conduct engaged in by others to the appropriate college official so that the college can take prompt, corrective action;
 - (2) Informs individuals how allegations of wrongful conduct can be disclosed;
 - (3) Protects individuals from reprisal by adverse employment action or other retaliation as a result of having disclosed wrongful conduct (individuals who self-report their own misconduct are not afforded protection by this policy); and
 - (4) Provides individuals who believe they have been subject to reprisal or false allegations a fair process to seek relief from these acts.
- (B) Any communication that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity is not protected by this policy. This policy is also intended to protect individuals against false allegations of wrongful misconduct.
- (C) Nothing in this policy is intended to interfere with legitimate employment decisions.
- (D) Definitions:
- (1) Wrongful conduct. A serious violation of college policy; a violation of applicable state and federal laws; or the use of college property, resources or authority for personal gain or other non-college-related purpose except as provided under college policy.
 - (2) Protected disclosure. Communication about actual or suspected wrongful conduct engaged in by a college employee, student, volunteer, agent or contractor (who is not also the disclosing individual) based on a good faith and reasonable belief that the conduct has both occurred and is wrongful under applicable law and/or college policy. Individuals who are aware of or have reason to suspect wrongful conduct should report the conduct to:
 - (a) The disclosing individual's supervisor, either verbally or in writing;
 - (b) A central office – reporting violations, either verbally or in writing; or

(c) The appropriate governmental unit, law enforcement office or ethics commission after first providing a written communication about the wrongful conduct to the appropriate college administrator.

(E) Individuals who wish to be protected by the Ohio Whistleblower Protection Act must provide a written report that provides sufficient detail to identify and describe the violations.

(F) Regulations

(1) Retaliation. Adverse action against an individual because she or he has made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

(2) Acting in good faith. Anyone making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the policy.

(3) False allegations. Any employee or volunteer who knowingly or with reckless disregard for the truth gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation will be subject to disciplinary action, up to and including termination. Any student who makes false allegations in the non-employment setting will be subject to judicial action. Allegations that are not substantiated yet are made in good faith are not subject to corrective action.

(4) Confidentiality. Protected disclosures may be made on a confidential basis by the complainant or may be submitted anonymously through the college's anonymous reporting line. Protected disclosures and investigatory records will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, and in accordance with the Ohio Public Records Act.

(5) Handling protected disclosures. The offices receiving the protected disclosure will notify the disclosing individual (if his or her identity is known) and acknowledge receipt of the report.

Effective: 03/16/2015

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Certification

03/04/2015

Date

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Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-26 (A): Non-Retaliation

Effective Date: 4/15/2014

Approving Officer: Chief Fiscal and Administrative Officer

Scope: All employees of the College

Procedures for reporting violations

- (a) Individuals should share their questions, concerns, suggestions or complaints with a college administrator who can address them properly. In many cases the individual's supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor's response, individuals should take their concerns to a next higher level of reporting office that will investigate and address the concern as appropriate.
- (b) Supervisors who receive protected disclosures are required to contact the appropriate office.

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3358: 14-3-27 Family and Medical Leave Act.

Effective date: 4/15/15

Statement of purpose: To establish and notify employees of rules and procedures concerning the Family and Medical Leave Act (FMLA). In accordance with federal law, family and medical leave is a benefit available to all eligible employees. Northwest state community college is subject to the Family and Medical Leave Act (FMLA), a federal law enforced by the United States Department of Labor, and strives to comply with its FMLA obligations.

- (A) The college administers FMLA leave in accordance with the rights and restrictions in the FMLA statutes, regulations, and interpretive case law. The college reserves the right to use any procedures or requirements permissible under law whether or not specifically mentioned in this policy or subsequent procedure. See 29 U.S.C. 2601, et seq. and 29 C.F.R. 825 for specific statutes and regulations governing the FMLA.
- (B) Basic leave entitlement - FMLA requires covered employers to provide up to twelve weeks (twenty-six weeks for qualifying exigency) of unpaid, job-protected leave to eligible employees for the following reasons:
 - (1) For incapacity due to pregnancy, prenatal medical care or child birth;
 - (2) To care for the employee's child after birth, or placement for adoption or foster care;
 - (3) To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
 - (4) For a serious health condition that makes the employee unable to perform the employee's job; or
 - (5) For a qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces in support of a contingency operation.

During a twelve-month period, an employee is entitled to a combined total of twenty-six workweeks of leave. The twelve-month period is measured as a twelve month look back for eligibility.

- C) Eligibility requirements employees are eligible if they have worked for a covered employer for at least one year, for twelve hundred fifty hours over the previous twelve months, and if at least fifty employees are employed by the employer within seventy-five miles.

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Rule Amplifies: 3358

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3358: 14-3-28 Consolidated Omnibus Budget Reconciliation Act (COBRA).

Effective date: 4/15/14

Northwest state community college complies with the requirements of the Consolidated Omnibus Budget Reconciliation Act (COBRA) regarding continuation coverage to eligible employees. The human resources department shall provide notice to eligible employees as required by law. Full descriptions of continuation coverage, eligibility, and procedures shall be maintained by the human resources department.

Effective: 03/16/2015

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Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-29 Compensatory time

Effective Date: 7/1/15

Statement of purpose: scheduling of work must be arranged to support operational needs of the college and to effectively deliver customer service. Scheduling of work and overtime are the responsibility of the department manager. Employees will be compensated for their work in accordance with the Fair Labor Standards Act (FLSA) and relative collective bargaining agreements.

(A) Definitions:

- (1) Exempt staff: staff exempt from overtime pay or compensation time off according to federal and state law.
 - (2) Nonexempt staff: staff eligible for overtime pay or compensatory time off according to federal and state law.
 - (3) Overtime compensation: overtime pay or compensatory time off provided to nonexempt staff who are required by unit management to be in an active pay status for more than forty hours in a workweek.
 - (4) Safe harbor rule: an employee who retains her or his exempt, salaried status if the college makes a good-faith effort to comply with provisions of the FLSA by having a clearly communicated policy that prohibits improper deductions, having a complaint mechanism, reimbursing employees for improper deductions, and making a good-faith commitment to comply in the future.
 - (5) Volunteer: an individual who performs hours of service for a public agency for civic, charitable or humanitarian reasons. Public sector volunteers provide these services without promise, expectation or receipt of compensation for services rendered. Volunteer hours cannot be the same type of service, which the individual is employed to perform for the employer.
- (B) Nonexempt employees will be paid only for actual hours worked unless they receive benefits under the rule 3358:14-3-09 of the Administrative Code leaves of absences other than FMLA for sick leave, personal leave, maternity/paternity leave, military leave, jury duty, professional leave.
- (C) Exempt employees are paid on a salary basis. Exempt staff are not eligible for overtime compensation for hours worked in excess of forty per week. Exempt staff have greater flexibility for scheduling work.

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01/03/2020

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Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358:14-3-30 Flex time

Effective Date: 7/1/15

Statement of Purpose: NSCC recognizes the growing demands on staff and the increasing challenge of finding new and better ways to provide service and meet college goals of providing services to students. Workplace flexibility provides a way to successfully manage people, time, space and workload. The college supports flexible work arrangements to achieve a highly productive work environment that enables staff to balance work and personal needs while providing workforce predictability and stability.

(A) This policy applies to flexible work arrangements that fall outside of the usual college work schedule and that last longer than two months. These requests can be made by the supervisor and / or the employee.

(B) Eligibility

- (1) All staff members are eligible to request flexible on campus work arrangements, however not all positions lend themselves to flexible work.
- (2) The request for a flexible work arrangement must meet the needs, requirements and constraints of the department, the staff member and the college. Departments should be consistent in the decision-making process regarding flexible work arrangement requests.

(C) Guiding principles

- (1) Successful leadership involves maximizing two top priorities for flexible work arrangements:
 - (a) optimize operations and academics.
 - (b) shift to more progressive work culture to recruit and retain talent.
- (2) Supervisors and their faculty and staff should collaborate to develop flexible work approaches for individuals and departments.
- (3) All flexible work arrangements must be consistent with affirmative action, equal employment opportunity and nondiscrimination/harassment.
- (4) Flexible work arrangements must be considered regardless of the reason for the request.
- (5) Performance expectations remain the same regardless of work schedule.

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3358:14-3-30 Flex time

- (6) Supervisors cannot take adverse action against staff for asking for a flexible work arrangement or accessing the policy.
- (7) Flexible work arrangements are not guaranteed; they may change as department needs change.
- (8) Decision making processes regarding flexible work arrangement requests must be transparent.
- (9) Flexible work arrangements must be in compliance with NSCC electronic security and data policies, as well as all college policies.

Effective: 1/17/2020

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Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
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3358:14-3-31 Authorization to president in event of strike/work stoppage

Effective Date: 4/10/2015

- (A) Absences - Effective April 10, 2015 or any later date of withdrawal of services, and to continue through the duration of such a strike/work stoppage, the president may require substantive proof of any absence above and beyond that proof currently required. Pay and fringe benefits will not be granted for unauthorized absences.
- (B) Unauthorized leave - the president is authorized to determine if unauthorized leave has occurred by using the following guidelines:
 - (1) Unauthorized leave is defined as non-performance of assigned duties and responsibilities or other duties and responsibilities as directed by the appropriate authority. Such unauthorized leave may include, but is not limited to, individual and/or collective refusals to provide services, unauthorized use of sick leave, unauthorized use of other leave benefits, non-attendance at required meetings and failure to perform supervisory functions at sponsored activities.
 - (2) An employee is deemed to be on an unauthorized leave at such time and on such occasion as the employee may absent himself from required duties.
 - (3) Unauthorized leave may result in the initiation of dismissal procedures, loss of salary or such disciplinary action as may be deemed appropriate.
- (C) Cancellation of non-essential leave -the president is authorized to cancel previously approved non-essential leave occurring during the duration of a strike/work stoppage.
- (D) Substitute employees -the president is authorized to hire substitute employees and to pay substitute employees what is deemed necessary for the duration of a strike/work stoppage.
- (E) Temporary employees - the president is authorized to hire temporary employees for the duration of a strike/work stoppage at the rate now in effect for regular employees and/or such rate as is agreed upon by the temporary and the president for the board of trustees.
- (F) Contract services - the president is authorized to enter into contract for necessary services that may be required for the continued efficient operation of the college during a strike/work stoppage at rates agreed upon by the contracting person or agency and the president for the board of trustees.
- (G) Leasing equipment - the president is authorized to enter into contract for necessary services that may be required for the continued efficient operation of the college during a

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strike/work stoppage at rates agreed upon by the contracting person or agency and the president for the board of trustees.

- (H) Closing of facilities - The president or designee shall be the only board of trustees employee authorized to close any facility.
- (I) Authorization of counsel - The president is authorized to engage such legal services as may be necessary to maintain the efficient and safe operation of the college.
- (J) Further, the president is authorized to take whatever steps he may deem necessary to maintain the efficient and safe operation of the college.

Effective: 1/17/2020

CERTIFIED ELECTRONICALLY

Certification

01/03/2020

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
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3358:14-3-32 Dress code.

Effective Date: 8/7/2015

- (A) Policy Statement: Employees of the College are expected to project a professional image to students, business associates, and the general public. Employees are expected to dress in a manner that is business appropriate to their work environment and to the type of work they perform.
- (B) Purpose of policy: This policy will include procedures pertaining to dress and personal hygiene with sensitivity to religious practices. Any employee who has cultural, medical and/or religious requirements to wear something that may not conform to these guidelines is encouraged to speak to their supervisor and/or the Human Resources Department.
- (C) The president will work to establish a procedure which includes designations of shoes and clothing based on safety guidelines, as well as meeting Department of Health guidelines.
- (D) The president and/or his/her designee can authorize dress down days for special occasions or projects.

Effective: 1/17/2020

CERTIFIED ELECTRONICALLY

Certification

01/03/2020

Date

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Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
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3358:14-3-33 Gender inclusive restroom facilities

Effective Date: 10/2/2015, **RESCINDED 2/21/2025**

~~Northwest state community college strives to provide safe, accessible, and convenient locker room and restroom facilities. Students, staff, faculty and campus guests may use facilities corresponding with biological sex or gender identity, or may use the gender inclusive designated restroom facilities.~~

Effective: 1/17/2020

CERTIFIED ELECTRONICALLY

Certification

01/03/2020

Date

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Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
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3358:14-3-34 Employee incident and/or worker compensation reporting.

Effective Date: 10/2/2015

- (A) Policy statement: It is the policy of the college that when an employee has a work-related incident occur it is reported within twenty-four hours to their supervisor. If the employee sustains an injury or occupational exposure; they will be advised to seek appropriate medical care by contacting the college switchboard/police department and reporting the incident to their supervisor and the human resources department. Any employee who is aware of an unsafe condition or work practice has an obligation to report it to their supervisor.
- (B) Purpose of policy: This policy provides direction to the employee and their supervisor on how to assure that the employee with a work-related injury or occupational exposure:
- (1) Receives proper medical care; and
 - (2) Submits proper documentation that may initiate a workers' compensation claim, and provide information for accident investigation and safety hazard elimination, when appropriate.

Effective: 1/17/2020

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01/03/2020

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Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-35 Title IX Sexual harassment

Effective Date: 8/28/2020; Revised 6/25/2026

- (A) Purpose: Northwest State Community College (the College or NSCC) is committed to maintaining an education and employment environment free from Title IX sexual harassment and retaliation. This Policy defines Title IX sexual harassment, identifies reporting options, explains supportive measures, and states the rights and obligations that apply when NSCC receives notice of conduct that may fall within this Policy.
- (B) This Policy is designed to be consistent with the 2020 Title IX regulations, including requirements applicable to formal complaints of sexual harassment, supportive measures, emergency removal, live hearings, objective evaluation of relevant evidence, equitable treatment of complainants and respondents, and prompt and impartial grievance procedures.
- (C) Policy Statement: NSCC prohibits Title IX sexual harassment, retaliation, and process abuse. The College will respond promptly and equitably to reports and formal complaints of Title IX sexual harassment and will take steps designed to stop prohibited conduct, prevent recurrence, restore or preserve equal access, provide supportive measures, and implement remedies after a determination of responsibility.
- (D) This Policy does not resolve sex discrimination or other protected-class discrimination or harassment that is not Title IX sexual harassment as defined below. Those matters will be referred for review under NSCC's Equal Opportunity and Non-Discrimination/Anti-Harassment Policy (Policy 14-3-19) and corresponding procedure, or another applicable College process.
- (E) Scope and Jurisdiction
- (1) This Policy applies to Title IX sexual harassment occurring in NSCC's education program or activity, against a person in the United States, where the respondent is subject to the College's authority and the complainant is participating in or attempting to participate in the College's education program or activity at the time the formal complaint is filed. The Policy applies to conduct in any medium, including in-person, written, verbal, physical, visual, online, electronic, social media, and other communications or conduct.
 - (2) Conduct that does not meet Title IX jurisdictional requirements may still be addressed through supportive measures, safety measures, educational measures, or referral to Policy 14-3-19 or another applicable process. Dismissal for Title IX purposes does not prevent

the College from addressing the same conduct under another College policy when appropriate.

- (3) This Policy will be interpreted and applied in a manner consistent with academic freedom, free expression, due process, and other rights protected by applicable law. Speech or expressive conduct is not harassment merely because it is offensive or unpopular; however, protected expression does not include conduct that meets the definition of Title IX sexual harassment or another policy violation.

(F) Relationship to Policy 14-3-19

- (1) NSCC's Equal Opportunity and Non-Discrimination/Anti-Harassment Policy (Policy 14-3-19) remains the governing policy for sex discrimination, sex-based harassment, and other protected-class discrimination or harassment that is not Title IX sexual harassment. When the Title IX Coordinator determines that reported conduct does not fall within this Policy or must be dismissed for Title IX purposes, the matter will be referred to the appropriate College office or process for review under Policy 14-3-19 or another applicable College policy, as appropriate.
- (2) The Title IX Coordinator may coordinate with the office or administrator responsible for Policy 14-3-19 to ensure appropriate intake, supportive measures, safety measures, documentation, and referral without requiring a reporting party to restart the reporting process unnecessarily.

(G) Definitions

Term	Definition
Advisor	A person chosen by a complainant or respondent to provide support and advice during a Title IX sexual harassment process. An advisor may be, but is not required to be, an attorney. When advisor-conducted cross-examination is required at a live hearing, the College will provide an advisor without fee or charge to a party who does not have one for that purpose.
Complainant	An individual who is alleged to be the victim of conduct that could constitute Title IX sexual harassment. A person may be a complainant regardless of whether the person personally reports the conduct or participates in a college process.
Consent	Clear, knowing, and voluntary permission expressed by words or actions before and during sexual activity. Consent is active, not passive; silence alone is not consent. Consent to one form of sexual activity does not imply consent to another form. Consent may be withdrawn at any time. Prior relationships or prior consent do not imply consent to future sexual activity. Consent cannot be given by a person who is incapacitated, asleep, unconscious, under unlawful restraint, coerced, threatened, deceived, or below the legal age of consent. A person who initiates sexual activity is responsible for obtaining consent.
Discrimination	Different treatment, exclusion, denial of benefits, or other adverse action

	based on protected class status, or a policy or practice that is neutral on its face but has an unlawful discriminatory impact on a protected class. Sex discrimination that is not Title IX sexual harassment is not resolved under this Policy and will be referred for review under NSCC's Equal Opportunity and Non-Discrimination/Anti-Harassment Policy (Policy 14-3-19) and corresponding procedure.
Education program or activity	Locations, events, circumstances, services, employment, operations, or programs over which the College exercises substantial control over both the respondent and the context in which the alleged Title IX sexual harassment occurred, and any building or space owned or controlled by a learner organization officially recognized by the College.
Formal complaint	A document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment against a respondent and requesting that the College investigate the allegation. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the College's education program or activity.
Harassment	Unwelcome conduct based on protected class status. In the education context, harassment is conduct that interferes with, limits, or denies a person's ability to participate in or benefit from college programs, activities, services, or opportunities. In the employment context, harassment is conduct that unreasonably interferes with work performance or creates an intimidating, hostile, or offensive work environment. Harassment that is not Title IX sexual harassment is not resolved under this Policy and will be referred under Policy 14-3-19.
Party	A complainant or respondent.
Protected class	A status protected by applicable federal or state law or College policy, including age, ancestry, color, disability, familial status, genetic information, military or veteran status, national origin, race, religion, sex, sexual orientation, or any other status protected by law or College policy.
Respondent	An individual who has been reported to have engaged in conduct that could constitute Title IX sexual harassment.
Retaliation	Intimidation, threats, coercion, discrimination, adverse action, harassment, or other conduct against a person because the person made a report or complaint, testified, assisted, participated, or refused to participate in a Title IX sexual harassment process, requested supportive measures, or exercised rights under this Policy, the grievance procedure, or applicable law.
Supportive measures	Non-disciplinary, non-punitive individualized services offered as appropriate, reasonably available, and without fee or charge to a complainant or respondent before or after a formal complaint is filed or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access, protect safety, or deter Title IX sexual harassment without unreasonably burdening the other party.
Title IX Coordinator	The College official designated and authorized to coordinate NSCC's compliance with Title IX; receive reports and formal complaints; coordinate supportive measures; oversee Title IX sexual harassment

	grievance processes; provide consultation, education, and training; and ensure appropriate, effective, and equitable response to Title IX issues.
Title IX sexual harassment	Conduct on the basis of sex that satisfies one or more of the following: (1) quid pro quo sexual harassment; (2) hostile environment sexual harassment; (3) sexual assault; (4) nonconsensual sexual contact; (5) incest; (6) statutory rape; (7) dating violence; (8) domestic violence; or (9) stalking, as those terms are defined in this Policy.
Quid pro quo sexual harassment	An employee of the College conditioning the provision of an aid, benefit, service, employment opportunity, academic opportunity, or other College benefit on an individual's participation in unwelcome sexual conduct.
Hostile environment sexual harassment	Unwelcome conduct on the basis of sex 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.
Sexual assault	Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent, including instances where the person is incapable of giving consent because of age or temporary or permanent mental or physical incapacity. *An attempt to engage in sexual assault is prohibited and may be charged, investigated, and adjudicated under this Policy as sexual assault, regardless of whether the act is completed.
Nonconsensual sexual contact	The intentional touching of the clothed or unclothed body parts of another person, without the consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. It also includes the forced touching by the victim of the actor's clothed or unclothed body parts, without the consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication. For purposes of applying this Policy, "body parts" means any part of a person's body. The College will determine whether contact was for the purpose of sexual degradation, sexual gratification, or sexual humiliation by considering the ordinary meaning of those terms and the totality of the circumstances. These purpose elements may be shown by words, conduct, context, relationship of the parties, location of the contact, surrounding circumstances, or other relevant evidence. The College does not require direct evidence of a person's subjective intent if the purpose of the contact can reasonably be inferred from the available evidence. Sexual gratification means contact that is sexual in nature or undertaken for sexual pleasure, interest, or satisfaction. Sexual degradation means contact that sexually demeans, debases, objectifies, or subordinates another person. Sexual humiliation means contact that sexually embarrasses, shames, exposes, ridicules, or degrades another person.

	*An attempt to engage in nonconsensual sexual contact is prohibited and may be charged, investigated, and adjudicated under this Policy as nonconsensual sexual contact, regardless of whether the contact is completed.
Incest	Non-forcible sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited by Ohio law.
Statutory rape	Non-forcible sexual intercourse with a person who is under the statutory age of consent under Ohio law.
Dating violence	Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the reporting party's statement and consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse and does not include conduct covered under domestic violence.
Domestic violence	A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the complainant under Ohio domestic or family violence laws; or by any other person against an adult or youth complainant who is protected from that person's acts under Ohio's domestic or family violence laws.
Stalking	A course of conduct directed at a specific person that would cause a reasonable person under similar circumstances and with similar identities to fear for their own safety or the safety of others, or to suffer substantial emotional distress. A course of conduct means two or more acts, including acts in which a person directly, indirectly, or through third parties follows, monitors, observes, surveils, threatens, communicates to or about a person, or interferes with the person's property.

(H) Prohibited Conduct

(1) Title IX Sexual Harassment

- (a) Title IX sexual harassment means conduct on the basis of sex that falls within one or more of the following categories as defined in this Policy:
 - (i) Quid pro quo sexual harassment;
 - (ii) Hostile environment sexual harassment;
 - (iii) Sexual assault;
 - (iv) Nonconsensual sexual contact;
 - (v) Incest;
 - (vi) Statutory rape;
 - (vii) Dating violence;
 - (viii) Domestic violence; or

(ix) Stalking.

(2) Retaliation

Retaliation is prohibited. A person may not intimidate, threaten, coerce, discriminate against, harass, discipline, or otherwise take adverse action against another person for making a report or formal complaint, participating or refusing to participate in a Title IX process, requesting supportive measures, or exercising rights under this Policy or the grievance procedure. Retaliation that does not constitute Title IX sexual harassment may be addressed under other applicable College policies, including the Equal Opportunity and Non-Discrimination/Anti-Harassment Policy (Policy 14-3-19), employee conduct policies, learner conduct policies, or other applicable procedures.

(3) Process Abuse and False Information

It is prohibited to obstruct, interfere with, falsify, misrepresent, or improperly influence a Title IX process; knowingly make false statements; knowingly submit false information; destroy or conceal relevant evidence; disrupt a proceeding; fail to comply with a college directive; or otherwise abuse the process. A determination that a respondent is not responsible does not, by itself, establish that a complainant or witness made a false report or gave false information.

(I) Prohibition on Consensual Relationships

- (1) NSCC is committed to maintaining learning, working, and campus environments free from conflicts of interest, favoritism, exploitation, and the misuse of institutional authority. Romantic, dating, sexual, or intimate relationships may create real or perceived conflicts of interest when one individual has authority, influence, or responsibility over another individual's education, employment, evaluation, supervision, advising, coaching, counseling, discipline, access to resources, or participation in college programs or activities.
- (2) Employees are prohibited from engaging in romantic, dating, sexual, or intimate relationships with any learner over whom the employee has, or reasonably may be expected to have, instructional, supervisory, evaluative, advising, coaching, counseling, disciplinary, or other institutional authority. This prohibition applies regardless of whether the relationship is or appears to be consensual.
- (3) Employees are also prohibited from exercising supervisory, evaluative, employment, disciplinary, or other institutional authority over any employee, applicant, volunteer, contractor, program participant, or other individual with whom the employee has or has had a romantic, dating, sexual, or intimate relationship.
- (4) An employee who is involved in, or who may become involved in, a relationship that creates or may create a conflict of interest or power differential must promptly disclose the relationship to the Director of Human Resources so that the College may determine whether alternative arrangements are required. Alternative arrangements may include

removing supervisory, evaluative, instructional, advising, coaching, counseling, or disciplinary authority; changing reporting lines; reassigning duties; or taking other steps necessary to eliminate the conflict or power differential.

- (5) If acceptable alternative arrangements are not feasible, the relationship may not continue while the power differential exists. Failure to disclose a prohibited relationship, failure to comply with required alternative arrangements, or engaging in a prohibited relationship may result in corrective or disciplinary action, up to and including termination of employment.
- (6) Conduct involving a consensual relationship that may also constitute Title IX sexual harassment will be addressed under this Policy and the Title IX Sexual Harassment Grievance Procedure. Conduct involving a consensual relationship that does not constitute Title IX sexual harassment may be addressed under other applicable College policies, including the Equal Opportunity and Non-Discrimination/Anti-Harassment Policy (Policy 14-3-19), employee conduct policies, learner conduct policies, or other applicable procedures.

(J) Protection of Minors on Campus

- (1) NSCC is committed to protecting minors who participate in, visit, or are otherwise present in college programs, activities, facilities, events, camps, clinics, dual-enrollment activities, outreach programs, or other College-sponsored or College-affiliated activities.
- (2) For purposes of this section, a minor means an individual under the age of eighteen unless otherwise defined by applicable law. College employees, volunteers, contractors, learners, and other individuals acting on behalf of the College must conduct themselves in a manner that protects minors from abuse, neglect, harassment, exploitation, inappropriate conduct, and unsafe conditions.
- (3) Any individual covered by this Policy who knows, suspects, or receives information suggesting that a minor has been subjected to abuse, neglect, sexual abuse, sexual harassment, sexual exploitation, inappropriate sexual conduct, or other conduct that may endanger the minor must promptly report the concern as required by law and College policy. Reports involving an immediate threat to a minor's health or safety should be made immediately to 911 or appropriate law enforcement.
- (4) Reports or concerns involving minors may also be referred to the Title IX Coordinator when the reported conduct may constitute Title IX sexual harassment, including quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, nonconsensual sexual contact, dating violence, domestic violence, stalking, incest, or statutory rape. The Title IX Coordinator will assess whether the matter falls within this Policy and the Title IX Sexual Harassment Grievance Procedure.
- (5) Conduct involving minors that does not constitute Title IX sexual harassment may be referred for review under other applicable College policies and procedures, including the Equal Opportunity and Non-Discrimination/Anti-Harassment Policy (Policy 14-3-19),

learner conduct policies, employee conduct policies, campus safety protocols, mandatory reporting obligations, or other applicable College procedures.

- (6) Nothing in this Policy limits any person's obligation to report suspected child abuse or neglect to appropriate governmental authorities or law enforcement as required by Ohio law. The College may take immediate action to protect minors and the campus community, including restricting access to college property, programs, or activities; removing an individual from a program or activity; notifying law enforcement or child protective authorities; or taking other steps necessary to protect health and safety.

(K) Reporting and Contact Information

- (1) Any person may report Title IX sexual harassment, retaliation, or process abuse to the Title IX Coordinator at any time, including outside business hours, in person, by mail, by telephone, by email, through the online reporting portal, or by any other means that results in the Title IX Coordinator receiving the report. A report is not the same as a formal complaint, although a report may lead to supportive measures, outreach, and information about how to file a formal complaint.
- (2) Making a report to NSCC does not preclude a person from reporting to law enforcement. The College will assist with law enforcement contact upon request. A report to law enforcement does not automatically initiate the College Title IX process, and a report to the College does not substitute for a criminal report.

Subject	Office/Person	Telephone	Email/URL
Title IX Coordinator / Title IX questions, reports, and formal complaints	Shannon Floyd, Title IX Coordinator, Building C, Office 100H, Archbold Campus	419.267.1319	titleix@NorthwestState.edu
Deputy Title IX Coordinator /employees and visitors	Katy McKelvey, Building A, Office 112, Archbold Campus	419.267.1327	kmckelvey@NorthwestState.edu
Deputy Title IX Coordinator /employees	Brittany Chamberlain, Building A, Office 106, Archbold Campus	419.267.1425	bchamberlain@NorthwestState.edu
Deputy Title IX Coordinator /learners	Renee Bostelman, Building C, Office 140C,	419.267.1334	rbostelman@NorthwestState.edu

	Archbold Campus		
Online report or formal complaint	Accessible through the NSCC Title IX website / Maxient reporting portal	N/A	northweststate.edu/title-ix/
Campus Police / police report/emergency on campus	Northwest State Police Department, Room A196, Archbold Campus (Atrium)	419.267.1452; 911 for emergencies	N/A
Off-campus emergency or criminal report	Local law enforcement	911 for immediate emergencies	N/A
Main campus	22600 State Route 34, Archbold, OH 43502	419.267.5511	northweststate.edu
Van Wert campus	520 E. Sycamore St., Van Wert, OH 45891	419.267.1399	northweststate.edu
To file a complaint directly with the U.S. Department of Education's Office for Civil Rights, contact: U.S. Department of Education Office for Civil Rights Lyndon Baines Johnson Department of Education Bldg. 400 Maryland Avenue, SW Washington, DC 20202-1100 Telephone: 800-421-3481 FAX: 202-453-6012; TDD: 800-877-8339 Email: OCR@ed.gov			

(L) Employee Reporting Responsibilities

- (1) All College employees, except confidential resources acting within the scope of a legally recognized privilege or confidentiality designation, must promptly report to the Title IX Coordinator information they receive that may constitute Title IX sexual harassment. Employees should share all known information, including the names of the parties, date, time, location, and description of the conduct, while respecting privacy and avoiding unnecessary disclosure.

- (2) Employees should inform a person disclosing information, as early as practical, that the employee may be required to share information with the Title IX Coordinator; that supportive measures are available with or without a formal complaint; of the right to file a formal complaint; and that confidential resources may be available.
- (3) When a report involves a minor, employees and other responsible individuals must also follow any mandatory reporting obligations required by law and College policy. Reporting to the Title IX Coordinator does not replace an obligation to contact law enforcement, child protective authorities, or other required authorities when such reporting is required by law.

(M) Privacy, Confidentiality, and Records

- (1) The College will protect privacy to the extent permitted by law. Information received in connection with a report, formal complaint, supportive measure, investigation, hearing, appeal, or resolution will be shared only with persons who have a legitimate need to know, including as necessary to provide supportive measures, conduct a fair process, implement remedies, comply with law, or protect safety.
- (2) The College will keep confidential the identity of individuals who make reports or formal complaints; complainants; respondents; and witnesses, except as permitted or required by law, College policy, or the need to carry out this Policy and the grievance procedure. The College will maintain records consistent with Title IX recordkeeping requirements and applicable records retention rules.

(N) Supportive Measures

- (1) Upon notice of conduct that may constitute Title IX sexual harassment, the Title IX Coordinator or designee will promptly contact the complainant, when known, to discuss supportive measures, consider the complainant's wishes, explain that supportive measures are available with or without a formal complaint, and explain the process for filing a formal complaint.
- (2) Supportive measures may include, as appropriate and reasonably available, counseling referrals; academic support; extensions of deadlines; course-related adjustments; changes to class, work, transportation, parking, or campus access arrangements; mutual no-contact directives; safety planning; campus escort assistance; increased security or monitoring; leave options; changes in reporting relationships; and other measures designed to restore or preserve equal access without unreasonably burdening the other party.

(O) Emergency Removal and Administrative Leave

- (1) The College may remove a respondent from an education program or activity on an emergency basis when, after an individualized safety and risk analysis, the College determines that an immediate threat to the physical health or safety of any learner or other individual arising from the allegations justifies removal. The respondent will

receive notice and an opportunity to challenge the decision immediately following the removal.

- (2) Nothing in this Policy prevents the College from placing an employee on administrative leave, reassignment, or other interim employment action consistent with applicable law, contracts, handbooks, and College policy while a Title IX process is pending.

(P) Informal Resolution

- (1) Informal resolution may be offered only when the College determines it is appropriate, a formal complaint has been filed when required, and all parties voluntarily consent in writing. Before informal resolution begins, the College will provide written notice of the allegations, the requirements of the process, the right to withdraw before agreement, consequences of participation, and records that will be maintained or shared. Informal resolution is not available to resolve allegations that an employee sexually harassed a learner.

(Q) Standard of Evidence

- (1) The College uses the preponderance of the evidence standard for Title IX sexual harassment determinations. Preponderance of the evidence means that it is more likely than not that the alleged conduct occurred.

(R) Remedies, Corrective Action, and Sanctions

- (1) When a respondent is found in violation of this Policy, NSCC will provide remedies designed to restore or preserve equal access to the College's education program or activity and may impose corrective action or sanctions. Remedies may include supportive measures and other actions that are disciplinary or punitive and need not avoid burdening the respondent.
- (2) Possible sanctions and corrective actions include warning, reprimand, educational requirements, no-contact directives, probation, loss of privileges, removal from a course or activity, suspension, dismissal, termination of employment, restrictions on campus access, contract action, visitor restrictions, and other measures appropriate to the circumstances and authorized by applicable College policy or law.

(S) Training

Title IX Coordinators, investigators, decision-makers, appeal officers, informal resolution facilitators, and others responsible for implementing this Policy must receive training required by Title IX. Training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-25(A): TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURE
Effective: 6/25/2026

Procedure Statement: This grievance procedure implements Northwest State Community College's Title IX Sexual Harassment Policy and provides the process for receiving, assessing, investigating, adjudicating, and resolving reports and complaints covered by that policy.

(A) Receipt of Report and Initial Assessment

- (1) The Title IX Coordinator or designee reviews all reports that reasonably may involve Title IX sexual harassment, retaliation, process abuse, or prohibited relationships connected to Title IX sexual harassment. Reports alleging sex discrimination that is not Title IX sexual harassment, or alleging other protected-class discrimination or harassment, will be referred to NSCC's nondiscrimination policy and procedure and/or another applicable College process.
- (2) The initial assessment may include outreach to the complainant; assessment of immediate safety risks; discussion of supportive measures; identification of confidential and non-confidential resources; clarification of the reported conduct; jurisdictional review; evaluation of whether the conduct, if true, may violate this policy; consideration of whether other College policies may apply; and determination of available resolution options.
- (3) The Title IX Coordinator may take preliminary steps to assess the report, including limited information gathering, consultation with Campus Police, Human Resources, Student Conduct, supervisors, or other offices, and review of available records.
- (4) If the respondent is not subject to college authority, the College response may be limited, but the College will still provide supportive measures and take other steps reasonably available to restore or preserve equal access and protect safety.
- (5) If the complainant requests that no investigation occur or no disciplinary action be taken, the Title IX Coordinator will evaluate the request in light of the College's obligation to provide a safe and nondiscriminatory environment. The College may proceed with a complaint or other resolution despite the request when required or appropriate.

(B) Filing a Complaint or Title IX Formal Complaint

- (1) A complaint may be filed by a complainant or signed by the Title IX Coordinator or designee. A Title IX formal complaint must allege Title IX sexual harassment against a respondent and request that the College investigate the allegation. To be addressed under this Policy and the Title IX Sexual Harassment Grievance Procedure, the alleged conduct must have occurred in the United States, within the College's education program or activity, and in circumstances over which the College exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred. At the time of filing a Title IX formal complaint, the complainant must be participating in or

attempting to participate in the College's education program or activity, unless otherwise provided by applicable Title IX regulations.

- (2) The Title IX Coordinator may sign a complaint when doing so is not clearly unreasonable in light of known circumstances, including when there is a risk to campus safety, a pattern of alleged misconduct, use of violence or weapons, multiple complainants, allegations involving a college employee, or other circumstances indicating a need for College action. When the Title IX Coordinator signs a complaint, the Title IX Coordinator does not become the complainant or a party.

(C) Written Notice of Allegations

- (1) Upon the filing of a complaint and before any initial interview of a party, the College will provide written notice to known parties with sufficient time to prepare. The notice will include, as applicable:
 - (a) Information about the investigative resolution process and informal resolution options;
 - (b) The allegations potentially constituting a policy violation, including identities of the parties, conduct allegedly constituting the violation, and date and location of the alleged incident, if known;
 - (c) A statement that the respondent is presumed not responsible until a determination is made at the conclusion of the process;
 - (d) The right of each party to an advisor of choice, who may be an attorney, but is not required to be;
 - (e) The right to inspect and review evidence as provided in this procedure;
 - (f) The provisions prohibiting retaliation and process abuse, including knowingly making false statements or submitting false information;
 - (g) Information about supportive measures and resources;
 - (h) A statement that the College may amend the notice if additional allegations are accepted for investigation.
- (2) If the College decides to investigate allegations not included in the initial notice, it will provide written notice of the additional allegations to the known parties.

(D) Dismissal and Referral

- (1) The College must dismiss a Title IX formal complaint for Title IX purposes if the alleged conduct, even if proven, would not constitute Title IX sexual harassment; did not occur in the College's education program or activity, including circumstances in which the College did not exercise substantial control over both the respondent and the context in which the alleged Title IX sexual harassment occurred; did not occur against a person in the United States; or was filed by a complainant who, at the time of filing, was not participating in or attempting to participate in the College's education program or activity, when required by applicable Title IX regulations.
- (2) The College may dismiss a Title IX formal complaint, or any allegations within it, if the complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw the complaint or any allegations; the respondent is no longer enrolled in or employed by the College; specific circumstances prevent the College from gathering

evidence sufficient to reach a determination; there is no reasonable basis to believe that a violation of the Policy may have occurred; or dismissal is otherwise permitted by law.

- (3) The College will promptly provide written notice of dismissal and the reason or reasons for dismissal to the parties, as required by applicable law and include the opportunity for timely appeal. A dismissed matter may still be referred, as appropriate, for supportive measures, educational measures, safety measures, Human Resources review, Student Conduct review, or another appropriate College process.

(E) Consolidation

- (1) The College may consolidate complaints or allegations involving more than one complainant, more than one respondent, cross-complaints, or allegations arising out of the same facts or circumstances. Consolidation may apply to some or all phases of investigation, hearing, resolution, or appeal.

(F) Advisors

- (1) Each party may be accompanied by an advisor of choice to meetings, interviews, hearings, and other proceedings. The College will not limit the choice or presence of an advisor, but may establish equal restrictions on advisor participation. Advisors may provide support and advice, but may not obstruct, disrupt, intimidate, harass, retaliate, answer for a party, or otherwise interfere with the process.
- (2) For Title IX hearings that require cross-examination by an advisor, the advisor conducts cross-examination and the parties may not personally cross-examine each other. If a party does not have an advisor for such a hearing, the College will provide an advisor of the College choice without fee or charge for the purpose of conducting cross-examination.

(G) Investigation

- (1) The College will conduct a thorough, reliable, impartial, and equitable investigation. The burden of proof and burden of gathering evidence sufficient to reach a determination rest on the College and not on the parties.
- (2) The investigation may include interviews with parties and witnesses; collection and review of documents, electronic communications, photographs, video, audio, records, policies, and other evidence; site visits; consultation with experts; and other steps appropriate to the matter.
- (3) During the investigation, the College will:
 - (a) Provide equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
 - (b) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, except that parties remain prohibited from retaliation, intimidation, witness tampering, harassment, or unlawful disclosure;
 - (c) Provide written notice of the date, time, location, participants, and purpose of investigative interviews, hearings, meetings, or proceedings to a party whose participation is invited or expected, with sufficient time to prepare;

- (d) Use investigators who are trained and free from conflicts of interest and bias for or against complainants or respondents generally or an individual party;
 - (e) Objectively evaluate relevant evidence, including evidence that tends to prove or disprove the allegations;
 - (f) Not make credibility determinations based on a person status as complainant, respondent, or witness;
 - (g) Not access, consider, disclose, or otherwise use privileged information or treatment records without voluntary written consent, unless otherwise permitted by law.
- (4) Evidence about a complainant sexual predisposition or prior sexual behavior is not relevant unless offered to prove that someone other than the respondent committed the alleged conduct, or where it concerns specific incidents of prior sexual behavior between the complainant and respondent and is offered to prove consent, as permitted by applicable law.
- (H) Evidence Review and Investigative Report
- (1) Before completion of the investigative report, the College will provide each party and the party advisor, if any, an equal opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations, including evidence upon which the College does not intend to rely. The College will provide the evidence in electronic format or another appropriate format.
 - (2) The parties will have at least ten business days to submit a written response to the evidence, unless a different timeframe is permitted by law and communicated in writing. The investigator will consider timely written responses before completing the investigative report.
 - (3) The investigator will prepare an investigative report that fairly summarizes relevant evidence. The report will be provided to each party and the party advisor, if any, for review and written response at least ten business days before a hearing or other time of determination regarding responsibility, unless a different timeframe is permitted by law and communicated in writing.
- (I) Hearings
- (1) A live hearing will be provided for Title IX sexual harassment matters when required by law. This procedure does not adjudicate sex discrimination that is not Title IX sexual harassment or other protected-class discrimination or harassment.
 - (2) At a hearing:
 - (a) The decision-maker will preside and maintain order;
 - (b) The parties shall have advisors present;
 - (c) Relevant questions and follow-up questions, including those challenging credibility, may be asked as allowed by the applicable process;
 - (d) For Title IX matters requiring advisor-conducted cross-examination, cross-examination must be conducted by advisors and never by parties personally;

- (e) Before a party or witness answers a question, the decision-maker will determine whether the question is relevant and explain verbally and on the record any decision to exclude a question as not relevant;
- (f) The College will make evidence previously provided to the parties available for use at the hearing;
- (g) The College will allow parties to participate from separate locations using technology that enables participants to see and hear each other simultaneously, as required by law;
- (h) The decision-maker will not draw an inference about responsibility based solely on a party or witness absence from the hearing or refusal to answer questions.

(J) Determination Regarding Responsibility

- (1) The decision-maker will issue a written determination using the preponderance of the evidence standard. The written determination will include, as applicable:
 - (a) Identification of the allegations potentially constituting a policy violation;
 - (b) Description of procedural steps taken from receipt of the complaint through determination, including notices, interviews, site visits, methods used to gather evidence, and hearings held;
 - (c) Findings of fact supporting the determination;
 - (d) Conclusions regarding application of policy to the facts;
 - (e) A statement of and rationale for the result as to each allegation, including a determination regarding responsibility;
 - (f) Any disciplinary sanctions imposed on the respondent and whether remedies designed to restore or preserve equal access will be provided to the complainant, as permitted by privacy law;
 - (g) Appeal procedures and bases for appeal.
- (2) The College will provide the written determination to the parties simultaneously. The determination becomes final on the date the College provides the written appeal decision, if an appeal is filed, or the date on which an appeal would no longer be timely, if no appeal is filed.

(K) Corrective Action, Sanctions, and Remedies

- (1) When a respondent is found responsible, the College will determine sanctions, corrective action, and remedies in consultation with appropriate offices. Student sanctions may be implemented through Student Conduct or another designated office. Employee corrective action may be implemented by the employee's supervisor, Human Resources, or another appropriate administrator. Faculty, staff, student employees, vendors, contractors, volunteers, visitors, and program participants may be subject to appropriate action under applicable policies, procedures, contracts, and agreements.
- (2) The Title IX Coordinator is responsible for coordinating the effective implementation of remedies in Title IX matters. The written determination will be provided to the parties simultaneously and will include any disciplinary sanctions imposed on the respondent and whether remedies designed to restore or preserve the complainant's equal access to

the College's education program or activity will be provided to the complainant. Remedies and supportive measures provided to a complainant will be communicated to the complainant as appropriate. Sanctions, corrective action, and remedies will be disclosed and implemented consistent with Title IX, FERPA, employment privacy, and other applicable law.

(L) Appeals

- (1) Both parties may appeal a determination regarding responsibility or dismissal of a complaint or allegation. Appeals must be submitted in writing within the timeframe stated in the written determination or dismissal notice. Appeals are limited to the following bases unless additional bases are required by law or policy:
 - (a) Procedural irregularity that affected the outcome;
 - (b) New evidence that was not reasonably available at the time the determination or dismissal was made and that could affect the outcome;
 - (c) The Title IX Coordinator, investigator, decision-maker, or other person responsible for the process had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome.
- (2) The appeal officer will not be the investigator, decision-maker, Title IX Coordinator, or a person with a conflict of interest or bias. The College will notify the other party when an appeal is filed and will provide both parties a reasonable, equal opportunity to submit written statements in support of or challenging the outcome. The appeal officer will issue a written decision describing the result and rationale and will provide the decision simultaneously to the parties.
- (3) If an appeal does not identify an appeal basis with specific facts or information, the appeal may be denied. Vague, unsupported, or blanket assertions are insufficient.

(M) Timeframes and Extensions

- (1) The College will seek to complete resolution processes within reasonably prompt timeframes. Timeframes may be extended temporarily for good cause with written notice to the parties. Good cause may include absence of a party, advisor, or witness; concurrent law enforcement activity; complexity of the matter; need for language assistance or accommodation; break periods; health or safety concerns; or other circumstances that justify delay.

(N) Accommodations and Accessibility

- (1) A party, witness, or advisor who needs a disability accommodation, language assistance, or other reasonable modification to participate in a process should notify the Title IX Coordinator as soon as possible. The College will work with appropriate offices to provide reasonable accommodations consistent with law and College policy.

(O) Parallel Criminal, Civil, or Other Proceedings

- (1) A College resolution process may proceed before, during, or after a criminal, civil, employment, or other process. The College may temporarily delay fact-gathering for good cause when requested by law enforcement, but will not delay supportive measures. The College does not determine whether criminal law was violated; it determines whether College policy was violated.

(P) Records

- (1) The College will maintain records of reports, complaints, supportive measures, investigations, hearings, determinations, appeals, informal resolutions, remedies, sanctions, training, and other actions as required by law and College retention schedules. Records will be maintained in a manner that protects privacy and supports compliance review.

(Q) Responsibilities

Position or Office	Responsibilities
Title IX Coordinator	Coordinates Title IX compliance; receives reports and complaints; conducts or oversees initial assessments; coordinates supportive measures; signs complaints when appropriate; oversees investigations, informal resolutions, hearings, appeals, remedies, training, recordkeeping, and publication of required notices.
Deputy Title IX Coordinators	Receive reports and complaints; assist with supportive measures, outreach, resources, training, and process coordination as delegated by the Title IX Coordinator. May serve as a designee for the Title IX Coordinator in their absence.
Investigators	Conduct impartial investigations; gather and evaluate evidence; provide evidence review; prepare investigative reports; avoid conflicts of interest and bias. Investigators may be College employees or outsourced contractors.
Decision-makers/Hearing Officers	Conduct hearings or adjudications; determine relevance; evaluate evidence; issue written determinations; avoid conflicts of interest and bias.
Appeal Officers	Review appeals; provide equal opportunity for party submissions; issue written appeal decisions; avoid conflicts of interest and bias.

Informal Resolution Facilitators	Facilitate voluntary informal resolution when approved; provide required notices; avoid conflicts of interest and bias.
Human Resources	Assist with employee supportive measures, prohibited relationship disclosures, administrative leave, corrective action, training, and implementation of employee remedies or sanctions.
Student Conduct/Student Services	Assist with student supportive measures, interim measures, student conduct referrals, sanctions, remedies, and academic or student support.
Campus Police	Respond to safety concerns and criminal reports; assist with emergency response, escorts, safety planning, Clery obligations, and law enforcement coordination.
Employees	Report information as required; cooperate with college processes; maintain privacy; refrain from retaliation and process abuse; complete required training.
College Community Members	Comply with this policy; report Title IX sexual harassment concerns as required; participate honestly and respectfully when involved in a process; refrain from Title IX sexual harassment, retaliation, and process abuse.

(R) Resources

- (1) The following resources should be listed in college publications and updated whenever contact information changes:
 - (a) Title IX website: northweststate.edu/title-ix/
 - (b) Non-Discrimination website: northweststate.edu/non-discrimination
 - (c) Confidential counseling services: 419-591-6487
 - (d) The Center for Child and Family Advocacy, Inc.: 419-591-6487
 - (e) Sexual Assault Hotline of Northwest Ohio: 1-800-782-8555
 - (f) Defiance County Family Justice Center: 419-782-1314
 - (g) Defiance County Victim Assistance: 419-782-0911
 - (h) Fulton County Family Justice Center: 419-592-0540
 - (i) Henry County Family Justice Center: 419-592-0540
 - (j) Paulding County Victim Assistance Unit: 419-399-4476
 - (k) Van Wert County Victim Services: 419-238-9800
 - (l) Williams County Victim Assistance: 419-636-6195

- (m) Ohio Sexual Violence Helpline: 844-644-6435
- (n) RAINN: rainn.org

(S) Legal and Governance References

- (1) Title IX of the Education Amendments of 1972 and implementing regulations
- (2) Title VI of the Civil Rights Act of 1964
- (3) Title VII of the Civil Rights Act of 1964
- (4) Clery Act and Violence Against Women Act amendments
- (5) Americans with Disabilities Act and Section 504 of the Rehabilitation Act
- (6) Age Discrimination Act and Age Discrimination in Employment Act
- (7) Genetic Information Nondiscrimination Act
- (8) Pregnant Workers Fairness Act and pregnancy-related protections under applicable law
- (9) Ohio Revised Code Chapter 4112 and other applicable Ohio law
- (10) NSCC Student Code of Conduct, employment policies, records retention schedules, and Board policies, as applicable

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-36 Remote work.

(Effective date: 7/1/2011, Revised 1/5/2021)

- (A) Northwest State community college considers remote work to be a viable alternative work arrangement and supports the use of a remote work in positions whose job duties can be performed away from campus. Remote work allows an employee to work at home, on the road, or in a satellite location for all or part of their regular workweek.
- (B) Remote work may be considered as one of several types of off-campus work but is primarily defined as working in an employee's residence. Remote work is not appropriate for all employees or all positions. Remote work arrangements are mutually agreed by the employee, supervisor(s), and member of the president's cabinet.
- (C) Human resources, in collaboration with the president, will be responsible for the development of a procedure for remote work.

Effective: 9/24/2021

CERTIFIED ELECTRONICALLY

Certification

09/13/2021

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-36(A): Remote Work – Nine-Month Faculty
Effective date: 7/1/2011, Revised 1/5/2021, Revised 3/20/2026

- (1) This procedure is established to provide guidance to employees and supervisors regarding the implementation of remote work.
- (2) Eligibility and participation will be determined as follows:
 - (a) All NSCC nine-month faculty are eligible to work remotely.
 - (b) The employee must be able to continue to perform their duties and responsibilities while working remote.
- (3) Designated Alternative Work Site
 - (a) The employee's traditional on-campus work site will remain their official designated work site.
 - (b) The alternative work site must be a suitable work environment free of potential injury hazards. The employee is primarily responsible for establishing and maintaining safe and healthful working conditions in their alternative work space. The employee will be covered by worker's compensation laws and procedures for all work-related injuries that occur in the designated workspace at the telecommuter's home during the telecommuter's defined work period. Since the workplace and home will be one and the same, worker's compensation will NOT apply to non-job-related injuries that might occur in the home. The College is not liable for any injuries to family members, visitors and others in the employee's home.
- (4) Virtual Meetings
 - (a) Employees who work remotely are expected to do so in a distraction-free space during virtual meetings. Common distractions may include pets, children, or other household members. Remote work is not a substitute for dependent care.
 - (b) For contractually obligated meetings, faculty are expected to be able to attend in person or virtually. If attending virtually, faculty are expected to be able to attend distraction free. For non-contractually obligated meetings, if faculty cannot attend distraction free, faculty should attend with their camera off and utilize the chat feature.
- (5) Interpretation

Authority for interpretation of this policy rests with the President and Human Resources.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-36(B): Remote Work – Graded, Staff, Non-Traditional Faculty, Non-Teaching Faculty, Professional Specialists

Effective date: 7/1/2011, Revised 1/5/2021, Revised 3/20/2026

- (1) This procedure is established to provide guidance to employees and supervisors regarding the implementation of remote work.
- (2) Eligibility and participation will be determined as follows:
 - (a) All NSCC employees whose positions are suitable are eligible to apply to work remotely.
 - (b) The employee must be able to continue to perform their duties and responsibilities while working remote.
 - (c) Area supervisors are responsible for scheduling work and hours in a manner that best serves our community. This may affect the amount of remote work that is approved for each employee.
- (3) Procedure for Remote Work
 - (a) Employee and supervisor discuss the feasibility of telecommuting remote work for the employee.
 - (b) Supervisor and employee determine the required equipment, work arrangement, expected productivity outcomes, and method for monitoring the success of the proposed arrangement.
 - (c) The employee and supervisor will agree on the number of days and hours of remote work allowed each week, the work schedule the employee will customarily maintain, and the manner and frequency of communication. The employee agrees to be accessible by phone or e-mail within a reasonable time period during the agreed upon work schedule.
 - (d) The employee is responsible for recording hours worked, vacation, sick, or other leave as the employee would do at NSCC using the existing procedure.
- (4) Designated Alternative Work Site
 - (a) The employee's traditional on-campus work site will remain their official designated work site.
 - (b) The alternative work site must be a suitable work environment free of potential injury hazards. The employee is primarily responsible for establishing and maintaining safe and

healthful working conditions in their alternative work space. The employee will be covered by worker's compensation laws and procedures for all work-related injuries that occur in the designated workspace at the telecommuter's home during the telecommuter's defined work period. Since the workplace and the designated work site will be one and the same, worker's compensation will NOT apply to non-job-related injuries that might occur in the designated work site.

(5) Work Performance and Overtime

- (a) The performance standards for employees working at the alternate worksites shall be equivalent to the standards used when the employees are working at the campus worksite.
- (a) Employees in positions that are designated as eligible for overtime must have advance approval from the supervisor for overtime work.

(6) Virtual Meetings

- (a) Employees who work remotely are expected to do so in a distraction-free space during virtual meetings. Common distractions may include pets, children, or other household members. Remote work is not a substitute for dependent care.

(7) Interpretation

Authority for interpretation of this procedure rests with the President and Human Resources.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-37 Americans with disabilities act.

Effective Date: 6/24/2022

It is the policy of Northwest state community college (NSCC) to comply with all federal and state laws concerning the employment of persons with disabilities. Pursuant to Titles I and II of the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, the college provides equal employment opportunities and reasonable accommodation for qualified individuals with disabilities. It is the college's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Effective: 7/25/2022

CERTIFIED ELECTRONICALLY

Certification

07/13/2022

Date

Promulgated Under: 111.15

Statutory Authority: 3358

Rule Amplifies: 3358

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-37 (A): AMERICANS WITH DISABILITIES ACT

Effective: 6/24/2022

- (1) An employee who desires a workplace accommodation must inform the Human Resources Department. Human Resources shall provide employee with a “Request for Accommodation” form.

(a) Human Resources will, with input from the employee, review the employee’s accommodation needs.

(b) Additional documentation may be required and the employee may be asked to submit documentation from their health care provider and provide any required waiver for the College to have access to the records from the health care provider.

The college may also require the employee to undergo an independent medical exam or medical review when more information or clarification is needed. The exam will be paid for by the college.

(c) Human Resources will determine if a reasonable accommodation can be made. The accommodation must not cause an undue hardship to the college or alter the essential functions of the job.

(d) If an accommodation can be made, Human Resources will work with the supervisor to implement the reasonable accommodation.

(e) Once the accommodation is in place, Human Resources and/or the supervisor will create a plan to evaluate the effectiveness of the accommodation and will check in with the employee. The employee will notify their supervisor and Human Resources if modifications to the accommodation are needed.

(f) If a determination has been made to deny an accommodation request, the employee will be notified by Human Resources about the denial and the basis of such denial.

(2) Appeals Process

(a) An individual who is not satisfied with the outcome of a reasonable accommodation request may ask for reconsideration by submitting a written request within 10 business days, unless circumstances prevent the ability to appeal, of receiving the notice of the outcome of the reasonable accommodation request from Human Resources.

(b) The Vice President of Human Resources and Leadership Development will review the request and respond within 10 business days of receiving the appeal. This decision will be final.

(3) Protected Health Information

Documentation related to an ADA accommodation will be kept in a confidential file (separate from personnel and medical file). All requests will only be shared with those in the College needed to fulfill the accommodation process.

(4) Definitions

- (a) Disability - A physical or mental impairment that substantially limits one or more major life activities of an individual, a record of such impairment, or being regarded as having such an impairment.
- (b) Reasonable Accommodation - A change or modification to the work environment or job that allows an individual with a disability to perform job duties. Such accommodation is required unless it poses an undue hardship on the employer. The determination of which accommodation is reasonable in a particular situation involves a process in which the department and the employee identify the precise limitations imposed by the disability and explore potential accommodations that would overcome those limitations.
- (c) Undue Hardship - Any accommodation that is substantial, disruptive or would be unduly costly to the college or that would fundamentally alter the nature or operation of the unit.
- (d) Essential Functions of the Job - refers to those job activities that are determined by the employer to be essential or core to performing the job; without these functions the job would be fundamentally altered.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-38 Minors on campus.

Effective Date: 10/21/2022

Northwest state community college (NSCC) seeks to promote the safety and welfare of minors on NSCC campus, including minors who participate in youth activities and programs on NSCC campus. This policy outlines what is required of faculty, staff, learners, and volunteers who interact with minors or work in youth activities and programs, including their reporting obligations in instances of known or suspected incidents of child abuse or neglect of minors. This policy applies to all minors, as defined in this policy on college property, and any faculty, staff, learners, and volunteers who interact with minors while on campus.

(A) Definitions / applicability

- (1) “Child abuse or neglect” is when a child has suffered or faces a substantial threat of suffering any physical or mental injury that reasonably indicates abuse or neglect, including that of a sexual nature.
- (2) “Minors” are persons under the age of eighteen who may or may not be enrolled or accepted for enrollment at Northwest state community college as a learner. The term “minor” and “child” are used interchangeably in this policy.
- (3) Youth activities include but are not limited to:
 - (a) Youth activities and programs the college operates on college property including but not limited to overnight camps, licensed childcare facilities, instructional programs, day camps, academic camps, and sports camps.
 - (b) Youth activities and programs the college operates that do not take place on college property, including but not limited to outreach and community service activities.
 - (c) Virtual youth activities and programs the college hosts on an online platform.
 - (d) Hybrid youth activities and programs that have both virtual and in-person components.
 - (e) Faculty or staff who bring a youth to college property as an intern, volunteer, or recruit outside of a structured youth activity or program.

(B) Reporting suspected abuse or neglect

(1) Any program personnel who in the course of their duties witness child abuse or neglect or have information that would lead a reasonable person to believe a youth faces a substantial threat of child abuse or neglect must immediately take the following two steps to report:

(a) Alert the appropriate agency:

- (i) If a youth is in imminent danger (life threatening or abuse is being witnessed), call 911. If you are unsure whether there is imminent danger, call 911, or
- (ii) If a youth is not in imminent danger, call children services agency at 855-O-H-CHILD (855-642- 4453), which is a twenty-four-hour automated telephone directory that will link callers directly to a child welfare or law enforcement office in their county.

(b) Report to campus police (who will also alert their administrative chain of command).

(2) If consultation is needed regarding reporting, or if there are questions on the process or other support needed, contact the Title IX coordinator.

(3) The college will make every reasonable effort to conduct its investigation of reported child abuse or neglect occurring in college programs or activities in a manner that protects the confidentiality of the person making the report. However, it may be necessary to disclose details in the course of an investigation or when required by law.

(4) Campus Police will make subsequent notifications to campus administrators, to include the Title IX Coordinator and the VP of workforce development.

(5) Nothing in this policy is intended to prevent non-employees, such as learners and visitors, from making a report if they have reasonable cause to suspect that child abuse or neglect has occurred or may occur.

(C) Youth activity requirements

(1) All youth activities and programs must register annually with the NSCC camp coordinator.

(2) All youth activities and programs must follow the “Minors in youth activities procedure” for registration, execution of waivers, reporting, background checks and training.

(3) Units and individuals must cooperate with investigations when they occur.

(D) Supervision of minors on campus

No minors (this does not include enrolled or accepted NSCC learners) are to be left alone or unsupervised on college property: this includes, but is not limited to classrooms, offices, skills labs, science labs, learner lounges, waiting areas, etc. It is the responsibility of anyone who brings minors to campus to ensure supervision of that minor. If a minor has been left unattended, this should be reported to campus police.

(E) Minors in the workplace or classroom

(1) As discussed in this paragraph, in certain circumstances, it may be appropriate for faculty, staff, and learners to bring their minor children to the workplace or classroom. In such situations, the goal should be to foster respect for the needs of all parties impacted by the presence of the minor children. Employees and supervisors must consider issues of safety, confidentiality, disruption of operations, disruption of services, disruption to other employees, appropriateness and liability posed by the presence of the minor children in the workplace.

(2) Faculty, staff, and learners:

- (a) May occasionally bring minors to the workplace for brief visits, specific campus events, situational convenience, or family emergencies. These should be occasional and not in the place of regular childcare. Additionally, the minor cannot be ill when brought to the college.
- (b) Must obtain prior approval from their workplace supervisor or classroom instructor before bringing a minor to the workplace or classroom.
- (c) Assume and accept full responsibility for all aspects of the minor's behavior, including safety, unauthorized or inappropriate use of college resources, any damages to persons or to property. Minor may not have access to any confidential or FERPA protected information or meetings, etc.
- (e) Accept responsibility for monitoring the minor's behavior to prevent interruptions to college business or instruction.
- (f) Minors are not allowed in high-risk or hazardous areas as defined by the supervisor or instructor. These areas may include mechanical rooms, food preparation areas, areas with heavy equipment, college vehicles, or laboratories or other specialized hazardous areas. Additionally, minors are not allowed in college motorized vehicles.
- (g) At all times, the college reserves the right to not allow a minor to attend work or class with a faculty member, staff member, or learner.

Effective: 1/25/2023

CERTIFIED ELECTRONICALLY

Certification

01/13/2023

Date

Promulgated Under: 111.15

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NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-38 (A): MINORS IN YOUTH ACTIVITIES AND PROGRAMS

Effective Date: 10/21/2022

(1) Registration

- (a) Units operating youth activities and programs must register each activity or program with the NSCC Camp Coordinator by April 1 of each year.
 - (i) Registration for ongoing and pre-established youth activities and programs must be completed annually prior to the beginning of the College academic year.
 - (ii) Registration for new youth activities and programs should be completed 60 days in advance when possible but must be completed before a youth activity or program begins.

(2) Requirements for Permission, Medical and Contact Information

- (a) For all College Programs in which parent(s) or legal guardian(s) will not, or may not be physically present at all times, the College Program shall collect and maintain:
 - (i) parental/legal guardian permissions to engage in all aspects of the Program,
 - (ii) medical and
 - (iii) contact information for each participant.
- (b) At a minimum this shall include:
 - (i) A requirement that parent(s) or legal guardian(s) complete a permission/ authorization form for each minor participating in the Program prior to participation, which shall include where appropriate, a liability and talent/media release.
 - (ii) A roster of all College Program participants and a directory of College Program staff. The list shall include each participant's name, local room assignment (if applicable); gender, age, address, and phone number(s) of parent(s) or legal guardian(s), as well as emergency contact information. The list shall be maintained by the Program staff, with a copy provided to the Vice President of Workforce Development for day-long or overnight Programs.
 - (iii) A requirement that the parent(s) or legal guardian(s) of each minor participant complete and submit to the Sponsoring Entity a Medical History/Medical Treatment Authorization form which shall, at a minimum, contain:

- a. A statement informing the parent/legal guardian that the College does not provide medical insurance to cover medical care for the minor.
 - b. A statement authorizing the release of medical information (HIPAA) and emergency treatment in case the parent/legal guardian/emergency contact cannot be reached for permission.
 - c. A space to list (voluntarily) any physical, mental or medical conditions the minor may have (including any allergies) that could impact his/her participation in the Program.
 - d. Information regarding any prescription medication(s) to be administer during the Program.
 - e. All emergency contact information including name, address and phone number of the emergency contact.
- (c) Individual Programs may require medical examination/authorization where mandated by the nature of the activity and/or legal or associational requirements.

In addition to the foregoing, all College Programs shall have in place a procedure or the notification of the minor's parent(s)/legal guardian(s) in case of an emergency, including medical or behavioral problems, natural disasters, or other significant program disruptions and a procedure for parent(s) or legal guardian(s) to contact minor participants in case of emergency. College Program staff, as well as participants and their parent(s)/legal guardian(s), must be advised of this procedure in writing prior to the participation of the minors in the College Program.

(3) Reporting

- (a) Any program personnel who in the course of their duties witness child abuse or neglect or have information that would lead a reasonable person to believe a youth faces a substantial threat of child abuse or neglect must immediately take the following two steps to report:
 - (i) Alert the appropriate agency:
 - a. If a youth is in imminent danger (life threatening or abuse is being witnessed), call 911. If you are unsure whether there is imminent danger, call 911 OR
 - b. If a youth is not in imminent danger, call Children Services Agency at 855-O-H-CHILD (855-642- 4453), which is a 24-hour automated telephone directory that will link callers directly to a child welfare or law enforcement office in their county.

- (ii) Report to Campus Police (who will also alert their administrative chain of command).
 - (b) If consultation is needed regarding reporting, or if there are questions on the process or other support needed, contact the Title IX Coordinator.
- (4) Background Checks
- (a) The requirements for background checks under this policy are separate and distinct from those addressed in any other hiring process policy or procedure.
 - (b) Program administrators must ensure background checks are conducted on all program personnel as follows:
 - (i) In-person and virtual youth activities or programs and hybrid youth activities or programs: Any program personnel who is likely to have responsibility for the care, custody, or control of a youth as part of the youth activity or program must have a background check completed before the youth activity or program begins.
 - (ii) A background check required at the time of hire for College employees is insufficient for individuals requiring a background check as described above.
 - (iii) Program administrator(s) and personnel required to be background checked who have a break in service for less than 12 months must disclose any convictions that occurred during the break within three business days of commencement of participation in youth activities and programs. If a break in service is longer than 12 months, individuals required to be background checked must have a new background check, as required by sections 1 and 2 above, before working in youth activities and programs.
 - (iv) A background check, as required by sections 1 and 2 above, must be completed every four years to remain eligible to work in youth activities and programs.
 - (v) Units have the option to require background checks on broader categories of individuals than those described in sections 1 and 2 above provided there is a business justification, that checks are made consistently across specific positions, and the documented background check program has been approved by the unit and coordinated with the Human Resources.
 - (vi) Units must perform background checks on broader categories of individuals if required by law.

- (c) Parental consent must be given for the background check in the case of an individual under the age of 18 requires a background check.

(5) Training

- (a) Program administrators must ensure that program personnel are trained annually, as follows, before they work in youth activities and programs.
 - (i) All program personnel who may exercise care, custody, or control of youth must complete the Youth Activities and Programs Policy training through the Title IX Coordinator.
- (b) Training content must include at minimum the following topics:
 - (i) Recognizing signs of physical, emotional, and sexual abuse, as well as neglect;
 - (ii) Reporting suspected child abuse and neglect, including:
 - a. Who must report and what are the reporting requirements,
 - b. How, when, and where to report, and Youth Activities and Programs College Policy Applies to: Faculty, staff, learners, and volunteers working in youth activities and programs in the course of their College duties,
 - c. Protection of good faith reporting;
 - (iii) How to help prevent child abuse; and
 - (iv) All requirements in this policy.

(6) Required Policies Governing the Conduct of Minor Participants

All College Programs shall have in place, and distribute to minor participants, a code of conduct for the Program. All such codes must contain the following provisions:

- (a) All Program participants and staff must abide by all College regulations.
- (b) The possession or use of alcohol and other drugs, fireworks, guns and other weapons is prohibited.
- (c) The operation of a motor vehicle by minors is prohibited while attending and participating in the Program.
- (d) Rules and procedures governing when and under what circumstances participants may leave College property during the Program.
- (e) No violence or discrimination (including sexual abuse or harassment) will be tolerated.

- (f) Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited.
- (g) No theft of property regardless of owner will be tolerated. Property of other participants is not to be used without express permission (access does not constitute permission).
- (h) No use of tobacco products will be tolerated.
- (i) Misuse or damage of College property is prohibited. Charges will be assessed against those participants who are responsible for damage or misusing College property.
- (j) The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.

(7) Definitions

- (a) Care, custody, or control: When an adult(s) is present and has primary responsibility for supervision of youth at any given point throughout the youth activity or program. At least one adult must have care, custody, or control of youth at all times during the youth activity or program.
- (b) Child abuse or neglect: When a child has suffered or faces a substantial threat of suffering any physical or mental wound, injury, disability, or condition that reasonably indicates abuse or neglect, including any conduct of a sexual nature that may be harmful to a youth's mental, emotional, or physical welfare.
- (c) One-on-one interactions: An intentional or purposeful interaction when one individual to whom the policy applies is alone with one youth. This applies to both in-person and virtual interactions.
- (d) Program administrator: Any faculty, staff, learners, and volunteers who have primary responsibility for meeting the requirements outlined in this policy. Typically, there is one program administrator per youth activity and program.
- (e) Program personnel: Any faculty, staff, learners, and volunteers who work in youth activities and programs.
- (f) Unit: College or administrative unit.
- (g) College property: Any land, grounds, buildings, or facilities owned, leased, or used by NSCC per formal contractual or legal agreements. Location does not necessarily determine whether an activity or program falls within the definition of youth activities and programs.

- (h) Volunteer: Any individual working in an unpaid capacity in a youth activity or program, which may include volunteers or practicum learners.
- (i) Youth: Any individual(s) under the age of 18 or any individual(s) under 21 years old incapable of self-care because of a mental or physical disability who is a participant in a youth activity or program. This does not include persons under the age of 18 while engaged as enrolled learners for academic credit at NSCC.
- (j) Youth activities and programs: An umbrella term that includes in-person, virtual, and hybrid youth activities and programs.
- (k) In-person youth activities and programs: Any: (1) event, operation, or endeavor operated, conducted, or organized by the College; (2) that includes youth; and (3) during which parents or guardians are not expected to be responsible for the care, custody, or control of the youth. Youth activities and programs that will be both in-person and virtual, will be considered in-person for the requirements set forth in this policy.
- (l) Virtual youth activities and programs: Any: (1) event, operation, or endeavor operated, conducted, or organized by the College; (2) that includes youth; and (3) is directed at youth and hosted by the College on an online platform. During such programs, at no time are NSCC program personnel responsible for the physical care, custody, and control of the youth.
- (m) Hybrid youth activities and programs: Any: (1) event, operation, or endeavor operated, conducted, or organized by the College; (2) that includes youth; and (3) includes both in-person and virtual components. For purposes of this policy, hybrid youth activities and programs must meet the requirements of in-person youth activities and programs.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-40 Workplace violence

Effective: 2/21/2025

(A) Northwest State Community College (NSCC) is committed to providing a safe, violence-free workplace for all employees, students, and guests. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

(B) Prohibited Conduct

NSCC does not tolerate any type of workplace violence committed by or against employees, students, or guests. Employees are prohibited from making threats or engaging in abusive or violent activities. This list of behaviors provides examples of conduct that is prohibited:

- (1) Causing physical injury to another person.
- (2) Making threatening remarks, either explicitly or impliedly.
- (3) Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- (4) Intentionally damaging employer property or property of another employee.
- (5) Committing acts motivated by, or related to, sexual harassment or domestic violence.

(C) The President shall adopt procedures for potential violations of this policy.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

Procedure No. 3-40 (A): WORKPLACE VIOLENCE

Effective 2/21/2025

(1) Reporting Procedures

Any potentially dangerous situations must be immediately reported to Campus Police, a supervisor or the human resource (HR) department. A report made to Campus Police or a supervisor must be promptly reported to HR. Reports can be made anonymously online using the link provided within this document, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis. NSCC will actively intervene at any indication of a possibly hostile or violent situation and reserves the right to contact law enforcement prior to engaging in any administrative inquiry if NSCC believes that is the best course of action.

(2) Risk Reduction Measures

(a) Hiring

The HR department takes reasonable measures to conduct background investigations to review candidates' backgrounds and to reduce the risk of hiring individuals with a history of violent behavior.

(b) Individual Situations

Employees are expected to exercise good judgment and to inform Campus Police, the HR department, or a supervisor if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior may include, but is not limited to:

- (1) Displaying overt signs of extreme stress, resentment, hostility or anger.
- (2) Making threatening remarks.
- (3) Showing sudden or significant deterioration of performance.
- (4) Displaying irrational or inappropriate behavior.
- (5) Evidence of possible drug or alcohol use/abuse.
- (6) Evidence of serious stress in the employee's personal life – crying, excessive phone calls, recent separation.
- (7) Continual excuses/blame – inability to accept responsibility for even the most inconsequential errors, and/or
- (8) Unshakable depression – low energy, little enthusiasm, despair.

(3) Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Nonemployees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

NORTHWEST STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

3358: 14-3-41 Faculty workload.

Effective Date: 6/26/25; Amended 8/28/26

Policy statement: Northwest state community college's faculty workload policy establishes standards for full-time and part-time faculty. All faculty are expected to meet their workload obligations as defined in this policy. Failure to comply with the policy requirements may result in corrective action, up to and including termination.

Statement of Purpose: This policy outlines faculty workload requirements, consistent with the college's mission and objectives, and aligns with ORC 3345.45.

Faculty at Northwest State Community College do not have tenure; faculty are awarded continuing contracts per the requirements outlined in the Bargaining Agreement.

(A) Academic Year

- 1) Except for employees employed under twelve-month contracts, the academic year for full-time faculty will be scheduled within a period of nine months, with the exception of spring commencement day. Contract years begin with the fall semester and cover the academic year through the spring semester. The academic calendar may exceed the nine-month time period if approved by the faculty. Courses on the master course file being offered for business, industry, and apprenticeship training may have a schedule unique to the business, industry, and apprenticeship programs. The academic year for faculty under nine-month contracts shall be considered 173 days for calculation purposes, including 160 instructional days, 2 Work Days, and 11 non-instructional days. Non-instructional days are:

*One Fall Orientation Day

*One Spring Orientation Day

*Fall Commencement

*Spring Commencement

*Seven college service/professional development days as determined with the Dean.

Non-instructional days need not be equally distributed between fall and spring semesters. A spring contract for those who begin in mid-year shall be considered 87 days for calculation purposes.

- 2) College service/professional development days. Faculty will commit to seven days of college service/professional development in collaboration with the Dean

by September 30. It will be reviewed during the academic year. College Service/Professional Development includes activities which enhance faculty skills or promote the academic division such that students and/or the college will benefit, i.e., recruiting, employee training, open houses, business competitions, county fairs, new student advising, mentoring part-time faculty, participation in workshops, or seminars or conferences, new course or program development, visiting business/industries, NSCC days, registration days during the summer, or other commitments as approved by the appropriate Dean. Professional development days that fall during the regular semester will not be counted toward the seven college service/professional development days when a faculty member is excused from instructional time, meetings or office hours.

- 3) Fall Orientation, Spring Orientation, Fall Commencement and Spring Commencement. A calendar which includes fall orientation day, spring orientation day, and two commencement days for the contract year will be provided to each faculty member on or before August 1 preceding the beginning of the contract year.

Commencement ceremonies are an important part of our students' experience and faculty participation is strongly encouraged. Absence must be applied for in advance, if possible. The actual hours spent by a faculty member in fulfilling the faculty role will likely exceed the workload minimum and may not necessarily occur on campus. Hours will be divided into assigned time (which includes classes, office hours and meetings) and unassigned time (which may be used for other college work as described above). For calculation purposes only, a week is considered 31 hours and a non-instructional day is considered 6.2 hours.

(B) Regular Faculty Duties

- 1) The full-time faculty member's role includes:
 - a) course preparation
 - b) course instruction
 - c) office hours
 - d) curriculum review and revision
 - e) program review and academic assessment
 - f) advising
 - g) departmental meetings, departmental work, and departmental committee work
 - h) participation in college governance
- 2) Course Preparation. The College will not require any faculty member to exceed 4 different preparations at any time during any term. Included in this definition will be the following special situations for defining a preparation. For courses less than 3 hours, a preparation will be defined as: a course of 2 credit hours or 2

different 1-hour courses. The College will not require any full-time faculty member to utilize more than two of these special situations to meet the 14 credit/18 contact hour minimum load. The respective Deans will plan their course schedules and attempt to distribute these one and two-hour courses in the most favorable way possible among their qualified faculty. The intent is not to assign four different one-hour courses for the two preparations in this section if at all possible. For curriculum areas that have 3 one-hour courses running in concurrent 5-week time blocks, 3 of these courses will equate to 1 three credit hour preparation. It is understood that this case is also to conform to the guidelines of 4 preparations maximum, as previously stated.

- 3) Course Instruction. The instructional course load for any given semester may not exceed 15 credit hours or 19 contact hours per week, with a minimum of 14 credit hours per week or 18 contact hours per week (whichever is reached first). Contact hours are equal to total course contact hours. Faculty are expected to devote at least 80 percent of their total workload to teaching-related activities. Normal teaching load (80%) shall be defined as sixteen (16) to twenty (20) contact hours per week.
- 4) Office Hours. Each full-time faculty member shall be available for a minimum of seven (7) office hours per week within Administration guidelines, defined as time available for individual or group student assistance in the classroom, laboratory, online, or conference situation. Office hours will not be expected on days the faculty member does not have classes and faculty may schedule and count up to two (2) virtual office hours toward the total of seven (7) office hours. Additional virtual office hours, beyond two (2) per week, may be scheduled with the approval of the Dean. Instructors of on-line courses are expected to respond to student e-mails within 48 hours, when possible, Monday – Friday. The response time may be extended if the instructor has notified the class of the change. Whenever possible, at least one office hour will be scheduled on each day on which the faculty member meets with classes, in time periods of no less than 15 minutes, scheduled for the students' convenience. Faculty members who do not have evening classes will not be required to hold evening office hours. All classroom, laboratory, and the minimum office hours shall be posted on faculty office doors and filed with the respective Dean. Office hours shall be separate from meal time.
- 5) Curriculum Review and Revision. Curriculum review and revision, which includes updating of existing courses and programs, is part of the normal faculty workload. It also includes participation in departmental efforts to update existing courses, to update existing programs, and to assess student learning outcomes. All faculty will be expected to follow departmental and college-wide procedures and standards, e.g., faculty objectives, assessment methods, etc.
- 6) Program Review and Academic Assessment. Faculty will participate in program review as specified by the Program Review Handbook. Faculty will conduct

academic assessment of course, program, and/or institutional learning based on guidance from the Assessment Committee.

- 7) Advising. Full-time faculty are responsible for advising learners according to their academic and completion goals. Advising activities may include discussions related to:

- a) Career exploration
- b) Co-curricular learning opportunities
- c) Developing, updating, and documenting plans of study to completion
- d) Reviewing academic progress and identifying potential barriers to completion
- e) Course selection
- f) Supporting registration consistent with the learner's plan of study and progress toward completion
- g) Alternative program options (where necessary)
- h) Graduation requirements
- i) Guidance regarding transfer and/or transition to the workplace as applicable to the requirements of the individual learner.
- j) Referrals to appropriate college resources and support services, as needed
- k) Maintain appropriate advising documentation
- l) Provide timely and proactive advising support to assigned learners throughout their progression toward completion

- 8) Departmental Meetings, Departmental Work, and Departmental Committee Work. Departmental and College committee meetings will be scheduled to accommodate, as much as possible, individual faculty members' schedules. Each full-time instructor shall be available for up to five (5) service hours per week for administrative meetings, curriculum development, authorized committee work, and other specific college-related duties as assigned by the Administration. Faculty members will not be required to be on campus on days when they have neither classes, office hours, committee work, departmental work, nor other specifically assigned duties. While the manner in which the five (5) service hours are fulfilled remains the choice of each individual faculty member, the college reserves the right to take a more active role than in the past in encouraging widespread participation in the college community. A schedule of tentative division meeting dates will be communicated at the beginning of each semester, when possible.

(C) Course Scheduling and Selection

Faculty members can indicate preferences. It is the right of the College to assign work as it deems necessary, and there is no guarantee that the faculty members will be provided the course selection preferences. This statement applies to the entirety of course scheduling and selection.

- 1) The Administration will construct a schedule for each semester.
- 2) Faculty members, in consultation with the Dean, will indicate their preferences of courses for the upcoming semester. In the event that 2 faculty members desire the same course, the most senior qualified faculty member within the department or discipline will prevail. This will be finalized by March 15 for the Summer and Fall terms and October 15 for the Spring term. Changes or revisions may occur due to extenuating circumstances, i.e., lack of enrollment, or other reasons. If a new section is added after course requests and assignments are made, those sections shall be offered to all eligible faculty by seniority as defined in this section.
- 3) Faculty cannot choose overload hours until all full-time faculty regular load schedules have been determined. After all full-time faculty have chosen their first overload course, subsequent courses can be chosen. Changes or revisions to overload courses may occur after the October 15 and March 15 deadline due to extenuating circumstances, i.e. lack of enrollment, or other reasons. When the course offerings change, bumping must occur before the first class meeting of the term or part of term. Full-time faculty shall have preference over all other employees for overload and summer courses.
- 4) Faculty members shall not be required to:
 - a) accept overload.
 - b) teach a schedule where the beginning of the first class of the day and the end of the last class of the day are more than 8 hours apart, or where at least 12 hours do not separate the end of the last class on one day and the beginning of the first class on the succeeding day.
 - c) teach a schedule with less than 45 minutes available for mealtime.
 - d) teach more than 3 one-hour classes.
 - e) teach independent study hours, unless needed to complete a regular workload. In such cases, each student will be the equivalent of one credit hour and one contact hour of classroom instruction.
 - f) teach at any off-campus site unless initially hired to do so or to avoid a layoff.
 - g) share personally developed notes related to classroom instruction with other faculty.
 - h) be required to record lectures unless there is mutual agreement and/or additional compensation.
 - i) teach asynchronous online courses or hybrid courses that have not undergone online course development (as described in D2).
 - j) teach synchronous learning courses (courses that occur simultaneously at multiple locations) but may be required to teach Zoom or equivalent format.
 - k) accept recruiting duties, except in the case of ODHE-certified low-enrolled programs and inability to make minimum instructional load.

Exceptions to any of the policies above may be made with the prior consent of the faculty member.

- 5) Faculty will be assigned courses in disciplines for which they meet credentialing requirements as governed by the appropriate accrediting body. This process is defined in the Faculty Credentials Procedure. The procedures may not be changed unless agreed upon by the College and the Association.
- 6) Appropriate class size for each course will be determined within each division by administration (VPA/Dean) in consultation with department chair/faculty.

(D) Special Faculty Duties

- 1) Time spent in the following will either be counted toward instructional workload requirements through release time or receive additional compensation as agreed upon between the unit member and supervisor, and approved by the VP of Academics:
 - a) developing new courses
 - b) developing new programs
 - c) arranging nursing clinical assignments
 - d) managing science labs
 - e) mentoring part-time instructors
 - f) recruiting
 - g) program coordination
 - h) chairing programs, as long as this remains a non-administrative position
 - i) chairing special projects (such as H. L. C. or assessment)
 - j) other assignments as agreed upon by the faculty member and respective Dean

The tasks of developing new courses (including web-based courses) and academic programs shall be offered to all full-time faculty, non-teaching faculty and non-traditional faculty with expertise in the relevant discipline(s) before being offered to adjunct faculty or others outside the bargaining unit.

- 2) The Teaching and Learning Committee will develop and continue to monitor guidelines for development of on-line and hybrid courses.
- 3) Preceptorship: For student work experience assignments with related duties, a faculty member shall receive 0.4 credit hours or 0.7 contact hours per student. One credit or one contact hour shall be awarded per lecture hour.
- 4) Internship: For student work experience assignments with related duties, a faculty member shall receive 0.2 credit hours or 0.3 contact hours per student. One credit or one contact hour shall be awarded per lecture hour. All internship students assigned to a given faculty member will be counted together when calculating appropriate compensation.

5) Practicum:

- a) Early Childhood Develop (ECD): One credit or one contact hour shall be awarded per lecture hour. For the practicum experience, faculty shall receive 1 contact hour per student.
 - b) Human Services: One credit or one contact hour shall be awarded per lecture hour. For student practicum experience with related duties, a faculty member shall receive 0.4 credit hours or 0.7 contact hours per student.
- 6) Each student in an independent study course will be the equivalent of one credit hour and one contact hour of classroom instruction. Independent study will not be required as part of the regular faculty workload, except as stated in C4e. A faculty member will be paid for independent study of any student enrolled through the fourteenth instructional day of the semester if the faculty member verifies that he/she has worked with the student during the first 14 days, regardless of the student's completion.
- 7) Faculty employed under 173-day contracts may agree to perform duties outside the normal 9-month limitation. In that event, the time will be paid at their applicable per diem rate.

(E) Overload Compensation

- 1) A full-time instructor may accept courses that exceed the full standard load of 15 credit hours or 19 contact hours. The maximum for these overload hours will be 12 credit/15 contact hours per fall or spring semester.

(F) Summer Semester Partial Load for 9 Month Faculty

- 1) The maximum load to be taught in the summer are 12 credit hours or 15 contact hours.
- 2) Office hours for faculty who choose to teach during summer sessions shall total 15 minutes of posted office hours per week per credit hour. The instructor shall provide assistance as needed at times mutually convenient to the student and instructor.

(G) Equipment and Lab Facilities

- 1) Credit classes shall have preference in assignments of equipment and lab facilities throughout the year. Class sizes shall not exceed the capabilities of equipment and lab facilities.