

# Sampson Community College

## Policy Manual



*Revised: Fall 2024*

This policy manual is a fluid document and may be revised periodically. Updates may occur to accommodate changes in laws, regulations, organizational structures, or operational needs. Employees are encouraged to stay informed of the most recent version and to comply with the policies outlined in this manual. For guidance concerning specific procedures, contact the appropriate division.

**Sampson Community College  
Policy Manual  
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*For guidance concerning specific procedures, contact the appropriate division.*

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## SECTION I: Institutional Mission, Governance, and Effectiveness



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**SCC Policy and Procedure:** Board of Trustee By-Laws

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**Legal Authority:** 1B SBCCC 300.1, 1B SBCCC 300.2

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## BOARD OF TRUSTEE BY-LAWS

### I. PURPOSE

The purpose of these bylaws is to guide the internal operations of the Board, thereby enabling the Board to discharge its responsibilities efficiently and effectively. Many of the following bylaws are taken from the General Statutes of the State of North Carolina. Other provisions are local in origin and are intended to serve Sampson Community College exclusively. If for any reason a policy within this manual conflicts with state or federal laws, that policy shall be considered null and inapplicable.

### II. BOARD OF TRUSTEES

#### Selection of Trustees

Sampson Community College, established and operated pursuant to Chapter 115D of the General Statutes of the State of North Carolina, shall be governed by a Board of Trustees composed as follows:

1. Eight trustees appointed by the General Assembly under G.S. 120-121. The General Assembly shall appoint two members annually. One member shall be appointed upon the recommendation of the Speaker of the House of Representatives and one member shall be appointed upon the recommendation of the President Pro Tempore of the Senate.
2. Four trustees elected by the board of commissioners of the county in which the main campus of the institution is located, one of whom may be a county commissioner. In addition, each board of commissioners of any other county in the administrative area that provides plant funds to the institution shall elect two additional trustees to the board, one of whom may be a county commissioner. A board of commissioners may delegate the election of one or more of its trustees to a board of education of a local school administrative unit located in the administrative area of the institution. If the board delegates its authority to elect, the following conditions apply: a. The delegation shall expire at the end of the term of office of the trustee but may be renewed by the board of commissioners. b. If an institution's administrative area contains more than one local school administrative unit, the board of commissioners may delegate the election to the boards of education of those units jointly. c. If the delegated election has not occurred by May 1 of the year in which the election is to be made, the board of commissioners shall revoke the delegation and shall elect the trustee or trustees.
3. The president of the student government or the chair of the executive board of the student body of each community college may be an ex officio nonvoting member if the board of trustees of the community college agrees.

No member of the General Assembly shall be a trustee of a local board of trustees.

All trustees shall be residents of the administrative area of the institution for which they are selected or of counties contiguous to the administrative area. (b1)

No person who has been employed full time by the community college within the prior 5 years and no spouse or child of a person currently employed full time by the community college shall serve on the board of trustees of that college.

Vacancies occurring in a seat appointed by the General Assembly shall be filled as provided in G.S. 120-122. Vacancies occurring in a seat elected by a board of county commissioners shall be filled for the remainder of the unexpired term in the manner in which regular selections are made.

### **III. TERMS OF OFFICE OF TRUSTEES**

Trustees (excluding the ex officio member) appointed after June 30, 1985, serve for terms of four (4) years. All terms commence on July 1 unless a trustee is appointed to fill an unexpired term. (NCGS 115D-13)

Each local board of trustees shall submit the following to the Legislative Library of the General Assembly by August 1 annually: (1) The name and address of each trustee. (2) The county of residence of each trustee. (3) The appointing or electing entity of each trustee. (4) If a trustee is filling a vacancy, the name of the trustee replaced. (5) The date each trustee's term begins. (6) The date each trustee's term ends."

Notwithstanding G.S. 115D-12, as amended by this section, the current members serving on a board of trustees of a community college as of the effective date of this section shall serve the remainder of their terms. Thereafter, as terms expire, the members shall be appointed or elected in accordance with G.S. 115D-12, as amended by this section. When a vacancy occurs in a seat that was elected by a local board of education or appointed by the Governor, the vacancy shall be filled as provided in G.S. 120-122 and as follows: (1) If the vacancy occurs in a term expiring in an odd-numbered year, and the General Assembly is not in a regular or extra session at the time of the vacancy, the Governor shall consult with the Speaker of the House of Representatives before making the appointment as required by G.S. 120-122. (2) If the vacancy occurs in a term expiring in an even-numbered year, and the General Assembly is not in a regular or extra session at the time of the vacancy, the Governor shall consult with the President Pro Tempore of the Senate before making the appointment as required by G.S. 120-122. (3) Notwithstanding G.S. 120-122, after receiving the written recommendation for the appointment to fill the vacancy, the Governor shall appoint the person recommended within 30 days and shall not reject the recommendation. Upon the expiration of the term, the seat shall be filled in accordance with G.S. 115D-12, as amended by this section.

### **IV. BOARD OF TRUSTEES: A BODY CORPORATE**

The Board of Trustees of Sampson Community College is a body corporate with powers enabling the Board to acquire, hold, and transfer real and personal property, to enter into contracts, to institute and defend legal actions and suits, and to exercise such rights and privileges as may be necessary for the management and administration of the College in accordance with the General Statutes of North Carolina, and policies of the State Board. The official title of the Board shall be "The Trustees of Sampson Community College." (NCGS 115D-14)

### **V. REMOVAL OF TRUSTEES**

If a Board member is not capable of discharging, or is not discharging, the duties of his/her office as required by law or lawful regulation, or is guilty of immoral or disreputable conduct, he/she may be removed from office in accordance with the provisions of NCGS 115D-19. The Board member being charged shall have all the rights afforded by a due process hearing. The Board of Trustees may declare vacant the office of a



member who does not attend three consecutive, scheduled meetings without justifiable excuse. In such event, the Board will notify the appropriate appointing authority of the vacancy.

## **VI. POWERS AND DUTIES OF THE TRUSTEES**

The trustees of the College shall constitute the local administrative board of the College with powers and duties as delegated to it by the State Board of Community Colleges and as are provided in the following (taken from NCGS Section 115D-20):

- A. To elect a President or chief administrative officer of the College for such term and under such conditions as the trustees may fix; such election to be subject to the approval of the State Board of Community Colleges.
- B. To evaluate the President annually and notify the State Board of Community Colleges, in writing, that the evaluation has been completed by July 1 of each year.
- C. To delegate to the President the authority to employ all full-time personnel subject to review of the Trustees and the standards established by the State Board of Community Colleges.
- D. To delegate to the President the authority to employ all part-time personnel.
- E. To purchase any land, easement, or right-of-way necessary for the proper operation of the College, upon approval of the State Board of Community Colleges. If necessary, to acquire land by condemnation in the same manner and under the same procedures as provided in Chapter 40A of the General Statutes. For the purpose of condemnation, the determination by the Trustees as to the location and amount of land to be taken and the necessity therefore shall be conclusive.
- F. To apply the standards and requirements for admission and graduation of students and for other standards established by the State Board of Community Colleges and state laws.
- G. To receive and accept donations, gifts, and bequests from private donors and apply them or invest any of them and then apply the proceeds for purposes and upon the terms which the donor may prescribe and which are consistent with the provisions of bylaws and regulations of the State Board of Community Colleges.
- H. To provide all or part of the instructional services for the College by contracting with other public or private organizations or institutions in accordance with regulations and standards adopted by the State Board of Community Colleges.
- I. To perform such other acts and do such other things as may be necessary or proper for the exercise of the foregoing specific powers, including the adoption and enforcement of all reasonable rules, regulations, and laws under Chapter 115D of the General Statutes and for the discipline of students.
- J. The Board of Trustees provides access to its buildings and campus and the student information directory to persons or groups which make students aware of occupational or educational options. The Board of Trustees shall provide access on the same basis to official recruiting representatives of the military forces of the United States for the purpose of informing students of educational and career opportunities available in the military.
- K. To encourage the establishment of private, nonprofit corporations to support the institution.
- L. To enter into guaranteed energy savings contracts pursuant to Part 2 of the Article 13f Chapter 143 of the General Statutes.
- M. To enter into lease purchase and installment purchase contracts for equipment under GS 115D-58.15.

## **VII. OATH OF OFFICE**

Following the notification of appointment and reappointment each Trustee should take the following oath:

I, \_\_\_\_\_, do solemnly swear (affirm) that I will support the Constitution of the United States.

I, \_\_\_\_\_, do solemnly and sincerely swear (affirm) that I will be faithful and bear true allegiance to the State and government thereof: and that I will endeavor to support, maintain and defend the Constitution of

said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

I, \_\_\_\_\_, do solemnly swear (affirm) that I will well and truly execute the duties of my office as a member of the Sampson Community College Board of Trustees according to the best of my skill and ability, according to law, so help me, God.

The oath may be taken before a judge, the clerk of superior court, a magistrate or any other public official authorized by law. An original of the oath shall be filed in the office of the President.

### **VIII. OFFICERS: DUTIES OF OFFICERS**

At the July meeting of the Board of Trustees, the Trustees shall elect from its membership a chairman, who shall preside at all board meetings, a vice chairman and secretary. These officers of the Board shall be elected for a period of one (1) year but shall be eligible for re-election by the Board. The officers shall be elected for a majority vote of all the members of the Board (7 or more votes). The duties of the officers are described below:

- A. The chairman shall preside at all meetings of the Board, shall participate in commencement, and shall appoint all special committees and liaisons of the Board and designate committee and liaison duties, and shall appoint a secretary for closed sessions who will keep the minutes of closed sessions, if needed.
- B. The vice chairman shall perform the duties of the chairman in his/her absence.
- C. The secretary shall keep the minutes of all meetings, except closed sessions:
  - 1. Have custody of the corporate seal of the Board, affix it to official documents, and attest same by his/her signature.
  - 2. Have custody of all official records and documents of the Board and keep minutes of board meetings.
  - 3. Prepare and maintain a compilation of all bylaws and amendments thereto, a copy of all policies, procedures, and regulations of the Board and all amendments thereto, the whole of which shall be known as the Policy Manual of Sampson Community College.

### **IX. MEETINGS OF THE TRUSTEES**

#### **A. Schedule of Meetings**

- 1. Regular Meetings. Regular meetings of the Board of Trustees will be set by the Board of Trustees. If a meeting falls on a holiday or if it appears a quorum will not be present, the chairman will reschedule the meeting. The Board will meet in the board room of the College unless announced otherwise. Time and location of regular meetings may be canceled or changed as often as may be necessary for the conduct of the business of the College, but the Board shall meet at least once every three months as provided by NCGS 115D-18.
- 2. During a declared State of Emergency by the County, State, or Federal Government, Trustee participation by electronic means will be permissible if personal attendance is not possible. It is the responsibility of individual Trustees to maintain confidentiality when appropriate. In the case of a meeting by electronic means the provisions of the Open Meetings Law will be adhered.
- 3. Special or Emergency Meetings: Special or emergency meetings of the Board of Trustees may be called by or at the request of the Chair or the President or by a quorum of the members of the Board of Trustees. Such meetings shall be held on the campus of the College, if at all possible, at a time fixed by the person or persons calling such meeting. An emergency meeting shall be called only because of generally unexpected circumstances that require immediate consideration by the Board

of Trustees. The business to be transacted at any special or emergency meeting shall be confined to business set forth in the notice of such meeting. Trustee participation in special or emergency meetings by electronic means will be permissible if personal attendance is not possible. In the case of a meeting by electronic means the provisions of the Open Meetings Law will be adhered.

4. Special Meetings. Special meetings may be held upon the call of the chairman or six or more trustees.

## **B. Notification of Meetings**

1. Means of Notification to Trustees. The secretary of the Board of Trustees shall notify each trustee of meetings by e-mail.
2. Public Notice of Regular Meetings. In addition thereto, the secretary of the Board shall post a current copy of the schedule of regular meetings on the College's principal bulletin board. Upon a change of the schedule of the regular meeting, the secretary shall cause the revised schedule to be posted on the bulletin board at least five (5) calendar days before the date of the meeting.
3. Notice of Other Meetings. When an official board meeting is held at any time or place other than a time and place shown on the schedule posted aforesaid, the secretary shall give public notice of the time and place of that meeting as follows:
  - a. If a meeting is an adjourned or recessed session of a regular meeting or of some other meeting, notice of which has been given pursuant to this subsection, and the time and place of the adjourned or recessed session has been set during the regular or other meeting, no further notice is necessary.
  - b. For any other meeting, except an emergency meeting, the secretary shall cause written notice of the meeting stating its purpose (1) to be posted on the principal bulletin board, and (2) to be mailed, e-mailed, faxed or delivered to each newspaper, wire service, radio station, and television station, which has filed a written request for notice with the secretary. The secretary shall also cause notice to be mailed, e-mailed, faxed, or delivered to any person, in addition to the representatives of the media listed above, who has filed a written request with the secretary. This notice shall be posted and mailed, e-mailed, faxed or delivered at least 48 hours before the time of the meeting. The secretary may, at his/her discretion, require each newspaper, wire service, radio station, television station and persons submitting a written request for notice to renew the request annually.
  - c. For an emergency meeting, the secretary shall cause notice of the meeting to be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request, which includes the newspapers, wire services, or stations' telephone number for emergency notice. This notice shall be given immediately after notice has been given to those members. An "emergency meeting" is one called because of generally unexpected circumstances that require immediate consideration by the Board. Only business connected with the emergency may be considered at a meeting to which notice is given pursuant to this paragraph.

## **X. OPERATIVE GUIDELINES FOR MEETINGS AND OFFICERS**

- A. Quorum
  - a. Quorum for all Board of Trustee meetings shall be a majority of Board members in good standing.
  - b. No business shall be transacted without an affirmative vote of at least five (5) members of the Board.
  - c. A majority vote of all the members of the Board shall be required for the election of the College President.
- B. Voting - Each member present shall have one vote. There shall not be voting by proxy.

- C. Authority of Trustee - Trustees have authority only during official board meetings unless authorized otherwise. Individual trustees or committees of members of the Board of Trustees shall act for the Board only by specific authorization or direction by the Board of Trustees.
- D. Open Meetings - All meetings shall be open to the public as set forth under Article 33C of Chapter 143 of the General Statutes of North Carolina, except closed sessions as set forth in paragraph E below. All official business of the Board must be in open session.
- E. Closed Sessions - The Trustees may hold a closed session excluding the public, as authorized by NCGS 143-318.11, upon the following conditions:
  - 1. Only upon a motion and duly adopted at the open meeting; the motion shall state the specific purpose of the executive session.
  - 2. The purpose shall be consistent with restrictions set forth in NCGS 143, Article 33C.
  - 3. A designee of the chairman shall take minutes of the closed session. Minutes of any closed session shall not be available for public inspection except by majority vote of the Board or by order of a court of competent jurisdiction. The designee shall keep the minutes of all closed sessions.

## **XI. CONDUCT OF BUSINESS**

- A. Order - Meetings of trustees shall be conducted according to Robert's Rules of Order. The chairman may designate a parliamentarian from the Board's membership to advise the Board.
- B. Agenda - The chairman and the secretary shall prepare an agenda for each meeting of the Board. Trustees may propose matters for consideration not included in the prepared agenda.
- C. President - The President or his designee, unless otherwise directed by the chairman, shall attend and participate in all meetings of the Board.
- D. Delegations - Any individual, delegation, or organized group who desires to appear before the Board shall state in writing the purpose of such appearance and the name of each person who is to appear as a spokesman. The statement shall be filed with the chairman or secretary at least six days in advance of the meeting at which the delegation wishes to attend in order that the presentation of the delegation may be included in the agenda for the meeting.
- E. Minutes - The secretary shall distribute copies of the previous minutes of each meeting to the Trustees prior to the meeting.
- F. Amendment - The bylaws and policies of the Board of Trustees may be amended at any meeting by a unanimous vote (12) of the full Board. The bylaws and policies may be amended by a majority vote of all members of the Board (7 or more votes) provided notice is given at a preceding meeting.

## **XII. COMMITTEES OF THE BOARD**

The chairman may appoint standing committees, special committees, and liaisons of the Board for purposes which the Board may specify. In appointing committees, the Chairman of the Board may appoint the chairman of the committee. All special committees are dissolved upon completion of their assigned responsibilities.

## **XIII. OFFICIAL BOARD OF NOTICE**

The Trustees designated the bulletin board in the East entrance hall of North Building as the official board for posting all official institutional documents and as the College's principal bulletin board.



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**SCC Policy and Procedure:** Board Policy Principles and General Definitions

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**Legal Authority:** 1B SBCCC 300.1, 1B SBCCC 300.2

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## BOARD POLICY PRINCIPLES AND GENERAL DEFINITIONS

### Policy Statement

The North Carolina General Assembly and the North Carolina State Board of Community Colleges have established and granted various powers and duties to the College's Board of Trustees and College President, to include the authority to establish institutional policies and procedures for the efficient and orderly administration of the College. The Board of Trustees delegates authority to the President to implement procedures in accordance with policies adopted by the Board of Trustees or required by federal or state laws and regulations.

**Definitions:** The following definitions apply to all College policies and procedures unless specifically stated otherwise.

1. Board: The Board of Trustees of the College.
2. College: Sampson Community College.
3. SBCCC: The North Carolina State Board of Community Colleges Code.
4. NCGS: The North Carolina General Statutes.
5. Policy: A written guideline, course of action, or directive adopted by the Board of Trustees and applicable to the College. College policies are posted on the College's website.
6. Procedure: A written guideline, course of action, or directive adopted by the President to implement Board Policy, and/or to govern academic, student, or administrative functions of the College. College procedures are posted on the College's website.
7. President: The President and chief executive officer of the College. Unless otherwise stated or apparent from the context of usage, "President" also refers to the President's designee.
8. State: The State of North Carolina.
9. State Board: The State Board of Community Colleges.
10. System: The North Carolina Community College System, including the State Board of Community Colleges.

### Adoption of Policies

- (1) Recommendations for new policies or changes to existing policies: Recommendations for new or revised Policies may be made by the President on his or her own motion or may be proposed by any member of the College community. Recommendations from other than the President should be submitted to the President.
- (2) Implementation of Policies and Regulations: The President, after consultation with legal counsel and the appropriate executive officer(s), may revise policies required by federal or state laws and regulations.
- (3) Reformatting/Minor Changes: Reformatting, editorial, and minor changes that do not affect the substance of a policy may be made by the President or designee.

### Content, Format, and Publication

- (1) Content: Policies and procedures create administrative structures, set priorities, assign responsibility, delegate authority, establish accountability, and define reporting requirements.

They should be concise, understandable and contain only material essential to the policy or procedure.

- (2) Format: New policies and procedures should be drafted following the policy and procedure template.
- (3) Publication of Policies and Procedures: The official site for approved policies and procedures is the College website, [Policy and Procedures Manual](#).

### **Controlling Documents**

The following order of precedence governs in the event of a conflict among any College policy, procedure, law, or regulation:

- (1) Federal law and regulation
- (2) North Carolina law and regulation
- (3) System policies
- (4) Bylaws of the Board of Trustees
- (5) Board of Trustee policies
- (6) College procedures



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**SCC Policy and Procedure:** Conflict of Interest and Undue Influence

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**Legal Authority:** NCGS 14-234, NCGS 138A

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**Approval Date:** July 11, 2023

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**Review/Revision Dates:** June 2023

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## CONFLICTS OF INTEREST AND UNDUE INFLUENCE

It is the policy of the Board of Trustees of Sampson Community College to uphold a commitment to the principles of integrity, transparency, and ethical conduct in all its affairs. To ensure the exercise of the Board's authority is conducted with honesty, fairness, and without impropriety, threats, favoritism, or undue influence, the following policy regarding conflicts of interest and undue influences is established.

1. Adherence to Conflict of Interest Provisions: All Trustees must adhere to the Conflict of Interest provisions as outlined in NCGS 14-234 and the State Government Ethics Act (NCGS 138A).
2. Disclosure and Non-Participation: Trustees have an obligation to disclose any conflicts or potential conflicts of interest pertaining to matters under consideration by the Board. Such disclosure allows for transparency and enables the Board to make informed decisions. Following disclosure, Trustees are expected to refrain from participating in a manner that could exert undue influence or compromise the integrity of the decision-making process.
3. Ethics Awareness and Conflict of Interest Reminder: To reinforce the importance of ethical conduct and the avoidance of conflicts of interest, an "Ethics Awareness and Conflict of Interest Reminder" will be read aloud at every Board of Trustees meeting. This reminder emphasizes the need for all Board members to steer clear of actual conflicts of interest and even appearances thereof. If any Board member is aware of a conflict or an appearance of conflict, they are required to identify it and abstain from participating in the specific matter.
4. Prohibition of Self-Benefit: Trustees are prohibited from using their position in any manner that would lead to direct or indirect financial gain for themselves, their families, or any associated individual, organization, or group. This prohibition ensures that the decision-making process remains impartial and free from any undue personal gain.
5. Ethics Training: In alignment with the NC State Ethics Commission's guidelines, all Trustees must complete ethics training within six months of their appointment or reappointment to the Board. Refresher sessions of ethics training are also mandatory every two years thereafter, as prescribed by NCGS 138A-14b, Ethics Education Program. These training sessions reinforce the ethical responsibilities of Trustees and help to maintain a culture of integrity and accountability.
6. Financial Disclosure: As further required by the NC State Ethics Commission's guidelines, all Trustees must complete a Statement of Economic Interest by April 15 annually. Failure to complete this Statement will result in removal from the Board.

Through the observance of this policy, the Board of Trustees of Sampson Community College strives to maintain the highest standards of ethical conduct, ensure fair decision-making processes, and preserve the trust and confidence of all stakeholders.



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**SCC Policy and Procedure:** Duties of the Board

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**Legal Authority:** 1B SBCCC 300.1

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## DUTIES OF THE BOARD

As an institution of higher education chartered by the North Carolina General Assembly, the College operates as an independent entity pursuant to Chapter 115D of the NCGS. A trustee must act independently to discharge duties as established by NCGS Sections 115D-14 and 115D-20. These sections vest in the Board the authority and responsibility to enter into contracts; acquire, hold, and transfer real and personal property; institute and defend legal actions and suits; and to manage and administer the College for educational purposes. In addition to these broad powers, the Board constitutes the College's local administrative governing body.

Consistent with the independence established in Chapter 115D, the State Board of Community Colleges has delegated to the Board broad powers and responsibilities indicative of an independent governing body. Specifically, “[a]ll power and authority vested by law in the State Board which relates to the internal administration, regulation, and governance of any individual college of the community college system” has been delegated to the various boards of trustees. Therefore, the independence of the College's Board is established by law and required in order to operate as a public educational institution.

### **Board Composition and Practice**

The statutory composition of the Board guards it from domination by a minority of board members or by organizations advocating interests separate from the College's mission. The 12 voting trustees are appointed to the Board by two different appointing authorities: (1) Eight trustees appointed by the General Assembly under G.S. 120-121. (2) Four trustees elected by the board of commissioners of the county in which the main campus of the institution is located, one of whom may be a county commissioner. (3) The president of the student government or the chair of the executive board of the student body of each community college may be an ex officio nonvoting member if the board of trustees of the community college agrees.

Before taking office, each trustee must promise commitment to the College and the law through an oath. The oath requires, among other things, trustees to “support the constitution of the United States” and to “well and truly execute the duties of the office of Trustee of Sampson Community College according to the best of [his/her] skill and ability, according to law....”. A trustee who was inappropriately influenced would be acting contrary to their legal obligations as well as a violation of the public affirmation of support for the law and College contained in the oath.

Once appointed, a trustee's independence is protected by both College policy and law. The College and NCGS Section 115D-19 establish that trustees can be removed only for cause. Appropriate cause is limited to (1) an inability to discharge the trustee's duties pursuant to law or (2) unjustifiable repeated absence from Board meetings. Thus, once appointed, a trustee does not owe any legal duty to the body or person who appointed him or her. The trustee's legal obligation is to discharge his or her fiduciary duties for the benefit of the College. After appointment, trustees are also oriented to the Board's duties, including their obligation to act independently from inappropriate influence.

Finally, the Board is sensitive to the possibility that external political, religious, or other types of pressure may be exerted in order to influence College policy inappropriately. This sensitivity, combined with each



trustee's legal and personal obligation to the College, ensures the Board's practices are consistent with actions of an independent policy-making body. Pursuant to its Bylaws, the Board meets monthly or more often as necessary. As evidenced by the Board's regular minutes, meetings are conducted with a quorum present and decisions are made through a vote of the majority, or greater in certain circumstances. No proxy voting by any trustee is allowed at any meeting. In the event of a tie vote, the motion or other issue upon which the vote was taken must fail. The minutes demonstrate that the Board acts pursuant to the legally established process and is the ultimate policy-making body for the College operating free of undue influence.



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**SCC Policy and Procedure:** Evaluation of the President

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**Legal Authority:** 1C SBCCC 300.2

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## EVALUATION OF THE PRESIDENT

- A. **Board Responsibilities.** The Board will conduct an annual evaluation of the President during the spring semester of each year. The evaluation results will be shared with the President during a closed session meeting of the Trustees.
- 1) **Methodology and Instrumentality.** The Board will evaluate the performance of the President annually. The evaluation instrument will include the following categories:
    - a. Relationship with the Board;
    - b. Community relationships;
    - c. Personnel administration;
    - d. Academic administration;
    - e. Fiscal and facilities administration; and
    - f. Personal attributes.
  - 2) **Reporting Requirements.** Prior to June 30 of each year, the Board, in writing, will notify the State Board of the following:
    - a. The time period for which its President was evaluated and the date the evaluation was completed;
    - b. Description of the methodology used for the evaluation;
    - c. Certification that the evaluation included a written assessment of the President's performance in each of the categories identified above;
    - d. Certification that the full Board discussed the evaluation results and the results were discussed with the President; and,
    - e. Certification that appropriate action, as defined by the Board, has been taken if the President's performance is less than satisfactory in any of the categories identified in Paragraph (a) of this Rule.
- B. **Board Chair Responsibilities.** The Board Chair, along with the Executive Director of Human Resources & Board Relations, will coordinate the President's Performance Evaluation process.

The Board Chair will prepare a Summary Report on the President's Performance Evaluation, including the methodology employed for the evaluation and attention to the content materials and performance categories, to be submitted as a recommendation to the entire Board.



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**SCC Policy and Procedure:** Mission, Values, Themes, Goals

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**Legal Authority:** 1A SBCCC 200.1, 1B SBCCC 400.2

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**Approval Date:** March 12, 2019

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**Review/Revision Dates:** Fall 2022 - BOT Approval

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## MISSION, VALUES, THEMES, GOALS

### 2022-2025 Strategic Plan - ACHIEVING EXCELLENCE

#### Mission Statement

The mission of Sampson Community College is to provide accessible and affordable education, workforce training, and lifelong enrichment. The mission is accomplished through outreach, innovative and effective teaching, student support, and community partnerships.

#### Vision Statement

Sampson Community College is the principal provider of workforce development, adult and post-secondary education, and community engagement, enriching the quality of life for the greater Sampson County area.

#### Equity Statement

Sampson Community College supports an inclusive campus environment that fosters respect and values all people. The College is committed to identifying and removing barriers for the advancement of underrepresented students and employees.

#### Values

Accountability	Community
Collaboration	Integrity
Communication	

#### 2022-25 Themes

Effectiveness, Engagement, Excellence

### EFFECTIVENESS

#### Goal 1: Effective & Innovative Teaching

- 1.1 Student experiences in distance learning courses will meet or exceed those in other NCCCS and regional UNC institutions, reflect the creative teaching of SCC faculty, and provide adequate opportunities for supplemental student-faculty engagement.
- 1.2 Promote and increase student participation in work-based learning and apprenticeship opportunities
- 1.3 Support faculty efforts to provide superior instruction in classrooms, laboratories, clinical settings, and shop spaces
- 1.4 Establish crosswalk opportunities for Workforce Development students who choose to seek diplomas or degrees
- 1.5 Expand short-term, high-demand occupational programs for adult learners

## **Goal 2: Effective Student Support**

- 2.1 Effectively employ early intervention strategies that promote academic resilience and meet the learning needs of all students
- 2.2 Develop and employ guided pathways as a tool for student success
- 2.3 Student Resources...
- 2.4 Evaluate and restructure student advising
- 2.5 Implement a phased three-year campus instructional plan that elevates and funds the technology needs of students and faculty

## **Goal 3: Effective Use of Resources**

- 3.1 Dynamically share instructional spaces and resources
- 3.2 Redefine employee roles to meet the needs of CE and CU students
- 3.3 Develop strategies for plant operations that are manageable within anticipated resources
- 3.4 Promote business continuity
- 3.5 Prepare employees to respond to campus emergencies

## **ENGAGEMENT**

### **Goal 4: Engage Students**

- 4.1 Identify effective enrollment strategies that best serve underrepresented student populations
- 4.2 Reimagine student onboarding using 'one college' concepts
- 4.3 Celebrate SCC students and their achievements in marketing and outreach
- 4.4 Increase opportunities for on-campus student activities

### **Goal 5: Engage Employees**

- 5.1 Identify recruiting strategies that reach a broader and more diverse talent pool
- 5.2 Foster a stronger campus community through collaboration, open communication, and broader participation in planning, policy, and campus development
- 5.3 Strengthen onboarding, mentoring, and offboarding efforts
- 5.4 Redefine contract relationships between employees and college
- 5.5 Celebrate our employees and their value

### **Goal 6: Engage Community Partners**

- 6.1 Encourage college-community art and cultural initiatives
- 6.2 Leverage opportunities with Mid Carolina COG Workforce Development Board and county agencies
- 6.3 Increase college representation in community-based events across the county

## **EXCELLENCE**

### **Goal 7: Student Excellence**

- 7.1 Meet or exceed all NCCCS Performance Measures for Student Success
- 7.2 Support students in transition to careers and institutions of higher learning
- 7.3 Develop and promote educational opportunities for community members interested in life-long learning
- 7.4 Provide pathways to careers via established employer partnerships

### **Goal 8: Employee Excellence**

- 8.1 Validate institutional pay plan with peer institutions and revise to ensure competitiveness

- 8.2 Expand opportunities for professional and leadership development
- 8.3 Revise performance evaluation policies and processes
- 8.4 Require professional development for adjunct faculty

### **Goal 9: Campus Excellence**

- 9.1 Revise the master facility plan to address current program and service needs, guide development, and identify anticipated major capital repair expenses
- 9.2 Improve campus safety with installation and training in emergency notification system
- 9.3 Improve way finding and event directions
- 9.4 Remove or replace outdated campus furnishings
- 9.5 Promote faculty-IT collaboration to further technology integration in course content

### **Planning Assumptions**

The College's strategic plan provides an overview of important emphases that are intended to best position the College to serve its mission over the next three years. The plan is based upon assumptions about the College's service area, economy, legal framework and governance of the North Carolina Community College System and its 58 institutions. These statements are based upon published sources, internal college data, and conversational information suggesting trends and changes in local, state, and federal initiatives that should be considered in planning efforts. The following summary highlights assumptions upon which the strategic plan was developed.

#### **Our Students**

- 1. The demand for CCP courses will remain but with limited potential for growth.
- 2. Student and family interest in CIHS, private schools and home schooling is expected to increase. (SECHS applications will continue to greatly exceed enrollment capacity).
- 3. The College will continue to attract students outside of Sampson County with some programs enrolling increasing numbers of students from surrounding counties.
- 4. Enrollment in CTE programs with established local job demand is expected to grow.
- 5. Distance learning will remain the preferred method of course delivery for a number of disciplines and programs of study.
- 6. Internet access is not available in all parts of the county.
- 7. SECHS students will be the primary participants for student activities.
- 8. Students enrolled in college classes admitted directly from high schools will exhibit learning gaps attributable to the disruption of high school classes from COVID.
- 9. Inflation will impact students and their families. Commuting costs may significantly increase for students, especially those attending clinical sites.
- 10. Further enrollment growth will be limited without additional instructional space and personnel.
- 11. Students will continue to have options for obtaining higher education.
- 12. Students will show interest in short-term training opportunities.
- 13. Local access to substance abuse and mental health professional is limited.

#### **Our Employees**

- 1. The competition to recruit qualified staff and faculty will continue to increase.
- 2. Organizational changes will be required to meet the financial, operational, and program requirements of the College.
- 3. Employee life cycles are expected to be shorter than the College's historical average, contributing to higher rates of employee turnover.
- 4. For many positions, 'home grown' solutions will be needed to provide qualified faculty and staff.
- 5. Business continuity planning will become increasingly important.

### **Our County**

1. The service area population will continue to decline. (The 2020 county population of 58,638 (down from 2010 population of 63,471) is expected to continue to decline to 56,254 by the end of the decade)
2. Residential growth will continue in western and northern Sampson.
3. Sampson County's Hispanic population is projected to nominally increase. (Population in 2020 of 12,207 (20.7%) is expected to increase to 3,107 (23.4%) in 2030)
4. High school enrollment in the two public school systems is declining. (Total school enrollment (grades 9-12) for four of the five public high schools declined from 2019-2020 to 2020-2021)
5. Retail business growth will expand through the Highway 24 corridor into Sampson.

### **Our Governance**

1. New state leadership will focus on enrollment decline and the challenges of rural colleges.
2. Emphasis on Workforce Development and Continuing Education will continue.
3. CCP enrollment eligibility and funding may change following the completion of a special study by the General Assembly.

### **Our Economy**

1. North Carolina will continue to be a national leader in economic growth with business and industry expansion principally identified with Wake and surrounding counties.
2. Sampson County's economy will remain predominantly agricultural and agricultural manufacturing.
3. The county tax base is not expected to grow and may continue to decline. The demand for funding of education and county services will exceed current ad valorem tax income.
4. Graduates will continue to seek employment in surrounding counties consistent with current commuting patterns (almost 4 of 10 Sampson residents work outside the county.) A regional labor market should be used in consideration of any new programs.
5. Inflation will continue to negatively impact the cost of living for students, employees, college operational expenses, and the cost of construction.

### **Our Funding**

1. Increases in the annual cost of plant operations will exceed county funding.
2. Political advocacy with local, state, and federal policy makers will become increasingly important.
3. Further campus capital expansion will be limited to state funding (SCIF) and special allocations from the General Assembly and Federal sources.



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**SCC Policy and Procedure:** Powers of the President

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**Legal Authority:** NCGS 115D-20

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## POWERS OF THE PRESIDENT

The Board of Trustees delegates to the President the following specific powers in order to provide for a more efficient and timely delivery of educational services:

1. Accept all gifts to the institution on behalf of the Board.
2. Extend existing contracts of College employees approved by the Board from any lesser period up to 12 months during an existing fiscal year when an employment need exists.
3. Contract with consultants or other resource personnel external to the College for amounts not exceeding \$10,000 during a fiscal year.
4. Enter into contracts with clinical agencies or similar agencies for the provision of teaching facilities for the College's instructional programs.
5. Approve and contract with tutors or similar personnel for the delivery of individualized instruction in support of academic programs.
6. Approve requests and grant military leave and leave without pay to College staff.
7. Accept resignations of College staff.
8. Make line-item budget changes in all sources of funds.
9. Hire and terminate maintenance and housekeeping personnel.
10. Approve, on behalf of the Board, courses of instruction offered to "captive" or "coopted" (immured) groups and special in-service industry training courses.
11. Enter into contracts with other educational institutions or boards for the purpose of establishing cooperative agreements.
12. Assign employees to assist with the operation of the College's foundation and make available to the corporation; office space, equipment, supplies, and other related resources.



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**SCC Policy and Procedure:** Role of the President

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**Legal Authority:** 1B SBCCC 300.1 and 300.2

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## ROLE OF THE PRESIDENT

The President, as Chief Executive Officer, is responsible for the operation of the College and executes duties under the supervision of the Board of Trustees, in accordance with the policies adopted by the Board of Trustees and by the State Board of Community Colleges. The President's primary responsibilities are to promote excellence in teaching and learning and to ensure that the College accomplishes its mission and goals.

The President will devote full time, skill, labor, and attention to the operation of the College and has the responsibility to organize, reorganize and arrange the administrative staff, including instruction and business affairs, which in his or her judgment best serves the College. The President is assigned the responsibility, subject to the policies of the College as established and amended, for all personnel matters, including selection, assignment, transfer, and termination subject to Board approval.

By way of example and not limitation of the President's duties and responsibilities, the President is responsible for the following duties:

- 1) Coordinate and provide oversight of all administrative and managerial aspects of the institution.
- 2) Ensure sound fiscal management of the institution.
- 3) Provide for distribution of college resources to ensure effective fulfillment of the College's mission, goals and priorities.
- 4) Create a college environment that appreciates and reflects diversity both in the student body and the workforce.
- 5) Advise the Board of financial and budgetary needs of the institution and recommend the items to be included in the current expense budget and the capital outlay budget.
- 6) Lead the College institutional effectiveness and goal setting process, and using a team approach, ensure development and execution of College strategic planning and continuous improvement.
- 7) Establish the College's organizational structure.
- 8) Make all final decisions regarding the employment and dismissal of all college employees as delegated by the Board.
- 9) Recommend policies to the Board when deemed in the best interest of student learning and the needs of the institution.
- 10) Administer all college policies and procedures fairly and effectively.
- 11) Shape and maintain the educational policies of the College and recommend additions, eliminations, and changes in programs and services provided by the institution deemed in the best interest of students, the local community, and the State of North Carolina.
- 12) Ensure that all educational programs are educationally sound, financially viable, and meet all recommendations and requirements of accrediting bodies, local and state law, and the standards of the North Carolina State Board of Community Colleges.
- 13) Work with local advisory committees to ensure educational programs address local workforce needs.
- 14) Consult with the Board leadership to develop agendas for Board meetings.



- 15) In cooperation with the College Foundation Board, ensure that the Foundation receives, accepts, and maintains fiscal accountability for private donations.
- 16) Encourage professional development of all College employees and support opportunities that enhance employee advancement.
- 17) Promote effective supervision and evaluation of all employees.
- 18) Engage in community involvement on behalf of the College.
- 19) Promote the College to foster a positive image for student recruitment.
- 20) Represent the College on boards, task forces, and organizations.
- 21) Approve the College's academic calendar (Board authority delegated to President).
- 22) Approve Level 1 and Level 2 Instructional Service Agreements (Board authority delegated to President).



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**SCC Policy and Procedure:** Self Evaluation of the Board of Trustees

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**Legal Authority:** NCGS 115D-20

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## SELF-EVALUATION OF THE BOARD OF TRUSTEES

This policy requires the Board of Trustees to conduct an annual assessment and an annual self-evaluation of its performance as a governing and policy making body in order to strengthen the Board's effectiveness. Through a formative self-evaluation process, each member of the Board will identify areas of Board effectiveness and any needs for improvement.



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**SCC Policy and Procedure:** Strategic Planning

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**Legal Authority:** 1A SBCCC 200.1, 1B SBCCC 400.2

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## STRATEGIC PLANNING

The College's [strategic planning process](#) consists of eleven identifiable tasks.

1. **Review Statement Mission.** The College's mission statement defines the statement of purpose for the College. While the mission must be rooted in the institution's legislative charter and the statutory framework of the NCCCS, the statement provides for the unique identity of the College, its programs and services, and the community it serves. Consistent with accreditation requirements, the mission statement must be clearly defined, comprehensive, and address teaching and learning. The mission statement is expected to be evaluated at five-year increments coinciding with the development of each strategic cycle. The College's Planning Council and Board of Trustees are responsible for periodic review of the mission statement.
2. **Environmental Assessment.** This component involves the compilation and analysis of the external forces which may significantly affect the ability of the College to realize its mission or the need for redefinition of the institution's mission. Environmental assessment includes the identification of demographic, economic, social, political, and technological trends currently or anticipated to affect the College. Methods used for this assessment include needs assessment, market analysis, image assessment, future research, and environmental scanning. The component is performed by the Planning and Policy Committee with input from other employees and outside consultants and agencies.
3. **Internal Assessment.** This component identifies the College's strengths and weaknesses. It is an attempt to answer the questions, "What are we doing?" and "How well are we doing it?" in preparation for the questions, "What can and cannot be done here in the future?" Similar to the environmental assessment, information is collected and analyzed focusing upon student demographics, student readiness, and student achievement along with an assessment of faculty, staff, programs and services, and facilities. The administrative staff is responsible for preparing the assessment review for the Planning Council.
4. **Planning Assumptions.** Planning assumptions are developed consisting of important and probable developments that may have a significant impact on the College's performance or suggest management actions to reposition the institution's programs or services. During this stage of the planning process the questions to be asked focus upon minimizing negative impacts and taking advantage of projected opportunities. These assumptions are developed by the Planning Council.
5. **Institutional Outcomes.** Institutional outcomes are developed and evaluated concurrent with the College's mission statement. These statements are developed only after an intensive process of seeking input from across the College community through forums, surveys, and focus groups and include statements concerning the knowledge, skills, and behaviors that the institution has determined we want for all students.

6. Identify Strategic Priorities. Statements of strategic priorities provide an important link between the College's stated mission, institutional outcomes, and the operational activities of the institution. Strategic priorities identify the critical issues on which much of the work of the administration, faculty, and staff must be focused. While priorities are not intended to be restrictive, they sharply define the focus and direction and support of the development of annual budgets that, over time, provide the needed resources to address priorities.
7. Expected Results. Statements of expected results are developed for divisions, departments, or programs which contribute to the accomplishments of the institution's strategic priorities. These expected results are developed by program and service leaders working with department staff and faculty. They are reviewed by the appropriate vice president and the Planning Council.
8. Implementation. The overall responsibility for the administration and the strategic plan is the responsibility of the President and the administration. When appropriate, individual performance objectives should reflect efforts to help achieve plan outcomes, adhoc committees or cross-divisional teams are appointed to help achieve coordinated efforts to meet outcomes.
9. Develop Employee's Individual Work Plans (Performance Objectives). Once goals, objectives, and implementation activities have been established and approved, each employee prepares specific statements of tasks, activities, and strategies to be undertaken. This plan is discussed with the employee's supervisor and, after approval; it becomes the basis, together with the individual's job description and staff development plan, for the employee's annual activities and performance appraisal.
10. Budgeting. Institutional budgets reflect the priorities of the strategic plan and support activities and programs designed to help achieve identified outcomes. Any limitations in the budget revenues should be identified and used to prioritize activities during the budget planning process.
11. Evaluation. The President's Council is responsible for the ongoing evaluation of the planning process as well as the formative and summative assessment of the strategic plan. Evaluation is a critical element of the process and is expected to be evident at each level of the planning process. Written reports of accomplishments, activities to be continued, and problems encountered constitute a vital component of the overall planning process. Results of these reports are indicative of the need to alter the plan or to amend the planning process itself to promote a continued cycle of improvement. It is important that the results of evaluation and institutional actions be well documented to provide evidence that institutional action is being taken as a result of evaluative information.

### **Institutional Effectiveness and Annual Program Reviews**

In 2003, following a reaffirmation visit, the College responded to the Visiting Committee's recommendations to improve the existing IE assessment by incorporating performance benchmarks as a basis for assessment of educational programs, student support services, and administrative operations. The College responded by developing and incorporating performance benchmarks as a principal assessment measure for annual program and service assessment. Program and service performance is annually assessed relative to benchmarks, assessment results reviewed, and uses of assessment results identified providing closure on each annual cycle of program and service review. [Annual program reviews](#) provide evidence of the use of assessment results for continuing improvement in programs, student services, and administrative operations.

## **General Education Student Learning Outcomes (SLOs)**

The College has defined student learning outcomes for the general education core courses in all two-year degree programs. These outcomes and the use of these assessment results provide evidence of the use of student data to assess the effectiveness of the general education core and to develop plans for the use of the assessment measures that result in continuing improvement in student outcomes.

## **Program Level Student Learning Outcomes**

In 2011, as part of efforts to improve faculty understanding and use of SLOs in assessment, the College began work with [Dr. Terri Manning, Director of the Center for Applied Research at Central Piedmont Community College](#). Following on-campus workshops and administrative emphasis and support, annual program reviews which focused principally on administrative outcomes (e.g. enrollment, graduation rates, licensure rates, student satisfaction, funding) were augmented with the development of [program level SLOs](#). Similar to annual program reviews, SLOs are assessed annually, and the use of assessment results identified for the next planning cycle. Administrative and educational support program benchmarks have been reinterpreted to focus upon student-centered outcome statements.

## **Student Support and Administrative Outcomes**

Administrative and academic support units prepare [End-of-Year Reports](#) based on annual program plans. These reports include assessment results relative to targeted benchmarks, plans for the use of assessment results, and revisions to performance objectives for the next cycle.

## **Budget Development and Management**

Budget planning is integrated into institutional planning processes. The College's budget consists of recurring budgets to support ongoing operations and new funds allocated for growth and development.

Each current year's budget reflects budget allocations directed to needed improvements indicated in assessment data. As part of the annual [budget development cycle](#), the Finance Office staff requests all budget managers prepare tentative [Budget Request Forms](#) identifying the need for operating funds in the subsequent year. Similar requests for equipment items are made using Equipment Request Forms. [Budget managers](#) are requested to justify all increases in current expense. Each in relation to strategic priorities. Equipment requests must be justified and related to departmental and institutional goals.

Finance staff compile budget requests and provide a summary of requests to the President's Executive Council for review and prioritization. Upon receipt of the College's federal, State, and local allocations, the prioritized requests are reviewed relative to budget allocations. The institution's [comprehensive budget](#) is approved by the College's Board and the NCSBCC as required by statute.

Budget information is available online for all budget managers. The Vice President for Finance and Administration (VPFA) is responsible for overall budget management. Budget managers may request budget amendments within established departmental budgets for approval by the VPFA.



## SECTION II: Human Resources



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**SCC Policy and Procedure: Academic Assistance Program**

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**Legal Authority:** NCGS 115-D-5(b1)

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**Approval Date:** September 12, 2023

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**Review/Revision Dates:** September 12, 2023

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**ACADEMIC ASSISTANCE PROGRAM POLICY**

The following academic assistance program is provided by the College to full-time employees as authorized under NCGS 115-D-5(b1). The program is intended to serve as a management resource to aid in the ongoing development of the College's workforce. The program is not an employee benefit, right, or entitlement. Denial of a request for assistance under this program is not subject to grievance except on grounds of discrimination. The program provides reimbursement of academic costs subject to the limitations established in this policy. Support is limited to budget availability of the College.

**Academic Assistance Committee**

State funds may be allocated to the academic assistance program as part of the College's annual budget development process. Recommendations for support may be coordinated with Foundation funds. The Academic Assistance Program will be administered by the following committee or one appointed otherwise by the Director of Human Resources:

- Executive Director of Human Resources & Board Relations
- Vice President of Academic and Student Affairs
- Vice President of Finance and Administration
- Vice President of Workforce Development and Continuing Education
- Dean of Student Services
- Dean of Advancement
- Dean (Instructional) as appropriate

**Origination of Request**

Request for academic assistance may be initiated by an employee or a supervisor. Employee initiated courses are to:

- Maintain/enhance current skills
- Develop new skills/competencies for career development
- In furtherance of a professional development plan

College (supervisor) initiated courses are to:

- Ensure employees have mandated licensure, certification, or meet accreditation standards
- Address shortage of skilled workers
- Build specific high priority skills
- Address performance expectations of the employee

**Calendar**

Applications for academic assistance funding may be submitted at any time on an Academic Assistance Request Form for consideration by the Committee. The committee will make award decisions and notify each applicant on or before the following dates:

- Summer Semester – March 1
- Fall Semester – July 1
- Spring Semester – November 1

**Applications**

Each employee applying for academic assistance must:

- Check eligibility to apply with the appropriate vice president/dean
- Discuss proposal, including proposed timing, alignment with the college strategic plan, goals, and strategies with supervisor
- Complete the Application for Academic Assistance Form located on the I: Drive
- Submit the completed application and appropriate documentation, including a copy of the degree program, course descriptions, any additional information, and signatures of appropriate supervisors to the Director of Human Resources by the deadlines noted above

### **Eligibility Requirements**

To be eligible, employees must meet all of the following:

- Employed full-time by SCC for one year (12 full months)
- Successfully completed any previously funded courses through this program (if applicable)
- Enrolling in a college credit course offered by an accredited institution

### **Approved Institutions**

Academic courses/degrees must be from an accredited institution. Courses must provide academic credit (as opposed to CEUs), be listed in the institution's course catalog and charge tuition, not registration fees. Accreditation must be from an accrediting agency recognized by the U.S. Department of Education.

### **Sampson Community College Courses**

NCGS 115D-5(b) requires the College to charge tuition and fees for faculty or staff enrolling in an SCC course. State funds may be used to pay tuition and registration fees for one course per semester for a full-time faculty or staff member.

Faculty may use administrative hours assigned under the workload formula to complete an approved course(s). With approval by the dean/vice president, staff may be permitted to attend face-to-face or synchronous distance learning classes during work time provided that this time is made up. In limited instances where the staff member is completing assigned classes during normal work time, the Director of HR may waive this requirement to make up this time.

Employees should apply for academic assistance for SCC courses under the provisions of this policy. Director of HR has discretion to allow for late requests. Tuition and fees for SCC courses will be paid by the College at time of registration. Employees must successfully complete the course(s) as defined in this policy to be eligible for continued support.

### **Approved Courses**

All courses must have a direct benefit to the College. The improved knowledge, skills, and abilities gained by the employee should benefit the individual in completion of their current or potential position duties. The Committee will consider workforce planning, succession planning and career development in approving employees to receive academic assistance.

Guidelines to consider in course selection:

- Courses which provide knowledge and skills directly related to maintaining or improving current job skills
- Courses mandated by law or regulation as a job requirement for continued employment
- Courses required for licensure/certification
- Courses required for accreditation
- Courses directly related to the employee's current job or a documented workforce need

Academic assistance will not be approved for a course when, in the opinion of the Committee, the course or degree has no benefit to the College.



### **Certification/Licensing (Post Employment)**

Employees who meet minimum educational requirements for employment and for whom certification/licensing is required after employment or is deemed desirable by the College are eligible for academic assistance under the following conditions:

- Certification/licensing is mandated or
- Certification/licensing is required by the College

Academic assistance is authorized for certification or licensure if the certification is attained through academic course work.

### **Reimbursement**

Academic Costs – Eligible employees approved for academic assistance may be reimbursed academic costs up to the amount charged to all students enrolling in the course. These charges are required of everyone and are neither negotiable nor discretionary. They include in-state tuition, fees, and course/lab fees.

Amount of Reimbursement – Eligible employees may be reimbursed academic costs charged by the institution. The College may reimburse up to an amount equal to all academic costs or a lesser amount as determined by the College not to exceed \$500 per semester, unless authorized by the President. In general, the maximum amount of tuition and fees will be determined by the prevailing rate of tuition and fees for class(es) offered by member institutions of the University of North Carolina.

Requirement for Reimbursement - Approved applicants will receive reimbursement of approved academic costs upon submitting evidence of satisfactory completion of an approved course. Completion is defined as “Satisfactory,” “Pass,” or a grade of “C” or better for undergraduate courses and a “B” or better for graduate courses. An “Incomplete” will not be reimbursed until a final satisfactory grade is assigned.

### **Courses Taken at College Request**

When the College requests an employee enroll in one or more specific courses or degree program, all limitations of this policy may be waived. All expenses to the individual may be reimbursed related to acquiring the necessary course or degree to include travel costs, examinations and administrative fees, textbooks and other course materials.

### **Employee Responsibility**

An employee who receives reimbursement under this program is expected to remain in regular, full-time employment with Sampson Community College for a minimum of two (2) years following a course or degree completion. If an employee voluntarily terminates employment, is separated, is not reappointed or if employment is terminated for cause, the employee must reimburse the College according to the following schedule:

- Employee remains employed less than 12 months after course/degree completion will reimburse the College for all provided academic assistance
- Employee remains employed only 12-24 months after course/degree completion will reimburse the College for 50% for all provided academic assistance

Arrangements for repayment must be made with the Director of Human Resources and the Finance Office. Any balance owed the College must be paid within one (1) year of termination of employment unless an alternative arrangement is approved by the President.



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**SCC Policy and Procedure:** Background and Criminal Records Checks

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**Legal Authority:** College Requirement for Employment

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**Approval Date:** Fall 2022

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**Review/Revision Dates:** Spring 2023

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## BACKGROUND AND CRIMINAL RECORDS CHECKS

As part of the College's risk management plan, the College is required to purchase liability insurances on the private market. As a condition for writing these policies the College is required to perform background and criminal record checks on applicants pending an offer of employment and periodically on current employees.

A background and criminal records check of an individual's county, state, and a national criminal and sex offender history will be conducted on all applicants for employment who accept an offer of employment or re-employment. For this purpose, re-employment is defined as a lapse of employment exceeding 12 consecutive months. In addition, the College may periodically and without notice conduct background and criminal record checks on employees consistent with the requirements of current insurers.

The refusal to consent to a background and criminal records check as required on the employment application will result in the applicant not being offered employment, or if a conditional offer has been made, the offer will be withdrawn, or the employee's employment will be terminated.

If an applicant omits information or gives false information concerning their criminal history on their application, resume, or any other required or submitted application-related documents, that person may not be offered employment. If the person has been hired or offered employment conditioned on the results of a background and criminal records check, the person will be subject to dismissal, or the offer of employment will be withdrawn.

Any criminal conviction will be considered in hiring, dismissal, and other personnel decisions. If an applicant's or employee's criminal history or background and criminal records check indicates the person poses a threat to the physical safety of students or college personnel, or the person has demonstrated insufficient integrity, honesty, ethics, or other traits to fulfill the duties of a college employee, then an offer of employment will be withdrawn, or employment will be terminated. All newly hired and rehired employees are employed conditionally pending the review of the background and criminal records check and any resulting additional background investigation.

Each employee is required to notify their immediate supervisor and the Executive Director of Human Resources & Board Relations within five calendar days after any felony criminal conviction, guilty plea, or plea of no contest. Any employee who is aware of any criminal conviction, guilty plea, or plea of no contest of another employee should notify the Executive Director of Human Resources & Board Relations.

The College will require an applicant to agree to credit checks for positions which are subject to bonding and have access to cash, checks, credit card transactions, or bank account information. When applying for such a position, the refusal to consent to a credit check will result in the applicant not being offered employment. If a conditional offer has been made, the offer will be withdrawn or the employee's employment will be terminated, as applicable.



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**SCC Policy and Procedure:** Communicable Disease

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**Legal Authority:** 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## COMMUNICABLE DISEASE

The College will follow the guidance of the Governor, State Health Director and/or the Local Health Director in the event of the need for public health isolation, quarantine, and other communicable disease control measures.

### **Social Distancing:**

Social distancing is designed to limit the spread of disease by reducing the opportunities for close contact between people. The following are examples that the College may use in an effort to manage a situation:

- Reducing face-to-face exposure by using conference calls and video conferencing
- Avoiding unnecessary travel
- Canceling meetings, workshops, training sessions, and scheduled events
- Requiring employees and students to work from home to reduce exposure at the College
- Establishing flexible working hours to avoid mass transportation, at least during peak hours
- Installing protective barriers between workstations or increasing space between workers
- Reinforcing hand washing and requiring the use of protective equipment as provided by the College, such as hand sanitizers.
- Scheduling employees in shifts
- Controlling access to buildings
- Requiring asymptomatic individuals traveling to and from affected countries/areas not to return to work until one incubation period has passed after returning home.

### **College Operations:**

The College may choose to practice social distancing by use of alternate worksites or teleworking and other methods to help the College reduce close contact between people. The College reserves the right to change normal hours and operations, employee job duties and responsibilities, and work areas to help facilitate the limiting of close contact between individuals for any time period of the emergency. The College administration will monitor communicable disease events and, after consultation with public health authorities, indicate the general operations of the College:

- **Phase I:** Classes are being held, offices are open for business. All employees are expected to report to work as usual. Social distancing practices may be employed as deemed appropriate.
- **Phase II:** Classes are offered in online format; offices may be open for business. Employees are expected to report to work, offered the ability to telework or a combination of both. Social distancing practices are expected to be used.
- **Phase III:** Classes are canceled; College is closed. No one reports to work at the College and work continues thru the telework practices if possible.
- **Phase IV:** If the situation lasts longer than 30 days and there is no ability to have employees work, an emergency furlough (unpaid leave) of employees may be instituted.

### **Leave:**

The College will encourage employees with symptoms associated with a communicable disease to stay home so that they do not infect others and also recognize that employees with ill family members may need to stay home to care for them. The type of communicable disease emergency will dictate the type of leave that will be used, annual, sick, bonus or a combination of leave. If an employee has a compensatory leave balance, that will be used first.

If in Phase III or Phase IV employees are unable to work, the College will make every effort to grant paid administrative or emergency leave, if at all possible. If not possible, the employee will be able to use annual, sick, bonus, compensatory time or a combination of leave. If an employee has a compensatory leave balance, that will be used first. If the President grants administrative leave in a communicable disease situation, it will be only for the specific emergency situation. The President will report the granting of leave to the Board of Trustees.

Employees who are on prearranged annual or sick leave will be charge leave to the appropriate account until the end of the scheduled days off. Employees on leave without pay status will also remain on leave without pay status until the scheduled time ends.

**Advisory Note:** Should an employee not have sufficient sick leave available, the College may work with the employee to advance a reasonable amount of leave or make arrangements for the employee to make up the time within 24 months.

When the College is open but an employee who is a parent (or guardian) is required to stay home with a child (as defined in the FMLA) because of the closure of a day care facility or a public or private school, the employee may, with approval of the President, be allowed to work at home or elect to:

- use vacation leave
- use bonus leave
- use sick leave
- use compensatory leave
- take leave without pay
- take paid leave to be made up within 24 months. If the time is not made up within 24 months, appropriate leave will be deducted, or the appropriate amount of pay shall be deducted from the employee's paycheck.

These provisions also apply for elderly care. The College has the right to request appropriate documentation to substantiate need.

#### **Review of Procedure:**

In the event this procedure is triggered, the President must review the compensation and leave provisions every 30 calendar days and, as appropriate, take any of the following steps:

- Renew the compensation and leave provisions for another 30 calendar days.
- Revise the compensation and leave provisions for up to another 30 calendar days.
- Terminate the compensation and leave provisions if the public health emergency has ended.

Any changes in the compensation and leave provisions must be communicated to employees in a timely manner. Pending a renewal or revision, the employee may be allowed to take leave (compensatory, sick, vacation, bonus) until a decision is made.

#### **Emergency Furlough:**

The College President, in consultation with the North Carolina Community College System Office, may declare an emergency furlough if the College remains totally closed or partially closed for an extended period of time. A furlough is a temporary layoff in which employees are expected to be recalled.

Employees who are on an emergency furlough:

- Continue participation in State Health Plan. The College shall continue paying the employer contribution on behalf of the employee. The College will pay both the employee and employer contribution for the month following the initiation of the furlough, with the provision that the employee shall repay the State for any contribution made on his or her behalf unless otherwise directed by the State.
- Continue to accrue vacation and sick leave, as applicable (however, employees will not be allowed to use the leave during the furlough period).
- Continue to accrue Total State Service.

An employee may be eligible for unemployment benefits through the Department of North Carolina Employment Security while on emergency furlough. Employees should contact the North Carolina Employment Security Commission for further details. If, at the end of the emergency furlough period, it is determined that the College no longer requires the services of these employees, normal College layoff provisions would apply.

**Delegation of Authority:**

During the period of the State of Emergency declared by the Governor, the Board of Trustees hereby delegate full authority to the President or his/her designee to take all actions to implement any and all paid and unpaid leave options available from any federal, state, or local source to keep employees in pay status and/or covered by employment benefits, such as health insurance. This authority includes extending the amount of State of Emergency leave made available to employees under this policy and extending the period in which this policy is effective, to the extent funding allows.

The Board of Trustees may repeal this policy at any time.



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**SCC Policy and Procedure: Employee Conduct**

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EMPLOYEE CONDUCT

Justifiable grounds for dismissal, suspension, or other disciplinary action include the following:

1. Failure, in the opinion of the President and based on the recommendations of the members of the employee's supervisory chain of command, to perform competently and in keeping with the administrative practices of the College the duties of their position.
2. Failure to serve in capacities complimentary to their position such as student advisory committee member, etc., or to actively participate in opportunities for professional improvement.
3. Conviction of a crime involving moral turpitude or conviction of a felony.
4. Insubordination or failure to maintain satisfactory and harmonious working relationships with the public and with other employees.
5. Failure to obtain or maintain a current license or certificate required by law as a condition for performing the job.
6. Chronic absenteeism, absence without approved leave, and/or improper use of leave privileges.
7. Sustained physical or mental incapability for performing duties, not protected by the Americans with Disabilities Act.
8. Falsification of official records, College reports, expense claims, and/or misuse of funds or assets of the College.
9. Possession of unauthorized firearms or lethal weapons on the job or on institution property.
10. Failure to comply with rules, regulations, and policies of the State Board of Community Colleges, the Board of Trustees, or lawful directives of the President.
11. Use of controlled substances during work hours or appearing at any time on the properties of Sampson Community College under the influence of controlled substances in violation of N.C. General Statutes 90-95, the North Carolina Controlled Substance Act.
12. Violating the College policy on alcoholic beverages and controlled substances.
13. Refusal to accept a reasonable and proper assignment from an authorized supervisor or failure to report for duty at the assigned time and place.
14. Counseling, encouraging, instigating, or inciting others to impair, impede, or disrupt the educational or other lawful operations of the College.

The Board of Trustees confers upon the President the authority to suspend, demote, terminate or discipline any employee whose conduct, in the findings of the President, violates any of the provisions above and warrants disciplinary action subject to provisions as set out below.

The President or authorized designee may maintain a record of the complaints, commendations, and suggestions about each employee with each entry being signed by the person making it. At the discretion of the President, each such complaint, commendation, and suggestion may be placed in the employee's personnel file. The employee may inspect their personnel file during normal working hours and will be given an opportunity to attach a letter of agreement, denial, or explanation. Should an employee contest an item placed in their personnel file, they may petition the President for its removal through the Grievance Procedures. If the President, after an investigation, believes an employee has violated any of the provisions of the Grounds for Dismissal as note above, the President may suspend or dismiss the employee without

pay, demote the employee with or without reduced pay or take other disciplinary action, by mailing a notice of the action by certified mail, return receipt requested, addressed to the employee's last address on record at the College, or by delivering the notice to the employee personally. Specific reasons must be given in the notice regarding inadequate performance or other basis of the action taken. Action of the President pertaining to pay and benefits will not become effective until the decision of the College is finalized by no appeal being taken or until an appeal has been decided.

The employee may appeal the decision and action of the President to the Board of Trustees. On appeal, the President will have the burden of proving that the employee has violated the provisions of Grounds for Dismissal as noted above. If the hearing committee finds that the employee did violate the provisions, the Board may affirm the actions of the President or modify the action as it deems advisable. If the committee does not find a violation, the employee shall be reinstated to former position at former salary, with no loss of pay or benefits.



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**SCC Policy and Procedure:** Employee Evaluation

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EMPLOYEE EVALUATION

The performance of all faculty and staff members will be evaluated each year. The results of these evaluations will be used to improve individual and institutional performance. The evaluation process will be used to offer direction to employees for improvement and to develop strategies for the attainment of specific goals or the revision of related processes. Faculty and staff members will be evaluated in terms of the extent to which their job performance furthers the mission of the College and helps to achieve the particular goals that are associated with their positions. The College views the annual evaluation process as a beneficial endeavor, one that results in the opportunity to identify strengths, address weaknesses, and promote continuous improvement. The process also affords the College administration to acknowledge the unique contributions of individual faculty and staff.





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**SCC Policy and Procedure: Employee Grievances**

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EMPLOYEE GRIEVANCES

This procedure is to assure the grievances of employees are considered fairly and in a non-threatening atmosphere. Employees are encouraged to initially discuss problems and matters of concern with their supervisor. Supervisors and employees are expected to make every effort to resolve any problems as they arise.

Grievances include any matter of concern within the control of the College, except for the following:

- The content of College policies except as such policies modify or impact on an employee's employment.
- The decision to terminate, suspend, demote or discipline an employee.
- The decision not to tender a new contract, discontinuing a continuing contract, terminating employees and failing to re-hire employees.
- The decision to terminate under the Reduction-in-Force policy.

Employees should seek the informal resolution of grievances with those parties involved in the grievance (except when circumstances warrant the immediate appeal to the employee's supervisor). Appeal will be afforded each employee through the employee's chain of command. Appeal is available to both the complaining party and the party against whom the complaint may have been made.

Unresolved grievances will then be addressed in writing by letter to the President. The letter will include a statement of the grievance and whether the employee is seeking official redress. If a meeting is requested with the President, the conference will be held within five (5) working days after receipt of the request. The word "day" shall mean any day except Saturday, Sunday, or a College holiday. In computing any period of time, the day in which notice is received is not counted. Within thirty (30) days after the conference day, the President will respond in writing. This statement will be conveyed by email or delivered in person. If still not satisfied, the complaining party or the party against whom the complaint was made may request a hearing with the Board of Trustees.



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**SCC Policy and Procedure:** Employment Categories and Benefits

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**Legal Authority:** 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EMPLOYMENT CATEGORIES AND BENEFITS

- Full-time regular employees include all employees who either have a written letter of employment from the College for a 9.6-month, 10-month, or 12-month contract period, with the average workweek defined by the College typically consisting of a 38-hour workweek. These employees qualify for benefits including leave benefits, retirement, and hospitalization as provided through the Teacher and State Employment Retirement System (TSER).
- Part-time regular employees include all employees who are hired under a written part-time regular employment agreement with the College for a 9.6-month, or greater contract period or are employed as part-time regular employees under an at-will agreement with the College, under which their average workweek is to consist of less than 38 hours of work. Employees working 30 or more hours each week are eligible for prorated leave benefits and retirement and hospitalization as provided through TSER.
- Full-time temporary employees include all employees who are hired under a written temporary employment agreement with the College or are employed as full-time temporary employees under an at-will agreement with the College for a period of one year or less, or as stipulated in the written contract under which their average workweek is to consist of a 38-hour workweek. These employees may be eligible for leave benefits, retirement, and hospitalization as provided through TSER.
- Part-time temporary employees include all employees who are hired under a written part-time temporary employment agreement with the College under which their average workweek is less than a 30-hour workweek. These employees are not eligible for benefits.



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**SCC Policy and Procedure: Employee Records**

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**Legal Authority:** NCGS 115D-27; NCGS 115D-29-30; 23 NCAC 2C  
.0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EMPLOYEE RECORDS

Employee records are protected by the General Statutes of North Carolina under Chapter 126, Article 7. All College personnel records conform requirements established in this chapter. All employees, former employees, and applicants for employment have the right to inspect their personnel file in its entirety with the exception of letters of reference submitted prior to employment or information concerning a medical disability.

These files are open for inspection during normal working hours subject to the convenience of the personnel office. Any individual who objects to material in their file may place a statement relating to the material that is considered to be inaccurate or misleading. All employees, former employees, and applicants for employment may seek the removal of objectionable material through a written grievance to the President. a personnel file consists of any employment-related or personal information gathered by the agency, the Retirement Systems Division of the Department of State Treasurer, or by the Office of State Personnel.

Employment-related information includes an individual's:

- application;
- selection;
- promotion, demotion, transfer;
- salary and leave;
- contract for employment,
- benefits,
- performance evaluation; and
- suspension, disciplinary actions, and termination.

Personal information includes an individual's:

- home address,
- social security number,
- medical history,
- personal financial data,
- marital status, dependents and
- beneficiaries.



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**SCC Policy and Procedure: Employee Benefits**

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**Legal Authority:** NCGS 115D-22; NCGS 115D-23; NCGS 115D-25; NCAC 2C .0210; 1C SBCCC 100.1; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## EMPLOYEE BENEFITS

College employees receive a number of benefits in addition to salaries. These benefits are common to all employees while others depend upon the employee's job classification or individual circumstances. Most of the benefits identified in this section are benefits provided by the General Assembly to state employees or employees of boards such as the College's Board of Trustees. As such, these benefits are subject to change with action of the General Assembly. While every attempt has been made to provide current information concerning benefits, employees are urged to consult with the representatives in the Finance Office or Administration for information concerning current benefits.

### A. State Employees' Credit Union

The State Employees' Credit Union (SECU) is open for membership to qualifying employees which includes employees of SCC. The SECU offers a full range of financial services which are available from the SECU office or as described on the SECU website at [www.ncsecu.org](http://www.ncsecu.org). For employee and student convenience, a SECU ATM is located on the campus. Specific details about Credit Union services may also be obtained from any branch office.

### B. Death Benefit

If an employee, who is a member of the Teachers' and State Employees Retirement System, dies before age seventy, while still in actual full-time employment of the College (being paid a salary) and has been employed with the College or with another state agency for at least one full year, the employee's beneficiary will receive a single lump sum death payment. The payment equals the highest 12 months' salary in a row received during the 24 months before the employee dies but cannot be less than \$25,000 or more than \$50,000. The benefit is also paid if the employee dies within 180 days of the last day for which he/she was paid a salary. This death benefit is paid to the beneficiary in addition to any other benefits to which the decease is entitled.

### C. Disability Salary Continuation Plan

A disability salary continuation plan is provided for all full-time employees. In order to be eligible for benefits, an employee must have one year of state service when the disability begins and must be disabled more than sixty continuous calendar days. The plan covers periods of disability resulting from illness or injury, on or off the job. The state pays the entire cost of this coverage. For additional benefits, see your benefits representative.

### D. Longevity

Employees assigned to permanent full-time or permanent part-time positions shall receive longevity pay as provided by state regulations. Employees are eligible for longevity pay only after the date the employee has completed 10 years of total service with a community College, a school administrative unit or an agency.

Annual longevity pay amounts are based on the length of total service to agencies, community Colleges, and school administrative units as designed below and a percentage of the employee's annual rate of pay on the date of eligibility. Longevity pay amounts are computed by multiplying the employee's annual base or contract salary rate as of the eligibility date by the appropriate percentage, rounded to the nearest dollar, in accordance with the following table: Years/Total State Services Longevity Pay Rate 10 but less than 15 years 1.50% 15 but less than 20 years 2.25% 20 but less than 25 years 3.25% 25 or more years 4.50%

#### E. Retirement Plan

All annual employees working 30 hours or more per week and certain designated temporary employees are required to participate in the retirement plan. All benefits under this program are in addition to those available through Social Security or other programs. The money to provide for an employee's retirement in this system comes from two sources. First, six (6) percent of the employee's earnings are deducted from the employee's paycheck on a monthly basis. The employee's contribution is tax sheltered for federal and state income tax purposes. Second, the College contributes an additional percentage of an employee's salary to the Retirement System on a monthly basis based on current State law. Both contributions continue until the employee retires. This plan is a Defined Benefit Plan by the Internal Revenue Service.

After having been a contributing member of the Retirement System for a period of five (5) years, the employee has then a "vested interest" in this Retirement System. Many benefits and options are available, including early retirement and withdrawal of contributions upon discontinuing employment with the College or to the State, to name just two.

For more information, please see the NC Treasury Department Website at:

<http://www.nctreasurer.com/dsthome/RetirementSystems>.

#### F. Disability, Retirement, and Death Benefit

The College's retirement plan is provided through the Teacher's and State Employees' Retirement System of North Carolina. The plan includes a Disability Income Plan should an employee become unable to work before eligible to retire, and a Death Benefit should an employee die while still in active service. Details of this plan are available from:

<http://www.nctreasurer.com/DSTHome/RetirementSystems/Disability+Income+Plan+of+North+Carolina.htm>.

#### G. Disability Income Plan

The Disability Income Plan is provided for employees who are members of the Teachers' and State Employees Retirement System. Detailed information concerning this plan is available from the NC State Treasurer's website: <http://www.nctreasurer.com/dsthome/RetirementSystems>.

#### H. Medical Insurance

Full-time and permanent part-time employees working 30 hours or more per week may enroll in any one of the group plans offered through the State of North Carolina Teachers' and State Employees' Comprehensive Major Medical Plan. The group rates are generally lower, and the benefits received are generally higher than those of the individual policies. For eligible employees, the College contributes the majority of the premium. The portion of the premium paid by the employee varies with the plan selected and whether or not dependents are covered. The employee's share of the cost is deducted from the paycheck each month for the succeeding month's premium. If the individual and dependents are enrolled within the initial 30-day period after accepting employment at SCC, there is no waiting period for coverage of pre-existing

conditions. Newborns should be enrolled prior to birth or within 30 days of birth. New spouses must also be enrolled within 30 days. Failure to enroll within the time limits set will result in a 12-month waiting period for pre-existing conditions. Details of the available plans and applications are available in the Finance Office or from <http://www.shpnc.org>.

#### I. Worker's Compensation

All College employees are covered under workers' compensation for injury or illness incurred in the performance of their work. Any employee who is injured while working should notify both his/her supervisor and the Finance Office of his/her injury. Medical expenses incurred in the treatment of the injury or illness and time lost from work may be reimbursable through this program. Forms for filing claims are available from the Finance Office or through most medical providers' offices.

#### J. Unemployment Insurance

Employees are covered by unemployment insurance. The local offices of the Employment Security Commission will determine an employee's eligibility to receive these benefits. Further information about this program or forms for filing claims are available through the Sampson County ESC office.

#### K. Employee-Paid Benefits

The College provides for a number of employee-paid benefits through payroll deduction including life insurance, flexible medical spending accounts, dependent care, supplemental disability insurance, supplemental medical insurance, as well as dental and vision insurance. The majority of these benefits are offered under the Section 125 Cafeteria Plan and are tax sheltered. The College's plan year begins November 1 each year. Open enrollment is generally scheduled in October of each year. Questions concerning these benefits should be directed to the payroll office.



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**SCC Policy and Procedure:** Fair Labor Standards Act

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**Legal Authority:** FLSA section 13(a)(1)

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2023

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## FAIR LABOR STANDARDS ACT

### **Purpose**

The purpose of this policy is to ensure compliance with the Fair Labor Standards Act (FLSA) in the classification, compensation, and treatment of employees at Sampson Community College. This policy aims to promote fair labor practices and protect the rights of all employees.

### **Scope**

This policy applies to all employees of Sampson Community College, including full-time, part-time, and temporary staff.

### **Employee Classification**

#### **1. Exempt vs. Non-Exempt Status**

- Employees shall be classified as either exempt or non-exempt based on the duties performed and salary level as defined by FLSA regulations.
- Job descriptions must be maintained for all positions and regularly reviewed to ensure compliance.

### **Overtime Compensation**

#### **1. Overtime Policy**

- Non-exempt employees shall be compensated at one and a half times their regular rate of pay for hours worked over 40 in a workweek.

#### **2. Approval Process**

- All overtime work must be pre-approved by a supervisor to ensure budgetary control and compliance with this policy.

### **Recordkeeping Requirements**

#### **1. Timekeeping Procedures**

- Non-exempt employees must accurately record hours worked using [specify method, e.g., time clocks, electronic timekeeping systems].

#### **2. Payroll Records**

- The Finance department shall maintain payroll records in compliance with FLSA requirements, including hours worked, pay rates, and overtime compensation.

## **VI. Minimum Wage Compliance**

- All employees shall receive at least the minimum wage as defined by federal, state, or local law, whichever is higher.

## **VII. Training and Education**

- 1. Staff Training**
  - Supervisors and Human Resources staff will receive training on FLSA compliance and employee rights and responsibilities, as offered.
- 2. Employee Awareness**
  - The college will provide employees with information regarding their rights under the FLSA and the process for reporting violations in the Policy Manual.

## **VIII. Policy Review and Updates**

- This policy shall be reviewed as needed to ensure compliance with changes in FLSA regulations and to incorporate feedback from employees and management.

## **IX. Enforcement and Accountability**

- 1. Reporting Violations**
  - Employees may report suspected violations of this policy to [designated contact, e.g., HR department] without fear of retaliation.
- 2. Consequences for Non-Compliance**
  - Failure to comply with this policy may result in disciplinary action, up to and including termination.

## **X. Legal and Regulatory References**

- This policy is guided by the Fair Labor Standards Act, any state/local regulations, and applicable regulations from the U.S. Department of Labor.

## **XI. Adoption**

This policy has been adopted by the Board of Trustees of Sampson Community College.





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**SCC Policy and Procedure:** Human Resource, Safety, and Security  
Compliance Training

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**Legal Authority:**

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**Approval Date:** SCC BOT 10/18/2022

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**Review/Revision Dates:** Fall 2022

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## HUMAN RESOURCE - COMPLIANCE TRAINING

All employees are required to complete Human Resource, Safety, and Security training as mandated by the Executive Director of Human Resources & Board Relations.

These training components include but are not limited to:

- Sexual Harassment
- Title IX and Sexual Misconduct
- Drug Free Workplace
- ADA training
- Campus Crisis and Emergency Response Training (Alice Training or similar product)
- General Ethics in the Workplace
- Diversity Awareness
- FERPA
- Others as Assigned

Selected modules may be required for new employees as part of their onboarding training. The College allows the completion of all mandatory training during the winter break which normally includes ten workdays. Of those workdays, three to four days are legal holidays (Christmas and New Year's Day). Training modules will be accessible to all employees beginning December 1 and ending March 1. Staff employees who choose to complete all assigned training modules by teleworking over the winter break will not be charged leave for days not considered legal holidays while the campus is closed. Staff employees completing training before or after the winter break will be required to submit leave for all days not assignable to Christmas and New Year's legal holidays. Faculty are afforded the entire winter break as part of their contracted leave. Failure to complete assigned training on or before March 1 may result in disciplinary action to include termination.

Approved by the SCC BOT 10/18/2022



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**SCC Policy and Procedure: Leave – Annual (Vacation)**

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**Legal Authority:** 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## LEAVE - ANNUAL

Annual leave is granted to full-time permanent and qualifying part-time permanent and full-time temporary employees in one of two forms: (1) faculty and staff members designated by the President are allowed leave on authorized holidays, semester breaks, and other occasions as directed by the President; (2) the remaining employees are granted annual leave according to an established scale in addition to authorized holidays.

Each full-time non-teaching employee who is working or who is on paid leave for one-half or more of the regularly scheduled workdays in any month earns annual leave. The rate is based on the length of aggregate service.

Many employees are scheduled to work eight (8) hours per day. Since there are other schedules in existence due to the nature of the work, the annual leave rates are stated in terms of hours and days; this requires no conversion for special schedules. Annual leave for employees not receiving instructional breaks will be computed at the following rate:

<b>Years of Aggregate Services</b>	<b>Hours Earned Each Month</b>	<b>Hours and Days Earned in One Year</b>
Less than 5 years	9 hours 20 minutes	112 hours 14 days
5 but less than 10 years	11 hours 20 minutes	136 hours 17 days
10 but less than 15 years	13 hours 20 minutes	160 hours 20 days
15 but less than 20 years	15 hours 20 minutes	184 hours 23 days
20 years or more	17 hours 20 minutes	208 hours 26 days

A permanent part-time employee who is employed on an annual contract with an appointment for half-time or more will earn annual leave on a pro-rata basis if the employee works one-half or more of the scheduled workdays in a month. Leave will be computed as a percentage of the total amount earned by a full-time employee. Part-time temporary and hourly employees do not earn leave.

### Maximum Accumulation

- Annual leave may be accumulated except as provided herein. However, if the employee separates from service, payment for accumulated annual leave will not exceed 240 hours. On December 31, any employee with more than 240 hours of accumulated leave will have the excess accumulation converted to sick leave so that only 240 hours of annual leave are carried forward to January 1 of the next calendar year.
- Employees should keep sufficient leave to cover times when required to take leave, e.g., November/December holidays.



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**SCC Policy and Procedure:** Leave - Civil

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**Legal Authority:** 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LEAVE - CIVIL

When an employee serves on a jury, he/she is entitled to leave with pay for the period of absence required. The employee is entitled to regular compensation plus fees received for jury duty.

When an employee attends court in connection with official duties, no leave is required. Fees received as a witness, while serving in an official capacity, will be submitted to the College. (When an employee is required to attend court, the time is to be considered as working time and included in the total hours worked per week.)

When an employee is subpoenaed or directed by proper authority to appear as a witness, the employee will be granted civil leave with pay. Any fees received will be submitted to the College. The employee may use annual leave rather than take civil leave with pay in which case the employee may retain any fees received.




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**SCC Policy and Procedure: Leave – Community Service**

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**Legal Authority:** [G.S. 126-4\(5\), \(5b\), \(10\)](#), [25 NCAC 01E .1600](#)

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**Approval Date:** September 2012

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**Review/Revision Dates:** September 9, 2022

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**LEAVE – COMMUNITY SERVICE**

The College recognizes the commitment of the College’s staff and faculty to providing volunteer support of schools, communities, non-profit organizations, and the special needs of individuals. In support of employee efforts to engage in volunteer service, Community Service Leave may be granted to:

- Parents for child involvement in the schools.
- Any employee for volunteer activity in the schools or in a community service organization
- Any employee for volunteering in a public university or community college or State agency provided that the service is outside of the employee’s normal scope of duties and responsibilities and that the employee is not receiving any form of compensation for services rendered.

For purposes of this policy the following definitions will apply:

**Child:** A son or daughter who is a biological child, adopted child, foster child, step-child, legal ward or a child of an employee standing in loco parentis

**School:** A childcare program: an elementary, middle, or high school that is authorized to operate under the laws of the State of North Carolina

**Community Service Organization:** A non-profit, non-partisan community organization which is designated as a IRS Code 501 (c) (3) agency, or a human service organization licensed or accredited to serve citizens with special needs including children, youth, and the elderly. Although religious organizations may be 501 (c) (3) organizations, this leave does not apply to activities designed to promote religious beliefs.

Consistent with institutional procedures and considerations for sick and annual leave, with approval of the employee’s supervisor an employee is eligible for Community Service Leave as follows:

<b>Types of Appointment</b>	<b>Amount Granted</b>
Full-time – all types of appointment	24 hours annually or 1 hour/week (up to a maximum of 36 hours) for mentoring/tutoring.
Part-time – non-teaching staff assigned 30 or more hours each week	Prorated – equal to percentage of full-time
Temporary or part-time staff assigned less than 30 hours of work each week	None
Part-time faculty	None

The twenty-four (24) hours of community service leave will be credited to each employee on January 1 of year unless an employee chooses the mentoring/tutorial option described below. New employees will be credited with leave immediately upon their employment prorated at two hours per month for the remainder of their contract. Community Service Leave will be documented by the College consistent with practices for annual and sick leave. Faculty who use Community Service Leave will be allowed to use this leave in lieu of administrative hours identified in their assigned semester schedule.

### **Option for Tutoring/Mentoring**

In lieu of the twenty-four (24) hour award as noted above, employees may elect to tutor or mentor in a school. Leave under this option must be used exclusively for tutoring or mentoring a student in accordance with guidelines determined and documented by joint agreement with the school. Community Service Leave may be granted for one (1) hour for each week, up to a maximum of 36 hours that the school is in session as defined by the school's official calendar.

### **Changing Options**

If an employee elects to change options during the calendar year, the maximum hours that may be granted is the maximum hours allowed under the new option less then number of hours that have been used for tutoring and mentoring.

### **Community Service**

For purposes of this policy, community service is:

- Meeting with a teacher or administrator concerning the employee's child.
- Attending any function sponsored by the school in which the employee's child is participating. This provision applies to nonathletic programs that are part of or supplemental to the school's academic or artistic program.
- Performing school-approved volunteer work approved by a teacher, school administrator, or program administrator.
- Performing a service for a community service organization.
- Performing volunteer work for a community college or public university that is approved by a college or university administrator or other authorized college or university official.
- Performing volunteer work for a State or County agency that is approved the agency head or his/her designee.

Service does not include activities designed to promote religious beliefs such as teaching or leading religious assemblies or in raising funds to support religious activities. Service would include activities supported by religious organizations such as working in soup kitchens, homeless shelters, or other community activities.

### **Approval of Leave**

Employees must receive approval for their supervisor to use this leave. A supervisor may require that the leave be taken at a time other than the one requested if the request cannot be reasonably accommodated within the needs of the College.

### **Non-Cumulative**

Leave not taken is forfeited and may not be carried forward in the next calendar year.

### **Separation**

Employees will not be paid for unused leave upon separation.



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**SCC Policy and Procedure:** Leave - Compensatory

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**Legal Authority:** 1C SBCCC 200.94; 1C SBCCC 200.94; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## LEAVE - COMPENSATORY

Full-time regular non-exempt employees will receive compensatory leave in lieu of overtime pay for all hours worked over 40 in a workweek, under the terms and conditions set forth in this Policy. For purposes of this Policy, “compensatory leave” means hours during which an employee is not working, which are not counted as hours worked during the applicable workweek or other work period for purposes of overtime compensation, and for which the employee is compensated at their regular rate of pay. “Workweek” means a seven-day period beginning at 12:01 a.m. on Sunday and ending at midnight on the following Saturday.

### Amount Earned

Compensatory leave is earned at the rate of 1.5 hours for each hour worked by a nonexempt employee in excess of 40 during a workweek. The maximum amount of compensatory leave that may be accrued by an employee is 240 hours, which is the number of hours of compensatory leave earned for 160 hours of overtime.

### Payment in Lieu of Compensatory Leave

Employees subject to this Policy will not be entitled to cash payment in lieu of compensatory leave, except as may be determined in the President’s sole discretion on a case-by-case basis or under the following circumstances:

- Non-exempt employees will be paid for all overtime hours worked to the extent that such hours exceed the maximum of 240 hours of compensatory leave that may be accrued under this Policy.
- A non-exempt employee who has accrued unused compensatory leave at the time of his or her separation from employment with the College shall be paid for such compensatory leave at a rate not less than the average regular rate received by the employee during the three years immediately preceding the employee's separation or the regular rate received by the employee at the time of his or her separation, whichever is greater.



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**SCC Policy and Procedure:** Leave - Educational

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**Legal Authority:** 1C SBCCC 400.6; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LEAVE - EDUCATIONAL

Members of the staff and faculty may qualify for certain periods of absence away from assigned duties as indicated below:

### A. Educational Leave

1. The Trustees recognize that employees of the College must maintain timely competencies as well as pursue opportunities for intellectual and academic growth. Staff development is important to the successful operation of the College. In view of these needs, the State Board of Community Colleges and the Trustees provide the opportunity for "educational leave" as defined subject to the requirements set forth below:
2. "Educational Leave" as defined within State regulations refers to the release from duties or time normally required of a full-time employee in carrying out their full load of assigned responsibilities. Field-study and other developmental studies are included within the definition.
3. Requirements for Leave with Pay - College funds will be used to pay salaries of College personnel while on educational leave provided all of the following conditions are met:
  - The employee is employed on a 9-month or more basis.
  - Educational leave will not exceed a period of 60 working days a calendar year. Also, no more than 60 working days of educational leave will be granted to an employee during any three-year period, unless unusual circumstances warrant.
  - The studies engaged in during such educational leave are directly related to improving the competence of the employee in the duties assigned or anticipated by the President.
  - Educational leave will not be granted to an employee until he/she has been employed at the institution for three years. This requirement may be waived if circumstances warrant and the employee contracts to return to the College the following two years.
  - The President and Trustees approve the educational leave requested.
  - The employee is under contract to return to the College the following year and expresses his/her intent to honor this contract. An employee who fails to honor the contract stipulated shall be required to repay the amount expended for educational leave. If an employee fulfills a portion of the contract before failing to honor the contract, repayment shall be based on a pro-rata portion.
4. Notice - Request for educational leave should be filed approximately 60 working days prior to the first day of leave. It should be approved by the Dean/Vice President and President.
5. Review - In reviewing requests, the College will consider the following factors among others:
  - The progress which the institution will make in strengthening its academic programs and administrative capacity as a result of granting educational leave.
  - Requests by other employees for educational leave during the same period of time and the ability of the College to do without the services of the employee requesting the leave.
  - The length of employment with the College, the past educational leave granted, and anticipated employment with the College in the future.

The President may recommend, and the Board may impose special conditions when granting educational leave such as working part-time while on leave. However, an employee will be credited for part-time work while on educational leave.

6. Release Time in Lieu of Educational Leave: Non-instructional personnel, under appropriate circumstances may be permitted to take up to three hours (weekly) for class work provided that the course work is directly related to the employee's job assignment and needed for the performance of required duties.
7. Educational Leave Without Pay - Under any conditions other than above, educational leave granted an employee by the College as defined above will be without pay. Leave without pay is authorized by the Trustees, subject to special provisions as recommended by the President.
8. Contract for Educational Leave – Contact the Finance Office for the contract agreement form between the College and the employee accepting educational leave with pay.





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**SCC Policy and Procedure: Leave - Family and Medical**

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**Legal Authority:** 29 USC, Chapter 28; 1C SBCCC 200.94; OSHR-1C SBCCC 200.100**Approval Date:** September 2012**Review/Revision Dates:** Fall 2023

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## LEAVE – FAMILY AND MEDICAL

The Family Medical Leave Act of 1993 promotes the stability and economic security of families, the national interest in preserving family integrity, and minimizes the potential for employment discrimination on the basis of sex by ensuring that leave is available for eligible medical reasons (including maternity-related disability) and for compelling family reasons; and to promote the goal of equal employment opportunity.

A full-time employee who has been employed with Sampson Community College for at least 12 months and who has worked at least six months during the previous 12-month period is entitled to a total of 12 work weeks, paid or unpaid, leave during any 12-month period for one or more of the reasons listed below.

- For the birth of a child and to care for the child after birth, provided the leave is taken within a 12-month period following birth.
- For the employee to care for a child placed with the employee for adoption, provided the leave is taken within a 12-month period following adoption.
- For the employee to care for the employee's child, spouse or parent, where that child spouse, or parent has a serious health condition; or
- Because the employee has a serious health condition that makes the employee unable to perform the functions of the employee's position.

Leave without pay beyond the 12-week period or for employees not covered under the Family and Medical Leave Act Policy will be administered under other provisions of this policy.

### Definitions

- a. Workweek – A workweek the number of hours an employee is regularly scheduled to work each week.
- b. Parent – A biological or adoptive parent or an individual who stands in loco parentis (a person who is in the position or place of the parent) to an employee when the employee was a child.
- c. Child – A son or daughter who is under 18 years of age or older and incapable of selfcare because of mental or physical disability who is:
  - A biological child.
  - An adopted child.
  - A foster child – a child for whom the employee performs the duties of a parent as if it were the employee's child.
  - A stepchild – a child of the employee's spouse from a former marriage.
  - A legal ward – a minor child placed by the court under the care of a guardian.
  - A child of an employee standing in loco parentis.
- d. Spouse.
- e. Serious health condition – an illness, injury impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility, or involves continuing treatment by a health care provider.

### Leave Charges

1. For the birth of a child, the employee may choose to exhaust available vacation and/or sick leave, or any portion, or go on leave without pay; except that sick leave may be used only during the period of disability. This applies to both parents.
2. For the adoption of a child, the parents may choose to exhaust available vacation leave, or any portion, or go on leave without pay.
3. For the illness of an employee's child, spouse, or parent, the employee may choose to exhaust available sick and/or vacation leave, or any portion, or go on leave without pay.
4. For the employee's illness, the employee shall exhaust available sick leave and may choose to exhaust available vacation leave or any portion, before going on leave without pay. If the illness extends beyond the 60-day waiting period required for short-term disability, the employee may choose to exhaust the balance of available leave or begin drawing short-term disability benefits.
5. If both spouses are working for the College their total combined leave in any 12-month period will be limited to 12 weeks if the leave is taken for the birth of a child of the spouses or for the placement with the couple of a child for adoption or foster care; or, to care for a sick parent.
6. For purposes of the determination of eligibility for FMLA leave, the College will calculate the 12-month period on a rolling basis. This means that the 12-month period is measured backward from the date an employee uses any FMLA leave.

#### Intermittent Leave or Reduced Work Schedule

- a. Pursuant to this policy the employee may not take leave intermittently or on a reduced work schedule for the childbirth and birth-related childcare or for adoption unless the employee and the College agree otherwise.
- b. When medically necessary, the employee may take leave intermittently or on a reduced schedule to care for the employee's child, spouse or parent who has a serious health condition, or because the employee has a serious health condition. If such leave is foreseeable, based on planned medical treatment, the College may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave.
- c. When an employee is on a reduced work schedule, the time not worked is counted against the total 12 workweeks.

Employee Responsibility. The employee shall apply in writing to the appropriate vice president for leave requested under this policy as follows:

- a. Birth or adoption – the employees shall give The College no less than 30 days' notice, in writing, of the intention to take leave, subject to the actual date of the birth or adoption. If the date of the birth or adoption requires leave to begin in less than 30 days, the employee shall provide such notice as practicable.
- b. Planned medical treatment – when the necessity for leave to care for the employee's child, spouse or parent or because the employee has a serious health condition, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt operations, subject to the approval of the College or the health care provider of the employee's child, spouse or parent. The employee also must give 30 days' notice if practicable of the intention to take leave.
- c. The employee shall be deemed to have applied for leave under this policy when:
  - The employee is on approved leave but has not given written notice of the intent to take family or medical leave to the supervisor.
  - The employee utilizes leave for any purpose whether with or without pay for a period in excess of 30 days, and
  - The basis for the leave falls within the scope of this policy.

In these cases, the College shall notify the employee that time spent on paid leave or leave without pay during the 30-day period is part of the 12 workweeks of FMLA leave.

- d. If the employee will not return to work after the period of leave, the College should be notified in writing immediately. Failure to report at the expiration of leave, unless an extension has been requested, may be considered as a resignation.

#### Certification

- a. For leave pursuant to this policy, the College may require that a claim for leave because of adoption be supported by reasonable proof of adoption.
- b. The College may require that a claim for leave, because of serious illness of the employee or of the employee's child, spouse, or parent, be supported by a doctor's certification which includes the following:
  - The date on which the serious health condition began.
  - The probable duration of the condition.
  - The appropriate medical facts regarding the condition.
  - A statement that the leave is needed to care for the child, spouse, or parent, and an estimate of the amount of time that is needed; or that the employee is unable to perform the functions of the position, whichever applies.
  - Where certification is necessary for intermittent leave for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment.
- c. Where the College has reason to doubt the validity of the certification, the College may require the employee to get the opinion of a second doctor designated or approved by The College. Where the College opinion differs from the opinion in the original certification provided, the College may require the employee to get the opinion of a third doctor designated or approved jointly by the employee and the employer. The third opinion is final and is binding on the College and the employee. The College may require that the employee obtain subsequent recertifications on a reasonable basis.



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**SCC Policy and Procedure:** Leave - Holidays

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**Legal Authority:** 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LEAVE – HOLIDAYS

The board of trustees will determine the number of paid holidays for those employees eligible to earn annual leave up to a maximum of 12 paid holidays on a pro-rata basis. The College will only pay holiday leave to eligible employees who are:

- (A) In pay status through the day on which the holiday is scheduled, or
- (B) On a leave of absence without pay but were in pay status for half or more of the workdays in the month.

In instances when legal holidays fall on Saturday or Sunday, the College will be closed on Friday for holidays falling on Saturday and will be closed on Monday for holidays falling on Sunday. The Trustees designate the following as legal holidays of the College:

1. New Year's Day
2. Martin Luther King Memorial Holiday (3rd Monday in January)
3. Easter (one working day)
4. Memorial Day (Monday Holiday)
5. Fourth of July
6. Labor Day
7. Veterans Day
8. Thanksgiving (2 days-Thursday and Friday)
9. Christmas (3 working days)

The board of trustees will determine when holidays are scheduled on the College calendar and may require employees to take annual leave, special leave granted by the General Assembly, accumulated compensatory leave, or leave without pay during time on days other than holidays when classes are not scheduled to be in session.

Employees completing required Human Resource, Safety, and Security compliance training during designated campus closings will receive leave credit in amounts as determined by the Executive Director of Human Resources & Board Relations.



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**SCC Policy and Procedure:** Leave - Military

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**Legal Authority:** 1c SBCCC 400.7; 1c SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LEAVE - MILITARY

Sampson Community College will grant leave with pay to members of reserve components of the U.S. Armed Forces for certain periods of active duty training and for state military duty. Reserve components of the U.S. Forces are the National Guard, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air Force Reserve, and the Coast Guard Reserve. The Civil Air Patrol is not a reserve component; it is an Air Force Auxiliary, and its members are not subject to obligatory service. The National Guard is unique among the reserve components in that it has a dual role, serving both as a federal reserve component and the State Militia. In its role as the State Militia, the North Carolina Army National Guard and the North Carolina Air National Guard respond to the Governor, who is their Commander-in-Chief, and serve as the military arm of the state government. Therefore, the National Guard is subject to active state duty upon order of the Governor.

1. Periods of Entitlement for all reserve components. Military leave with pay shall be granted to full-time or part-time permanent (prorated for part-time employees), and probationary employees for 120 working hours annually for any type of active military duty of a member not on extended active duty defined below. On rare occasions due to annual training (summer camp) being scheduled on a federal fiscal year basis, an employee may be required to attend two periods of training in one calendar year.
2. Additional periods of entitlement for National Guard members:
  1. Infrequent special activities in the interest of the state, usually not exceeding one day, when so ordered by the Governor or his/her authorized representative;
  2. Active state duty (domestic disturbances, disasters, search and rescue, etc.) for periods not exceeding 30 consecutive calendar days; for period in excess of 30 days, employees shall be entitled to military leave with differential pay between their military pay and regular pay if military pay is the lesser. Military leave for active state duty is to be considered separate from and in addition to military leave that may be granted for other purposes.
3. Unacceptable periods. Employees will not be entitled to military leave for the following periods:
  1. Regularly scheduled unit assemblies usually occurring on weekends and referred to "drills." Although these periods are unacceptable for military leave with pay, Sampson Community College, as required by federal law, shall excuse an employee for regularly scheduled military training duty. If necessary, the employee's work schedule shall be appropriately rearranged to enable the employee to attend these assemblies. To determine the dates of these regularly scheduled unit assemblies, Sampson Community College requires that the employee provide a unit training schedule that lists training dates for a month or more in advance.
  2. Duties resulting from disciplinary actions imposed by military authorities.
  3. For unscheduled or incidental military activities, such as volunteer work at military facilities, unofficial military activities, etc.

4. For inactive duty training (drills) performed for the convenience of the member such as equivalent training, split-unit assemblies, make-up drills, etc.
4. Administrative Responsibilities. The employee will submit a copy of the orders or other appropriate documentation evidencing performance of required military duty to the appropriate the President of the College.
5. Retention and Continuation of Benefits. During the period of military leave with pay, no employee will incur any loss of service or suffer any adverse service rating. The employee will continue to earn and accumulate sick and annual leave, aggregate service credit, and receive any promotion or salary increase for which otherwise eligible.
6. Leave for Physical Examination for Military Service. An employee will be granted necessary time off when required to undergo a physical examination relating to military service.
7. Military Leave with Differential Pay. Military leave with differential pay between military pay and regular pay, if military pay is the lesser, will be granted for active state duty for periods in excess of thirty consecutive days.
8. Military Leave without Pay. Military leave without pay shall be granted for certain periods of active duty or for attendance at service schools. Except for extended active duty, all or any portion of an employee's 96 hours annual military leave (pro-rated for part-time employees) with pay or regular annual (vacation) leave may be used in lieu of or in conjunction with military leave without pay.



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**SCC Policy and Procedure: Leave – Paid Parental**

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**Legal Authority:** 1C SBCCC 200.100; G.S. 115D-D; G.S. 126-8.6

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**Approval Date:** Fall 2023

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**Review/Revision Dates:** November 14, 2023

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## LEAVE – PAID PARENTAL

- (a) For the purpose of this Section, the following definitions shall apply.
- (1) “Child” means a newborn biological Child or a newly-placed adopted, foster or otherwise legally placed Child under the age of 18, whose Parent is an eligible employee.
  - (2) “Parent” means:
    - (A) the mother or father of a Child through birth or legal adoption; or
    - (B) an individual who cares for a Child through foster or other legal placement under the direction of a government authority.
  - (3) “Public safety concern” means a significant impairment to the agency’s ability to conduct its operations in a manner that protects the health and safety of North Carolinians.
  - (4) “Qualifying event” means when an employee becomes a Parent to a Child.
- (b) Relationship to Other Sections and Policies.
- (1) This Section states the terms and conditions only for paid parental leave that is provided under G.S. 126-8.6 and for colleges who are required to adopt Sections and policies that are “substantially equivalent” to those promulgated by the NC Office of State Human Resources.
  - (2) The paid parental leave provided under this Section is in addition to any other leave authorized by State or federal law. Nothing in this Section shall prohibit a college, if authorized, from providing paid parental leave in amounts greater than as required by this Section.
- (c) Eligibility for Paid Parental Leave.
- (1) Employees who become Parents via childbirth, adoption, foster care, or another legal placement are eligible for Paid Parental Leave if:
    - (A) Employee is in a permanent, time-limited, or probationary appointment. Temporary employees are not eligible for Paid Parental Leave under this Section.
    - (B) At the time of the qualifying event, the employee meets each of the following conditions:
      - (i) For the immediate 12 preceding months, the employee has been employed without a break in service, as defined by 25 NCAC 01D .0114, by the State of North Carolina in a permanent, time-limited, or probationary appointment.
        - a. Periods of worker’s compensation or short-term disability months preceding the qualifying events do not make the employee ineligible for Paid Parental Leave.
        - b. Periods of leave without pay, as defined in 25 NCAC 01E .1100, shall not constitute a break in service.
      - (ii) The employee has been in pay status with the State of North Carolina for at least 1,040 hours during the previous 12-month period becoming eligible for Family and Medical Leave.
        - a. Exhaustion of Family and Medical Leave does not affect eligibility for Paid Parental Leave.
- (d) Leave Available to Full-Time Employees.

- (1) Full-time employees eligible for Paid Parental Leave under this Section may take, in their discretion, up to the following amounts of leave:
    - (A) Eight weeks of paid leave after a parent gives birth to a child.
    - (B) Four weeks of paid leave after any other qualifying event.
  - (2) Each week of paid parental leave under this Section shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.
- (e) Leave Available to Part-Time Employees.
- (1) Part-time employees (regardless whether they work half-time or more) shall receive Paid Parental Leave under this Section if the employee meets all other requirements for eligibility.
  - (2) Part-time employees eligible for Paid Parental Leave under this Section may take, in their discretion, a prorated leave amount of:
    - (A) Four weeks of paid leave after a Parent gives birth to a Child.
    - (B) Two weeks of paid leave after any other qualifying event.
  - (3) Each week of Paid Parental Leave under this Section shall result in compensation at 100% of the eligible employee's regular, straight-time weekly pay excluding shift differential, premium pay, or overtime.
- (f) Use of Other Leave.
- (1) The Paid Parental Leave provided under this Section shall not be counted against or deducted from the employee's sick, vacation, or other accrued leave. The Paid Parental Leave provided under this Section is in addition to any other leave authorized by law, Section, or policy. Whether an employee has exhausted Family and Medical Leave does not affect eligibility for Paid Parental Leave under this Section.
- (g) Requesting Use of Paid Parental Leave.
- (1) Eligible employees may take Paid Parental Leave in one continuous period or may take intermittent use of Paid Parental Leave. Requests for intermittent use of Paid Parental Leave are subject to the agency's approval as stated in Paragraph (4) of this Section.
  - (2) Whenever possible, eligible employees shall notify their agency at least 10 weeks in advance of their intention to use Paid Parental Leave. Employees may withdraw their request for Paid Parental Leave at any time.
  - (3) Absent unusual circumstances, the employee shall be required to comply with agency leave request procedures.
  - (4) The agency shall not deny, delay, or require intermittent use of Paid Parental Leave to employees who gave birth and seek to use Paid Parental Leave in one continuous period.
  - (5) For all other employees, the agency may delay providing Paid Parental Leave or may provide Paid Parental Leave intermittently if it determines that providing the leave will cause a public safety concern. For example, the extension of Paid Parental Leave to an eligible employee who did not give birth may constitute a Public Safety Concern if:
    - (A) Providing the Paid Parental Leave would result in agency staffing levels below what is required by federal or state law to maintain operational safety; or
    - (B) Providing the Paid Parental Leave may impact the health or safety of staff, patients, residents, offenders, or other individuals the agency is required by law to protect; and
    - (C) The agency has been unable to secure supplemental staffing after requesting or diligently exploring alternative staffing options.
  - (6) If the agency determines that it must delay Paid Parental Leave, or make Paid Parental Leave intermittent, because of a public safety concern under Paragraph of this Section, the agency shall provide Paid Parental Leave as soon as practical following the Qualifying Event.



(7) If both Parents are eligible employees, each may receive Paid Parental Leave. Both Parents may take their leave simultaneously or at different times, pending no Public Safety Concern.

(h) Leave Usage.

- (1) Paid Parental Leave may be used only once for a Qualifying Event within a 12 month period. The fact that a multiple birth, adoption, or other legal placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of Paid Parental Leave granted for that event.
- (2) Unused Paid Parental Leave is forfeited 12 months from the date of the Qualifying Event.
- (3) Paid Parental Leave shall not accrue or be donated to another employee.
- (4) Employees shall not be paid for the leave provided by this Section upon separation from the employer. The leave provided by this Section shall not be used for calculating an employee's retirement benefits and shall not accrue or be donated as voluntary shared leave.
- (5) Leave usage must be recorded in the same required increments as all other time.
- (6) If the employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available leave balances shall be utilized in accordance with the agency's leave policies. Paid Parental Leave shall not be used prior to the Qualifying Event.

(i) Expiration.

This temporary rule expires on the effective date of the permanent rule adopted to replace this temporary rule.

History Note: Authority G.S. 115D-D and G.S. 126-8.6;  
Temporary Amendment Eff. July 1, 2023



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**SCC Policy and Procedure:** Leave – Personal Observance

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**Legal Authority:** Executive Order 262

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**Approval Date:** September 2012

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**Review/Revision Dates:** September 9, 2022

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## LEAVE – PERSONAL OBSERVANCE

Sampson Community College supports a work environment that fosters respect and values all people. The College strives to be an employer of choice, including recruiting and retaining a diverse workforce and creating an inclusive environment. The College employs a workforce reflective of the cultural and religious communities of the State.

In recognition of the different days of cultural or religious significance within the employee outside of any cultural or religious tradition, the Board of Trustees elects to adopt NC Executive Order No. 262 which provides up to eight hours of fully paid leave to eligible employees for a day of personal observance to utilize on a day of significance, including days of cultural, religious, or personal observation.

### Procedures

The following procedures will serve in support of this policy.

A. Eligible Employees

Full-time permanent or probationary employees of the College are eligible to receive eight (8) hours of paid Personal Observance Leave each fiscal year. Permanent part-time employees are eligible to receive a prorated amount of this leave rounded to the nearest hourly increment consistent with their percentage of full-time duties.

B. Administration of Leave

On July 1 of each year, eight (8) hours of Personal Observance Leave will be credited to eligible employees under continuing employment or to employees eligible to receive a contract for the following academic year on July 1 of each year.

C. Use of Leave

Personal Observance Leave may be used for any single day of personal significance. This includes, but is not limited to, days of cultural or religious importance. The leave does not have to be a day from the employee's religious or cultural background. The total amount of Personal Observance Leave awarded to an employee must be utilized in one calendar day (i.e., may not be taken in fractional amounts). Fractional amounts of leave that have not been used (e.g., Fridays or workdays shorted by inclement weather or administrative action) are not recoverable.

D. Leave Request and Approval

Employees should request Personal Observance Leave at least two weeks before the leave is needed unless such notice is impractical. Request should be submitted to the supervisor consistent with manner of request for other forms of leave. The College will not question whether an employee's identification of a particular day is sincere and legitimate.

The College will, to the greatest extent possible, allow employees to use the leave on the date requested. Supervisors are encouraged to accommodate employee leave requests; however, the supervisor may require that the leave be taken on a date other than the one requested based on the needs of the College.

Supervisors are encouraged to accommodate employees who may want to recognize the same day for Personal Observance Leave. However, when necessary to avoid material disruptions in classes or College services, supervisors may ask employees to take their leave on other days.

E. Crediting Personal Observance Leave

Upon adoption, all eligible employees will be credited with one day of leave. Newly hired employees will be credited leave upon hire.

F. Limitations

Personal Observance Leave has no cash value and cannot be converted into retirement credit. Unused Personal Observance Leave not taken by June 30 of each year is forfeited.

Approved by the SCC BOT 8/9/2022



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**SCC Policy and Procedure: Leave - Sick**

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LEAVE - SICK

A full-time employee who is working or on paid leave for one-half or more of the regularly scheduled workdays in any month will earn sick leave computed at the following rate:

Hours Earned Each Month: 8 hours

Hours Earned Each Year: 96 hours

A permanent part-time employee who is employed under an annual contract for as much as half-time will earn sick leave on a pro-rata basis if he/she works one half or more of the scheduled workdays in a month. The leave will be computed as a percentage of total amount earned by a full-time employee.

Accumulation - Sick leave is cumulative indefinitely.

Advancement - Sick leave may not be advanced.

Conditions for Sick Leave:

- Illness or injury which prevents an employee from performing usual duties;
- Maximum of three days of sick leave beyond three days of funeral leave in the case of death in the employee's immediate family.
- Sick leave may be taken for family related sickness. If a leave of more than 30 days is anticipated, the employee is to notify the President so that arrangements can be made for adequate coverage during the employee's absence;
- Medical appointments;
- Quarantine due to a contagious disease in the employee's family, or;
- Actual period of temporary disability connected to childbearing.

Verification of Sick Leave – The College may require Physician's Statement when an employee is absent from work due to sickness or disability for 10 consecutive working days or when requested by a supervisor.

Sick Leave for Family - Sick leave may be used to care for members of the employee's immediate family which are defined as follows:

- Spouse
- Parent – Mother/father (biological, adoptive, step, in-law, Loco Parentis)
- Child – Daughter/son (biological, adoptive, foster, step, legal ward, Loco Parentis, in-law)
- Brother/sister – (biological, adoptive, step, half, in-law)
- Grand/great – (parent, child, step, in-law)
- Dependents – living in the employee's household

Leave Charges:

- The minimum amount of sick leave which may be taken is one hour.
- Sick leave shall be taken in hourly increments only.
- Only scheduled work hours will be charged in calculating the amount of leave taken. Saturdays and Sundays are charged if they are scheduled workdays. Faculty should compute sick leave taken as a

multiplication factor applied to the actual number of hours taken. The factors will be defined by the Vice President of Academic and Student Affairs.

If a faculty member is out at least five days, leave will be based on a 39-hour work week during fall and spring terms instead of applying the multiplication factor. Leave will be based on a 36-hour work week during the summer term. These factors reflect the average contact hours and office hours observed by faculty in each of these areas. The employee shall perform the calculation and the actual number of hours chargeable shall be reported on the Leave Request Form.

#### Separation

- Sick leave is not allowable in terminal leave payments when an employee separates from institution service.
- Sick leave shall be exhausted before going on leave without pay because of extended illness. While an employee is exhausting sick leave, he/she earns all benefits for which he/she is entitled.

#### Reinstatement of Sick Leave

- Employees separated because of a reduction in force will be credited with accrued sick leave if reinstated within one year.
- Employees granted leave without pay will be credited with accrued sick leave if reinstated before the termination date of such leave.
- If an employee is separated for other reasons and is reinstated within one year from the date of last workday, the employing College may consider reinstatement of sick leave credits accumulated at the time of separation.

Retirement Credit - Accumulated sick leave at the time of retirement may be transferred to total service as provided under the North Carolina Teachers' and State Employees' Retirement System.

Sick Leave Without Pay - Sick leave without pay may be granted by the College for the remaining period of disability after both sick and annual leave have been exhausted until the 60-day waiting period for disability has been met. After this point, the employee should follow disability procedures as defined by the State Retirement Plan.

Sick leave is nontransferable to any other type of leave.



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**SCC Policy and Procedure:** Leave - Voluntary Shared

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**Legal Authority:** NCGS 115D-25.3; 23 NCAC 2C.210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LEAVE - VOLUNTARY SHARED

Sampson Community College participates in the shared leave policy as per guidelines from the N.C. Community College System. This policy, permitting anonymous donations of leave, is designed to assist employees with serious medical problems whose sick and vacation leave is exhausted before they are either ready to return to work or eligible to receive North Carolina Disability Income. In such cases, employees are eligible to receive leave donated from the sick and vacation leave accounts of other employees to carry them only through FMLA and not beyond. Requests for exceptions to this policy are to be made to the President. The leave to be donated can include vacation leave.

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

Due to HIPPA Privacy guidelines, the identity of the employee requesting leave will be kept anonymous. Additionally, the recipient will not be informed as to the identity of the leave donors. The College is prohibited from maintaining a leave bank.

### **Application to Become a Shared Leave Recipient**

An employee may make written application to the Executive Director of Human Resources & Board Relations, to become a leave recipient, using the Shared Sick/Vacation Request Leave Form. If an employee is not capable of making application on his or her own behalf, a personal representative, having documented power of attorney for the potential leave recipient, may make written application on behalf of the employee.

In order for a request to receive donated leave to be approved, the employee must:

- Have completed the initial probationary period, and
- Provide certification from a licensed physician of medical evidence to support the need for leave beyond the available accumulated leave, and
- Have exhausted all sick and annual leave (or provide credible medical evidence that he or she will have exhausted all sick and annual leave before the medical condition is resolved)
- A potential leave recipient may request up to 176 hours of leave transfer at one time, and is limited to 1,040 hours, either continuously or, if for the same condition, on a recurring basis. However, The combined total of sick leave donated to a recipient from a nonfamily member donor shall not exceed 20 days per year (160 hours).

Each application must include a completed Shared Sick/Vacation Leave Request Form and Physician's Certification of Medical Condition Form.

### **Approval of Application to Become a Leave Recipient**

Each application will be reviewed by the Executive Director of Human Resources & Board Relations. If the application is approved, the Executive Director of Human Resources & Board Relations will notify the leave recipient (or the personal representative who made application on behalf of the leave recipient) that: the application has been approved; and the Executive Director of Human Resources & Board Relations will send out an email request to all full-time employees for leave donations. Due to HIPPA Privacy guidelines, the recipient will not be identified in the email request.

If the application is not approved, the Executive Director of Human Resources & Board Relations will notify the applicant (or the personal representative who made application on behalf of the potential leave recipient) that: the application has not been approved; and reasons for its disapproval. Requests not approved may be appealed in writing to the President.

### **Donation of Leave**

An employee may submit a Shared Sick/Vacation Leave Donation Form to the Executive Director of Human Resources & Board Relations requesting that a specified number of hours of leave be transferred from their annual or sick leave account to the sick leave account of a specified leave recipient.

An employee may donate up to five days of sick leave to a nonfamily member employee. The combined total of sick leave donated to a recipient from a nonfamily member donor shall not exceed 20 days per year. Donated sick leave cannot be used for retirement purposes. Employees who donate sick leave will be notified in writing of the State retirement credit consequences of donating sick leave. An employee family member donating sick leave to a qualified family member under the Voluntary Shared Leave program may donate up to a maximum of 1040 hours but may not reduce the sick leave account below 40 hours.

Requests for leave transfers must be in 4-hour increments. A leave donor must retain a combined total of 120 hours of leave in his or her own annual and sick leave accounts, unless the donation is to the leave account of his or her own spouse, child, or parent. Additionally, an employee may not donate more than five days of sick leave per year to any one non-family employee. The combined total of sick leave donated to an employee from non-family employee donors will not exceed 20 days per year.

Individuals who donate sick leave must leave a balance of at least 40 hours in their own account. Individuals who donate vacation leave must leave a balance of one-half their yearly accrual in their own account. Employees with medical problems who need additional leave should meet with the Executive Director of Human Resources & Board Relations to begin the process of receiving donated leave. This leave must be approved by the President.

Employees who accept donated leave but return to work prior to having exhausted that shared leave are expected to return the unused leave to the College. Questions about this policy should be directed to the Executive Director of Human Resources & Board Relations.

Effective April 10, 2003, the N.C. General Assembly amended the North Carolina G.S. 115D-25.3 to allow any employee of a community college to share leave voluntarily with an immediate family member who is employed at a community college, public school, or State agency. An immediate family member is defined as "spouse, parent (including biological, adoptive, step or legal ward), child (including biological, adopted,

foster, step or legal ward), brother or sister (including step, half or in-law relationships), grandparent or grandchild (including step relationships), and other dependents living in the employees household. The term includes the step, half, and in-law relationships.” To donate voluntary shared leave to a colleague or an immediate family member, use the Shared Sick/Vacation Leave Request form. Leave transferred under this section may be substituted retroactively for a period of leave without pay.

Shared Sick/Annual Leave Donation Forms will be accepted until the total amount donated is equal to the amount approved by the Executive Director of Human Resources & Board Relations. Subsequent Shared/Annual Leave Donation Forms will be returned to prospective donors.

If the leave recipient does not use all the donated leave, unused leave will be returned to donors on a first-donated, first-returned basis, based on the date and time the Shared Sick/Annual Leave Donation Form was processed by the Finance Office.





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**SCC Policy and Procedure:** Leave – Without Pay

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**Legal Authority:** 1C SBCCC 200.94,

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**Approval Date:** Fall 2022

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**Review/Revision Dates:** Fall 2022

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## LEAVE – WITHOUT PAY

Leave without pay may be granted under limited circumstances by the President:

- For illness when sick and vacation leaves have been exhausted;
- For extended study; or
- Military leave beyond fifteen calendar days per year provided that the request is made in writing in advance to the appropriate supervisor for recommendation of approval by the President.
- Other circumstances warranting leave without pay.



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**SCC Policy and Procedure:** Longevity Pay Plan

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**Legal Authority:** 1C SBCCC 400.8; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LONGEVITY PAY PLAN

Upon completion of at least 10 years of qualifying State service, full-time or permanent part-time employees are eligible for Longevity Pay as provided by the State of North Carolina. This is an annual payment based on an employee's years of service and annual salary.

Years of Aggregate State Service Longevity Pay Rate:

10 but less than 15 years	1.50%
15 but less than 20 years	2.25%
20 but less than 25 years	3.25%
25 or more years	4.50%

Longevity is paid each year during the month that includes the eligibility date (dates of eligibility after the 15th of the month are paid in the following month). Longevity is not considered a part of the employee's annual base salary for classification and pay purposes.



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**SCC Policy and Procedure:** Human Resources - Hiring Policy

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**Legal Authority:** NCGS Chapter 115D, Article 2D; 23 NCAC 2C .0210;  
1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## HUMAN RESOURCES – HIRING POLICY

The President is authorized to employ all personnel of the College subject to standards established by the State Board of Community Colleges except for the President who must be approved by the State Board. The Board of Trustees authorize the President to appoint temporary or part-time positions and all plant operations personnel. The President is further authorized to make offers of employment and establish terms of employment for all full-time employees subject to the Board of Trustees' ratification at their next meeting. Prior to an offer of full-time employment, the Executive Director of Human Resources & Board Relations will provide names and vitas of proposed hires to the Board of Trustees.



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**SCC Policy and Procedure:** Nepotism (Employment of Relatives)

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**Legal Authority:** 1C SBCCC 200.94; 1C SBCCC 200.98

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## NEPOTISM

It is the policy of the Board of Trustees that the College shall not employ two or more persons concurrently who are closely related by blood or marriage in positions which would result in one person of such family relationship supervising another closely related person or having a substantial influence over employment, salary or wages, or other management or personnel actions pertaining to the close relative. "Closely related" is defined to mean mother, father, brother, sister, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandmother, grandfather, grandson, granddaughter, uncle, aunt, nephew, niece, husband, wife, step-parent, step-child, step-brother, step-sister, guardian or ward. With respect to the concurrent service of closely related persons within the same academic department or other comparable college subdivision of employment, neither relative shall be permitted, either individually or as a member of a committee, to participate in the evaluation of the other relative.



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**SCC Policy and Procedure:** Political Activities of Employees

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**Legal Authority:** 1C SBCCC 200.94; 1C SBCCC 200.99

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## POLITICAL ACTIVITIES OF EMPLOYEES

Employees who decide to run for a public office shall certify to the President of their intention to run and certify that they will not campaign or otherwise engage in political activities during their regular working hours or involve the College in their political activities.

Employees elected to a public office shall certify to the President that they will not interfere with the carrying out of their duties at the College. Any employee who becomes a candidate for public office shall be prohibited from soliciting support during the employee's working hours.

### 1. **Political Activities of The College President:**

If the President of the College decides to run for public office, the President shall notify the Board of Trustees of the intention to run and certify that they will not campaign or otherwise engage in political activities during regular working hours or involve the College in political activities. If the College President is elected to a part-time office, they will certify to the Board of Trustees that this office will not interfere with the carrying out of the duties of the office of the President.

### 2. **Definitions as Used in This Rule:**

"Public office" means any national, state, or local governmental position of public trust and responsibility, whether elective or appointive, which is created or prescribed or recognized by Constitution, statute, or ordinance. "Membership in the General Assembly" is a full-time public office under this rule.



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## SCC Policy and Procedure: Pregnant Workers Fairness Act Compliance Policy

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**Legal Authority:** Federal Register Vol. 88, No. 154, 29 CFR Part 1636

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**Approval Date:** November 2024

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**Review/Revision Dates:**

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### PREGNANT WORKERS FAIRNESS ACT (PWFA)

#### I. Purpose

This policy ensures that Sampson Community College (SCC) complies with the Pregnant Workers Fairness Act (PWFA) by providing reasonable accommodations to employees who are pregnant, recovering from childbirth, or experiencing related medical conditions. The College is committed to fostering an inclusive, supportive, and equitable environment for all staff.

#### II. Scope

This policy applies to all faculty and staff of SCC who are pregnant, have recently given birth, or are dealing with medical conditions related to pregnancy or childbirth. It also applies to supervisors, department heads, and human resources personnel responsible for policy enforcement.

#### III. Definitions

1. **Reasonable Accommodation:** Adjustments to job duties, work schedules, or the physical work environment that allow a pregnant worker to perform the essential functions of their position without imposing undue hardship on the College.
2. **Undue Hardship:** Significant difficulty or expense to the College in implementing an accommodation, considering the nature of the work and the College's resources.
3. **Pregnancy-Related Conditions:** Conditions associated with pregnancy, childbirth, or lactation.

#### IV. Policy

1. **Equal Employment Opportunities:** SCC prohibits discrimination against any employee or applicant based on pregnancy, childbirth, or related medical conditions. The College upholds the right of employees to request reasonable accommodations due to these conditions.
2. **Requesting Accommodations:**
  - Employees may submit accommodation requests either verbally or in writing to their supervisor or the Executive Director of Human Resources.
  - Potential accommodations may include:
    - Adjustments to work schedules or additional break time.
    - Temporary assignment to a different job or less physically demanding tasks.
    - Modifications to workplace equipment or access to seating during work hours.
    - Access to a private space for lactation or resting.
    - Temporary light-duty tasks or leave as medically necessary.
3. **Interactive Process:**
  - The College will engage in an interactive process with the employee to identify feasible accommodations that meet the employee's needs and align with college operations.
  - Documentation from a healthcare provider may be requested to help determine the most appropriate accommodation, though not required initially for requesting assistance.

4. **Undue Hardship:** SCC will provide reasonable accommodations unless doing so would result in undue hardship to college operations. If an accommodation imposes undue hardship, alternative solutions will be explored.
5. **No Retaliation:** The College strictly prohibits retaliation against any employee for requesting or receiving accommodations under the PWFA.

#### **V. Employee Responsibilities**

- Employees are encouraged to communicate with their supervisor or Human Resources as soon as possible if they require accommodations due to pregnancy, childbirth, or related medical conditions.
- Employees are expected to actively communicate and participate in the interactive process and provide supporting documentation if necessary.

#### **VI. Employer Responsibilities**

- Supervisors must promptly and fairly address all requests for accommodations.
- The Human Resources department will oversee the documentation and ensure compliance with the accommodation process.
- SCC will inform all employees of their rights under the PWFA through regular communications, such as employee handbooks, training sessions, or postings in common areas.

#### **VII. Reporting Violations**

Employees who feel that they have been denied reasonable accommodations or have experienced discrimination or retaliation are encouraged to report their concerns to the Human Resources department. All reports will be promptly investigated, and appropriate corrective measures will be taken.



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**SCC Policy and Procedure:** Professional Development

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## PROFESSIONAL DEVELOPMENT

The College recognizes the importance of faculty and staff advancing their personal and professional knowledge, competence, skills, and behaviors. The College is committed to providing financial and time resources within the fiscal limitations of state, local, and institutional resources. Full-time employees are encouraged and expected to participate in professional development supporting the mission and goals of the College. This participation should be in coordinated with their supervisor and included in their professional development plan. In addition to traditional faculty and staff development programs available through general college funds, the SCC Foundation has designated mini-grant opportunities to support individual staff development.





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**SCC Policy and Procedure:** Reduction in Force

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## REDUCTION IN FORCE

Sampson Community College highly values the contribution of all employees and strives toward continuous employment; however, economic circumstance requires that the College acknowledge the potential for reduction in force. The guiding principle in all decisions made under this policy will be the consideration of the needs of the population being served with respect to the mission and goals of the institution while minimizing the negative impact on the level and quality of services provided. Reduction in Force (RIF) is the involuntary termination of two or more employees' employment (contract) due to financial exigency, insufficient enrollment, or program change.

In the event of an extreme financial emergency, the College may be forced to reduce personnel costs. In making such decisions and recommendations, the College's first obligation is to operate in a manner that enables it to achieve its mission within its existing resources. In the event of other financial emergencies within a contract year, the President and administration will work cooperatively with the Board of trustees to determine the best course of action.

Should the financial distress persist over time, the College will offer contracts for a new year only to those personnel whose contracts it can reasonably expect to honor for the year in question. Decisions on which contracts to issue will be made by the President.

In some instances, it may be necessary to furlough employees in the event of insufficient state or local funds or non-appropriation of state or local funds during the term of a contract. The application of a furlough will be consistent with North Carolina laws.



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**SCC Policy and Procedure:** Salaries and Determination Methods

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## SALARIES AND DETERMINATION METHODS

The President is authorized to establish and adjust the salaries of all personnel within the College, excluding the President. The President's salary will be determined by the State salary schedule and local salary supplement as approved by the Board of Trustees.

### Full-Time Employees

Salaries for all full-time employees are determined through the College's salary plan which may be amended consistent with actions of the General Assembly, the State Board of Community Colleges, and the Sampson County Board of Commissioners.

An employee's salary is determined by three factors:

- Position level assigned to the position.
- Years of experience recognized for the employee in the current position.
- Educational level up to the maximum recognized for the position.

The President establishes salaries according to the salary plan subject to the following conditions:

- State law and the policies of the State Board of Community Colleges supersede local salary determinations. For example, if the State provides a 5% across-the board increase and no additional salary increases, then the President will give each employee a 5% increase and the charts will not be used in determining salaries for that year.
- The State has minimum and maximum salary regulations. If an employee's salary on a schedule exceeds the State's maximum, then that employee will be paid the State's maximum salary. If the employee's salary on the schedule is lower than the State's minimum salary, then that employee will be paid the State's minimum salary.
- The President will make adjustments in employee's status during a transitional period. For instance, an employee's salary may be gradually reduced when they have been assigned to a lower position level. Also, gradual adjustments may be made when transitioning to a higher position level.
- The President is authorized to provide salary supplements for instructional positions when there is a shortage of instructors in a field. This is authorized in instances when, in the President's opinion, a qualified faculty member cannot be employed unless a supplement is provided.
- Monthly salaries are rounded to the nearest dollar.
- When an employee works only a portion of a month, the monthly salary will be prorated according to working days with holidays counting as working days.

### Position Level

Each position at the College is classified according to a position level. This approach is based on the following assumptions:

- Jobs require varying degrees of responsibility, skill, knowledge, time, effort, and related factors.
- An employee's pay should be commensurate with the demands of their assigned job.
- If an employee is paid according to the requirements of a particular position, the performance rating should be based upon the degree to which the requirements are satisfied. As a position is established, a position description is prepared, and a position level is assigned. An employee's

position level is determined by the assigned position rather than by the degree, experience, or seniority within the institution. While the position level for a position may be changed as a result of the redefinition of an employee's duties, as a general rule an employee's position level will change only through reassignment to a less or more demanding position.

### Educational Status

For positions where education beyond the high school is beneficial to the College, a higher base salary may be paid for each advanced degree. Pending the availability of funds, full-time faculty who earn advanced degrees or certification in their field of employment are eligible for a salary increase if the additional degree or certification enhances or improves the employee's ability to satisfy the requirements of the position. Levels of educational preparation acceptable to and recognized by the College have been established for all positions. Minimum educational requirements and maximum education levels recognized for pay are described in job descriptions.

Advanced degrees and certifications recognized for increases in an employee's rate of pay are defined in the employee's job description. In instances where the degree or certification is not identified, the credential will be reviewed to determine if a salary increase is warranted. For new degrees received between July 1 and June 30, salary adjustments are made effective at the next contract renewal date, normally July 1, provided funds are available and legislation permits. Official transcripts should be provided to the Executive Director of Human Resources & Board Relations after a credential is awarded.

Employees are responsible for initiating action to change their educational status. This should be done when all requirements for the higher rating have been met and all transcripts, letters, and other official documentation have been received. Higher educational status will not be reflected in the following year's salary unless the higher status is determined prior to the finalization of the College's budget. It is recommended that any request for a status change be submitted no later than July 1 of each year. All employees are encouraged to discuss their plans for educational advancement with their supervisor and the Executive Director of Human Resources & Board Relations prior to enrolling in any program of study to determine if the credential will be recognized for an increase in salary.

### Degrees from Non-Regionally Accredited Institutions

Degrees will only be recognized if granted by an accredited institution recognized by the Department of Education.

### Experience Level

Within certain limitations, College employees are credited with prior employment experiences that enhance the individual's potential for performance. These employment experiences are converted into years of service which are entered into the salary formula. To be recognized for experience credit, the work experiences must have been in education or other areas that relate directly to the employee's work assignment at Sampson Community College.

### Part-Time Faculty

Part-time faculty will be paid using established schedules that recognize the faculty member's educational level, work experience, and specialized credentials. Rates of pay for adjunct faculty will be established for curriculum, extension, and faculty on an annual basis, approved by the President, and utilized to determine rates of pay for adjunct faculty contracts for the fiscal year. In instances when a faculty member cannot be recruited at the established pay rate, exceptions may be made when approved by the President. Annual minimum and maximum salaries adopted by the State Board of Community Colleges apply to part-time employees' rate of pay.



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**SCC Policy and Procedure:** Secondary Employment

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## SECONDARY EMPLOYMENT

Full-time employment with Sampson Community College requires a substantial commitment of one's time and energy. Full-time employees must obtain the approval of their immediate supervisor and the Executive Director of Human Resources & Board Relations prior to engaging in any secondary employment. The President must obtain the Board's approval prior to engaging in any secondary employment.

Approval of secondary employment should be requested by submitting the Secondary Employment Approval Form to the employee's immediate supervisor. Following the supervisor's approval, this will be forwarded to the Executive Director of Human Resources & Board Relations for final approval. Secondary employment for all employees should be requested by July 1 of each fiscal year. Faculty, if working at any regional institution, must request approval and complete a new form prior to each semester. If a request for secondary employment is granted, approval may be withdrawn at any time.

Secondary employment should not:

- Detract from the employee's obligation to commit time, skills, and attention to the employee's primary position at the College.
- Create a conflict of interest with the primary job.
- Involve use of any College time, property, equipment, etc.

Secondary employment is defined as any type of employment, including self-employment, for which there are additional earnings.

*Adopted Revisions: September 2022*



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**SCC Policy and Procedure:** Sexual Misconduct

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**Legal Authority:** 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## SEXUAL MISCONDUCT

This policy is adopted to promote an atmosphere in which all members of the Sampson Community College community may work and study free of sexual harassment and to provide for the orderly resolution of complaints of sexual harassment. The sexual harassment policy and procedures are distributed and made available to the campus community through the Student Handbook, College website, and employee training modules.

All members of this College community are expected and instructed to conduct themselves in such a way as to contribute to an atmosphere free of sexual harassment. Sexual harassment of any student or employee by any other student or employee is a violation of the policy of this College and will not be tolerated. Any such person violating the policy will be disciplined in accordance with the procedures outlined below.

Requests or demands for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature by any student or employee constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing, or
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting that individual, or
- Such conduct has the effect of unreasonably interfering with an individual's performance, or creating an intimidating, hostile or offensive working/learning environment and is not protected by free speech.

### Examples of Prohibited Conduct

Prohibited conduct may include, but is not limited to, unwelcome behavior with sexual overtones that is intimidating or offensive to the recipient or observer of the behavior.

- Grabbing, touching, or patting
- Sexual propositions
- Sexually offensive pictures, magazines, notes, calendars, cartoons, or jokes
- Unwanted flirtations or advances
- Repeated pressure or requests for sexual activities
- Rewards for sexual favors or withholding of rewards for refusing to grant sexual favors
- Comments about an individual's body or dress
- Sexually degrading names
- Teasing a person about their sexual orientation

When reporting an incident, it is helpful to provide as much information as possible. Such information includes:

- A description of the event or events,
- The number of occurrences with dates and places,
- The names of any witnesses, and
- If appropriate, documents, papers, and/or other exhibits

Sexual harassment can apply to people of the same gender, not just male/female interactions. Whatever form it takes, sexual harassment is insulting and demeaning to the recipient and will not be tolerated at the College. All employees, administrators, faculty and staff, are responsible for maintaining an environment that is free from sexual harassment. Students are also expected to comply with this policy and to take appropriate measures to ensure such conduct does not occur. Employees or students who violate this policy will be subject to appropriate disciplinary action up to and including termination or expulsion.

### **Sexual Harassment Officers**

The President shall appoint two or more sexual harassment officers whose duty is to receive complaints in an informal manner. The names of the officers are posted annually on the official bulletin board of the College (located at the east entrance of North Building). Employees should report incidents to the Executive Director of Human Resources & Board Relations. Students should report incidents to their instructor or any member of the College administration.

### **Reporting Procedures**

Any employee who believes they have been sexually harassed by a supervisor, a co-worker, or by anyone else associated with the College, or who believes that another employee is being subjected to sexual harassment, should report the matter immediately to either of the sexual harassment officers so that appropriate corrective action may be taken.

Any student who believes they have been the subject of sexual harassment or who believes that another student is being sexually harassed, should report the situation immediately to either of the sexual harassment officers so that appropriate corrective action may be taken.

Following a complaint of sexual harassment, an investigation will be undertaken by the College. The College will, to the maximum extent feasible, maintain the confidentiality of all complaints on a need-to-know basis. However, an adequate investigation of such complaints generally will require disclosure to the accused party and other witnesses in order to gather pertinent facts.

No retaliatory measures will be taken against any student or any employee for complaining of sexual harassment. Likewise, no retaliation actions will be taken against any individual for assisting or cooperating with the College in its investigation of sexual harassment complaints.

Employees or students who believe they are victims of or witnesses to, sexual harassment or discrimination, should report the matter immediately to one of the sexual harassment officers so that appropriate corrective action may be taken. Any employee or student who has reported a violation but does not feel that appropriate corrective action has been taken may appeal the College's action to the College's Board of Trustees. Also, the person or persons against whom the complaint was made may appeal to the Board of Trustees.



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**SCC Policy and Procedure: Solicitation**

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**Legal Authority:** NCGS 115D-25.3; 23 NCAC 2C.210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## SOLICITATION

Sampson Community College is a solicitation-free campus. The use of College email for the purposes of solicitation of employees is limited to charitable, community service, not-for-profit or civic purposes. All other forms of solicitation must be approved in accordance with procedures and guidelines established by the President (or designee). Such solicitation must not interfere or disrupt the normal operating and learning environment of the College.

Solicitation on the campus from individuals, organizations, or groups that are unaffiliated with the College are prohibited. This includes the distribution of flyers, brochures, or other marketing materials in buildings and parking lots. Consistent with the College's encouragement of employee community service, employees may announce special events and fundraising opportunities for charities through campus email. Announcements should be limited in number.



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**SCC Policy and Procedure:** Tenure

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**Legal Authority:** 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## TENURE

As a member of the North Carolina Community College System, Sampson Community College is prohibited from establishing any system of employment which confers a system of tenure or any system which might be construed to offer any expectations of employment beyond the contract period.





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**SCC Policy and Procedure:** Travel

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Revision Dates:** Fall 2024

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## TRAVEL

### A. Authorization

The College provides reimbursement to employees who incur travel expenses in accordance with state policies and rates of reimbursement. In general, local travel in the employee's private car is reimbursed at the established mileage rate without prior written approval of the employee's supervisor unless the supervisor has directed that prior approval be obtained.

All overnight and out-of-state travel must be approved in advance by the appropriate dean and the President using travel form SCC TR-100 (Located on the I:Drive).

### B. Subsistence

Subsistence expenses are provided in accordance with state policies and rates of reimbursement. Employees traveling in-state without an overnight stay are not entitled to subsistence for lunch except as provided under F(1)(b) of this chapter. Employees may claim the breakfast allowance, if he/she is required to leave his/her residence before 6:00 a.m., or dinner if he/she returns after 8:00 p.m. (The employee must document the time of departure or arrival if reimbursement is requested.) Reimbursement rates are established by the state but subject to local modification. Employees are notified of rate changes when they occur. Current rates are available from the Business Office.

Employees traveling out-of-state or in-state are eligible to apply for excess reimbursement using SCC TR-100. Such requests must be approved by the divisional dean and the President. The amount of reimbursement is established by the President. Employee reimbursement for lodging is limited to actual expenditures for lodging.

### C. Travel Expense

Travel expense is limited to the actual cost for public carrier or an established mileage rate for private transportation. Reimbursement per mile is set annually. Except for toll costs, all travel expenses incurred in using a private car are included in the mileage reimbursement (i.e., car storage, repairs, gas/oil, etc). Receipts for tolls must be obtained in support of Form 300, daily log for local travel, which should be appended to the expense report.

Mileage for authorized travel is computed from place of employment to destination and return. However, travel may be computed from home if commenced during non-duty hours. Early morning departures or departures during normal duty hours may be computed from home to destination if necessary and if the total mileage involved is not materially increased from that which would result if the individual first reported for work and then commenced travel.

### D. Registration

The College will reimburse registration fees for professional conferences and activities up to a ceiling amount. Excess registration may be approved by the President when circumstances warrant. Requests for approval should be accompanied with a copy of the program agenda and a statement attesting to the prorata share of meals and entertainment included in the registration fee. The cost of meals will be

deducted from the employee's per diem allowance and all entertainment costs are nonreimbursable. These regulations are not institutional. They are established by the state.

#### **E. Processing Travel Reimbursement and Advances**

Travel forms for employees reporting directly to the President are reviewed and approved by the President. All remaining staff must submit their travel forms through the chain-of-command through the divisional dean/vice president. All reimbursement forms are to be processed on a divisional basis on a summary form with the appropriate dean or the President's signature certifying the completeness of the division's travel for the month, that proper account coding has been performed, and that vouchers are complete. These forms should be received by the 10th day of the month following the travel. Travel reimbursement which is not attached or is improperly filed may not be reimbursed. All employees will be notified by the Finance Office when travel checks are ready to be released. Request for travel advancements SCC-100 TA should be processed with the regular travel reimbursement requests when possible. Travel advance requests will also be accepted on the 25th of each month and paid by the 15th of the following month. These should be processed by division with an attached summary of requests.

Travel advances should not exceed the anticipated amount of travel expense and should always be conservatively calculated. The College's guidelines for travel are detailed in the appendix of this manual.

#### **F. General Information**

Reimbursement for lunches eaten while on official business may be made only in the following circumstances:

- a. When an overnight stay is required, reimbursement is allowed while an employee is in travel status.
- b. When the cost of the lunch is included as part of a registration fee for a formal congress conference, assembly, or convocation, by whatever name called. Such assembly must involve the active participation of persons other than the employees of a single institution and must be necessary for conducting official state or institution business.

When two or more travel together, it is necessary that each render a separate expense account for his/her own expenses for meals, lodging, and transportation (if by public carrier). However, when using a personal or College-owned vehicle, only the owner or operator, in case of public vehicle, should report mileage or vehicle operating costs. When two or more employees are attending the same out-of-town meeting, they should ride together. Use of separate vehicles must be justified before reimbursement is allowed for more than one vehicle and specifically authorized by the divisional dean.

When traveling by air, air coach service should normally be utilized rather than first class to minimize costs. Cost of meals can be claimed, if not served aboard the aircraft, and if such is incurred because of layover or other involuntary cause.

Travel advances will not be approved for amounts less than \$100.00 (an exception is provided for students.) Travel advances should be requested for an amount equal to or less than anticipated travel expenses.



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**SCC Policy and Procedure:** Tuition Exemption

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**Legal Authority:** General Statute 115D-5(b)

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**Approval Date:** September 2012

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**Review/Revision Dates:** Summer 2024

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## TUITION EXEMPTION

According to General Statute 115D-5(b), the College may not waive tuition and registration fees for faculty or staff. The College may use State funds (if available in the College budget) to pay tuition and registration fees for one course per semester for full-time faculty or staff members.

The College may also use State and local funds to pay tuition and registration fees for professional development courses and for other courses consistent with the Academic Assistance Program Policy.

Full-time employees may be permitted to take up to three hours (weekly) for classwork provided that the coursework is directly related to the employee's job assignment and needed for the performance of required duties. All requests must be approved by the appropriate supervisors, deans, vice presidents, and President.



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**SCC Policy and Procedure:** Veterans Preference

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**Legal Authority:** NCGS 128-15; 23 NCAC 2C .0210; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## VETERAN'S PREFERENCE

Recognizing that sacrifices are made by those serving in the Armed Forces, State and Federal laws have been enacted to prevent veterans seeking employment from being penalized because of the time spent in military service.

By law, veterans who are disabled or who served on active duty in the Armed Forces during certain specified time periods (for reasons other than training) or in military campaigns are entitled to preference over non-veterans both in hiring and in retention during reductions in force.



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**SCC Policy and Procedure:** Volunteers

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## VOLUNTEERS

The College utilizes volunteers in various capacities. Volunteers are subject to onboarding through the Executive Director of Human Resources and Board Relations and are subject to the same background check qualifications as employees. These volunteers must adhere to the any standards which apply as found in the Policies and Procedures Manual.



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**SCC Policy and Procedure:** Children on Campus

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## CHILDREN ON CAMPUS

Children accompanying employees, students, or visitors to the College or to approved off campus events must be under adult supervision. Children may not accompany students to class.

Visitors receiving patron services may be refused service if accompanied by a child who will be unattended during the time the patron will be receiving services or if accompanied by a child who is disruptive.



## SECTION III: Academic & Student Affairs



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**SCC Policy and Procedure:** Academic Freedom

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2012

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## ACADEMIC FREEDOM

### **Purpose:**

The purpose of this policy is to affirm Sampson Community College's commitment to academic freedom, an essential principle rooted in the mission of higher education. Academic freedom allows for the unfettered pursuit of knowledge, the free exchange of ideas, and the fostering of an environment where inquiry and debate are protected. This principle is guided by foundational educational values and supported by precedents in American higher education, notably outlined in the 1940 Statement of Principles on Academic Freedom and Tenure, jointly developed by the American Association of University Professors (AAUP) and the Association of American Colleges and Universities (AAC&U).

### **Scope:**

This policy applies to all faculty, staff, students, and guest speakers associated with Sampson Community College.

### **Policy Statement:**

1. **Right to Academic Inquiry:** Faculty and students are entitled to freedom in discussing their subject and in conducting scholarly research, guided by ethical, responsible practices and aligned with the College's educational mission. This principle draws from the historic view that academic freedom is essential to intellectual and societal progress.
2. **Course Content and Pedagogy:** Faculty members have the freedom to design and present course content based on their professional expertise and academic judgment. This includes selecting instructional materials and determining classroom teaching methods, provided they align with departmental and institutional goals.
3. **Expression of Opinion:** Faculty, staff, and students have the right to express their views within the bounds of respectful discourse on matters related to their fields of study, and in other academic discussions. This freedom is accompanied by the responsibility to engage respectfully with diverse viewpoints.
4. **Academic Integrity and Responsibility:** Academic freedom includes an obligation to uphold integrity and respect. Faculty are expected to strive for accuracy, engage respectfully with differing opinions, and foster an environment that encourages open, critical dialogue.

**Limitations of Academic Freedom:** While academic freedom is protected, it does not extend to speech or actions that compromise the institution's operations, promote discrimination, or interfere with the rights of others.





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**SCC Policy and Procedure: Academic and Non-Academic Appeals**

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**Legal Authority:** Administrative Policy**Approval Date:** September 2012**Review/Revision Dates:** Fall 2021

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**ACADEMIC AND NON-ACADEMIC APPEALS****ACADEMIC APPEALS****APPEAL OF ACADEMIC STANDING**

Students who have a legitimate reason for not meeting one or all of the academic standards for satisfactory academic progress, as outlined in the College Catalog, may submit a written appeal to the Vice President of Academic and Student Affairs. Waiver of academic standards may be granted for death of an immediate relative of the student, injury or illness of the student, or other special circumstances. Appropriate documentation must accompany the appeal. If a student's appeal is successful, then the student is still considered to be maintaining satisfactory progress for enrollment purposes. The Vice President of Academic and Student Affairs will appoint an Appeals Committee to review the appeal and provide a decision. Students will be notified of the outcome in writing within five (5) business days of the committee's decision. The decision of the appeals committee is final.

**APPEAL OF ASSIGNMENT GRADE**

A student who wishes to appeal a grade given for assignments, rather than for the completion of a course, should attempt to resolve the issue with the appropriate instructor. If a mutual agreement has not been reached, the student should confer with the department chair.

**APPEAL OF FINAL COURSE GRADE**

Any student who protests a **final course grade** shall first attempt to resolve the disagreement with the course instructor. The student has the responsibility to identify the error in the assignment of the grade or to provide substantial evidence in support of a claim that the grade was not assigned in an impartial manner. Failing such resolution, the student may appeal the grade in accordance with the procedures outlined below. All final course grade appeals must be initiated **within 10 business days** of the Registrar's distribution of final course grades for the academic term. Students may continue to attend classes provided an appeal has been filed as noted in the policy until the appeal decision is made.

The student should present the appeal to the Department Chair supervising the faculty member. By conferring with the instructor and the student, the chair will seek resolution by mutual agreement. If the student is not satisfied with the Department Chair's decisions, the student has the right to appeal that decision, in writing, to the Vice President of Academic and Student Affairs. The Vice President of Academic and Student Affairs will appoint an Appeals Committee to review the appeal and provide a decision. The committee will consist of the vice president, serving as the committee chair, the Dean of Student Services, the appropriate instructional Dean, and at least two faculty members appointed by the Vice President.

The committee will meet with the student and review any information provided in support of his/her appeal. Likewise, the committee will meet with the instructor(s) who must provide evidence in support of the assigned grade. If the committee affirms the instructor's final course grade assignment, the Vice President will notify in writing the faculty member, the student, and the appropriate dean and department chair. If the committee supports the student's appeal, it will (1) identify the source of the error in the calculation of the grade and direct the faculty member to reassign the grade and (2) prescribe the method and conditions under which the

student will be re-evaluated. In the event that the recalculation of the grade or the reevaluation of the student's work results in a grade change, the established course grade change procedure will be followed. If the committee affirms the instructor's final course grade assignment and the course is a prerequisite for currently enrolled classes, the student will be withdrawn from those specific courses. The decision of the appeals committee is final.

## **NON-ACADEMIC APPEALS**

### **FINANCIAL AID APPEAL**

**Appeal for Waiver of Unsatisfactory Progress:** This appeal may be filed based on unusual circumstances that have negatively affected the student's academic performance. These factors are: Death in the Immediate Family, Illness or Injury, or Special Circumstances. Appropriate documentation must be submitted with the appeal. Students who have a legitimate reason for not meeting one or all of the academic standards may submit an Unsatisfactory Progress Appeal Form to the Financial Aid Office. The form is available in Student Services and on the financial aid forms page on the College's website. The Director of Financial Aid will coordinate an Appeal Committee review with the Vice President of Academic & Student Affairs, the Dean of Student Services, and the Director of Admissions. The committee will review the appeal to make a determination regarding the student's continued eligibility. Students will be notified in writing of the outcome within fourteen (14) business days.

**Maximum Timeframe Appeal:** Students who have exceeded the maximum time frame allowed to complete degree, diploma, or certificate requirements may appeal on the basis of having a limited number of courses remaining to complete the program of study. Students seeking an appeal must complete a Maximum Timeframe Appeal Form with their academic advisor. The form is available in Student Services and on the financial aid forms page on the College's website. The completed form must be signed by the advisor and submitted to the Financial Aid Office. Maximum timeframe appeals will be forwarded to the Director of Financial Aid who will review the appeals and present them to an Appeals Committee. The Director of Financial Aid will coordinate an Appeal Committee review with the Vice President of Academic & Student Affairs, the Dean of Student Services, and the Director of Admissions. The committee will review the appeal to make a determination regarding the student's continued eligibility. Students will be notified in writing of the outcome within fourteen (14) business days.

### **NON-ACADEMIC SANCTION APPEAL**

A student who disputes the imposed sanction may request a hearing before a Student Appeals Committee. The student must provide a written notice outlining the grounds for appeal to the Dean of Student Services within **three (3) business days** from the date he or she is informed of the penalty. The Dean shall refer the matter to the Student Appeals Committee and provide a report detailing the nature of the alleged misconduct and the relevant facts revealed during the investigation. The accused student will remain in good standing and be permitted to attend classes throughout the appeal process unless the presence of the accused poses an immediate or imminent threat to the safety and well-being of the campus community. If a student disagrees with the decision of the committee, he or she may appeal to the President following the process described below.

### **APPEALS TO THE PRESIDENT**

Students who wish to appeal any academic and non-academic sanctions must submit a written notice of their appeal to the President within **three (3) business days** from the date of the written decision of the findings of the appropriate appeals committee. The decision of the President will be presented to the student via **certified letter within five (5) business days**. Students may appeal the finding of the President to the Board of Trustees as described below.

### *APPEALS TO THE BOARD OF TRUSTEES*

If an Appeal to the President is denied, any student may then submit an appeal to the Board of Trustees filing a written notice of appeal with the Chair of the Board of Trustees within **three (3) business days** after notification of the rendering of the decision of the President. The Notice of Appeal shall contain the following:

1. The words "An Appeal to the Board of Trustees of Sampson Community College" as its title.
  2. A statement of the decision of the administration from which the appeal is taken.
  3. The particular area or areas of disagreement with the administration's decision.
  4. The appellant's allegation of facts to support the relief, solution, or remedy sought.
  5. The relief, solution, or remedy sought.
  6. The names and addresses of witnesses to be called by the appellant(s) at the hearing.
  7. The name(s), address(es), and telephone number(s), and signature(s) of legal counselor(s), if any, who will represent the appellant(s) at the hearing.
  8. The name(s), address(es), telephone number(s), and signature(s) of the appellant(s).
  9. Date(s) of signature(s).
10. Also, the Notice of Appeal shall contain any other information required under the provisions of the particular section which authorizes the appeal.

### *HEARING COMMITTEE*

Upon the filing of a Notice of Appeal, the Chair shall appoint at least three trustees to the Hearing Committee and one of the appointed trustees as Chair of the Hearing Committee. The Chair of the Board of Trustees may serve as Chair of the Hearing Committee or as a member of the committee without being Chair. The Chair of the Board may ask the Board of Trustees to appoint the committee or the Board of Trustees without being requested may appoint the committee or, if prior to the beginning of the hearing, modify the composition of the committee appointed by the Chair.

### **PRE-HEARING CONFERENCE**

The Chair of the Hearing Committee will call and conduct a pre-hearing conference. Both the appellant(s) and the administration of the College must be represented at the conference and must be given at least three business days' notice of the conference. At this conference he/she will set a time and place of the hearing and notify the parties verbally; determine if a transcript or audio-visual tape recording of the hearing will be made and notify the parties of his/her determination; obtain from the parties the names and addresses of any counsel that will be representing them at the hearing; obtain a list of witnesses to be called; explain the format of the due process hearing; and receive any brief of law the parties may submit.

### **RIGHT TO LEGAL COUNSEL**

An appellant who exercises any of the rights granted hereunder has the right to be represented by legal counsel or by another person designated in writing to act on the appellant's behalf throughout the appeal. The appellant will be responsible for his or her own legal fees. If the appellant is to be represented by legal counsel, he or she must so inform the Hearing Committee in the notice of appeal or by separate written documents filed with the President at or prior to the Pre-Hearing Conference.

### **PROCEEDINGS TO BE CLOSED**

All proceedings before the Hearing Committee will be closed with only the Committee members, the appellant(s), the President, any other College official involved in the matter, the appellant(s) representative(s) or legal counsel, any legal counsel representing the College officials involved in the matter, the legal counsel representing the Hearing Committee, and such witnesses as may be called by either side to be in attendance. Witnesses may be sequestered before their testimony and requested to leave following their testimony.

Either a written transcript or an audio tape recording of all proceedings before the Committee will be kept, and upon request, a copy will be furnished to the appellant at his/her or their expense.

#### **WAIVER OF PRIVACY RIGHTS**

By taking any appeal hereunder, an appellant consents to all of his or her relevant College records being made available to the College officials involved in the matter, all members of the Hearing Committee, all legal counsel involved in the matter, and such witnesses as may be called by either side.

#### **BURDEN OF PROOF**

Burden of proof means that the party(ies) having the burden is (are) required to present evidence to prove the existence of those contentions. The appellant(s) will have the burden of proof, unless stated facts which entitle him/her or them to a favorable answer to his/her or their contentions otherwise in this manual or unless the law provides otherwise.

#### **HEARING**

The hearing will be conducted under the control of the Chair of the Hearing Committee. The Hearing Committee may consider only such evidence as is presented at the hearing and need consider only such evidence as it considers fair and reliable. All witnesses may be questioned by the Hearing Committee members, the appellant(s), the College officials involved in the matter, the legal counsel or representative(s) of the appellant(s), the legal counsel representing the College officials involved in the matter, and the legal counsel representing the Hearing Committee. The Committee may call additional witnesses or request to see any additional records or other information it deems relevant. If the Committee requests additional testimony or evidence, such evidence may be represented and such witnesses may be questioned in accordance herewith. Any such additional evidence may be questioned in accordance herewith. Any such additional evidence may be represented at the initial Hearing or the Chair, in his or her sole discretion, may postpone the Hearing for up to ten (10) business days and reconvene at that time to hear such evidence.

The Hearing will begin with presentation by the party having the burden of proof of evidence to support his or her contentions. The College officials or appellant(s) involved in the matter will then be entitled to present rebuttal evidence. The Chair of the Hearing Committee may then allow such rebuttal or hear any additional positions of the appellant(s) and/or the College officials involved in the matter as the Chair deems reasonable. During these proceedings, the Hearing Committee may at any time meet in closed session with only the Committee members and any other person(s) so requested to be in attendance. At the end of all presentation of evidence, the Hearing Committee will meet in closed session to consider and reach a final disposition of the matter.

The Hearing Committee will notify in writing the appellant, the President, and any other parties involved in writing of its decision within ten (10) business days of the final hearing in the matter. If the Hearing Committee affirms the decision below, then this will constitute the final action of the College in the matter, and all proceedings hereunder will be deemed to be terminated. If the Hearing Committee decides that some relief is merited then the committee will notify the President, the appellant, and any parties involved, of its disposition of the matter, which will be deemed to terminate all proceedings hereunder, or will recommend such other action as it deems appropriate in its sole discretion.

#### **IMPLEMENTATION AND ENFORCEMENT OF DECISIONS**

Any decision of the Hearing Committee rendered hereunder will be implemented and enforced by the President.

#### **COMPLIANCE WITH TIME REQUIREMENTS**

If applicant(s) fail(s) to comply with any of the time requirements set forth herein with respect to completing and filing the documents required to pursue his or her appeal, to appear or be represented at the Pre-Hearing Conference, or otherwise to proceed under this appeal procedures, then the last substantive decision rendered on behalf of the College will stand as final, and all proceedings hereunder will be deemed to be terminated.

#### **NOTICE TO APPELLANTS**

Notices, decision, and other documents in this proceeding may be mailed to the appellant(s) at his or their address(es) of record by U.S. Postal Service first-class mail, postage prepaid and such mailing will be deemed delivered upon actual receipt by the party to whom sent or after three calendar days of when sent, whichever first occurs. The address of record from an appellant is the address of the appellant shown on the Notice of Appeal unless thereafter amended by the appellant. Personal delivery of documents to the appellant or to his legal counselor shall also constitute valid delivery and notice of documents.

#### **DEFINITION OF BUSINESS DAY**

Business day is defined as any day the College is open to do business.



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**SCC Policy and Procedure:** Adjunct Faculty

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**Legal Authority:** Administrative

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## ADJUNCT FACULTY

### Use of Adjunct Faculty

Adjunct faculty are employed by the College to teach both curriculum and non-curriculum courses. These faculty provide opportunities for students to be introduced to practitioners in occupational programs, a diversity of instruction in curriculums with a limited number of faculty, and instruction in courses where the employment of a full-time faculty member cannot be justified.

These instructors may be drawn from the community at large or from the College's full-time employees. The adjunct faculty must meet all the academic qualifications established by the relevant accrediting association or licensing board.

The College recognizes the unique role of full-time faculty members in the academic life of an institution. The use of adjunct faculty in curriculum programs should be restricted to supplemental roles. To ensure student instructional support needs are met, adjunct instructors should afford students appropriate opportunities for consultation outside of regularly scheduled class time.

Department chairs should provide a structured program for the orientation, supervision, and evaluation of all adjunct faculty consistent with sound educational practices.

### Full-time Faculty Employed Under Adjunct Contracts

Full-time faculty may be given limited employment under adjunct contracts to meet instructional needs in both curriculum and non-curriculum programs. The additional teaching responsibilities may be considered for overload compensation or as a separate adjunct contract. All such contracts must be approved by the Vice President of Academic & Student Affairs.

Adjunct contracts should be executed when curriculum faculty teach non-curriculum courses while teaching within the established range of a full-time load or similarly when non-curriculum faculty teach in another program area while maintaining full-time responsibilities in their respective area. Adjunct contracts are not executed for additional compensation when non-curriculum assignments are given to curriculum instructors to complete their workload.

In instances where a faculty member receives additional pay, the hourly rate for any adjunct contract will be limited to the prevailing rate the College would pay for comparable instruction, not the pro-rata hourly rate of the full-time faculty member's salary.

### Non-instructional Staff Employed Under Part-time Contracts

Non-instructional staff may be given limited employment under part-time contracts for instructional duties provided that the staff member is performing their non-instructional duties during the period for 40 or more hours a week. The pay rates for this part-time employment are limited to the prevailing rates the College would pay for comparable instruction (not the pro-rata hourly rate of the full-time non-instructional staff member.) Part-time instructional contracts will not normally be approved for non-instructional employees

when the class schedule is in conflict with the employee's normal work schedule. Part-time contracts are not permitted between the College and any employee classified as "senior administration."



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**SCC Policy and Procedure: Course Audits**

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**Legal Authority: 1E SBCCC 300.1; 1E SBCCC 1000.2**

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**Approval Date: September 2012**

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**Review/Revision Dates: Fall 2021**

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## COURSE AUDITS

Students who wish to audit courses must follow regular registration procedures and indicate their intention to audit the class when registering. Auditing a course allows a student to take a class without receiving a grade, academic credit, continuing education unit, or certificate of completion. Audited courses are not considered in determining full-time or part-time status and will not satisfy requirements for graduation purposes. Students auditing will be charged the same tuition and fees as students taking the course for credit. Courses taken for audit are not eligible for financial aid.

Students with a recorded “Audit” (AU) for a course may repeat the course one time on an “Audit” basis. Students desiring to change from “Credit” to “Audit” or from “Audit” to “Credit” must do so during the schedule adjustment period.

Students may audit courses on a space available basis and may not displace students taking a course for credit. Auditing students may not be counted in determining whether a course section meets minimum enrollment requirements. A class cannot be made up of solely auditing students.

High school students may not audit courses offered under the Career and College Promise Program.

Senior citizens (age 65 or older) may audit courses at Sampson Community College free of registration and tuition fees. Fees other than registration or tuition must be paid by the senior citizen. Courses that may be audited tuition free by a senior citizen exclude the following:

- Lifetime Learning Program/Adult Enrichment Program,
- Self-Supporting programs,
- Business and Industry Training (Customized Training courses), or Ed2Go courses





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**SCC Policy and Procedure:** Enrollment of High School Students

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**Legal Authority:** NCGS 115C-238.50-55; 115D-41; 1D SBCCC 400.11

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**Approval Date:** September 2012

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**Review/Revision Dates:** Spring 2023

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## ENROLLMENT OF HIGH SCHOOL STUDENTS

### **Sampson Early College High School**

Sampson Early College High School (SECHS) is a public high school of choice in partnership with Sampson Community College. The SECHS serves Sampson County and Clinton City School students as a five-year high school which provides an opportunity for students to have a meaningful high school experience on the College's campus. Graduates earn a high school diploma and an associate degree or two years of transferrable college credit. The Sampson Early College high school seeks to educate all students to their highest level of academic performance and to prepare them to become productive members of society in the 21st Century.

Residents of Sampson County currently enrolled in the 8th grade are eligible to apply. Students must enter the program as a high school freshmen in the fall semester of the 9th grade year. Accepted applicants must be self-motivated with a sincere interest in academics and be able to fit into an adult learning environment. Please visit the SECHS webpage for more information, <https://www.sampson.k12.nc.us/Domain/47>.

### **Career and College Promise**

The Career and College Promise (CCP) program provides structured opportunities for qualified high school students to dually enroll in community college courses that provide pathways that lead to a certificate, diploma, degree, or State or industry-recognized credential as well as provide entry-level job skills. Prospective students seeking to take college courses through CCP must meet the eligibility requirements set by the State and demonstrate the level of behavioral maturity expected for the adult educational setting. All students enrolled in college courses are required to observe the College's policies on attendance, academic integrity, and the student code of conduct. Interested applicants should contact the CCP Coordinator in Student Services or their high school guidance counselor.

To view the CCP Operating Procedures, please visit the North Carolina Community Colleges website: <https://www.nccommunitycolleges.edu/academic-programs/career-college-promise>.



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**SCC Policy and Procedure:** Enrollment of Minors

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**Legal Authority:** 1D SBCCC 200.95; 1D SBCCC 400.11 E

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**Approval Date:** September 2012

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**Review/Revision Dates:** Spring 2023

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## ENROLLMENT OF MINORS

Enrollment opportunities for minors include the Career and College Promise (CCP) program and Career and College Readiness (CCR) Programs.

The CCP program provides structured opportunities for qualified high school students to dually enroll in community college courses that provide pathways that lead to a certificate, diploma, degree, or State or industry-recognized credential as well as provide entry-level job skills.

CCR programs are designed to serve adults. A student must be at least 18 years old to participate in any component of the program. Upon receipt of written recommendation of the superintendent and principal of the last school attended, a student between the ages of 16 and 18 years of age may be admitted, provided that the following criteria are met:

- The referral and/or enrollment form for minors must be completed, signed and dated.
- Minors must also submit a school transcript and disciplinary report from the last public school attended.
- Minor students and a parent/guardian must meet with the director or coordinator of the program before enrolling in the mandatory orientation program.



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**SCC Policy and Procedure: Excused Absences and Refunds for  
Military Students**

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**Legal Authority:** 1B SBCCC 500.1; 1E SBCCC 900.4

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EXCUSED ABSENCES AND REFUNDS FOR MILITARY STUDENTS

Any student who is in the United States Armed Forces who has received temporary or permanent reassignment as a result of a military operations and any student who is a National Guard service member placed into State active duty status during an academic term shall be given:

- a. The opportunity to make up any test or work missed during the excused absence.
- b. The option when feasible, to continue classes and coursework during the academic term through online participation for the period of time the student is placed on active duty.
- c. The option of receiving a temporary grade of “Incomplete- Military”(IN) or “Absent Final Exam- Military (AB)” for any course that the student was unable to complete as a result of being placed on State active duty state; however, the student must complete the course requirements with a period of time specified by the College to avoid receiving a failing grade for the course.
- d. Permission to drop, with no penalty, any course that the student was unable to complete as a result of being placed on State active duty status.
- e. Permission to drop, with no financial penalty, any course that the student was unable to complete as a result of the excused absence as set forth in IE SBCCC 900.4



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**SCC Policy and Procedure: Full-Time Faculty**

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**Legal Authority: Administrative**

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**Approval Date: September 2012**

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**Review/Revision Dates: Fall 2021**

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## FULL-TIME FACULTY

### Workload Formula

The workload formula is intended to provide guidelines for the assignment of instructional faculty responsibilities. The formula is based upon several assumptions:

1. The role of the instructional faculty extends beyond the classroom and laboratory. Faculty members must assume the responsibility for professional development, student advising, program and course development, assisting in student recruitment and job placement, and the support of College committees.
2. No workload formula can ensure the equitable distribution of work for a specific academic term. The formula assumes that different faculty groups will have different expectations appropriate to their required academic preparation and the level of instruction they are providing. The workload formula, therefore, is intended to provide equitable treatment for faculty within similar groups.
3. The workload formula cannot ignore the relationship between the institution's funding mechanism and faculty workload. Instructional faculty are expected to generate enrollment sufficient to fund their program's costs. Faculty members in smaller programs may be assigned additional classes resulting in them working beyond the stated range of class hours.

### Elements of Faculty Workload

The workload formula defines the expected activities for faculty in three areas:

1. instruction (classroom, laboratory, and clinical)
2. office hours
3. academic support

Classroom, laboratory, and clinical responsibilities include those traditionally associated with teaching at the level of instruction appropriate to the faculty's assigned program area.

Office hours are established to provide students the opportunity to meet with faculty on an individual basis for advising or assisting students with assignments. These hours must be scheduled when the faculty member does not have conflicting responsibilities. In addition, the faculty member should remain in the departmental area during scheduled hours. Office hours should be rescheduled in the event of an unavoidable conflict.

Academic support activities include faculty participation across a range of responsibilities including course and program development and evaluation, library support, staff development, and participation in student clubs and activities. Faculty members may be assigned as representatives to a number of College committees and task forces.

## Instructional Workload

### Instructional Hours

The range of instructional load for faculty members is 18-21 course credit hours and 18-30 course contact hours per semester. Based upon the nature of instruction, the average semester load by faculty category is:

Instruction Type	Contact Hours
Curriculum – Lecture/Lab/Clinical	18-21
Curriculum – Lecture/Lab (welding, cosmetology, and other programs with extensive laboratory experiences)	18-30
Occupational Extension	30
College & Career Readiness	23-28
Compensatory Education	30

In instances where a faculty member's responsibilities are below the established load range they be assigned additional responsibilities (e.g. lab coverage) to bring their load within the range. When multiple courses are taught in a common setting (stacked, combined or compressed courses), the course carrying the highest contact hours will be considered for purposes of load calculation.

### Office Hours

All full-time faculty will schedule a minimum of four (4) office hours each week. These hours must be scheduled at convenient times for students and should reasonably conform to the daily schedules taught by the faculty. Office hours should be provided at least three days during the week. Office hours may not be scheduled for less than 30-minute periods. Occupational extension faculty/coordinators and compensatory education faculty are not required to schedule office hours.

### Minimum Hours on Campus

The minimum contact hours for full-time faculty members on campus or at clinical and off-campus sites each week by program areas is as follows:

Curriculum	30
Occupational Extension	34
College & Career Readiness	34
Compensatory Education	39

### Academic Support

A faculty member's on-campus hours that are not assigned to instruction or office hours are considered academic support hours. These hours are available for faculty members for course and curriculum development, committee work, and support for student organizations. These hours should be scheduled and reflected on the faculty member's block schedule.

### Weekly Block Schedules

All faculty are to prepare and submit a schedule reflecting their weekly instructional, office, and academic support hours and their location to their department chairs and to the appropriate dean for approval at the beginning of each semester. These schedules may be amended or adjusted as directed by the department chair or dean as needed to fulfill workload expectations. These are to be forwarded to the Vice President of Academic & Student Affairs by the divisional dean.

### Non-standard Instructional Delivery

1. Work-based Learning/Internships - In general, faculty support for students in cooperative education and internships should be provided as part of the faculty member's academic support responsibilities. When several student work experiences are assigned to one faculty member, consideration may be given to providing the faculty reduced instructional responsibilities to perform these tasks.
2. Team Teaching - Team-teaching may be considered on a one-for-one basis provided that all instructors are present during the class and that instructors share equally in the class presentation. Otherwise, the contact hours will be reduced or prorated appropriately.
3. Laboratory Instruction - Faculty members may be assigned lab coverage in one of several lab settings to complete their instructional load. In these instances laboratory coverage will be counted on an hour-for-hour basis toward the minimum contact hours on campus.

### Program Chairs

In larger departments with multiple faculty, department chairs may receive release time in support of their administrative duties. In general, these department chairs are expected to carry a minimum semester load of 15 contact hours. Division chairs are expected to carry a minimum semester load of 12 contact hours. In programs with reduced enrollments and extensive laboratory instruction, no reduction in contact hours may be possible until larger enrollment levels are achieved.

### Course Overloads

A faculty member is eligible for overload compensation during a semester when teaching beyond the upper limit of the workload formula and the faculty member has carried or is reasonably expected to carry a full teaching load during other academic terms covered by their contract.

All overload compensation must be approved by the Vice President of Academic & Student Affairs.

### Combined Curriculum/Extension Workloads

In some instances, a faculty member's workload will include both curriculum and extension courses. In these instances, an effort will be made to equate the preparation and teaching contact hours in the extension course(s) to a curriculum course load. In general the contact hours will be recognized as equivalent to those for a curriculum course.

### Release Time

In assigning responsibilities for a semester, supervisors should consider any special factors which might influence a faculty member's workload. These include but are not limited to:

1. number of preparations required of the faculty member
2. number of students taught
3. nature of the courses taught
4. faculty member's familiarity with course material
5. special committee assignments or other special duties

If a department chair considers a faculty member's workload excessive, the chair should request a review of the workload by the dean. Schedule adjustments and release time must be approved by the Vice President of Academic & Student Affairs.

### Review and Appeals

Faculty may request a review of their current assignments through their department chair, division chair, and the Vice President of Academic & Student Affairs. Appeals will follow the College's employee grievance procedures.

### Outside Interference with Faculty Responsibilities

Full-time faculty are expected to provide the College with professional services and commitment. Faculty members should refrain from assuming any outside responsibilities which interfere with the performance of their employment.



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**SCC Policy and Procedure:** General Admission Policy

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**Legal Authority:** 1D SBCCC 400.2, 23 SBCCC 02C.0301

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## GENERAL ADMISSION POLICY

Sampson Community College (SCC) adheres to the open-door admissions policy of the North Carolina Community College System (NCCCS). The College will admit any person who is a legal resident of the United States and who are high school graduates or who is at least 18 years of age. Accreditation of a secondary school located in North Carolina that a person has attended is not a factor affecting admission to the College or to any program of study, scholarships, or other educational activity at the community college. This policy is pursuant to 1D SBCCC 400.2.

Admissions requirements are consistent for all students seeking to enter courses or programs offered by the College. All students enrolling in an associate degree or diploma program of study at SCC must possess a high school diploma or an high school equivalency diploma. While SCC advises all prospective students to earn a high school diploma or high school equivalency diploma, non-graduates may be admitted to certificate programs or as a special credit student enrolling in a limited number of courses. The College reserves the right to place students on the basis of counseling, assessments, interviews, and previous academic achievement.

Applicants currently under suspension or expulsion from any other community college, university, or educational institution may be refused admission to Sampson Community College for the duration of the suspension period or expulsion. This policy has been adopted by the Board of Trustees pursuant to 1D SBCCC 400.2 of the State Board of Community Colleges Code.





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**SCC Policy and Procedure:** Field Trip Authorization

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Revision Dates:** Fall 2024

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## INSTRUCTIONAL FORM - FIELD TRIP AUTHORIZATION

Field Trip requests should be submitted and approved in advance of trip. Requests for vans should be submitted at least five (5) days in advance. No financial commitments should be made without obtaining prior approval.

### **Field Trip Permission Form for Students Under 18 Years of Age**

A Field Trip Permission Form, signed by a parent or guardian, is required for students under 18. This form can be found on the I:Drive. Completed forms must be submitted prior to the trip.



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**SCC Policy and Procedure:** Guest Lecture Authorization

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Revision Dates:** Fall 2024

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## INSTRUCTIONAL FORM - GUEST LECTURER/CLASS COVERAGE AUTHORIZATION

The use of field trips and guest lecturers are encouraged, to the extent possible, as a supplement to regular classroom, laboratory, and clinical instruction. Requests should be submitted through the chain-of-command on the Field Trip/Guest Lecturer's Authorization Form at least three days in advance of the activity. To the extent practical, field trips should be scheduled around students' schedules. A student may not be required to participate in a field trip when that trip precludes attendance in other curriculum classes. No financial commitments should be made without obtaining prior approval. [\(See I:Drive for Guest Lecturer/Class Coverage Authorization Form\)](#)



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**SCC Policy and Procedure:** Class Makeup Plan

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Revision Dates:** Fall 2024

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## INSTRUCTIONAL FORM - MAKEUP PLAN FOR CANCELED CLASSES

Any missed or canceled instructional time, including due to inclement weather, must be made up. Instructors are responsible for coordinating with the Registrar and the Vice President of Academic and Student Affairs to determine how missed class hours will be recovered.

Instructors must complete and submit the "**Class Makeup Plan for Canceled Classes**" form, available on the I:Drive.

Class time may be made up in one of the following ways:

- **Additional Class Sessions:** Add extra classes or extend class time to cover missed hours. The instructor must provide specific dates and times for makeup sessions.
- **Moodle Online Instruction:** For faculty with Moodle access (online, hybrid, or supplemental), equivalent instruction may be delivered via Moodle. Attach a copy of the assignment.
- **Out-of-Class Assignments:** Assign additional work that provides equivalent instructional time. Include estimated completion time, total minutes made up, and a description of the assignment. Attach a copy of the assignment.



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**SCC Policy and Procedure: Live Projects – Curriculum Programs**

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**Legal Authority:** NCGS 115D-5; NCGS 115D-20; NCGS 115D-31.3; 1H  
SBCCC 300.1

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## LIVE PROJECTS

The College is authorized to serve patrons of the community as necessary to provide appropriate training for live projects. The President will establish a schedule for live project fees and will be submitted for approval to the SCC Board of Trustees and the NC Community College System Office.



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**SCC Policy and Procedure: Professional Integrity**

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**Legal Authority:** Administrative Policy**Approval Date:** September 2012**Review/Revision Dates:** Fall 2021

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**PROFESSIONAL INTEGRITY****Purpose:**

To affirm Sampson Community College's commitment to upholding the highest standards of professional integrity, fostering an environment of trust, responsibility, and respect. This policy emphasizes ethical conduct and responsible decision-making in all instructional and administrative duties.

**Scope:**

This policy applies to all faculty, staff, and administrators at Sampson Community College engaged in professional, instructional, or administrative roles.

**Policy Statement:**

1. **Commitment to Ethical Standards:** All employees are expected to act in a manner that reflects honesty, fairness, and respect in all interactions with students, colleagues, and the broader college community. Integrity is fundamental to fulfilling the College's educational mission and fostering a supportive academic and professional environment.
2. **Respect for Professional Boundaries:** Faculty, staff, and administrators are responsible for maintaining professional boundaries, avoiding actions or relationships that may compromise their role, influence, or decision-making capacity. No individual shall initiate or engage in any action that undermines the appropriate faculty-student relationship or violates professional or ethical standards.
3. **Examples of Professional Integrity Violations:** Professional integrity violations include, but are not limited to:
  - a. **Conflict of Interest:** Engaging in activities or relationships that compromise or appear to compromise one's objectivity or professional responsibilities.
  - b. **Misrepresentation:** Falsifying or misrepresenting information in official documentation or communications.
  - c. **Misuse of Position:** Using one's position for personal gain or to unfairly benefit or disadvantage others.
  - d. **Breach of Confidentiality:** Disclosing sensitive information about students, employees, or college matters without authorization.
  - e. **Unethical Interactions:** Engaging in discriminatory, harassing, or otherwise inappropriate interactions with students, colleagues, or others within the college community.
4. **Commitment to Academic Integrity:**

As part of professional integrity, faculty members are also expected to uphold academic integrity by ensuring that all academic materials, assessments, and instructional practices are fair, accurate, and promote honest academic conduct among students.

**Procedures for Addressing Violations:**

1. **Reporting Concerns:** Any member of the college community who suspects a violation of this policy should report it confidentially to their direct supervisor or to Human Resources.

2. **Investigation:** Human Resources or a designated administrator will conduct a thorough, fair investigation, which may include interviews and a review of relevant documents, records, or communications.
3. **Resolution and Disciplinary Actions:** Based on investigation findings, appropriate actions will be determined. Resolutions may include counseling, retraining, official reprimand, suspension, or termination, depending on the severity of the violation.

**Commitment to a Professional Environment:**

Upholding professional integrity at Sampson Community College supports a culture of respect, accountability, and excellence. All employees are encouraged to model the highest standards of ethical behavior and to contribute to a positive and supportive institutional environment.



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**SCC Policy and Procedure: Program Advisory Committees**

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**Legal Authority:** Administrative**Approval Date:** September 2012**Review/Revision Dates:** March 2024

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**PROGRAM ADVISORY COMMITTEES**

Purpose: The program advisory committees are integral parts of the College's planning and evaluation of curriculum and extension programs and provide a direct link between the College and the community. These committee's counsel and advise program leadership and faculty concerning improvements to educational programs in an effort to adequately meet the needs of the community.

Membership: Program advisory committees consist of at least five individuals who are active in or associated with occupations related to the program curriculum.

Appointment - Program Instructors, Coordinator, Director, Department Chair, Division Chair, and/or Dean recommends members for instructional advisory committees to the Vice President for Academic and Student Affairs. Nominations should include name, title, business, and contact information. The Vice President for Academic and Student Affairs will send nominations to the Board of Trustees for approval. Appointments will be for three years. Exceptions to the three-year term can be made when it is in the best interest of the program.

Criteria to consider in the selection of Advisory Committee members includes:

1. Experience in the area which the committee will serve.
  2. Special qualifications to represent a particular point of view.
  3. Representation of a comprehensive segment of business or industry served by the program.
  4. Willingness to devote adequate time to committee work and to activities of the College.
- A. Scheduling Meetings - Each Advisory Committee should hold at least one meeting each year. Additional meetings may be scheduled as needed. Meetings should be scheduled by the appropriate Program Director, Department Chair, or Dean.
- B. Minutes - Minutes of proceedings of each Advisory Committee meeting will be kept using the established format. Copies of the meeting minutes must be filed in the library and distributed to committee members.
- C. Duties: The Advisory Committee may provide input or assistance with the following functions for the College, including:

Curricula to be offered	Recruiting qualified faculty
Curriculum content and course offerings	Recruiting students and publicizing the program
Criteria for selective admission programs	Placing graduates
Use of facilities and equipment	Program evaluation
Promoting financial resources for the program	
Promoting favorable legislation	
Recruiting qualified faculty	



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**SCC Policy and Procedure: Religious Observance Policy**

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**Legal Authority:** NCGS 115D-5; 23 NCAC 2C .0213; 1B SBCCC 500.99

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## RELIGIOUS OBSERVANCE POLICY

Sampson Community College will grant any student of the College two excused absences each academic year (August 1 – July 31) for religious observances required by the faith of the student. The absences may be taken on separate or consecutive days and shall be consistent with the attendance policy as published in the SCC Catalog and Student Handbook.

### Procedure

1. The student must submit a “Request to be Excused for Religious Observance Form” to the Dean of Student Services or his/her designee for the excused absences at least two (2) weeks prior to the date the student intends to be absent for the religious observance.
2. A “Request to be excused for Religious Observance Form” must be completed for each class missed. Forms may be obtained from the Student Services office or the Department Secretaries.
3. The Dean of Student Services or his/her designee shall notify appropriate faculty within 72 hours of receiving the request. Faculty members are expected to note the excused absences as appropriate in class record documents.
4. No more than two tests per day may be given to a student who is making up a test or tests due to the absence(s) excused for the purpose of the religious observance.
5. Instructors/faculty are prohibited from implementing unnecessary sanctions, requiring additional work, or making unreasonable requests of students who are duly granted excused absences for religious observance.





**SAMPSON COMMUNITY COLLEGE  
REQUEST TO BE EXCUSED FOR  
RELIGIOUS OBSERVANCE**

**Student's Name:** \_\_\_\_\_ **Colleague ID:** \_\_\_\_\_

**Semester/Year:** \_\_\_\_\_ **This is my first** \_\_\_\_ **second** \_\_\_\_ **request this academic year**

I am requesting permission to be excused from the class(es) listed below for a religious observance. I realize that any absence(s) for this purpose will count toward the total number of absences allowed under the College's attendance policy as published in the Academic Information Section of the SCC Catalog and Student Handbook. I understand that it is my responsibility to arrange make up of any missed assignments and/or tests with the course instructor. I agree to fully comply with the provisions outlined in the College's Religious Observance Policy. I certify that the information on this form is true. I also understand that misrepresentation of the facts may be sufficient cause for disciplinary action by the College.

<b>Course Prefix Number and Section</b>	<b>Instructor</b>	<b>Name of Religious Observance</b>	<b>Date(s) Missed For Religious Observance</b>

**Student's Full Name (print or type):** \_\_\_\_\_

**Student's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<u>For College Use Only</u>	
Date Received in Student Services: _____	
Request Approved: _____	Request Denied: _____
<i>*If request is denied, please attach explanation</i>	
Signature: _____	Date: _____
<i>Dean of Student Services</i>	
<i>Please forward copies of the completed form to the course Instructor and the VP of Academic &amp; Student Affairs.</i>	



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**SCC Policy and Procedure:** Review of Full-time Faculty

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**Legal Authority:** Administrative

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## REVIEW OF FULL-TIME FACULTY POSITIONS ALLOCATED

A review of the need for additional full-time faculty positions is formally conducted within annual planning efforts of the instructional divisions. Department chairs are to document the need for additional positions in the program reviews that are submitted to the instructional administration for review and development of the division plan. Typically, the administration makes final allocations of funds for faculty positions after receiving the annual state budget appropriation. In instances where instructional demands were not anticipated, department chairs are encouraged to submit requests for the review of the department's need for additional full-time faculty at any time during the academic year.



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**SCC Policy and Procedure: Role of Faculty and Staff in  
Institutional Governance**

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**Legal Authority:** NCGS 115D-20; 1B SBCCC 400.2

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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**ROLE OF FACULTY AND STAFF IN INSTITUTIONAL GOVERNANCE**

The Sampson Community College (SCC) Board of Trustees is the governing body for the College. In accordance with policies established by the State Board of Community Colleges, the SCC Board of Trustees establishes appropriate policies for the achievement of the College's mission and goals and a high level of institutional effectiveness. It is the responsibility of the College's President and administrators to develop and implement procedures and guidelines to effectively implement the policies established by the State Board of Community Colleges and the SCC Board of Trustees. In the development of procedures and guidelines, the College encourages and provides for the full participation of the faculty and staff in its decision-making processes. Participation is provided through formal structures and the administration's practice of an open-door policy. Faculty and staff as individuals or groups may bring comments or concerns to the appropriate administrator or the President at any time. The College's administration will respond to such input in a timely manner.

Formal participation is provided through:

- 1) representation on selected committees,
- 2) representation on other standing committees,
- 3) representation on ad-hoc committees as appropriate,
- 4) the activities of the College's interest groups: Educational Office Personnel (EOP) Faculty Council
- 5) The College's Grievance Procedure whereby faculty and staff may appeal grievances, and
- 6) periodic planning meetings where input of the faculty and staff is sought.



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**SCC Policy and Procedure: Self-Supporting Classes**

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**Legal Authority:** 1D SBCCC 200.3, 300.4, 400.11, 500.1, 600.1;  
1 E SBCCC 100.1, 200.1, 600.1, 800, 900, 1000; 1G SBCCC 100.98, 200.95**Approval Date:** September 2012**Review/Revision Dates:** Fall 2021

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## SELF-SUPPORTING CLASSES

The Sampson Community College Board of Trustees supports the offering of self-supporting classes, with each student being required to pay a pro-rata share of the cost of a self-supporting class. The administration will set the fees in an amount to reasonably ensure that all direct costs of the class will be recovered and with expectations of some indirect costs being recovered.

The following should be considered direct costs in providing self-supporting instruction:

1. Instructors' salaries including FICA, travel, course development cost, etc.
2. Instructional supplies and materials.
3. Rental of building, and other directly assignable costs.
4. Advertising, printing costs associated with a brochure, postage, mailing, etc.
5. Equipment associated with the instruction for a self-supporting class.
6. Refreshments, and
7. Other costs necessary for and directly assignable to a class or costs which are directly assignable to self-supporting classes (including administrative/clerical costs that can be verified as assignable).

Indirect costs are the costs for activities supporting the offering of classes but cannot be directly and exclusively assigned to a self-supporting class or the offering of the self-supporting program. If indirect costs (see examples below) can be directly and exclusively assigned to a self-supporting class or self-supporting program, the costs can be considered direct costs.

Examples of indirect costs include:

1. Utilities, custodial, and security.
2. Coordinator/Administration, and
3. Clerical salary and fringes.

Within the Board's approval, the administration may use any self-supporting funds in excess of the direct costs as follows:

1. For scholarships or other financial aid for students.
2. For strengthening educational programs.

However, the excess self-supporting funds shall not be used for College entertainment expenses or to supplement salaries of any personnel. Expenditures should be of direct benefit to students.

The Board of Trustees will review the balance in the Self-Supporting Class Account annually to make sure an excessive balance is not being accumulated.



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**SCC Policy and Procedure: Student Code of Conduct**

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**Legal Authority:** NCGS 115D-20

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## STUDENT CODE OF CONDUCT

Sampson Community College reserves the right to maintain a safe and orderly educational environment. Therefore, when in the judgment of College officials a student's conduct disrupts or threatens to disrupt the sanctity of the community; appropriate disciplinary action will be taken. All students are expected to conduct themselves in accordance with generally accepted standards of scholarship and morality while on campus and when attending college-sponsored events or field trips. The purpose of this code is not to restrict student rights but to protect the rights of individuals and to ensure the integrity of the institution's academic programs. The code of conduct applies to all currently enrolled students participating in any of the programs offered by the college. Officers of the Clinton Police Department will enforce criminal laws on the college campus.

### **Academic Misconduct Subject to Disciplinary Action**

Academic misconduct is defined to include but is not limited to:

1. Giving or receiving unauthorized aid (aid or material used without the instructor's permission or approval) on an assignment. Unauthorized material includes but is not necessarily limited to test information, research papers, books, periodicals, and unauthorized electronic information.
2. Plagiarism as defined by the *American Heritage Dictionary* is "to steal and use the ideas and writings of another as one's own." Plagiarism includes not giving proper acknowledgment via footnote, endnote, or in-text citation. Quoting part of a source (a sentence or more) without proper acknowledgment through the above citation is plagiarism.
3. Copying, taking, or acquiring without permission any academic material (test information, research papers, notes, books periodicals, etc.) from a member of the College staff, faculty, or student body or any comparable violation of academic security.

### **Disciplinary Procedures for Academic Misconduct**

Faculty members will make a preliminary judgment about the seriousness of the incident and determine whether it is a possible violation of the Academic Code of Conduct. If the incident appears to be a violation, the faculty member will then decide whether the incident justifies a formal charge or whether a sanction on the test or assignment is appropriate. If the finding is that a violation rising to the level of a code of conduct charge has occurred, the faculty member may impose a variety of penalties for academic misconduct depending on the nature of the offense. Penalties include giving the student a grade of "F" or zero on the assignment or a grade of "F" in the course. Penalties will be included in the course syllabus.

In the event that the student wishes to appeal an individual grade resulting from alleged academic misconduct, including overcuts, the student must submit a written appeal within **three (3) business days** from the date they are informed of the penalty. Students may continue to attend class during

the entire appeal process provided that they have initiated a written notice of appeal at each stage of the review process.

The student must present to the department chair supervising the faculty member a written notice of appeal outlining the grounds for the appeal. The department chair will provide the student with written notice of his or her finding as soon as practicable but not to exceed **three (3) business days** from notice of the appeal.

### **Other Misconduct Subject to Disciplinary Action**

1. All forms of dishonesty including falsifying information to the College or another student and forgery, alteration, or use with intent to defraud the College's documents or instruments of identification without the College's permission.
2. Theft of, misuse of, or damage to College property; or theft of or damage to property of a member of the College community or a campus visitor on College premises or at College functions; trespassing which includes unauthorized entry upon the property of the College or into a College facility or a portion thereof that has been restricted in use and thereby placed off limits; unauthorized presence in a College facility after closing hours.
3. Possession of or use of alcoholic beverages or being in a state of intoxication on the College campus or at College-sponsored or College supervised functions off campus or in College-owned vehicles.
4. Possession, use or distribution of any illegal drugs, except as expressly permitted by law. Any influence that may be attributed to the use of drugs or of alcoholic beverages may not in any way limit the responsibility of the individual for the consequences of his or her actions.
5. Possession or use of an unauthorized firearm, incendiary device, or explosive, except in connection with a College-approved activity. This also includes unauthorized possession or use of any instrument that may be used to inflict serious bodily injury to any person.
6. Lewd or indecent conduct, including public, physical, or verbal action or distribution of or wearing clothes bearing obscene or libelous written material.
7. Intimidating, threatening, or mentally or physically abusing any person on College premises or at a College-sponsored or College-supervised functions, including verbal or physical actions that threaten or endanger the health or safety of any such persons or that promote hatred or racial prejudice.
8. Violation of College regulations regarding the operation and parking of motor vehicles.
9. Setting off a fire alarm or using or tampering with any fire safety equipment, except with reasonable belief in the need for such alarm or equipment.
10. Engaging in any conduct that causes or is likely to result in any material disruption of any lawful function or activity of the College including the intentional obstruction or disruption of teaching, research, administration or disciplinary proceedings or other College activities including public service functions and other duly authorized activities on College premises.
11. Participating in or conducting an assembly, demonstration, or gathering in a manner that threatens or causes injury to person or property; that interferes with free access to, ingress or egress of College facilities; which is harmful, obstructive or disruptive to the educational process or institutional functions of the College; remaining at the scene of such an assembly after being asked to leave by a representative of the College staff.
12. Occupation or seizure in any manner of College property, a College facility or any portion thereof for a use inconsistent with prescribed, customary, or authorized use.
13. Unauthorized use, or misuse, of the College's computing resources including:
  - Logging on an account without the knowledge and permission of the account owner.

- Changing, deleting, or adding to the programs, files, and data without authorization of the account owner.
  - Theft of program data and machine resources.
  - Attempts to thwart security of any College computer or computer system.
  - Attempts to disrupt the normal operations of any College computer system(s) including hardware and software.
14. Smoking or the use of other forms of tobacco products, in classrooms, shops, labs or any unauthorized areas.
  15. Fiscal irresponsibility such as failure to pay College-levied fines, failure to repay College-funded loans, or the passing of worthless checks to College officials.
  16. Failure to comply with instructions of College officials acting in performance of their duties.
  17. Violation of a local, state, or federal criminal law on the College campus.
  18. Violation of the terms of a disciplinary action or any College regulation during the period of probation, suspension or expulsion.



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**SCC Policy and Procedure:** Student Grievance

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## STUDENT GRIEVANCE

### Non-Academic Grievances

Any student who has a non-academic grievance related to the services or activities offered by the College may file a complaint with the Dean of Student Services. The Dean will conduct an investigation and notify the student of the outcome within five (5) business days. If a student disputes the outcome, he or she may follow the process described in the section on appeal of non-academic sanctions.

### Academic Grievances

Any student who has an academic grievance related to academic programs, instruction, or grades should follow the appropriate appeals process defined in the College Catalog/Student Handbook.





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**SCC Policy and Procedure:** Student Publication Policy

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## STUDENT PUBLICATIONS

The SCC Course Catalog & Student Handbook is provided as a guide to inform students of the policies, procedures, and regulations of the College. It is the responsibility of all currently enrolled students to become familiar with the contents of this document and know their rights and responsibilities as students of the College. The SCC Course Catalog & Student Handbook is accessible through the College website at [www.sampsoncc.edu](http://www.sampsoncc.edu).

In addition to general policies and procedures, the following information is published in the Course Catalog & Student Handbook:

- Campus Safety and Security Information
- Academic Policies and Procedures
- Student Code of Conduct and Due Process Information
- Sexual Harassment Policy and Grievance Procedures



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**SCC Policy and Procedure:** Student Records and Privacy

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**Legal Authority:** NCGS 115D-89; NCGS 115D-90; 23 NCAC 3A .0107

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## STUDENT RECORDS AND PRIVACY

When a prospective student submits an application for admission, a student record is established and maintained in the Student Services Division. The contents of student records may include but are not limited to the following: admissions application, transcripts of previous educational records, placement test results, and other documents related to academics, or disciplinary action. This record is used to collect and retain pertinent data throughout the student's enrollment. The contents of student records are property of Sampson Community College and are maintained in accordance with FERPA regulations.

### Release of Information

Sampson Community College supports the rights and privacies afforded each student by the Family Educational Rights and Privacy Act of 1974 and is in compliance with its provisions.

The statute governs access to records maintained by certain educational institutions and the release of such records. In brief, the statute provides:

1. That such institution must provide student access to official records directly related to the student and an opportunity for a hearing to challenge such records on the grounds that they are inaccurate, misleading, or otherwise inappropriate.
2. That institution must obtain the written consent of the student before releasing personally identifiable data about the student with the exception of directory information.

Directory information is defined as the student's name, program of study, enrollment status, and degrees and awards received. Student ID numbers are considered directory information for use on SCC student ID cards. Student ID numbers cannot be used to access student records and personal information except when used in combination with one or more elements that confirm the user's identity.

**Any student who does not wish the College to release any or all of the information designated as directory information without the student's written consent must notify the Registrar's Office in the Student Services Division.**

### Transcripts

The College will provide an official transcript of the student's educational record upon written request and paying the transcript fee. A release statement must be signed by the student before a transcript or any other non-directory information can be provided to the student, educational institution, other individuals, firms or agencies. A 24-hour notice is required for preparation of official transcripts. No transcripts or student records will be released until all financial obligations to the College have been paid in full and the student's account is cleared with the Finance Office. Transcript request forms are available in the Student Services Division and on the Student Services page of the College's website. Completed forms may be returned to SCC by fax or postal mail. Completed forms may be accepted by e-mail if they contain an original signature.

Students may also request official transcripts electronically through the National Student Clearinghouse, [www.studentclearinghouse.org](http://www.studentclearinghouse.org). The cost for electronic transcript requests is also \$5.00.

### **Change of Information**

When any pertinent information such as name, address, or phone number changes, it is the student's responsibility to notify the Student Services Division in a timely manner. Any changes require valid identification and documentation verifying the current and updated information before records will be changed. Current information is required to ensure that grades or other information from the College will be received and that emergency messages can be delivered.

### **Retention of Records**

Permanent records of curriculum students are maintained in the Student Services Division and are protected against fire, theft, destruction, and other hazards. Appropriate measures are taken to protect the security, confidentiality, and integrity of student records. Incomplete or inactive records of students who have never enrolled at the College may be destroyed after two years.



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**SCC Policy and Procedure:** Student Right to Know

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**Legal Authority:** NCGS 115D-20

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**Approval Date:** September 2012

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**Review/Revision Dates:** Spring 2023

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## STUDENT RIGHT TO KNOW ACT

This act requires colleges to report completion rates of students. In compliance with the Student Right-to-Know Act, Sampson Community College discloses graduation/completion, transfer-out, and retention rates in the Course Catalog and Student Handbook.



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**SCC Policy and Procedure:** Substantive Change

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**Legal Authority:** Administrative Code

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**Approval Date:** Adopted February 2019

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**Review/Revision Dates:** Fall 2021

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## SUBSTANTIVE CHANGE

Sampson Community College is committed to compliance with all policies and procedures mandated by the Southern Association of Colleges and Schools Commission on Colleges.

The College recognizes that modifications or new initiatives may deviate significantly from existing programs or conditions and affect the nature and scope of the institution. Recognizing it is the Commission's responsibility to evaluate the effect of a substantive change on the quality, integrity, and effectiveness of the institution, *SACSCOC Standard 14.2* requires all accredited institutions, including Sampson Community College to establish a policy and procedure to ensure all substantive changes are reported in accordance with SACSCOC policy. The College will notify SACSCOC of institutional and programmatic changes in a timely manner, will seek approval prior to the initiation of changes when required, and will submit a substantive change prospectus to the SACSCOC, if necessary. The President and/or the College's accreditation liaison, who shall be appointed by the President, must take such actions in accordance with the College's Substantive Change Procedure.

SUBSTANTIVE CHANGE PROCEDURE  
SCC ADOPTED FEBRUARY 2019

**PURPOSE:**

To ensure Sampson Community College (SCC) is in compliance with the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Standard 14.2, Substantive Change, and that all faculty, staff and divisions of the College are knowledgeable of respective responsibilities in reporting a proposed substantive change(s).

**PROCEDURE:**

SACSCOC defines substantive change as a “significant modification or expansion of the nature and scope of an accredited institution.” Institutions are required to notify or request approval for substantive changes prior to implementation. All substantive changes must be consistent with the SCC mission and the College must have the appropriate fiscal, physical, and human resources to implement the change. In many instances SACSCOC approval is needed up to 6 months before implementing the change.

Utilizing information provided by the Academic Deans and Department Chairs, Academic & Student Affairs Committee and the Planning and Policy Committee, the SACSCOC designated Accreditation Liaison, the Vice President of Academic and Student Affairs, is responsible for the submission of the substantive change to SACSCOC and monitoring the approval process.

**Procedure for notification of potential substantive changes:**

At the earliest stage of planning the SCC Accreditation Liaison must receive written notification of a possible substantive change.

1. Department Chairs will initiate the process by completing the **Substantive Change Reporting Form** and the **Curriculum Change Request Form** along with the necessary attachments. These are to be submitted to the appropriate Dean for review. The Dean will submit the request to the Vice President of Academic & Student Affairs and the Registrar at least 2 weeks prior to the Academic & Student Affairs meeting.
2. If a substantive change notification or prospectus submission to SACSCOC is required, the Accreditation Liaison will work with appropriate staff and administrators to complete and submit within the time frame outlined in the SACSCOC Substantive Change Policy (Table 1). <http://www.sacscoc.org/pdf/081705/SubstantiveChange.pdf>
3. Compliance with this policy and procedure is mandatory. Failure to seek SACSCOC approval prior to implementing program or other substantive changes can affect SCC’s accreditation status.



# SACSCOC SUBSTANTIVE CHANGE REPORTING FORM

PROGRAM INFORMATION	
PROGRAM NAME	
DIVISION	

TYPE OF CHANGE (Check type of change)	
<input type="checkbox"/>	Initiating coursework or programs at a different level than currently approved
<input type="checkbox"/>	Initiating off-campus sites where students can obtain 50% or more credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs, that are not at employer's request and not on short notice)
<input type="checkbox"/>	Expanding at current degree level (significant departure from current programs)
<input type="checkbox"/>	Expanding program offerings at previously approved off-campus sites by adding program that are significantly different from current program at the site and at the institution
<input type="checkbox"/>	Initiating degree completion programs
<input type="checkbox"/>	Initiating a branch campus
<input type="checkbox"/>	Initiating distance learning by offering 50% or more of the first program for the first time
<input type="checkbox"/>	Relocating a main or branch campus
<input type="checkbox"/>	Entering into a contract with an entity not certified to participate in USCOE Title IV programs if the entity provides 25% or more of an educational program offered by the SACSCOC accredited institution
<input type="checkbox"/>	Initiating dual or joint degrees involving program expansion (significant departure or initiating a new site where student can obtain 50% or more credits toward a program)
<input type="checkbox"/>	Initiating dual or joint degree with at least on institution not accredited by SACSCOC
<input type="checkbox"/>	Initiating a direct assessment competency-based program
<input type="checkbox"/>	Initiating a merger/consolidation with another institution
<input type="checkbox"/>	Changing governance, ownership control, or legal status of an institution
<input type="checkbox"/>	Acquiring any program or site from another institution
<input type="checkbox"/>	Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing
<input type="checkbox"/>	Initiating a certificate program at a new off-campus site at employer's request and on short notice (previously approved program)

	Initiating a certificate program that is significant departure from previously approved programs at employer's request and on short notice
	Adding a site under a U.S. military contract for a previously approved program
	Altering significantly the length of a program
	Altering significantly the educational mission of the institution
	Changing from clock hours to credit hours
	Moving an off-campus instructional site (serving the same geographic area)
	Initiating dual or joint degrees with other SACSCOC accredited institution(s)
	Initiating programs or courses offered through contractual agreement or consortium
	Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides less than 25% of an educational program offered by the SACSCOC accredited institution
	Initiating off-campus sites where students can obtain 25-49% of credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs, that are not at employer's request and not on short notice)
	Initiating distance learning by offering 25-49% of the first program for the first time
	Closing a program, approved off-campus site, branch campus, or institution where the institution where the institution plans to teach out its own students
	Closing a program, approved off-campus site, branch campus, or institution where the institution where the institution plans contracts with another institution(s) to teach-out students (Teach-out Agreement)

DESCRIPTION OF CHANGE		
<b>EXPECTED DATE OF CHANGE</b>		
SIGNATURES		
		<b>DATE</b>
<b>DEPARTMENT CHAIR</b>		
<b>DEPARTMENT CHAIR</b>		



<b>VICE PRESIDENT OF ACADEMIC &amp; STUDENT AFFAIRS</b>		
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## CURRICULUM REVISIONS REQUEST

Please use this format for requesting curriculum revisions for departmental programs of study. Completed requests with the Substantive Change Reporting Form and required attachments should be submitted as instructed in the Curriculum Revisions Information file located on "I" drive.

Program and Code \_\_\_\_\_ Date submitted \_\_\_\_\_

Summarize action requested for each course affected by the revision:

<b>Course Prefix and Number</b>	<b>Action Requested</b>	<b>Reason for Action</b>
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Identify any effects on the curriculum and/or course scheduling:

Identify any new resources required to implement the revision; such as, space, personnel:

Effective date of revision: \_\_\_\_\_

\_\_\_\_\_

Department Chair's Signature/Date

\_\_\_\_\_

\_\_\_\_\_

VP of Academic & Student Affairs Signature/Date

Attach the following:

1. Curriculum Program Request Tracking Form
2. Substantive Change Reporting Form
3. Copy of current curriculum standard (from NCCCS website)
4. Course descriptions for all affected courses

5. Revised curriculum suitable for submission to NCCCS. Use same format as Curriculum Standard—core courses, major hours, other major hours, etc.

Revised semester-by-semester program checklist



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**SCC Policy and Procedure: Workforce Development & Continuing Education Programs and Classes**

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**Legal Authority:** 1D SBCCC 200.3

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2024

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## WORKFORCE DEVELOPMENT & CONTINUING EDUCATION PROGRAMS AND CLASSES

Workforce Development & Continuing Education promotes the concept of lifelong learning by providing educational experiences that will help adults meet occupational and professional goals and fulfill social and personal needs. The development of these courses is based upon the needs and interests of the professional, business, industry, and civic communities.

### Continuing Education Programs:

- (a) Occupational Extension courses consist of single courses, each complete in itself, designed for the specific purposes of training an individual for full- or parttime employment, upgrading the skills of persons presently employed, and retraining others for new employment in occupational fields.
- (b) Community Service:
  - (i) Community Service courses consist of single courses, each complete in itself, that focus on an individual's personal or leisure needs rather than occupational or professional employment.
  - (ii) The cultural and civic, and visiting artist component of this program meets community needs through lecture and concert series, art shows, the use of college facilities by community groups, providing speakers to community organizations, and providing visiting artist activities for college communities. Visiting artists may be provided an opportunity to work as artists in residence to enhance local arts resources and promote the various visual, performing and literary arts in communities throughout North Carolina.
- (c) Self-Supporting Programs:
  - (i) A self-supporting course is not reported to the state for budget FTE since the cost of conducting the course is paid by students enrolled.
  - (ii) Recreational programs are self-supporting courses which the College may provide at the request of the community but for which the College receives no budgetary credit. Funds appropriated as operating expenses for allocation to the Colleges shall not be used to support recreation courses. The financing of these courses by a college shall be on a self-supporting basis, and membership hours produced from these activities shall not be counted when computing full-time equivalent students for use in budget-funding formulas at the state level.
- (d) College & Career Readiness (Formally Basic Skills):

The State Board and the community college system shall encourage persons to complete high school rather than seek testing for the High School Diploma Equivalency.

  - (i) High School Equivalency programs consist of classroom instruction, learning laboratory courses, or a combination of activities designed to qualify a student for an

adult high school diploma. An Agreement of Affiliation with a local public school system is required for minors sixteen or seventeen years old. No agreement is required for adults eighteen years old and older.

- (ii) The Adult Basic Education (ABE) program is designed for adults who are functioning at or below the eighth-grade educational level. The major objectives of the program are to enable adults to acquire the basic educational skills necessary to be fully competent in our society, to improve their ability to benefit from occupational training and to have greater opportunities for more productive and profitable employment, and to meet their own objectives for enrolling in the program. Classes are offered and focus on fundamental skills such as reading, writing, speaking, computing, critical thinking, and problem solving.
- (iii) The English as a Second Language (ESL) program offers classes which accommodate the varied needs of the immigrant and refugee populations. Attention is given to both the cultural and linguistic needs as instruction is focused upon the formation of accurate, appropriate communication skills and upon the student's ability to function in the adult American community. Classes are offered at the beginning through the advanced levels of ESL. The curriculum is designed to develop the basic language skills of reading, writing, speaking, and listening. Instruction integrates the English language with topics that prepare students for everyday life, employment, and citizenship.
- (iv) The Compensatory Education (CED) program is designed for adults with mental retardation. The program is highly individualized and fosters a maximum level of independent living commensurate with personal ability. Instruction is offered in math, language, social science, health, community living, consumer education and vocational education.
- (e) Customized Training Program:  
The Customized Training Program addresses industry-specific training customized for job growth, technology investment, or productivity enhancement. Based on needs specified in G.S. 115D-5.1, Customized Training Programs shall address job-specific training.
- (f) The Small Business Center:  
The Small Business Center program provides educational training, confidential counseling and professional referral services specially designed in content and delivery for small businesses, both existing and prospective.
- (g) The Human Resources Development (HRD) program provides skill assessment services, employability skills training, and career development counseling to unemployed and underemployed adults. The curriculum framework addresses each of the following HRD core components:
  - (i) assessment of an individual's assets and limitations;
  - (ii) development of a positive self-concept;
  - (iii) development of employability skills;
  - (iv) development of communication skills;
  - (v) development of problem-solving skills; and

(vi) awareness of the impact of information technology in the workplace.



## SECTION IV: Finance and Administrative Services



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**SCC Policy and Procedure: Bookstore**

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**Legal Authority:** 1H SBCCC 300.3**Approval Date:** September 2012**Review/Revision Dates:** Fall 2022

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## BOOKSTORE

It is the policy of the Board of Trustees to assure that student costs are held to a minimum. Consistent with this, the Trustees annually review and approve the markup on textbooks and other materials offered for resale through the College's bookstore. Bookstore funds, consistent with policies adopted by the State Board of Community Colleges, are restricted to:

1. Support of bookstore operating expenses including, but not limited to salaries and benefits of bookstore personnel, purchase of inventory, marketing, supplies, travel, equipment associated with the operation of the bookstore, enhancement of the bookstore, and bookstore facility support costs, such as, utilities, housekeeping, maintenance, and security.
2. Funds in excess of these operating expenses may be used to support instruction, student support services, student financial aid (e.g. scholarships, grants, loans, Work Study), student refunds, student activities, giveaways to students, curriculum development, program improvement, professional development, instructional equipment, and capital improvements related to facilities associated with the bookstore and student activities. In addition, funds may be used to address impacts associated with the COVID-19 outbreak.
3. Funds shall not be used to support any supplemental salary, benefit, or other form of compensation for the college president. Funds shall not be used to support administrative costs, promotional giveaways to individuals other than students, entertainment expenses, fundraising expenses, and capital improvements not allowed under 2 above.

All expenditures will be consistent with the mission and purpose of the North Carolina Community College System.

### Bookstore Purchases

The College's bookstore provides the student with a convenient location for the purchase of texts needed for courses currently offered by the College. The bookstore is directed to assist faculty with any problems or questions concerning text orders. Each instructor requisitioning books to be used in the classroom should use the Textbook Adoption Form which should be approved by the appropriate chairperson before being submitted to the bookstore.

The College bookstore is operated as an auxiliary enterprise of the College and attempts to provide low-cost books and supplies for student use. Markup rates are substantially below private retail margins and these markups are approved by the Board of Trustees annually.



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**SCC Policy and Procedure: Development and Approval of Budget**

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**Legal Authority:** SBCCC 300.3; SBCCC 300.4

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## DEVELOPMENT AND APPROVAL OF BUDGET

The College's budget process is a procedural reaction to the budgets allocated for the College by the North Carolina General Assembly through the North Carolina State Board of Community Colleges and the Sampson County Board of Commissioners. While the College attempts to influence the size of the budgets through political advocacy, these efforts are not part of the budget process.

The Institution's budget reflects the priorities of the College's Strategic Plan and supports activities and programs designed to achieve identified Plan goals. Limitations in budget revenues are identified and used to prioritize activities during the budget planning process.

The College's annual budget serves as a principal part of the institution's operating plan and is intended to ensure that resources are allocated in support of the achievement of the strategic plan. The College's budget calendar varies in relation to the General Assembly's adjournment date and receipt of the institution's final budget from the North Carolina Community College System Office. Final budget deliberations are often influenced by special provisions enacted by the General Assembly and the State Board of Community Colleges.

1. In April of each year, divisional deans/vice presidents are provided budget work sheets by the Finance Division for preparation of other cost budgets, part-time salaries/contracted services, and equipment on a departmental basis detailing departmental budgets and expenses to date. The divisional deans/vice presidents forward these budget forms to the appropriate department chair to complete. Each department chair meets with all employees in that particular division for input, and then summarizes all requests on the appropriate forms. A justification is included on the bottom of the budget sheet if the request is more than the previous fiscal year's request. These requests are signed by the appropriate person and returned to the dean/vice president of that division for review and signing. This process allows for broad-based participation in budget planning.

These budget requests are then forwarded to the Finance Office to be summarized and used in preparing the College's budget. Recommendations for salary increases and additional personnel are provided after necessary operational expenses are determined.

2. With guidance from the President, the Vice President of Finance and Administration prepares a budget request for local funds for submission to the County in accordance with the County's budget calendar. The County budget request is communicated to the Board of Trustees prior to submission.
3. The Controller and the Vice President of Finance and Administration assemble all available information concerning institutional funds for the upcoming fiscal year. This includes grant applications pending approval, tentative awards made from federal agencies and estimates of revenues and expenditures with college proprietary funds.

4. Upon approval of the local portion of the College's budget and receipt of the final state budget, the Vice President of Finance and Administration prepares a DCC 2-1 and a formal budget resolution for adoption by the Board of Trustees.





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**SCC Policy and Procedure: Investment Management Policy**

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**Legal Authority:** Chapter 115D, Article 58.6, Chapter 147, Article 86.10, and Chapter 159, Article 30**Approval Date:** September 2012**Review/Revision Dates:** Fall 2022

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## INVESTMENT MANAGEMENT POLICY

The Board of Trustees directs the College President and administration to establish and maintain techniques and procedures for the receipt, deposit, and disbursement of monies coming into its control and custody which maximize the interest-bearing investment of cash and minimize idle and non-productive cash balances consistent with the applicable provisions of Chapter 115D, Article 58.6, Chapter 147, Article 86.10, and Chapter 159, Article 30 of the General Statutes of North Carolina

The Board of Trustees will discharge their duties with respect to the management and investment of college funds as follows:

- (1) Investment decisions will be solely in the interest of the College and the students, faculty, and staff of the College.
- (2) The investments will be for the exclusive purpose of providing an adequate return to the College.
- (3) Investments will be made with care, skill, and caution under the circumstances then prevailing which a prudent person acting in a like capacity and familiar with those matters would use in the conduct of an activity of like character and purpose.
- (4) Investment decisions will be made impartially, taking into account the best interest of the College, with special attention to conflicts of interest or potential conflicts of interest.
- (5) Investments shall incur only costs that are appropriate and reasonable.

The Board of Trustees will solicit competitive bids from all local banking institutions on a periodic basis to maximize the return on cash and to facilitate the financial operations of the College. The Board of Trustees maintains decision-making authority for the institution's investment management plan; therefore, the specific terms and conditions of each banking contract will be approved by the Board of Trustees. The College will provide the Board with statements of institutional cash balances and other investments annually accompanying the distribution of the financial statements of the College. Investment returns will accrue to the general ledger purpose and unit code from which the original investment principle originated.

The Finance Committee of the Board of Trustees serves as the College's Investment Committee. The committee membership will include three or more trustees with sufficient financial background to review and evaluate investment options. The committee is authorized to purchase, sell, and exchange instruments of deposit and securities on behalf of the Board provided that such investments can be converted to cash to meet College obligations. In support of this committee of the Board, the administration will maintain a standing committee to monitor investment returns, prepare periodic reports, and make recommendations for the purchase or divestment of investments to the Investment Committee.

All funds will be invested consistent with NCGS 159-30(c), placed through a registered investment advisor, or invested in a special trust fund established by the State Treasurer. All documents in support of investment transactions must be signed by the President and Vice President of Financial Administration.



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**SCC Policy and Procedure: Purchasing Policy**

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**Legal Authority:** NCGS 115D-58.14; NCGS 115D-58.15, 01NCAC 05B.0301

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## PURCHASING POLICY

The College will comply with all federal and state laws, rules, and regulations pertaining to the procurement of goods and services.

Funds are allocated by the state to the College for the procurement of instructional supplies, materials, and equipment. Within the limitations of budgeted funds, faculty and staff must submit requests for needs to their supervisors. Supervisors should assist in arriving at specifications, costs, and vendors to support the purchase. Approved requests are then forwarded to the Purchasing Agent. The Purchasing Agent will assist in completing forms, advise on purchasing procedures, or provide information on specific budget line-item formula allocation.

Staff members that need to purchase supplies and materials for their classroom or office use must work within divisional procedures established by their supervisor/dean/vice president. The Finance Office processes requests for supplies and materials when properly submitted without investigating the actual need for these materials. The responsibility for such justification rests with the individual faculty or staff member, the department chair, the dean, and the vice president.

Departments and divisions are expected to allocate their supply and material monies in order to operate within their established budget. It is important that each staff member recognizes the need to adhere to state purchasing procedures. The College uses a requisition and purchase order system. No individual should order or receive any materials without proper authorization from the Finance Office. Failure to abide by these rules may result in the individual incurring financial obligation personally or disciplinary action for failing to follow College policy.

Requisitions should be submitted five (5) working days before purchase orders can be mailed. Emergency requests should be brought to the attention of the Finance Office.

### A. Contractual Agreements

1. Full-time Faculty - Part-time contracts taught by full-time faculty must be signed by the divisional dean and the vice president. Full-time and part-time E-100s must be signed by the President. All contracts are forwarded to the Finance Office for signatures by the Vice President of Finance and Auxiliary Services and the Director of Internal Controls.

Part-time Faculty - Contracts for part-time faculty must be signed by one or more instructional administrators, the Vice President of Academic and Student Affairs, and the Finance Office prior to the instructor assuming his/her teaching responsibilities. All contracts involving rental and service agreements should be presented directly to the Finance Office for approval. Other contracts should be presented to the President for approval and forwarded to the Finance Office for approval of fund availability. Staff members should be aware that, without authorization, they are unable to enter contracts for the College and may be assuming personal liability for their actions.

- B. Personal Services Contracts - A supply of the personal services contract (or similar form) is maintained and issued by the Finance Office. The form should be used for non-employees providing non-instructional personal services. Examples of person's normally entering into this type of agreement include consultants and independent professionals (not teaching a course).

The form should be completed by the contractor (name, address, social security number or federal id. number, note indicating whether the business is incorporated, and signature) and authorized by the appropriate institutional officials prior to the performance of duties. Payment cannot be made without these items. They are required for 1099 reporting to the IRS. Questions concerning personal service contracts and payment of these obligations should be referred to the Vice President of Finance.

- C. Convenience Contracts - The Division of Purchase and Contract has entered into convenience contracts with vendors to provide many of the products and services needed at the College. In general, terms that are listed on their contract listing must be purchased from the designated vendor. Only in those instances when the product fails to meet the institution's need, may purchases be made 'off contract' and then only within established purchasing guidelines. Individuals who wish to purchase items in this manner should discuss this fully with the Finance Office. Approval from the Division of Purchase and Contract will be sought on these requests.

D. Supplies and Materials

1. Small Purchases - are those that are valued at \$25,000 or less, including the amount of any extensions or renewals. Small purchases are addressed in 01 NCAC 05B.0301 and are subject to the following rules:

- State Term Contracts (STCs) shall be used for small purchases if applicable and mandatory. STCs that are deemed for use as "convenience" may be used for any purchase, including small purchases. All goods and services covered by STCs shall be purchased in accordance with the instructions in those contracts.

One quote is the only requirement for purchases valued at \$25,000 or less.

2. Informal Purchases – Informal purchases are those that are valued between \$25,000 and \$50,000. Informal purchases are addressed in 01 NCAC 05B.0301 and are subject to the following rules:

- STCs shall be used for informal purchases if applicable and "mandatory. "STCs that are deemed for use as "convenience" may be used for any purchase, including informal purchases. All goods and services covered by STCs shall be purchased in accordance with the instructions in those contracts.
- Informal purchases must contain the state's standard terms and conditions. To accomplish that, the Director of Procurement and Inventory Management shall issue an RFQ to three or more potential vendors.

3. Formal purchases - are those that are valued above \$50,000, including the amount of any renewals or extensions. Formal purchases are addressed in 01 NCAC 05B.0301 are subject to the following rules:

- STCs shall be used for formal purchases, if applicable and mandatory, STCs that are deemed for use as "convenience" may be used for any purchase, including formal purchases. All goods and services covered by STCs shall be purchased in accordance with the instructions in those contracts.

- Purchases that exceed \$50,000 and are not available from an STC, must be submitted to P&C (Purchase and Contract) for review and approval prior to posting and prior to awarding.
- Formal purchases must contain the state’s terms and conditions. To accomplish this, the Director of Procurement and Inventory Management shall post formal solicitations in IPS (Interactive Purchasing System) or issue an RFQ to one or more vendors. This option is only available for approved Waivers and Competition. Additional information will be requested from end users to determine an appropriate waiver.

E. Bookstore Purchases

The College's bookstore provides the student with a convenient location for the purchase of texts needed for courses currently offered by the College. The bookstore is directed to assist faculty with any problems or questions concerning text orders. Each instructor requisitioning books to be used in the classroom should use the Textbook Adoption Form which should be approved by the appropriate chairperson before being submitted to the bookstore. The College bookstore is operated as an auxiliary enterprise of the College and attempts to provide low-cost books and supplies for student use. Markup rates are substantially below private retail margins, and these markups are approved by the Board of Trustees annually.

F. Equipment Purchases

All requests for equipment must be made via the SCC planning process. An approved planning objective is required for the equipment to be ordered. All equipment must be purchased following the College’s established purchasing guidelines as outlined in the SCC Purchasing Procedures Manual.  
*\*Approved objectives that involve equipment will be processed and items ordered by Agent.*

1. State Contract Items - Any equipment item on state contract must be purchased from the approved vendor regardless of the dollar amount of the individual purchase. Items on state contracts may be ordered direct from the vendor subject to any restrictions on the contract certification.

Small Purchases - are those that are valued at \$25,000 or less, including the amount of any extensions or renewals. Small purchases are addressed in 01 NCAC 05B.0301 and are subject to the following rules:

- State Term Contracts (STCs) shall be used for small purchases if applicable and mandatory. STCs that are deemed for use as “convenience” may be used for any purchase, including small purchases. All goods and services covered by STCs shall be purchased in accordance with the instructions in those contracts.  
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  - Purchases that exceed \$50,000 and are not available from an STC, must be submitted to P&C (Purchase and Contract) for review and approval prior to posting and prior to awarding.
  - Formal purchases must contain the state’s terms and conditions. To accomplish this, the Director of Procurement and Inventory Management shall post formal solicitations in IPS (Interactive Purchasing System) or issue an RFQ to one or more vendors. This option is only available for approved Waivers and Competition. Additional information will be requested from end users to determine an appropriate waiver.
2. Minor Equipment – Items that are not expendable under \$5,000 (including tax and freight).
  3. Major Equipment – Items that are not expendable over \$5,000 (including tax and freight). These items are labeled, inventoried and reported to the North Carolina Community College System on a monthly basis.
  4. End-of-Year Deadlines - The Finance Office has established end-of-the-year deadlines on the purchase of supplies, materials, and equipment to insure that items are received by the institution before the end of the fiscal year and to facilitate the close-out of departmental accounts. Departments and staff members should carefully plan their activities during the last two months of the fiscal year to avoid lapses in supplies or materials. The dates for the deadlines for the receipt of requisitions are as follows:

Supplies and materials: April 1

Equipment: March 15

Travel: June 20 (travel completed after this date should have Presidential approval and be filed on a separate reimbursement form.)



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**SCC Policy and Procedure:** Sound Fiscal and Management Practice

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**Legal Authority:** NCGS 115D-20, 115D-58.16, 143D-7; SBCCC 200.4

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**Approval Date:** September 2012

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**Review/Revision Dates:** March 9, 2021

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## SOUND FISCAL MANAGEMENT PRACTICE

The College implements and adheres to sound fiscal and management practices in accordance with State Board of Community 1A SBCCC 200.4 rules governing such practices. These include:

1. Prudent and consistent expenditures within the state budget.
2. Effective execution of the institutional budget to ensure that the percentage of State current operating funds remaining unexpended does not exceed 5% or five times the system-wide percentage, whichever is higher.
3. Maintenance of institutional funds to ensure that accounts do not have a negative balance at the end of the fiscal year unless such an instance occurs for a planned reason, such as an anticipated reimbursement.
4. Effective expenditure tracking that is consistent with the NCCCS Chart of Accounts (see NCCCS Accounting Procedures Manual).
5. Planned submission of financial reports to the local board of trustees as determined in session.
6. An effective system of internal controls as prescribed in the general statute of NC (G.S. 143D-7).
7. Reconciled bank accounts with planned methods for reconciliation within 30 days from the end of the prior month.
8. Completed, accurate financial statements submitted to the NC Office of the State Controller per stated deadlines.
9. Audits conducted in accordance with G.S. 115D-20(9) and G.S. 115D-58.16.
10. Institutional addressing of any findings identified in audits, compliance reviews, SACSCOC reviews, or other monitoring reviews.
11. Timely completion of qualified replacements to fill leadership and other supervisory positions.
12. Staff monitoring of turnover by providing an employee vacancies report for information to the local Board of Trustees at least biannually.



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**SCC Policy and Procedure:** Vending, and Food Service Revenue

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**Legal Authority:** 1H SBCCC 300.4; G.S. 115D-58.13

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## VENDING AND FOOD SERVICE FUNDS

Profits and income from vending machines and other convenience concessions may be expended by the President for the following purposes:

1. Support of these operations and concessions.
2. Match of student aid funds and for other forms of student financial aid.
3. Other expenditures of direct benefit to students.
4. Other institution-related expenditures including, but not limited to, the following:
  - a. Public relations expense
  - b. Membership dues
  - c. Faculty development
  - d. Trustees expense
  - e. Student development
  - f. Advertising and recruitment
  - g. Approved travel and per diem expense
  - h. Campus development
  - i. Subscriptions
  - j. Flowers and cards
  - k. Supplies and materials
  - l. Miscellaneous



## SECTION V: Health and Safety





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**SCC Policy and Procedure:** Campus Campaign Visits

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**Legal Authority:** Administrative Code

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## CAMPUS CAMPAIGN VISITS

The College extends an invitation to all political candidates to visit the College for escorted tours. Board policy prohibits candidates or their supporters from other campaigning activities on the campus during the operating hours of the College. The College may invite candidates for political forums. In such instances, candidates of all parties for the same office will be granted equal opportunity to express their views.



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**SCC Policy and Procedure:** Campus Crime Awareness and Security

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**Legal Authority:** NCGS 115D-20.1; NCGS 143-599

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## CAMPUS CRIME AWARENESS AND SECURITY

Sampson Community College is committed to providing a safe learning and working environment for students and employees. The College encourages all students, faculty, staff, and visitors to report crimes or suspected criminal action promptly and fully. The College adheres to the following Campus Crime Awareness and Security Policy in compliance with the Jeanne Clery Act and to provide for a safe campus.

Every employee, student or visitor to campus has a responsibility to report suspicious activity or when a witness to the act of a crime. In the event of suspicious activity, criminal actions, an accident, or emergency, the Vice President for Finance and Administration and Director of Campus Safety and Security must be notified immediately. If any of the above situations occur at any campus site other than the main campus, the appropriate director of that location must be notified.

Students who are a victim of or witness to a crime have a responsibility to report it to local law enforcement (Call 911) and college officials immediately. If they are a victim of sexual assault or sexual harassment but are uncomfortable reporting it, they should refer to the College's policies on Sexual Assault and Title IX for further information.



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**SCC Policies and Procedures:** Campus Health and Safety

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## CAMPUS HEALTH AND SAFETY

It is the policy of Sampson Community College to maintain a safe and healthy work and learning environment that supports the mission and goals of the College. The President and administration will exercise appropriate control over these efforts. The Director of Campus Safety and Security will be responsible for enforcing procedures related to campus safety and security, including campus ordinances governing parking, traffic, and registration of motor vehicles.



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**SCC Policies and Procedures:** Free Speech and Public Assembly

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**Legal Authority:** Administrative Code

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## FREE SPEECH AND PUBLIC ASSEMBLY

Sampson Community College encourages the exercise of the right to freedom of speech granted by the First Amendment. This policy informs members of the College community and the public of the manner in which they may engage in constitutionally protected speech and expression while on the College's campus. It is intended to protect one's right to freedom of speech without interfering with the primary educational purpose of the College.

The College will protect the rights of freedom of speech, petition, and peaceful assembly. The right to restrict the time, place, and manner of expression is specifically reserved for the College. Any acts that are disruptive to normal operations of the College including but not limited to instruction, College business, or any actions which interfere with the rights of others may subject participants to criminal charges.

### **Registration and Use of Designated Free Speech Area**

The following are free speech areas:

- Main Courtyard - Area between North, Kitchin, Warren, and Occupational Buildings
- East courtyard – Area between Occupational, Technology, and Activity Center Buildings

These areas will be available for use by both members of the College community and members of the general public. However, events sponsored by members of the College community will have priority in using the free speech areas. The College reserves the right to relocate any assembly to ensure that the activity does not interfere with the normal operation of the College or the rights of others.

### **Requests for Free Speech**

To reserve the free speech area individuals or groups must submit the *Free Speech and Public Assembly Request Form* to the Dean of Student Services three working days prior to the desired date. The following information is required:

- Name of the person or organization submitting the request
- Address, email, and phone number
- Date and times requested
- List of planned activities (i.e., speech, signs, distribution of literature)
- Anticipated number of participants and attendance
- Signature of requestor

Approvals are for one day only for a maximum of three continuous hours, between 8:00 a.m. and 5:00 p.m.

### **Guidelines for Speech and Public Assembly**

Amplification Systems: Because amplification systems pose a significant potential for disruption of College operation, public address and amplification systems may not be used. This includes, but is not limited to, megaphones and PA systems.

The Right to Dissent: The right to dissent is the complement of the right to speak, but these rights need not occupy the same forum at the same time. The speaker is entitled to communicate their message to the

audience during the allotted time, and the audience is entitled to hear the message and see the speaker during that time. A dissenter must not substantially interfere with the speaker's ability to communicate or the audiences' ability to hear and see the speaker. Likewise, the audience must respect the right to dissent.

Picketing and Distribution of Literature: Picketing in an orderly manner or distributing literature within the free speech area is acceptable when approved during the request process as coordinated and approved by the Dean. Picketing is not permitted inside College buildings or in any manner which disrupts access to or egress from buildings.

Symbolic Protest: During a presentation, displaying a sign, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible so long as the symbolic protest does not unduly interfere with the ability of the person or entity reserving an area for free speech.

Marches: Campus marches are permitted on campus only with the approval of the Dean of Student Services and with coordination with the College's assigned police officer. In order to ensure the safety of participants and bystanders and to minimize the disruption upon College classes and daily operations, this request must specify the desired march route and total/maximum number of participants.

### **Conduct and Manner**

1. Those who exercise free speech as a part of this policy must not:
  - Threaten passers-by
  - Interfere with, impede, or cause blockage of the flow of vehicular or pedestrian traffic.
  - Interfere with or disrupt any other lawful activity in the same general location at the same time.
  - Commit any act likely to create an imminent safety or health hazard.
  - Post materials on any walls, windows, doors, sidewalks, trees, light poles, etc., or any other College equipment except in areas designated by the Dean of Student Services.
  - Carry signs or placards that exceed three feet by three feet promoting the objective of the activity. They must not contain obscene language or words that would tend to incite violence.
2. Public speech or activities likely to incite or produce imminent lawless action or that is, under current legal standards, either defamatory or obscene are prohibited.
3. Individuals who damage or destroy College property will be held responsible for such damage or destruction.
4. A request for use of free speech areas may be denied if determined that the proposed speech/activity will constitute a clear and present danger to the orderly operation of the College.
5. All applicable College regulations, state, and federal laws and municipal ordinances apply when engaging in activities on College property. Failure to do so may result in immediate removal from College property and other appropriate action by College officials and/or police.



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**SCC Policies and Procedures:** Inclement Weather & Emergency Closings

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2024

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## INCLEMENT WEATHER & EMERGENCY CLOSINGS

The President or designee is responsible for delaying classes or closing the College in the event of inclement weather or other emergencies. When the campus is closed, all classes (online, hybrid, web-assisted, traditional), programs, and events offered or hosted by the College are canceled. This includes all curriculum, workforce development, College and Career Readiness (CCR), and continuing education classes.

### WORKFORCE DEVELOPMENT, CCR, AND CONTINUING EDUCATION

Instructional time missed due to inclement weather or emergencies, delays or closings will be made-up on an individual class basis as directed by the Vice President of Workforce Development and Continuing Education. The VP or designee is authorized to cancel CCR classes and all off campus workforce development and continuing education classes when travel is considered hazardous.

### CURRICULUM

Faculty are required to post make-up assignments for all cancelled classes in the Learning Management System (LMS) and notify students of these assignments by the next scheduled class meeting.

Programs with minimum clock hour requirements (e.g. BLET, cosmetology, etc.) will be required to make up missed instruction within the semester by extending class time or adding class meetings. Additional class time must be documented and filed with the Registrar's Office.

Healthcare programs will make up missed clinical time through clinical reassignment or through simulation activities. Missed classroom instruction will be made up through online graded assignments, case studies, and/or discussion boards. The Dean of Healthcare Programs or designee may reschedule clinical experiences when travel is hazardous.

Sampson County Early College High School (SECHS), Career and College Promise (CCP), private, and home school dual-enrolled students are expected to follow the College's plan for inclement weather/emergency closing.

When a public or private school announces a closing due to inclement weather or other emergencies, students from these systems will be released from college classes without attendance penalty.

Make-up dates for lost class time may not be on College holidays. This applies to curriculum and workforce development and continuing education courses as well as programs offered by outside agencies. Announcements regarding College closings and delays will be made through television, social media, and Viking Wire.



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**SCC Policy and Procedure:** Occupational Safety & Health Act

**Legal Authority:** Public Law 91-596

**Approval Date:** Fall 2022

**Review/Revision Dates:** Fall 2022

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## OCCUPATIONAL SAFETY & HEALTH ACT

It is the policy of Sampson Community College to comply with the Federal Occupational Safety & Health Act of 1970 (PL 91-596). The College will comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to college policies developed for the purpose of implementation of the Act.



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**SCC Policy and Procedure:** Parking and Vehicle Operation

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## PARKING AND VEHICLE OPERATION

Curriculum students and employees are required to register vehicles they expect to operate on the campus. Parking permits/decals are issued to students during registration at a cost established by the Board of Trustees. Permits are valid from August to August of the following calendar year. Parking is available at no cost to employees and are provided during onboarding.

Violations of parking and registration regulations may result in fines, towing, or loss of parking privileges for students and employees. Parking fines will be assessed at costs established by the Board of Trustees. Students are not able to register for courses until all outstanding balances have been paid. Violations of campus traffic regulations may result in loss of driving and parking privileges on campus and North Carolina motor vehicle traffic citations.

Vehicles which are unattended for a period of five (5) business days are presumed to be abandoned. As a result, such a vehicle may be towed by the College at the owner's expense. The College will make reasonable efforts to contact the registered vehicle's owner prior to having the vehicle towed. If a vehicle is towed, the vehicle owner will be responsible for all college-levied fines and the cost of towing and recovery.





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**SCC Policy and Procedure:** Sexual Assault Policy

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**Legal Authority:** Title VII, Civil Rights Act of 1964

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**Approval Date:** Fall 2022

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**Review/Revision Dates:** Fall 2022

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## SEXUAL ASSAULT POLICY

In accordance with the U.S. Department of Education requirements of Section 485 of the Higher Education Act (Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092), the Student Right-to-Know, the Violence Against Women Act, and the SaVE Act of 2014, Sampson Community College exhibits zero tolerance toward violence on campus, including, but not limited to, sexual assault, sexual violence, interpersonal violence, and stalking. The College will support this policy and increase awareness through educational prevention training, special literature, and counseling. Services and resources for victims will be provided on campus and through the College website.

The College encourages all victims of sexual offenses to report the incident as soon as possible. We understand the sensitive issues involved with this type of crime; therefore, the following individuals may be contacted:

Dean of Student Services - North Building (910) 900-4076

Dean of Workforce Development and Continuing Education – East Building – (910) 900-4003

Executive Director of Human Resources & Board Relations - North Building (910) 900-4043

Director of Safety and Security - Warren Student Center (910) 900-4034

In an emergency or after hours, one should contact 911. Victims have the right to report sexual offenses without fear of harassment or reprisal. Information will be kept confidential. The College emphasizes the importance of preserving all evidence for the proof of a criminal offense.

There are several options and resources for individuals who have been sexually assaulted. While the victim seeking assistance is not required to take further legal or disciplinary actions, the College official to whom the incident is reported is required, under the sexual harassment policy, to report the incident to the Title IX Coordinator.

### **Definitions**

#### Sex Offenses—Forcible

A forcible sexual offense is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving assent. Forcible offenses include those involving rape, sodomy, assault with an object, and fondling.

#### Sex Offenses—Non-forcible

This classification of sexual offense involves unlawful, non-forcible sexual intercourse such as incest and/or statutory rape. Sexual Assault is a form of Sexual or Gender-Based Harassment that involves having or attempting to have sexual contact with another individual without consent.

### Sexual Violence

Sexual Violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). Several different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

### Sexual and Gender-Based Harassment

Gender-Based Harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the College's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity.

### Interpersonal Violence

Interpersonal Violence includes physical, sexual, emotional, economic or psychological actions or threats of actions that a reasonable person in similar circumstances and with similar identities would find intimidating, frightening, terrorizing, or threatening. Such behaviors may include threats of violence to one's self, one's family member, or one's pet.

### Stalking

Stalking includes, but is not limited to, a pattern of following, observing, or monitoring the victim, or committing violent or intimidating acts against the victim, regardless of the means. This includes incidence of cyber-stalking.

### Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury is known as Aggravated Assault. This type of assault is usually accompanied using a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

### Hate (Prejudice) Crimes

Such crimes involve bodily injury of a person who is intentionally selected because of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability condition.

The process against the alleged assailant will begin immediately. An investigation will be conducted in a timely manner. All parties will be treated with confidentiality and respect. Both the accuser and the accused will be given equal opportunity to present their views of the incident. (A determination will be made by the Title IX investigative team and a recommendation will be made to the College Senior Administration.) Both parties will be informed of the determination or outcome and will have the right to appeal.

With the final determination, the appropriate corrective actions will be implemented. The College reserves the right to make changes to either party's academic situations if deemed necessary or if the request is a reasonable option. Disciplinary actions may include termination of employment or expulsion from the College. The College will retain as confidential all documentation of allegations, investigations, and determinations. In addition, both parties must maintain the confidentiality of all aspects of the incident, disclosing no information whatsoever without the written consent of the other party.

The victim has the option to report the assault to the appropriate law enforcement authority. Reporting an assault does not obligate the victim to proceed with legal prosecution. It is the victim's right to decide whether to continue with or halt legal proceedings.

#### Counseling Services

Students may contact the Student Assistance Program administered by McLaughlin Young at 1-800-633-3353. The professionals at the Counseling Center are trained to provide crisis intervention on short-term and emergency issues. The Counseling Center can also provide referral services for outside providers and law enforcement. Counseling is free of charge to all students.



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**SCC Policy and Procedure:** Smoking on Campus

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**Legal Authority:** NCGS 115D-20.1; NCGS 143-599

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## SMOKING ON CAMPUS

In recognition of the adverse consequences of smoking and secondary smoke to the health of our students, our employees, and visitors to the campus, all college buildings are designated smoke and tobacco free. Smoking is permitted in designated areas away from building entrances. For purposes of this policy, tobacco is defined as any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, e-cigarettes, pipes, smokeless or spit tobacco, or snuff. Violations of this policy may subject students to code of conduct charges and the removal of visitors from the campus.



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**SCC Policy and Procedure:** Weapons

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**Legal Authority:** NCGS 14-1269.2

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## WEAPONS

Sampson Community College conforms with the requirements of North Carolina Law, General Statute 14-269.2, which prohibits any person, including a concealed handgun permit holder, from carrying a firearm, openly or concealed, on educational property or at a curricular or extracurricular activity sponsored by the College.

A person may legally possess a firearm on campus if the following exists:

- must have a valid concealed carry permit,
- permit must be available at all times,
- permit applies to handguns only,
- weapon must be in locked vehicle,
- weapon must be placed inside a secure container.



## SECTION VI: Advancement



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**SCC Policy and Procedure:** Sampson Community College Foundation

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**Legal Authority:** NCGS 115D-20

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## FOUNDATION

In accordance with North Carolina General Statutes (NCGS 115D20.9), the Board of Trustees recognizes the legal authority of the Sampson Community College Foundation, Incorporated as a nonprofit 501 (c)(3) corporation organized and operated exclusively for the educational purposes of the College and with Articles of Incorporation under the laws of North Carolina (NCGS 55A, Non Non-Profit Corporation Act). The Foundation has a governing Board of Directors and may promote, establish, conduct, and maintain activities on its own behalf and solicit and receive funds and other real property; it may invest, reinvest, hold, manage, administer, expand and apply such funds and property so long as such procedures and/or actions do not violate or otherwise infringe upon the Sampson Community College Board of Trustees. The College President will have oversight responsibility of fundraising activities of the Sampson Community College Foundation, Inc. and serve on the Board of Directors as an ex-officio member.

### **Responsibilities of the Foundation**

The Executive Director, an ex-officio member of the Board, serves as administrator and support for Foundation activities as directed by the President of Sampson Community College and Foundation President. The Executive Director will develop and implement fundraising efforts in support of strategic priorities for current and future needs of the College; identify, cultivate, and nurture community, business, and government relationships; write grant proposals and ensure post-award reporting.

### **Excel Awards**

In an effort to recognize outstanding employees, both instructional and non-instructional, the Foundation sponsors a special award of merit for colleagues who go beyond expectations in the workplace and in the community. Nominations will be received from full-time staff and faculty members from across the campus. To participate in the program as a nominator or a nominee, one must have been employed on a full-time basis for at least three years. The EXCEL Award winners will be announced (possibly virtually) at the Foundation's Campus Drive Kick-off Luncheon.

### **Mini Grants**

The purpose of the SCC Mini-Grant program is to provide funds to faculty, staff, and student organizations that will enhance the educational mission of Sampson Community College. Applications will be reviewed twice each year with awards being granted prior to the semester in which they will be used. The finalists will be judged by the Foundation Appropriations Committee and the SCC Vice President of Academic and Student Affairs. Grant requests may not exceed \$300 and should be pursued when normal budget sources are not available. All grant recipients will submit an evaluative final report within a month of the funds being used.



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**SCC Policy and Procedure:** Fundraising Using College Name/Logo

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## FUNDRAISING USING COLLEGE NAME/LOGO

Fundraising using the College's name or logo must be approved by the Foundation Executive Director or the College President. This required approval includes student clubs or student-lead organizations.





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**SCC Policy and Procedure:** Naming Rights - Advancement

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## NAMING RIGHTS - ADVANCEMENT

### **Purpose**

This policy sets forth the criteria and procedures for naming Sampson Community College owned facilities or portions of such facilities. The term “facilities” includes buildings, rooms, interior spaces, streets (including landscape areas and associated exterior furnishings which would be marked by a tablet or plaque), courts, athletic fields, open spaces and all other areas owned, operated, or controlled by Sampson Community College.

This policy serves as a guideline for the Board of Trustees, the Sampson Community College Foundation, and other college employees who may be involved in gift solicitation. The policy attempts to assure consistency, fairness, and appropriate recognition in the naming of facilities. Naming facilities is a highly sensitive subject; therefore, all potential nominations are to be held in strictest confidence to the extent allowed by NC law. Confidentiality by all those involved in the process is critical.

This policy applies to donations made directly to the College and to the College Foundation. Donations made to the Foundation for student scholarships are excluded from the naming policy.

### **Responsibilities**

The act of naming a facility is the responsibility of the Board of Trustees, acting after receiving the recommendation of the College President. Benefactors or honorees should be informed throughout the naming discussions that final naming approval for all college facilities rests with the Board of Trustees.

The President may recommend exceptions to any of the following naming policies, subject to the approval of the Board of Trustees. The Board of Trustees reserve the right to accept or reject any or all requests, to make exceptions to the minimum contribution requirements, and to modify this policy as they deem necessary.

### **Naming Criteria**

Sampson Community College will consider naming facilities based upon the following criteria:

- 3.1 To recognize individuals of outstanding personal character who have made contributions of extraordinary and lasting distinction to society or who have made substantial contributions as a member of the College faculty or staff, or who have a personal connection to or support of the mission of the College.
- 3.2 To recognize the traditions and history of the College that may include but not be limited to recognition of events, dates, organizations, places, or programs.
- 3.3 To recognize benefactors who make substantial financial contributions to the College. The term “benefactors” includes individuals, corporations, and other organizations.

## **Naming Facilities**

- 4.1 Naming opportunities may include (1) new facilities that are to be constructed or acquired, (2) existing facilities that are undergoing major or minor renovations, or (3) existing facilities that are not undergoing renovations.
- 4.2 Facilities will not be named for College faculty or staff, members of the Board of Trustees, members of the NC Community College State Board of Trustees, the Governor, elected officials, or state employees concerned with the functions, oversight or control of the College, so long as the relationship exists.
- 4.3 Recommendations of a name should be that of an individual/organization that has gained distinction in the areas related to usage of the facility. Exceptions may occur in cases of an individual/organization of unusual eminence or singular contributions to the College.
- 4.4 Corporate or other organization names may be used to name any College facility. As with individuals honored with facility naming at the College, corporations or organizations proposed for facility naming should have a positive image and demonstrated integrity.
- 4.5 In the instance of corporate or organizational naming of facilities, additional due diligence should be taken to avoid any appearance of commercial influence or conflict of interest.
- 4.6 Signage reflecting a corporate or organizational naming of a facility must conform to all College signage guidelines and may not include the organization logo or other components of branding.
- 4.7 A gift for naming a facility ordinarily should equal:
  - at least 10% of the total project cost for constructing or acquiring the new facility;
  - at least 10% of the total project cost for renovating an existing facility;
  - at least 10% of the portion of the total project cost that is to be raised from the private sector if State or other funds are funding a portion of the project cost for a new or renovated existing facility;
  - at least 10% of the replacement cost of an existing facility not undergoing renovation. Typically, but not always, three-fourths of a gift to name an existing facility not undergoing renovation will be in the form of endowment, preferably unrestricted, to the College.
- 4.8 Financial contributions resulting in the naming of an existing facility may be made to the SCC Foundation, but if the College is constructing or renovating a facility, then funds will be transferred to the College.

## **Procedures**

- 5.1 Proposals for naming facilities according to the criteria set forth in 3.1 (honorific) and 3.2 (historical) may originate from individuals or groups inside or outside of the College, including the College Foundation. The proposal must be directed to the College President for review and recommendation. The proposal should include rationale for requesting the naming of the facility and, if appropriate, a biography or background of the recommended naming entity.

The President will make recommendations to the Board of Trustees for final approval.

- 5.2 Proposals for naming facilities according to the criteria set forth in 3.3 (contributory) will be forwarded to the Foundation Director who will review and forward the proposals to the College

President for review and recommendation. The proposal will include a profile of the donor, the area of interest with any proposed stipulations, and information about how the gift will be paid.

The College President will make recommendations to the Board of Trustees for final approval.

- Contributions to support the naming of a facility may be made in installments. However, the facility will not be named until the contribution has been paid in full.
- Contributions in kind, such as land, buildings or other tangible assets may be applied and utilized for the purpose of meeting the financial contribution requirement only at such time as the tangible amount has been sold and will be based upon the sale proceeds of the asset.

If the College chooses not to sell the asset, the College retains the absolute right to obtain independent appraisals and/or valuation of such gifts to determine the fair market value of the contribution for the purpose of meeting the financial requirement.

- 5.3 Duration of a benefactor's or honoree's name on any facility ordinarily continues for as long as the facility is used in the same manner or for the same purpose for which the naming occurred. Upon demolition, replacement, substantial renovation, repurposing, or similar modification of a named facility, the College may deem that the naming period has concluded.

#### **Revoking Names on Facilities**

In certain circumstances, the College reserves the right to revoke and terminate its obligations regarding a naming, with no financial responsibility for returning any received contributions to the benefactor. These actions, and the circumstances that prompt them, may apply to an approved naming that has not yet been acted upon or to a conferred naming.

- 6.1 If the benefactor's or honoree's reputation changes substantially so that the continued use of that name may compromise the public trust, dishonor the College's standards, or otherwise be contrary to the best interest of the College, the naming may be revoked. However, caution must be taken when, with the passage of time, the standards and achievements deemed to justify a naming action may change and observers of a later age may deem those who have conferred a naming honor at an earlier age to have erred. Namings should not be altered simply because later observers would have made different judgments.
- 6.2 If a planned gift upon which the naming was bestowed does not result in the value agreed upon, the naming may be revoked.



## SECTION VII: General Policies



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**SCC Policy and Procedure:** Acceptable Use of College Technology

**Legal Authority:** NCGS 115C-102.5; NCGS 115C-102.6; NCGS 115C-102.7

**Approval Date:** September 2012

**Review/Revision Dates:** Fall 2021

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## ACCEPTABLE USE OF COLLEGE TECHNOLOGY

This policy establishes the responsibilities of all users and acceptable and unacceptable uses of College computers, computing technology, equipment, and networks in support of the administrative and academic functions at Sampson Community College. This policy applies to all employees, students, contractors, visitors or others who use, access or deploy college technology while on any premises, whether leased or owned. Computer workstations, equipment, technology and networks may be monitored to ensure compliance.

Access to information systems, computer systems, and computer networks at Sampson Community College is granted to authorized users for the purpose of accessing systems and networks. Appropriate use of technology is required in order to maintain access to college networks.

Appropriate use of technology must be ethical, reflect academic honesty, and demonstrate restraint in the use of shared resources. Appropriate use must be in compliance with intellectual property right rules; copyright policies; data system security mechanisms; individual rights to privacy (including FERPA), the laws of the state of North Carolina; and, policies established by the State Board of Community Colleges. Acceptable use also requires avoiding acts of cyber bullying, sexual harassment, solicitation, or sending threatening, racist, obscene, unwanted materials or messages.

### Information Technology

The College provides faculty, staff, and students' access to computer and network resources necessary to advance the mission of the College. The administration of the network infrastructure, all shared servers and server resources, desktop computers, administrative and instructional software, contracted IT resources, and the telephone system is assigned to the Information Technology staff.

### Access to Network Resources

Employee access rights, the modification of rights, or the annual extension of these rights must be approved by the appropriate vice president, dean, and data manager. Supervisors must file an approved System User Access Request Form along with a completed User Verification and Acknowledgement Form with Information Technology staff before access is granted to the network. In the event that an employee's duties change, it is the responsibility of the employee's supervisor to notify the Information Technology staff of these changes. Full-time permanent employees will receive access authorization annually. Part-time employees may be granted access for a period not to exceed the length of their contract.

### Termination of Employee Access

Employees who separate from the institution will no longer be provided access to college network resources campus, including email. Supervisors should notify the Executive Director of Human Resources & Board Relations of the employee's separation. This includes both full and part-time employees. Information that is

contained on the employee's accounts will be retained or deleted at the request of the appropriate dean or vice president.

#### Student Access

Students will receive access to network resources, including email, during their enrollment. Curriculum students will have accounts available at the beginning of each semester during which they are enrolled. Continuing Education and other students will have access to accounts as needed.

#### Network Security

The integrity of the College's computer network and electronic records must be maintained. Practices which undermine the safeguarding of these records may result in sanctions against the College and the award of financial damages in the event of breaches of privacy.

Employees are responsible for ensuring that unauthorized access to network resources is not obtained through their login, physical access to a workstation, or any other means or devices which may be under the control of the employee. Failure to observe reasonable safeguards to prevent unauthorized access may result in disciplinary actions. Individuals who believe that a security violation has occurred should report this immediately to the Information Technology staff. A written report of the incident should be filed with the Director of Information Technology.

#### System Backups and File Recovery

Routine system backups on servers are performed at established intervals. Users who save data to local drives are cautioned to make backup copies of important data on their network account. In the event of a system failure, users should notify the Information Technology staff and request assistance. All users should be aware that data saved on local drives may be lost and not be recoverable.

#### Support of Services

Information Technology staff provides installation and setup support for network resources but are typically not able to provide end user training. Staff and faculty are expected to be knowledgeable users of application software required for their jobs and will be requested to obtain user training. Information Technology staff also provides support for the telephone system and is the first point of contact for telephone repair and change requests.

The limitations of staffing require that service requests be prioritized. The highest priority of service will be provided by the staff to address disruptions in critical administrative and financial services.

#### **Email**

The College's email accounts are provided to staff and faculty as a tool to complement other methods of communication and to improve education and provide for administrative efficiency. All users have the responsibility to use this resource in an effective, ethical, and lawful manner. The use of College email is considered evidence that the user understands and is bound to this policy. Violations of the policy may result in the loss of access or other appropriate disciplinary action.

The College regards email as an official method of communication with staff and faculty. Faculty and staff are expected to read and respond to College-related e-mail in a timely and responsible manner. An email

message regarding College matters sent from an administrative office, faculty, or staff member is considered to be an official notice.

For purposes of official College communication, the College assigned e-mail address is the official email address for faculty and staff. While email is an official method of communication, it is not the only official method of communication and does not exclude alternate methods such as written or oral.

The privacy of personal electronic mail communications residing on or transmitted through the College's email system is not assured.

Data transmitted or stored on or through College equipment may be subject to the requirements of the North Carolina's Public Records Act. The Act gives the public the right to inspect public records at reasonable times and the custodian of the records may not demand the motive or purpose behind the request. Thus, email messages of faculty and staff may be subject to inspection should a member of the public request such.

Additionally, the College may access and monitor email at any time for any reason without notice. Courts may order the production of College records, including electronic mail records, in connection with litigation. Appropriate law enforcement and other officials may, consistent with law, have access to documents for purposes of investigating allegations of violations of law or of College policy. Given such considerations, no employee should use a College electronic mail account with the expectation that any particular electronic mail communication, whether personal or College-related, will be private.

Confidential information such as student or personnel records or any information covered by privacy laws should not be sent via email since it is not a secure means of communication.

Violations of College policies governing the use of email may result in restriction of access to College information technology resources in addition to any disciplinary action that may be applicable under College policies, guidelines or implementing procedures, up to and including dismissal. Suspected violations of this or other associated policies regarding email use must be reported to the Director of Information Technology.



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**SCC Policy and Procedure:** Copyrighting

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**Legal Authority:** Administrative Policy, Copyright Act of 1976  
(Title 17, United States Code)

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## COPYRIGHTING INTELLECTUAL PROPERTY

### Ownership of Created Materials - College Property

Learning and teaching materials produced by employees as part of their job responsibilities are the property of Sampson Community College. Any copyrights applied for and secured regarding these materials will also belong to the College.

### Personal Works

Articles, books, or other materials created by employees on their own time, using materials and equipment not owned by the College, are not considered the property of the College.

### Copyright Requests

If an employee wishes to copyright a document created using College resources, they must submit a written application for permission to the President of the College and obtain approval before proceeding.

### Use of Copyrighted Materials - Compliance with Copyright Law

The reproduction of copyrighted materials is governed by the Copyright Act of 1976 (Title 17, United States Code). The College strictly prohibits unauthorized reproduction of copyrighted works.

### Individual Responsibility

Each employee is responsible for ensuring compliance with copyright laws. For specific questions regarding copyright restrictions, employees should consult the professional staff in the Learning Resource Center.





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**SCC Policy and Procedure: Drug - Free Workplace**

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**Legal Authority:** Public Law 101-226**Approval Date:** September 2012**Review/Revision Dates:** Fall 2022

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## **DRUG – FREE WORKPLACE**

In accordance with the Drug Free Workplace Act of 1998 and the Drug Free Schools and Communities Act of 1989 (Public Law 101–226) as well as Underage Drinking Laws and the laws of the State of North Carolina, the College will establish and maintain an environment that is drug free.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by an employee in the workplace or while on duty or representing the College in any way is prohibited.

Employees engaging in any such prohibited activity shall expect that college officials will notify proper authorities and assist in the investigation and prosecution of such prohibition.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on college premises, or as part of any college sponsored activities. Any employee or student in violation will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution. The specifics of this procedure are as follows:

Sampson Community College does not differentiate between drug users or sellers. Any employee or student who possesses, uses, sells, gives, or in any way transfers a controlled substance to another person, or manufactures a controlled substance while in the workplace, on college premises, or as part of any college-sponsored activity will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.

The term “controlled substance” means any drug listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, Heroin, Marijuana, Cocaine, PCP, and “Crack.” They also include “legal drugs” which are not prescribed by a licensed physician.

If any employee or student is convicted of violating any criminal drug statute while in the workplace, on college premises, or as part of any college-sponsored activity, they will be subject to disciplinary action up to and including termination or expulsion. Alternatively, the College may require the employee or student to successfully finish a drug abuse program sponsored by an approved private or governmental institution as a precondition for continued employment or enrollment at the College.

Each employee or student is required to inform the College, in writing, within five (5) days after they are convicted for violation of any federal, state, or local criminal drug statute.

Convictions of employees working under federal grants, for violating drug laws in the workplace, on college premises, or as part of any college-sponsored activity shall be reported to the appropriate federal agency. The Associate Vice President of Human Resources must notify the U. S. government agency, with which the grant was made, within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of a violation of a criminal drug statute occurring in the workplace. The College will take appropriate disciplinary action within 30 calendar days from receipt of notice. As a condition of further employment on any federal government grant, the law requires all employees to abide by this policy.

Any employee or student who unlawfully possesses, uses, sells, or transfers alcoholic beverages to another person while in the work place, on college premises, or as part of any college-sponsored activity, or is convicted of violating any alcoholic beverage control statute while on said premises, will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution. Alternatively, the College may require the employee or student to successfully finish a drug abuse program sponsored by an approved private or governmental institution as a precondition for continued employment or enrollment at the College.

The term “alcoholic beverage” includes beer, wine, whiskey, and any other beverage listed in Chapter 18B of the General Statutes of North Carolina.

Each employee or student is required to inform the College, in writing, within five (5) days after being convicted of any alcoholic beverage control statute where such violation occurred while in the work place, on college premises, or as part of any college-sponsored activity.

Students employed under the College Work Study Program are considered to be employees of the College if the work is performed for the College in which the student is enrolled.

For work performed for a federal, state, local public agency, a private non-profit or a private for-profit agency, students are considered to be employees of the College unless the agreement between the College and the organization specifies that the organization is considered to be the employer.

Sampson Community College-sponsored events and educational programs that are approved for the use of alcohol as part of course content is exempt from the Drug & Alcohol Policy. However, this exclusion does not apply to minors who could not otherwise consume alcoholic beverages. Exceptions to the Drug and Alcohol Policy must be approved by the President.



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**SCC Policy and Procedure:** [Drug and Alcohol Free Campus](#)

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**Legal Authority:** 1C SBCCC 200.94; 34 CFR Part 86; 1C SBCCC 200.94

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## DRUG AND ALCOHOL FREE CAMPUS

In accordance with the Drug Free Workplace Act of 1998 and the Drug Free Schools and Communities Act of 1989 (Public Law 101–226) as well as Underage Drinking Laws and the laws of the State of North Carolina, the College will establish and maintain an environment that is drug free.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on college premises, or as part of any college sponsored activities. College officials will notify proper authorities and assist in the investigation and prosecution of such prohibition. Any employee or student in violation will be subject to disciplinary action including termination or expulsion and referral for prosecution. The procedures are as follows:

1. Sampson Community College does not differentiate between drug users or sellers. Any employee or student who possesses, uses, sells, gives, or in any way transfers a controlled substance to another person, or manufactures a controlled substance while in the work place, on college premises, or as part of any college- sponsored activity will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.
2. The term “controlled substance” means any drug listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, Heroin, Marijuana, Cocaine, PCP, and “Crack.” They also include “legal drugs” which are not prescribed by a licensed physician.
3. Any employee or student convicted of violating any criminal drug statute while in the workplace, on college premises, or as part of any college-sponsored activity, will be subject to disciplinary action up to and including termination or expulsion. Alternatively, the College may require the employee or student to successfully finish a drug abuse program sponsored by an approved private or governmental institution as a precondition for continued employment or enrollment at the College.
4. Each employee or student is required to inform the College, in writing, within five (5) days after conviction for violation of any federal, state, or local criminal drug statute.
5. Convictions of employees working under federal grants, for violating drug laws in the workplace, on college premises, or as part of any college-sponsored activity shall be reported to the appropriate federal agency. The Executive Director of Human Resources & Board Relations must notify the U. S. government agency, with which the grant was made, within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of a violation of a criminal drug statute occurring in the workplace. The College will take appropriate disciplinary action within 30 calendar days from receipt of notice. As a condition of further employment on any federal government grant, the law requires all employees to abide by this policy.
6. Any employee or student who unlawfully possesses, uses, sells, or transfers alcoholic beverages to another person while in the work place, on the campus, or as part of any college-sponsored activity, or is convicted of violating any alcoholic beverage control statute while on the campus, will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution. Alternatively, the College may require the employee or student to successfully finish a drug abuse program sponsored by an approved private or governmental institution as a precondition for continued employment or enrollment at the College.

7. The term “alcoholic beverage” includes beer, wine, whiskey, and any other beverage listed in Chapter 18B of the General Statutes of North Carolina.
8. Each employee or student is required to inform the College, in writing, within five (5) days after conviction of any alcoholic beverage control statute where such violation occurred while in the workplace, on the college campus or as part of any college-sponsored activity.
9. Students employed under the College Work Study Program are considered to be employees of the College if the work is performed for the College in which the student is enrolled.
10. For work performed for a federal, state, local public agency, a private non-profit or a private for-profit agency, students are considered to be employees of the College unless the agreement between the College and the organization specifies that the organization is considered to be the employer.

Sampson Community College-sponsored events and educational programs that are approved for the use of alcohol as part of course content are exempt from the Drug & Alcohol Policy. However, this exclusion does not apply to minors who could not otherwise consume alcoholic beverages. Exceptions to the Drug and Alcohol Policy must be approved by the President.



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**SCC Policy and Procedure: Electronic Signature Policy**

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**Legal Authority:** NCGS 66-311

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## ELECTRONIC SIGNATURE POLICY

Sampson Community College recognizes an electronic signature as a valid signature from faculty, staff, and students. An electronic signature is defined as any electronic process signifying an approval to terms, and/or ensuring the integrity of the document, presented in electronic format. An electronic signature is a valid signature from faculty, staff, and students if the communication occurs through a college issued account.

Students may use electronic signatures for processes such as registering for classes, checking financial aid awards, paying student bills, etc. Faculty and staff may use electronic signatures for processes such as submitting grades or attendance records, accessing campus computers, accessing course management systems, etc.

Electronic signatures from accounts not issued by the College will not be accepted. The College recognizes faculty, staff, and student electronic signatures by their unique college assigned username and password. These individuals are required to change their password upon initial login. It is the responsibility and obligation of each individual to keep their login ID and their password private so others cannot use their credentials. Once logged in, the student or employee is responsible for any information they provide, update, or remove. The College will take steps to ensure the passwords are protected and kept confidential. Users are responsible for logging out of all systems and exercising the necessary precautions when using publicly accessible computers. Students and employees are also responsible for adhering to the College's Acceptable Use of College Technology policy. This policy is in addition to all applicable federal and state statutes, policies, guidelines, and standards.



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**SCC Policy and Procedure:** Emergency Response Plan

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2022

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**Review/Revision Dates:** Fall 2022

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## EMERGENCY RESPONSE PLAN

The College will establish administrative procedures and plans of action to enable the faculty, staff, and students to respond appropriately during emergency situations. These procedures will be included as a component of the College's Emergency Response Plan which will be available for reference on the College's website.



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**SCC Policy and Procedure:** Employee Records

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**Legal Authority:** NCGS 126, Article 7

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EMPLOYEE RECORDS

Sampson Community College has established policies protecting employee records consistent with the North Carolina General Statutes Chapter 126, Article 7. All employees, former employees, and applicants for employment have the right to inspect their personnel file in its entirety with the exception of letters of reference submitted prior to employment or information concerning a medical disability, mental or physical, that a prudent physician would not divulge to a patient. These files are open for inspection during normal working hours subject to the convenience of the Human Resources Office. Any employee who objects to the material in their file may place a statement relating to the material considered to be inaccurate or misleading. All employees, former employees, and applicants for employment may seek the removal of objectionable material through a written grievance to the President.



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**SCC Policy and Procedure:** Ethics and Conflicts of Interest

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**Legal Authority:** NCGS 138A

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## ETHICS AND CONFLICTS OF INTEREST

Sampson Community College adheres to the requirements of the North Carolina State Government Ethics Act (NCGS138A). Such adherence is intended to ensure that the exercise of their authority is honest and fair; free from impropriety, threats, favoritism, and undue influence; and follows standards of ethical conduct and conflict of interest. Trustees will declare at each Board of Trustees meeting any conflict or potential conflict with matters coming before the Board for consideration and then refrain from any undue participation in the said matters. Trustees and required administrators will complete an ethics session approved by the NC State Ethics Commission within six months of appointment or reappointment to the Board of Trustees and refresher sessions every two years thereafter (NCGS138A-14b; Ethics Education Program).





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**SCC Policy and Procedure: Equal Opportunity**

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**Legal Authority:** Title VI and VII of the Civil Rights Act, Title IX of the Education Amendments, Sections 799A and 845 Public Health Service Act, Equal Pay and Age Discrimination Acts, Rehabilitation Act, Americans with Disabilities Act, Executive Order 11375

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## EQUAL OPPORTUNITY

The Board of Trustees, the administration, faculty, and staff of Sampson Community College are fully committed to the principles and practice of equal employment and educational opportunities. Accordingly, the College does not practice or condone discrimination, in any form, against students, employees, or applicants on the grounds of race, color, national origin, religion, sex, age, disability or political affiliation. The College commits itself to positive action to secure equal opportunity regardless of those characteristics.

The College supports the protection available to members of its community under all applicable Federal Laws, including Title VI and VII of the Civil Rights Act, Title IX of the Education Amendments, Sections 799A and 845 of the Public Health Service Act, the Equal Pay and Age Discrimination Acts, the Rehabilitation Act, the Americans with Disabilities Act, Executive Order 11375, and their amendments.



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**SCC Policy and Procedure:** Foreign National Policy

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**Legal Authority:** Internal Revenue Code 1441

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2022

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## FOREIGN NATIONAL POLICY

The reporting and withholding of taxes associated with payments made to non-U.S. citizens by community colleges, and other agencies of the State of North Carolina are in accordance with the laws and regulations of the U.S. Citizenship and Immigration Services (USCIS) and the Internal Revenue Service (IRS).

The USCIS defines what payments may be made to aliens who perform services in the United States. The IRS defines which payments made to aliens are reported and subject to taxes, as well as establishes the tax rates for those payments.

In accordance with Sampson Community College policy, the College will withhold and report payments to foreign national (employees, contractors, vendor and students) in accordance with Internal Revenue Service (IRS) Code of Regulations 1441 and with policies established by the Office of the State Controller.

The College will gather all data for each individual or vendor who must be tracked through the Tax Navigator software and forward it to the North Carolina Community College System (NCCCS). The Foreign National Information Systems (FNIS) Data Gathering Form for individuals or the Foreign National Information Systems Data Gathering Form for Vendors is used to gather the data.

Per Internal Revenue Code 1461, the College will be liable for a tax amount resulting from failing to withhold or deposit amounts subject to withholding. The College and the foreign recipient may be held liable for taxes, applicable interest, and any penalties resulting from a withholding failure. Compliance with this policy requires a collaborative effort involving:

- Finance Office
- Sampson Community College employees that submit requisitions to procure goods and services
- Student Services
- Personnel
- Accounts Payable

A foreign national is “a person who was born outside the jurisdiction of the United States, is a citizen of a foreign country, and is not become a naturalized United States citizen under United States law. This includes legal permanent residents, also known as permanent resident aliens.” A foreign national owes allegiance to or is under the protection of a country other than the United States.

It is important to understand that the definition of Nonresident Alien (NRA) for tax purposes is different from that for immigration purposes.

Aliens are classified as either “Nonresident Aliens” or “Resident Aliens.” Section 1441 of the Internal Revenue Code provides a separate tax system with a different set of tax rules and regulations for individuals deemed to be Nonresident Aliens. Colleges making payments to NRAs are subject to different tax withholding, reporting, and liability requirements.

A Resident Alien's income is subject to tax in the same manner as a U.S. citizen. RAs are generally taxed in the same way as U.S. citizens. This means that their worldwide income is subject to U.S. tax and must be reported on their U.S. tax return. Income of RAs is subject to the graduated tax rates that apply to U.S. citizens.

A Nonresident Alien's income is subject to federal income tax only on income which is derived from sources within the United States and/or income that is effectively connected with a U.S. trade or business. NRAs are taxed according to special rules contained in certain parts of the Internal Revenue Code.

Note: Although the preferred term for identifying a person who is not a U.S. citizen is "Foreign National", the IRS and the U.S. Citizenship and Immigration Services use the word "alien". Therefore, all non-U.S. citizens will be referred to as "aliens" in this text to minimize confusion with the federal government publications

### **Compliance will follow a 6-Step Process:**

The 6-step process below must be followed to ensure that aliens are paid according to prevailing tax and immigration rules/regulations with appropriate taxes withheld and payments properly reported.

The procedures are intended to provide guidance in the majority of situations facing Sampson Community College. The procedures are not inclusive. Tax and immigration laws are voluminous. Situations not covered by these procedures should be handled on a case-by-case basis.

### **Procedures for Paying or Compensating an Alien**

#### **Step 1 – Payment Eligibility and Tax Residency Status**

Employees – Executive Director of Human Resources & Board Relations is responsible for identifying Foreign National Employees, collecting, and maintaining documentation.

- Executive Director of Human Resources & Board Relations will have foreign national employees complete the FNIS form and submit appropriate documentation.
- The finance department will be notified of the foreign national employee.
- Copies of the completed FNIS form and backup documentations are sent to the North Carolina Community College System Office for taxation determination.
- Each quarter, the Executive Director of Human Resources & Board Relations will submit a list of names to the designated Sampson Community College representative who will report any payments to Foreign Nationals to the System Office.

Students Receiving Awards or Scholarships Administered by Student Services – For Student Services, each semester, the Director of Admissions is responsible for identifying Foreign National Students when they apply to Sampson Community College. This position is responsible for:

- Collecting and copying documents to identify status
- Maintaining documents in a secure location.
- Entering the data into Colleague and communicating the status to Financial Aid and the Finance Office. Communication must be done following Add/Drop but before Financial Aid Refund Checks are issued.

#### Vendors and Contractors

Sampson Community College Accounts Payable Department will determine if vendor, contractor, individual,

student, or employee is a Foreign National. If payment is made to a third party, the vendor, contractor, or individual must still be determined to be a Foreign National (example: US agency located in California is representing an individual from the Netherlands – individual is a Foreign National – payment is made to agency but will still be considered a Foreign National Payment for tax purposes) If a Foreign National is recognized, the impacted office must gather the following information:

- Copy of Itinerary (applicable for performers only)
- Passport
- VISA
- W-8BEN, W-8BEN-E, 8233
- Information will be sent to the System Office to Jessica Balazsi (for determination of tax liabilities)
- System Office will then notify the College if taxes are to be withheld, and the percent to withhold, along with any Treaty notifications
- Decision to work with vendor, contractor, or individual can then be made by VP, Department Chair, or Supervisor.
- When payment to vendor, contractor, or individual is made ... required tax withholdings are calculated and electronically submitted to NCDOR and IRS.
- Once tax payment(s) are made, the SCC Controller is notified to make the corresponding entries to the General Ledger.
- Quarterly reports are submitted to System Office.
- Year End 1042's are processed by System Office. It is the responsibility of the Colleges to collect the required information on the forms.

## **Step 2 – The Type of Payments**

The type of payment made to the alien falls into four primary categories:

- Dependent personal services: wages, service-related scholarship/fellowship/assistantship payments, travel reimbursements;
- Independent personal services: consulting fees, guest speaker, honoraria;
- Scholarships/fellowships:
  - a. Qualified components for degree candidates: educational expenses, tuition, fees, books, etc.
  - b. Nonqualified component: including living expenses, stipend, housing allowances.
- Miscellaneous income types: prizes and awards, royalties, etc.

## **Step 3 – The “Source” of the Income**

As important as the recipient's tax status, the payers of the income and their residence also has bearing for determining U.S. federal reporting and taxation.

1. A Resident Alien's income is generally subject to tax in the same manner as a U.S. citizen. Therefore, worldwide income is reported.
2. A Nonresident Alien is usually subject to U.S. income tax only on U.S. source income. Sampson Community College, as the U.S. source payer, is responsible for reporting income it paid to the NRA.
  - a. A determination is made as to the source of income in the following manner:
    - For compensation paid to employees, and independent contractors, income is sourced to the country where services are performed.

- For non-compensation payment such as scholarships/fellowships, grants, prizes, and awards, the source of income is the residence of the payer regardless of who actually disburses the funds. If the activity is performed outside the United States, it is not considered U.S. sourced income.

#### **Step 4 – Is the Payment Subject to Income Tax Withholding?**

Income paid to a Resident Alien (RA) follows the same withholding tax rules as U.S. citizens. The federal withholding rates for RAs are the same as rates for U.S. citizens.

All U.S. sourced income paid to a Nonresident Alien (NRA) is taxable with the exception of interest income and qualified scholarships/fellowships. The federal withholding rates for nonresident aliens are:

- Type of Income Federal Tax Rate
- Compensation (employees)
- Standard graduated rates
- Nonqualified Scholarships/Fellowships ((F-1, J-1, M-1, Q-1 or Q-2 visa holders) 14%
- Travel Grants (Expense) 14%
- Housing Allowances 14%
- Nonqualified Scholarships/ Fellowships (all other visa holders) 30%
- Independent personal services (e.g. consulting fees, guest speaker fees, honoraria, awards, travel reimbursement and prizes) 30%
- Royalties 30%
- Prizes and awards 30%
- All other payments 30%

NRA payments of taxable scholarships, fellowships, financial aid, and grants not excludible from gross income as a “qualified scholarship” are reportable to the IRS and are subject to withholding of federal income tax. Income must be reported on forms 1042 and 1042-S unless the grant is from sources outside the US.

Tax Treaties – If an alien is a resident of a country that has an income tax treaty with the United States AND the treaty contains an article covering the primary activity the alien is being compensated for, the alien may exempt part or all of the income from U.S. federal withholding taxes as specified in the article.

The alien must submit a Form 8233, Exemption from Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual and statement with the College to claim treaty benefits. The 8233 must be filed with the IRS.

#### **Step 5 – Is the Payment subject to Social Security and Medicare Taxes (FICA)?**

Yes, all aliens, regardless of resident or nonresident tax status, are subject to the same Social Security and Medicare taxes for wages as U.S. citizens. Wages earned in the employment groups as defined used to calculate the Federal Insurance Contribution Act or FICA withholding is the income subject to these taxes.

As a general rule, the only aliens exempt from social security and Medicare taxes are F-1, J-1, M-1, and Q-1 visa holders while they are in Nonresident tax status. Note: If one of these designated visa holder changes to resident tax status during a year, he/she is subject to social security and Medicare taxes for the entire year on his subject wages.

#### **Step 6 – Determining if a Payment is Reportable and How to Report It**

Resident Alien (RA) payments are reported to the federal government in the same manner as U.S. citizens. Forms issued to the resident alien regarding reportable income are the Form W-2, Wage and Tax Statement for wages and the various Forms 1099 for non-wage compensation. Note: If the RA uses a tax treaty, he/she will receive a Form 1042-S for tax reporting purposes.

Nonresident Alien (NRA) payments subject to taxes are reported to the federal government. Forms issued to NRAs are W-2, Wage and Tax Statement for wages subject to income taxes and/or FICA taxes, and the form 1042-S- Foreign Person's US Source Income Subject to Withholding for non-wage compensation. In addition, nonresident aliens will receive a Form 1042-S for compensation if they claimed a tax treaty that exempted tax for all or part of their wages. A form 1099 cannot be issued to NRAs.



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**SCC Policy and Procedure: Identity Theft**

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**Legal Authority:** Fair and Accurate Credit Transactions Act of 2003 (FACTA)  
Public Law 108-159

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**Approval Date:** September 2012

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## IDENTITY THEFT

As a result of the increasing instances of identity theft, the United States Congress passed the Fair and Accurate Credit Transactions Act of 2003 (FACTA), Public Law 108-159. This amendment to the Fair Credit Reporting Act required the Federal Trade Commission (FTC) to promulgate rules to address identity theft. The FTC (Red Flag rules) requires any financial institution and creditor that holds any type of consumer account or other account for which a potential risk of identity theft exists to create and implement a written Identity Theft Prevention Program in order to identify theft associated with new and existing accounts. Identity Theft Prevention Programs should be appropriate to the size and complexity of the institution and the nature and scope of the institution's activities. In response to this law, the trustees direct the administration to develop an Identity Theft Prevention Program to enact reasonable policies and procedures to protect students and College employees from damages associated with the compromise of sensitive personal information.

### PURPOSE

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

### DEFINITIONS

For purposes of this policy, the following definitions will apply:

- A. Creditor – Any organization, including community colleges, which regularly:
  1. extends, renews, or continues credit; or
  2. arranges for someone else to extend, renew, or continue credit; or
  3. is the assignee of a creditor involved in the decision to extend, renew, or continue credit.
- B. Credit - Deferral of payment of a debt incurred for the purchase of goods and services, including educational services.
- C. Covered account – An account with a creditor used by individuals, families, or households which involves multiple payments to that creditor. Examples includes emergency loan accounts, scholarships which could involve repayment if the terms of the scholarship are not met, and deferred payment accounts approved by the institution's trustees.
- D. Financial institution – Typically a bank, credit union, or other entity that holds for an individual an account from which the owner can make payments, and transfers.
- E. Identifying information – Information which alone, or in combination with other information, can be used to identify a specific individual. Identifying information includes name, social security number, date of birth, driver's license number, identification card number, employer or taxpayer identification number, biometric data, unique electronic identification numbers, address or routing code, or certain electronic account identifiers associated with telephonic communications.

- F. Identity theft – A fraud attempted or committed using identifying information of another person without proper authority.
- G. Red Flag – A pattern, practice, or specific activity which indicates the possibility of identity theft.
- H. Sensitive information – Personal information belonging to any student, employee, or other person with whom the College is affiliated.
- I. Service provider – Person providing a service directly to the financial institution or creditor.
- J. II. SCOPE – Activities in which the College is often involved that require compliance with the Red Flag Rules include but are not limited to:
  - K. Participation in federal student loan programs;
  - L. Utilization of deferred payment plans as authorized by 23 N.C.A.C. 02D.0201(b);
  - M. Issuance of student loans for technical and vocational education pursuant to 23 N.C.A.C. 02C.0304;
  - N. Provision of emergency loans to students;
  - O. Issuance of any scholarship which requires the recipient to sign a promissory note;
  - P. Maintaining an account for students from which the student can authorize payments for goods and services like books and food;
  - Q. Using debit card accounts;
  - R. Persons attempting to access academic or financial information.

**SCOPE**

This protection program applies to employees and students at the College, including all personnel affiliated with third parties.

**IDENTIFICATION OF RELEVANT RED FLAGS**

In order to identify relevant Red Flags, the College considers the types of accounts that it offers and maintains, methods it provides to open accounts, methods it provides to access its accounts, and any previous experience with identify theft. The College identifies the following Red Flags in each of the listed categories:

Red Flag Category	Red Flags
Alerts, notifications, or other warnings received from the Attorney General’s Office, consumer reporting agencies, service providers, such as fraud detection services, or other entities used to collect data	A consumer reporting agency issues a fraud or active duty alert.
	A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
	A consumer reporting agency provides a notice of address discrepancy.
	A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as: <ol style="list-style-type: none"> <li>1. A recent and significant increase in the volume of inquiries;</li> <li>2. An unusual number of recently established credit relationships;</li> <li>3. A material change in the use of credit, especially with respect to recently established credit relationships; or</li> <li>4. An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.</li> </ol>



Red Flag Category	Red Flags
The presentation of suspicious documents	Documents provided for identification appear to have been altered or forged.
	The photograph/physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
	Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.
	Other information on the identification is not consistent with readily accessible information that is on file with the financial institution or creditor, such as a signature card or a recent check.
	An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.
The unusual use of, or other suspicious activity related to, a covered account	Shortly following the notice of a change of address for a covered account, the institution or creditor receives a request for a new, additional, or replacement card or a cell phone, or for the addition of authorized users on the account.
	Any student account is used in a manner commonly associated with known patterns of fraud patterns. For example: The customer fails to make the first payment or makes an initial payment but no subsequent payments.
	A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example: <ul style="list-style-type: none"> <li>a. Nonpayment when there is no history of late or missed payments;</li> <li>b. A material increase in the use of available credit;</li> <li>c. A material change in purchasing or spending patterns;</li> <li>d. A material change in electronic fund transfer patterns in connection with a deposit account; or</li> <li>e. A material change in telephone call patterns in connection with a cellular phone account.</li> </ul>
	A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors ).
	Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.
	The College is notified that the customer is not receiving paper account statements.

<b>Red Flag Category</b>	<b>Red Flags</b>
The unusual use of, or other suspicious activity related to, a covered account <i>(Continued)</i>	The College is notified of unauthorized charges or transactions in connection with a customer's covered account.
	A customer initiates multiple address changes over a short period of time.
	A customer is attempting to access information about a deceased student.
	The College is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.
Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the College	A student, borrower, law enforcement personnel or service provider notifies the College of unusual activity related to a covered account. This includes discrepancies in the social security number to a student's name (provided typically by the NC Department of Revenue from debt set-off); address is not a valid address (provided typically by the NC Attorney General's Office), and/or payment plan provider having a discrepancy of data between College and responsible party.
	A student or customer does not know personal information that they should know, i.e. social security number, date of birth, student identification number.
Requests for access to information	A student attempts to change his or her address if an account for that student has been inactive for a prolonged period of time.
Students returning to school after a long period of time	A student wishes to register for courses and/or apply for financial aid when that student's account has been inactive for a prolonged period of time.

## DETECTING RED FLAGS

- Because of the nature of College operations, the College has multiple locations, multiple records, multiple account managers, and multiple off-campus instructors who collect demographic information. Staff and faculty should be aware that the security of sensitive data included on a variety of documents in these multiple locations could be compromised, e.g. registration forms. Red flags identified and any policies adopted to address these concerns should encompass continuing education and the administration of grants.
- The College contracts with other governmental agencies to help collect accounts. The College provides these agencies with sensitive student data.
- Student services, continuing education, and basic skills staff should verify student identification when registering students to be assured that the correct student is being registered for courses. Issues that can exist include registering the incorrect student when multiple students are on the College database with the same name; use of an inactive account by someone other than the student to obtain financial aid and/or student benefits; and students attempting to register when they have been away from the College for a long period of time.
- Employees may save student or employee sensitive data to flash drives and/or laptops which could compromise the security of the data due to loss or theft. Policies concerning the use of flash drives and laptops should be developed as part of identity theft measures.
- Phone-in payment may have the risk of compromising banking information.

## **Student Enrollment**

In order to detect any of the Red Flags identified above associated with the enrollment of students, College personnel will take the following steps to obtain and verify the identity of the person opening a Colleague account:

### Detecting Red Flags

1. Require the student to present certain identifying information such as name, date of birth, academic records, home address or other identification; and
2. Verify the student's identity at the time of issuance of student identification card (review of driver's license or other government-issued photo identification).

## **Existing Accounts**

### Detecting Red Flags

1. The College needs to distinguish and identify what areas and what specific information constitutes the definition of sensitive information.
2. The College needs to evaluate whether sensitive data is securely stored, whether sensitive data is being handled securely, and how sensitive information is disseminated.
3. The College needs to evaluate whether banking information is only handled by authorized personnel.
4. The College needs to evaluate whether proper procedures are in place for identification verification, including students and new employees.
5. The College should identify third party agencies that handle student/employee accounts on behalf of the College and determine if/how those agencies protect the sensitive data of their customers.
6. The College should develop a process to identify students who have registered again after a long period and who did not go through a readmission process.
7. The College should verify the identification of students if they request information (in person, via telephone, via facsimile, via email);
8. All offices should verify the validity of requests to change billing addresses by mail or email and provide the student a reasonable means of promptly reporting incorrect billing address changes; and
9. The College should verify changes in banking information given for billing and payment purposes.

## **Consumer ("Credit") Report Requests**

In order to detect any of the Red Flags identified above for an employment or volunteer position for which a credit or background report is sought, College personnel will take the following steps to assist in identifying address discrepancies:

1. Require written identification from any applicant that the address provided by the applicant is accurate at the time the request for the credit report is made to the consumer reporting agency; and
2. In the event that notice of an address discrepancy is received, verify that the credit report pertains to the applicant for whom the requested report was made and report to the consumer reporting agency an address for the applicant that the College has reasonably confirmed is accurate.

## **Methods**

1. Procedures need to be in place to verify a person's identity when processing any activity to their account including, but not limited to registration activity, financial aid processing, bookstore transactions, and Finance Office payments/inquiries.
2. Receipt of notifications from service providers of red flag criteria (i.e. discrepancies in social security number to name, address differences, etc.) should be disseminated to specifically identified individuals.
3. Receipt of notification of suspicious activity by student, law enforcement or borrower should be disseminated to specifically identified individuals.
4. Security officer and/or equipment inventory coordinator reporting that laptop and/or computer equipment with sensitive data has been lost or stolen.
5. Staff should audit changes to sensitive information (e.g. record name changes, SSN changes, and any web-related password resets).
6. Student services staff should monitor student records for students who have registered after a long period away from the institution.
7. The computer services staff should perform routine diagnostics on firewall and security of electronic data portals.
8. Security scans should be performed at regular intervals as well as unscheduled scans to detect breaches.

#### **PREVENTING AND MITIGATING IDENTITY THEFT**

In the event College personnel detect any identified Red Flags, such personnel will take one or more of the following steps, depending on the degree of risk posed by the Red Flag.

1. Each office that inputs student or employee data should be sure to have procedures in place to substantiate that person's identity.
2. The College may choose to designate a security officer responsible for detecting and preventing identity theft.
3. Appropriate employees, to include faculty, should be trained on FERPA, contributing to the preventing and mitigating identity theft.
4. In the event that an off-campus registration site presents threats to the security of any student or financial data, the site should be assessed, and appropriate measures taken to protect information from theft.
5. Third party agencies that handle sensitive data for the College need to be evaluated no less than annually to ensure that they are in compliance with "red flag" rules.
6. All employees are required to adhere to FERPA law to verify proper identity and nondisclosure of protected student information from unauthorized persons.
7. All banking information should only be obtained and used by appropriate personnel with PCI compliance being maintained regarding security of banking information.
8. A re-admission process needs to be in place to verify a student's identity when an account has been inactive for a prolonged period.
9. Student applying for financial aid awards/loans need to be verified with more than one identifying method to assure that the aid/loan is being distributed to the proper person.
10. If the College's bookstore buys back books from students at the end of the semester, procedures need to be in place to verify the identity of the student obtaining the cash. This, in correlation with security reports of possible book thefts, could be used to identify if stolen books are attempted to be sold. If anything seems questionable regarding the student selling back the books, bookstore personnel need to be able to verify courses taken by the student within that semester to verify that the books are valid for the student's course enrollment.

11. Procedures need to be in place on the proper handling of data including electronically saved data on laptops and/or flash drives and data that is accessible remotely. This includes what data should be stored on these devices and what security measure should be taken to prevent loss and/or theft of data.
12. The College should maintain Payment Card Data Security Standard Compliance on portals where payments are taken electronically in an effort for prevention and mitigation of red flags.
13. The College should train employees, then review and test procedures for dealing with sensitive information and with access requests.
14. Appropriate supervisors should review internal access to paper, electronic document and information systems containing sensitive information.
15. The College should educate employees about the risks and liabilities of data loss or theft.

## **RESPONDING TO DETECTION OF RED FLAGS**

In the event a red flag has been detected, the appropriate College staff will:

1. Ask for validation and/or supplemental documentation/identification when a student's identity is in question.
2. Check credit card receipts when possible fraudulent charges are reported from a customer's bank statement.
3. Verify original student documents when a discrepancy is reported regarding social security number discrepancies to name and other red flag issues regarding aged accounts.
4. Deny access to information or disable an account pending upon further investigation and resolution of suspicious activity.
5. Follow-up on reported thefts which possibly involve the compromise of sensitive data.
6. Develop a plan for notifying victims of possible identity theft and proper authorities. The records of current students, former students, and employees should be considered when disseminating the information concerning a breach.

## **PROGRAM ADMINISTRATION**

### **Program Oversight**

Responsibility for developing, implementing and updating this program lies with an Identify Theft Committee for the College. The Committee is chaired by an administrative staff member appointed by the President and will include representatives from student services, continuing education, Finance Office, and computer services. The chair will be responsible for ensuring appropriate training of College staff on the program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering period changes to the program.

### **Staff Training**

College staff responsible for implementing the program should be trained by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. The College staff should be trained, as necessary, to effectively implement the program. College employees are expected to notify the Program Administrator once they become aware of an incident of Identity Theft or of the College's failure to comply with this program. At least annually or as otherwise requested by the Program Administrator, the College staff responsible for development, implementation, and administration of the program will evaluate all measures undertaken to prevent identity theft.

### **Oversight of Service Providers**

In the event the College engages a service provider to perform an activity in connection with one or more covered accounts, the College will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft.

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the College's Program and report any Red Flags to the Program Administrator or the College's employee with primary oversight of the service provider relationship.

### **Non-disclosure of Specific Practices**

For the effectiveness of this Identify Theft Prevention Program, knowledge about specific Red Flag identification, detection, mitigation and prevention practices may need to be limited to the committee who developed this program and to those employees with a need to know them. Any documents that may have been produced or are produced in order to develop or implement this program that list or describe such specified practices and the information those documents contain are considered "confidential" and should not be shared with other College employees or the public. The Program Administrator will inform the Committee and those employees with a need to know the information of those documents or specific practices which should be maintained in a confidential manner.

### **Program Updates**

The committee will periodically review and update this program to reflect changes in risks to students and the soundness of the College from identity theft. In doing so, the Committee will consider the College's experiences with identify theft situations, changes in identity theft methods, changes in identify theft detection and prevention methods, and changes in the College's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the program, including the listing of Red Flags, are warranted. If warranted, the Committee will update the program.



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**SCC Policy and Procedure:** Intellectual Property Rights

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**Legal Authority:** NCGS 115D-19

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## INTELLECTUAL PROPERTY RIGHTS

Sampson Community College recognizes the need to protect ownership rights in intellectual property, defined as any work that could lead to copyright or patent. This includes, but is not limited to, course materials, artistic creations, software programs, or inventions. The College's intellectual property rights policy applies to all employees (full-time and part-time), consultants hired by or under contract to the College, and students.

As a general rule, all rights to copyrightable or patentable material belong to the creator. In the case of independent works, a College employee or student owns all rights to copyrightable or patentable work, provided:

- The work is the result of individual initiative and not the product of a specific contract or assignment made as a result of employment with, or enrollment at, the College.
- The work is not a product of the employee's job duties.
- The work is produced by an employee outside his/her work schedule.
- The work is produced by an employee or student without College funds or significant use of College owned and controlled facilities.

In the case of College-sponsored work, the College is the creator and retains all intellectual property rights to the work unless the College chooses to formally relinquish them. College-sponsored works are defined using the following criteria:

- The work is the product of a specific contract or assignment made as a result of employment with, or enrollment at, the College.
- The work is a product of the employee's job duties.
- The work is produced by an employee during his/her work schedule.
- The work is produced by an employee or student with College funds and/or with significant use of College owned and controlled facilities. College funds include but are not limited to:
  - Release time
  - Grant funds
  - Salary supplements
  - Leave with pay
  - Other material or financial assistance

The College controls any revenues or other benefits related to or deriving from College sponsored works. The College is permitted to charge a reasonable rental fee to use any College sponsored works. Furthermore, items such as a learned journal, work of art, book, publication, textbook, library book, form, bulleting, or instructional supply may be, as allowed under the Umstead Act, sold by the College.

With authorization of the Board of Trustees, the President may enter into an equitable written agreement with an employee or student for shared or joint ownership, royalty sharing, or reimbursement to the College for its cost and support of any college-sponsored work. In such cases the College retains a royalty-free license to use the intellectual property for research and educational purposes.



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**SCC Policy and Procedure:** Pets on Campus

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**Legal Authority:** Administrative Policy, City of Clinton Municipal Ordinance

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**Approval Date:** Fall 2022

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**Review/Revision Dates:**

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## PETS ON CAMPUS

The City of Clinton’s municipal ordinance for pets, including leash requirements, are applicable to pets on the College campus.

Pets, except for guide/service dogs, are not allowed in campus buildings, covered walks, and courtyards.





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**SCC Policy and Procedure:** Reference Inquires

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**Legal Authority:** NCGS 115D-19

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**Approval Date:** Fall 2022

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**Review/Revision Dates:** Fall 2021

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## REFERENCE INQUIRES

Sampson Community College receives inquiries from third parties regarding its employees. All requests for reference information should be directed to the Human Resources Office. Generally, the College will respond only to written inquiries. If a telephone reference inquiry is received, the Human Resources Office will only verify whether an individual is employed or no longer employed and will inform the caller that a written request must be submitted for the College to provide additional information.

Sampson Community College has established policies consistent with the North Carolina General Statutes related to employee personnel records open to the public and information considered confidential. Any information considered by law to be confidential is open to examination only by the employee and other statutorily authorized persons or governmental entities unless the employee or former employee provides a written release.

The College will release confidential information only after a written release has been received from the employee or former employee. Otherwise, the College will release information related to reference inquiries as information records only open to the public.



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**SCC Policy and Procedure:** Representing Sampson Community College  
to the Public

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**Legal Authority:** Administrative Policy

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**Approval Date:** September 2012

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**Review/Revision Dates:** Fall 2021

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## REPRESENTING SAMPSON COMMUNITY COLLEGE

The official spokesperson for the College in presenting information to the public is the President or his/her designee.

Staff and faculty should contact the College's Communication Administrator for assistance in developing marketing materials or in planning and scheduling special campus events. Material for dissemination to the campus community or to the community at large should be developed with or approved by the Communications Administrator. These materials would include flyers, brochures, promotional items, newsletters, direct mail, other printed materials and web-based, social media, or electronically distributed media.

The Communications Administrator will guide and assist faculty and staff in the protocols related to the use of photographs, logos, taglines, graphics, etc.

The Communications Administrator will develop and maintain branding standards and guidelines.



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**SCC Policy and Procedure: Sex Discrimination and Harassment**

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**Legal Authority:** Title IX**Approval Date:** Spring 2012**Review/Revision Dates:** Fall 2022

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## SEX DISCRIMINATION AND HARASSMENT

### **Notice of Nondiscrimination**

Sampson Community College (“SCC”), in compliance with and as required by Title IX of the Education Amendments Act of 1972 and its implementing regulations (“Title IX”) and other civil rights laws, as well as in furtherance of its own values as a higher education institution, does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender, gender identity, gender expression, pregnancy, disability, age, religion, veteran status, or any other characteristic or status protected by applicable local, state, or federal law in admission, treatment, access to, or employment in, its programs and activities.

Discrimination and harassment are antithetical to the values and standards of the SCC community; are incompatible with the safe, healthy environment that the SCC community expects and deserves and will not be tolerated. SCC is committed to providing programs, activities, and an education and work environment free from discrimination and harassment. SCC is also committed fostering a community that promotes prompt reporting and fair and timely resolution of those behaviors.

Inquiries concerning discrimination or harassment on the basis of sex may be referred to SCC’s Title IX Coordinator, Title IX Coordinator. Exhibit A to this document provides Title IX Coordinator’s contact information.

Individuals may also make inquiries regarding discrimination or harassment to the U.S. Department of Education’s Office for Civil Rights by contacting the District of Columbia Office, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475; Phone 800-421-3481; email: [OCR@ed.gov](mailto:OCR@ed.gov).

### **Prohibition on Sex Discrimination and Harassment, Retaliation, and Providing False Information or Interfering with a Grievance Process**

This Policy prohibits discrimination and harassment on the basis of sex. SCC strongly encourages the prompt reporting of, and is committed to timely and fair resolution of, complaints of sex discrimination and harassment.

Sexual Harassment, as defined by Title IX and herein,<sup>1</sup> is a specific type of sex discrimination/harassment that includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking and that SCC addresses using its Title IX Sexual Harassment Grievance Procedures, as required by Title IX.

This Policy also prohibits Retaliation, as defined by Title IX and herein. Complaints alleging Retaliation may be filed with the Title IX Coordinator and, at the discretion of the Title IX Coordinator, may be addressed under SCC’s Title IX Sexual Harassment Grievance Procedures or other grievance procedures adopted by SCC.

Additionally, any individual who knowingly files a false Formal Complaint or who interferes with a SCC grievance process may be subject to disciplinary action. Interference with a grievance process may include,

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<sup>1</sup> Capitalized terms used herein are defined in Section 1.06.

but is not limited to, attempting to coerce, compel, or prevent an individual from providing testimony or relevant information; removing, destroying, or altering documentation relevant to an investigation; or providing false or misleading information to SCC officials who are involved in the investigation and/or resolution of a Formal Complaint, or encouraging others to do so.

### **Reporting and Period of Limitations**

Any person (whether or not alleged to be the victim) may report sex discrimination or harassment, including Sexual Harassment, in person, by mail, by telephone, or by electronic mail, using the contact information for the Title IX Coordinator listed in Exhibit A, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

SCC *strongly encourages* all employees and other members of the SCC community to promptly report concerns regarding suspected or known discrimination/harassment on the basis of sex to the Title IX Coordinator.

In addition to the Title IX Coordinator, SCC will designate college administrators to institute corrective measures on behalf of SCC. Accordingly, these employees are *required* to report discrimination and harassment on the basis of sex to the Title IX Coordinator.

SCC will address allegations of sex discrimination and harassment appropriately no matter the length of time that has passed since the alleged conduct. However, SCC strongly encourages prompt reporting to preserve evidence for a potential legal or disciplinary proceeding. Delay may compromise the ability to investigate, particularly if the individuals involved in the alleged conduct are no longer SCC students or employees.

#### **1.04 Applicability of Policy and Grievance Procedures**

This Policy applies to any allegation of sex discrimination or harassment made by or against a student or an employee of SCC or a third party, regardless of sex, sexual orientation, sexual identity, gender expression, or gender identity.

The Title IX Sexual Harassment Grievance Procedures apply only to allegations of Sexual Harassment in SCC's Education Program or Activity (as defined herein).<sup>2</sup>

SCC will address allegations of other types of sexual harassment (i.e., that do not meet the definition of Title IX Sexual Harassment) by: (1) using other student and employee conduct disciplinary procedures deemed appropriate by the Title IX Coordinator in consultation with other SCC administrators; and/or (2) with Supportive Measures, which are defined and discussed in more detail herein.

#### **1.05 Rights of Parents**

When a student Complainant or Respondent is a minor or has a guardian appointed and their parent or guardian has the legal right to act on the student's behalf, then the parent or guardian may file a Formal Complaint on behalf of the student, although the student would be the "Complainant." In such a situation, the parent or guardian may exercise the rights granted to the student under this Policy, including requesting Supportive Measures and participating in a grievance process. Similarly, the parent or guardian may accompany the student to meetings, interviews, and hearings during a grievance process to exercise rights on behalf of the student, while the student's Advisor of choice may be a different person from the parent or guardian. Whether or not a parent or guardian has the legal right to act on behalf of an individual would be

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<sup>2</sup> And, at the discretion of the Title Coordinator, to related allegations of Retaliation.

determined by state law, court orders, child custody arrangements, or other sources granting legal rights to parents or guardians.

Additionally, FERPA and its implementing regulations address the circumstances under which a parent or guardian is permitted to inspect and review a student's education records. However, in circumstances in which FERPA would not grant a party the opportunity to inspect and review evidence in connection with a grievance process, pursuant to Title IX and its implementing regulations, the student has an opportunity to do so, and a parent or guardian who has a legal right to act on behalf of the student has the same opportunity.

#### **1.06 Definitions Applicable to Policy and Grievance Procedures**

Capitalized terms used herein are defined as follows.

**"Actual Knowledge"** means notice of Sexual Harassment or allegations of Sexual Harassment to SCC's Title IX Coordinator. **"Notice"** as used in this paragraph includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator.<sup>3</sup>

**"Clery Act"** refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. § 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

**"Complainant"** means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment, irrespective of whether a Formal Complaint has been filed.

**"Consent"** is informed, freely and actively given, mutually understandable words or actions that indicate a willingness and readiness to participate in mutually agreed upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a clear and unambiguous agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another.

Consent cannot be inferred from: silence, passivity, or lack of resistance alone; a current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else); attire; the buying of dinner or the spending of money on a date; or Consent previously given (i.e., Consenting to one sexual act does not imply Consent to another sexual act).

Consent is not effective if it is obtained through the use of physical force, violence, duress, deception, intimidation, coercion, or the threat, expressed or implied, of bodily injury. Whether a party used any of these means to obtain Consent will be determined by reference to the perception of a reasonable person found in the same or similar circumstances.

Consent may never be given by the following individuals: minors, even if the other participant did not know the minor's age; mentally disabled persons, if their disability was reasonably knowable to a person who is

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<sup>3</sup> This standard is not met through imputation of knowledge based solely on vicarious liability or constructive notice. This standard also is not met when the only individual with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one to whom notice of Sexual Harassment or allegations of Sexual Harassment constitutes Actual Knowledge.

not mentally disabled; or persons who are Incapacitated. The use of alcohol or drugs does not diminish one's responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Harassment. If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of Consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness and readiness to continue and capacity to Consent. Neither party should make assumptions about the other's willingness and readiness to continue.

**"Day"** means a business day, unless otherwise specified.

**"Education Program or Activity"** means all of SCC's operations and includes (1) locations, events, or circumstances over which SCC exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred; and (2) any building owned or controlled by a student organization that is officially recognized by SCC.

**"Education Record"** has the meaning assigned to it under FERPA.

**"FERPA"** is the Family Educational Rights and Privacy Act, a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 C.F.R. § 99. FERPA protects the privacy of student Education Records. FERPA grants to eligible students the right to access, inspect, and review Education Records, the right to challenge the content of Education Records, and the right to consent to the disclosure of Education Records.

**"Formal Complaint"** means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that SCC investigate the allegation of Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in SCC's Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail by using the contact information listed for the Title IX Coordinator in [Exhibit A](#). As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

**"Incapacitated"** means lacking the physical and/or mental ability to make informed, rational judgments. A person may be Incapacitated for a variety of reasons, including but not limited to being asleep or unconscious, having consumed alcohol or taken drugs, or experiencing blackouts or flashbacks.

**"Respondent"** means an individual who has been reported to be the perpetrator of conduct alleged to constitute Sexual Harassment.

**"Retaliation"** means (1) any adverse action (including direct and indirect intimidation, threats, coercion, discrimination, or harassment (including charges for conduct violations that do not involve sex discrimination or harassment or Sexual Harassment but that arise out of the same facts or circumstances as a report or complaint of sex discrimination or harassment or a report or Formal Complaint of Sexual Harassment) that is (2) threatened or taken against a person (a) for the purpose of interfering with any right or privilege secured by Title IX; or (b) because the person has made a report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing related to Title IX.<sup>4</sup>

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<sup>4</sup> Retaliation does not include (1) the exercise of rights protected under the First Amendment; (2) charging an individual with making a materially false statement in bad faith in the course of a grievance proceeding (provided, however, that a determination regarding responsibility alone is not sufficient to conclude that an individual made a materially false statement in bad faith); or (3) good faith actions lawfully pursued in response to a report of prohibited conduct.

**“Sexual Harassment”** means conduct on the basis of sex that satisfies one or more of the following:

(1) an employee of the SCC conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct. (commonly referred to *quid pro quo* harassment);

(2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to SCC’s Education Program or Activity; or

(3) **“Sexual Assault,”** as defined in 20 U.S.C. § 12291(a)(10): an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

**“Dating Violence,”** as defined in 34 U.S.C. § 12291(a)(10): violence committed by a person—(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship;

**“Domestic Violence,”** as defined in 34 U.S.C. § 12291(a)(8): felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction; or

**“Stalking,”** as defined in 34 U.S.C. § 12291(a)(30): engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

**“Supportive Measures”** are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant and/or a Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to SCC’s Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or SCC’s educational environment or deter Sexual Harassment.

Supportive Measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus. SCC will maintain as confidential any Supportive Measures provided to a Complainant or a Respondent, to the extent that maintaining such confidentiality would not impair SCC’s ability to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

## **SECTION II. TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES**

### **A. APPLICABILITY, COMPLAINT INTAKE, AND OVERARCHING PROVISIONS**

#### **2A.01 Applicability of Grievance Procedures**

As noted above, these Grievance Procedures apply to allegations of Sexual Harassment in SCC's Education Program or Activity (and to related Retaliation, at the discretion of the Title IX Coordinator). SCC treats Complainants and Respondents equitably by providing remedies to a Complainant where SCC makes a determination of responsibility for Sexual Harassment against a Respondent under these Grievance Procedures and also by following these Grievance Procedures before imposing any disciplinary sanctions against a Respondent for Sexual Harassment.

#### **2A.02 Obligation to Respond and Initial Outreach to Complainant**

When SCC has Actual Knowledge of Sexual Harassment (or allegations thereof) against a person in the United States in its Education Program or Activity, SCC is obligated to respond and to follow Title IX's specific requirements, which are addressed and incorporated in these Grievance Procedures.

Promptly upon receiving allegations of Sexual Harassment against a person in the United States in SCC's Education Program or Activity, the Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint and to explain to the Complainant the process for filing a Formal Complaint.

#### **2A.03 Filing of a Formal Complaint**

As noted in the Definitions section above, a Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that SCC investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in SCC's Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature or otherwise indicates that the Complainant is the person filing the Formal Complaint.

When the Title IX Coordinator believes that, with or without the Complainant's desire to participate in a grievance process, a non-deliberately indifferent response to the allegations requires an investigation, the Title IX Coordinator has the discretion to initiate the grievance process by signing a Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under these Grievance Procedures. Furthermore, initiation of a Formal Complaint by the Title IX Coordinator is not sufficient alone to imply bias or that the Title IX Coordinator is taking a position adverse to the Respondent.

Once a Formal Complaint is initiated, an alleged victim will be referred to as a "Complainant," and an alleged perpetrator will be referred to as a "Respondent."

#### **2A.04 Notice of Allegations**

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide the Complainant and any known Respondent written notice of these Grievance Procedures and of the allegations of conduct potentially constituting Sexual Harassment, including sufficient details known at the time and with at least five days to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known.



The written notice will include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice also will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and that at appropriate junctures the parties and their advisors may review and inspect evidence collected during the investigation. Additionally, the written notice will inform the parties of SCC's prohibition on knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, SCC decides to investigate allegations of Sexual Harassment involving the Complainant or Respondent that are not included in the original written notice of allegations, SCC will provide notice of the additional allegations to the parties whose identities are known.

#### **2A.05 Dismissal**

SCC will investigate the allegations in a Formal Complaint; however, SCC *will* dismiss a Formal Complaint or a portion of the allegations therein if (1) the conduct alleged in the Formal Complaint, even if substantiated, would not constitute Sexual Harassment; (2) at the time of filing the Formal Complaint the Complainant was not participating in or attempting to participate in SCC's Education Program or Activity; (3) the conduct alleged in the Formal Complaint did not occur in SCC's Education Program or Activity; or (4) the conduct alleged in the Formal Complaint did not occur against an individual in the United States. Such a dismissal may take place at the conclusion of the investigation or at any time prior to the conclusion of the investigation.

Additionally, SCC *may* dismiss a Formal Complaint or a portion of the allegations therein if (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed at SCC; or (3) despite efforts to do so, SCC is unable to gather evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

In the event the Title IX Coordinator determines that dismissal of a Formal Complaint or a portion of the allegations is appropriate, the Title IX Coordinator will promptly notify the parties in writing of the dismissal and the reasons for it. Dismissal does not impair SCC's ability to proceed with any appropriate investigatory or disciplinary actions under the Sex Discrimination and Harassment Policy or another SCC policy or procedure and/or to provide Supportive Measures to the parties.

Either party may appeal a decision to dismiss a Formal Complaint or a portion of the allegations on the following grounds by submitting a written appeal to the Title IX Coordinator within five days of the issuance of the written notice of the dismissal: (1) procedural irregularity that affected the decision to dismiss; (2) new evidence that was not reasonably available at the time of dismissal and that could affect the outcome of the matter; or (3) the Title IX Coordinator or other participant in the dismissal having a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the decision to dismiss.

The Title IX Coordinator will promptly notify the other party of the appeal, and the non-appealing party may submit a response to the appeal within three days of notification of the appeal.

The Title IX Coordinator will appoint an appeal officer and will contemporaneously share the appeal officer's name and contact information with the Complainant and the Respondent.

Within two days of such appointment, the Complainant, or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias on the part of the appeal officer. The Title IX

Coordinator will consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

The Title IX Coordinator will forward the Formal Complaint and any documents upon which the dismissal decision was based, as well as the appeal and any response to the appeal to the appeal officer.

Within seven days of receipt of those materials, the appeal officer will determine whether any of the grounds for appeal warrant overturning or modifying the dismissal. The decision by the appeal officer is final.

#### **2A.06 Advisors**

The Complainant and the Respondent may be accompanied to any meeting or proceeding under these Grievance Procedures by the advisor of their choice, who may be, but is not required to be, an attorney. SCC will not limit the choice or presence of the advisor for either the Complainant or the Respondent in any meeting or grievance proceeding. Advisors, however, are not allowed to disrupt any such meeting or proceeding or to speak on behalf of the Complainant or the Respondent, with the exception of cross-examination during any hearing conducted under these Grievance Procedures, which must be conducted by an advisor and never personally by the Complainant or the Respondent.

Parties must provide the name and contact of their advisor to the Title IX Coordinator in writing as soon as reasonably possible and must provide updated information if their advisor changes. All advisors will be required to assent to SCC's Expectations for Advisors.

If a party does not have an advisor present at the hearing, SCC will provide, without any charge to that party, an advisor of SCC's choice who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Absent accommodation for a disability, the Complainant and the Respondent typically may not be accompanied by more than one advisor or by other individuals during meetings or proceedings under these Grievance Procedures.

#### **2A.07 Amnesty**

SCC considers the reporting and adjudication of Sexual Harassment to be of paramount importance. SCC does not condone underage drinking or the use of illegal drugs; however, SCC may extend amnesty to Complainants, Respondents, witnesses, and others involved in a grievance process from punitive sanctioning for illegal use of drugs and/or alcohol when evidence of such use is discovered or submitted in the course of a grievance process. Similarly, SCC may, in its discretion, provide amnesty for other conduct code violations that are discovered in the course of a grievance process.

#### **2A.08 Timing**

SCC will make every reasonable effort to ensure that the investigation and resolution of a Formal Complaint occurs in as timely and efficient a manner as possible. The timelines set forth in these Grievance Procedures are guidelines and may be altered for good cause with written notice to the Complainant and the Respondent of any delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; natural disasters, pandemic restrictions, and similar occurrences; or the need for language assistance or accommodation of disabilities.

SCC will strive to complete its investigation and resolution of a Formal Complaint (not including an appeal, if applicable) within 90 days of the receipt of the Formal Complaint, absent extenuating circumstances. Hearings

generally will take place within 20 days of the conclusion of the investigation. Within seven days of the conclusion of the hearing, both the Complainant and the Respondent will receive a final outcome letter.

Either party may request an extension of any deadline by providing the Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator will review the request and will make a determination with regard to the request within three days.

#### **2A.09 Written Notice of Meetings**

SCC will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.

#### **2A.10 Effect of Corollary Criminal Investigation**

SCC's investigation may be delayed temporarily while criminal investigators are gathering evidence. In the event of such a delay, SCC will implement any appropriate Supportive Measures and will evaluate the need for other actions necessary to assist or protect the Complainant, the Respondent, and/or the SCC community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate a matter is determinative of whether Sexual Harassment has occurred in the eyes of SCC.

#### **2A.11 Emergency Removal and Administrative Leave**

SCC may remove a Respondent from SCC's Education Program or Activity on an emergency basis, provided that SCC first undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal, and does so in accordance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, as applicable.

Additionally, SCC may place a non-student employee Respondent on administrative leave during the pendency of SCC's response to allegations of Sexual Harassment provided that it does so in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

#### **2A.12 Effect of Respondent Withdrawal, Graduation, or Resignation During Grievance Process**

At the discretion of SCC, a Respondent who withdraws or resigns from SCC during the pendency of a grievance process under these Grievance Procedures may be barred from SCC property and SCC activities and events and may be ineligible for re-enrollment or to be re-hired. If a Respondent completes all requirements to graduate during the grievance process, SCC may hold the Respondent's diploma until full resolution of the Formal Complaint.

#### **2A.13 Privacy and Disclosure**

Except as may be permitted by FERPA or as required by law or to carry out any investigation or resolution of sex discrimination or harassment allegations, SCC will keep private the identity of any individual who has made a report or complaint of sex discrimination or harassment (including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any Respondent, and any witness.

SCC may report alleged Sexual Harassment to local law enforcement if warranted by the nature of the allegations at issue, and SCC administrators will share information regarding alleged Sexual Harassment, as appropriate and necessary, in order to address and resolve the allegation(s) at issue, prevent the recurrence

of similar Sexual Harassment, and address the effects of the Sexual Harassment. Additionally, information regarding alleged Sexual Harassment may be used as a statistical, anonymous report for data collection purposes under the Clery Act.

To comply with FERPA, Title IX, and other applicable laws and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, grievance processes carried out under these Grievance Procedures are not open to the general public. Accordingly, documents prepared in connection with such processes; documents, statements, or other information introduced in interviews, meetings, and proceedings; and the final outcome letter may not be disclosed outside of those processes except as may be required or authorized by law.

As permitted by and subject to the limitations of FERPA, SCC reserves the right to notify parent(s) or guardian(s) of a student Respondent of the outcome of any investigation involving that Respondent, redacting names of any other students who do not consent to the disclosure of their information. At the written request of a party, SCC may include a party's advisor on communications and share access to documents, including the investigation report. This access is subject to the advisor's acknowledgment and agreement to maintain the confidentiality of the documents. While SCC strongly encourages parties to maintain privacy in connection with a grievance process, SCC does not prohibit parties from discussing the allegations under investigation or in any way inhibit the parties from gathering or presenting relevant evidence. In addition, SCC's policy does not prohibit disclosure of the final outcome letter by either the Complainant or the Respondent.

#### **2A.14 Conflicts of Interest, Bias, and Training**

SCC will ensure that any individual designated by SCC as a Title IX Coordinator, investigator, decision-maker, or informal resolution facilitator under these Grievance Procedures does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If any employee designated to participate in the investigation or resolution of a Formal Complaint is the Respondent or a relevant witness, then the Title IX Coordinator will appoint another employee to perform their duties. (If the Title IX Coordinator is the Respondent, then the President will appoint another employee to perform their duties.)

SCC also ensures that Title IX Coordinators, investigators, decision-makers, advisors, and informal resolution facilitators receive training, as applicable, on the definition of Sexual Harassment; the scope of SCC's Education Program or Activity; how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

SCC further ensures that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, and that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Additionally, SCC ensures that decision-makers receive training on any technology to be used at live hearings.

Materials used to train Title IX Coordinators, investigators, decision-makers, advisors, and informal resolution facilitators will not rely on sex stereotypes and promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment.

#### **2A.15 Burden of Proof**

At all times, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on SCC, not on either of the parties.

#### **2A.16 Presumption of No Responsibility until Determination**

Respondents are presumed to be not responsible for alleged Sexual Harassment until SCC makes a determination regarding responsibility pursuant to these Grievance Procedures.

#### **2A.17 Objective Evaluation of All Relevant Evidence; Credibility Determinations**

The investigators and decision-makers under these Grievance Procedures will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and will not make any credibility determinations based on a person's status as a Complainant, Respondent, or witness.

#### **2A.18 Academic Freedom**

SCC affirms its commitment to academic freedom but notes that academic freedom does not allow any form of Sexual Harassment. SCC recognizes that an essential function of education is a probing of opinions and an exploration of ideas, some of which, because they are controversial, may cause students and others discomfort. This discomfort, as a product of free academic inquiry within a faculty member's area(s) of expertise, shall in no way be considered or construed to constitute Sexual Harassment. Academic inquiry may involve teaching, research and extramural speech. Furthermore, nothing in this document shall be interpreted to prohibit bona fide academic requirements for a specific SCC program or activity. When investigating complaints that a party or the Title IX Coordinator believes may involve issues of academic freedom, the Title IX Coordinator will consult with the Vice President for Academic & Student Affairs with respect to contemporary academic practices and standards.

#### **2A.19 Documentation**

SCC will retain documentation (including but not limited to any Formal Complaint, notifications, recording or transcripts of interviews, investigative report, written findings of fact, petitions for appeal, notifications of decisions (including the final outcome letter), audio recordings of hearings, and written communication with the Complainant and Respondent), for no less than seven years.

#### **2A.20 Consolidation of Formal Complaints**

SCC may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, by more than one Complainant against one or more Respondents, or by one party against the other party where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in these Grievance Procedures to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

#### **2A.21 Individuals with Disabilities**

SCC will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in SCC's grievance processes. Student requests for accommodation must be made to the Disability Services Coordinator. All other requests for accommodation must be made to the Executive Director of Human Resources & Board Relations.

### **B. THE INVESTIGATION**

#### **2B.01 Appointment of Investigators and Challenging of the Same**

Unless a Formal Complaint is dismissed or the parties elect to participate in informal resolution, the Title IX Coordinator will promptly appoint one or more investigators. These investigators may be SCC employees, non-employees, or a combination of the two. The Title IX Coordinator will contemporaneously share their names and contact information with the Complainant and the Respondent and also will forward a copy of the Formal Complaint to the investigators.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the assigned investigators. The Title IX Coordinator will consider such statements and will promptly assign different investigators if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

### **2B.02 The Investigators' Activities**

Upon receipt of the Formal Complaint, the investigators will promptly begin their investigation, taking such steps as interviewing the Complainant, the Respondent, and witnesses (including expert witnesses, where applicable); summarizing such interviews in writing; collecting and reviewing relevant documents; visiting, inspecting, and taking or reviewing photographs of relevant sites; and collecting and reviewing other relevant evidence.

### **2B.03 The Investigative Report and Evidence Review**

The investigators will prepare a written investigative report that fairly summarizes relevant evidence and includes items such as the Formal Complaint, written statements of position, summaries or transcripts of all interviews conducted, photographs, descriptions of relevant evidence, and summaries or copies of relevant electronic records.

Prior to the completion of the investigative report, the investigators will send to each party and the party's advisor, if any, an electronic or hard copy of any evidence obtained during the investigation that is directly related to the allegations raised in the Formal Complaint, including (1) any evidence upon which SCC does not intend to rely in reaching a determination regarding responsibility; and (2) both inculpatory and exculpatory evidence.

The parties have ten days from the time that the evidence is provided to submit to the investigators a written response to the evidence. In the response, the parties may address the relevancy of any evidence that the parties believe should be included in or excluded from the investigative report and may also address any further investigation activities or questions that they believe are necessary. If a party wishes to submit additional evidence at this stage, they should explain how the evidence is relevant and why it was not previously provided.

The investigators will review and consider the parties' written submissions and may conduct additional investigative activities as appropriate prior to finalizing the investigative report. The need for additional investigative activities may result in a delay or extension to the timelines set forth in these Grievance Procedures.

At least ten days prior to the hearing, the investigators will send an electronic or hard copy of the investigative report to each party and the party's advisor, if any. Any response a party wishes to make to the investigative report may be included in that party's pre-hearing statement, which is discussed more below in Section 2C.05. Due to the sensitive nature of the investigative report, neither the parties nor their advisors may copy, publish, photograph, print, image, record or in any other manner duplicate the report. Parties who violate these restrictions may be disciplined, and advisors who violate these restrictions may be disciplined and/or be barred from further participation in the grievance process.

Nothing in this document restricts the ability of either party to discuss the allegations under investigation or to gather, preserve, and/or present relevant evidence.

### **2B.04 Submission of Evidence; Expert Witnesses**

Any evidence that the parties wish for the hearing officer to consider should be presented to the investigators as early as possible during the investigation process. Evidence that is not submitted in a timely manner and prior to finalization of the investigative report may be excluded from the hearing at the discretion of the hearing officer.

Similarly, all relevant witnesses should be identified to the investigators as early as possible during the investigation. The hearing officer generally will not call or consider written statements from witnesses who were not identified to investigators and interviewed during the investigation. However, in their discretion and for good cause, the hearing officer may choose to consider information from witnesses who were not interviewed during the investigation.

Any party who wishes to present testimony from an expert witness should identify that witness by providing the witness's name, contact information and a summary of (1) the witness's qualifications to offer expert testimony; and (2) any opinions the witness expects to offer related to the allegations or evidence. Any evidence upon which the witness relies must be provided to the investigators and will be made available to the other party and their advisor, as well as to any expert witness the other party has identified. This information must be provided as early as possible in the investigation and in no event later than finalization of the investigative report. The parties must make any expert witnesses available to be interviewed by investigators and to testify at the hearing. If an expert witness is not available to provide live testimony at the hearing, the hearing officer must disregard any information submitted by that expert.

#### **2B.05 Treatment Records**

SCC will not access, consider, disclose, or otherwise use in a grievance process any party's treatment records that are maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional/paraprofessional capacity unless the party provides voluntary, written consent.

### **C. HEARING AND APPEALS**

#### **2C.01 The Formal Resolution Process**

Unless a Formal Complaint is dismissed or the parties elect to participate in informal resolution pursuant to section 2.D.01 below, following the investigation the appointed hearing officer will conduct a hearing in which they may question the Complainant, the Respondent, and any witnesses whose testimony the hearing officer deems relevant. During the hearing, the hearing officer and the parties may also question the investigators as necessary to clarify information provided in the investigative report.

#### **2C.02 Appointment of the Hearing Officer and Challenging of the Same**

The Title IX Coordinator will appoint a hearing officer, who will administer the hearing, serve as the decision-maker regarding responsibility, and (as applicable) recommend sanctions. The hearing officer may be a SCC employee or non-employee. The Title IX Coordinator will contemporaneously share the hearing officer's name and contact information with the Complainant and the Respondent. The Title IX Coordinator will provide to the hearing officer the Formal Complaint, all evidence directly related to the allegations, the parties' written responses to the evidence, and the investigative report.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the hearing officer. The Title IX Coordinator will carefully consider such statements and will promptly assign a different hearing officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

#### **2C.03 Notice of the Hearing**

Promptly after the appointment of the hearing officer and no less than seven days prior to the hearing, the hearing officer will provide concurrent written notice to the Complainant and the Respondent setting forth the date, time, and location of the hearing. Any modifications to the hearing date, time, or location will be provided in writing to both parties prior to the date of the hearing.

#### **2C.04 Pre-Hearing Submissions**

Each party may submit a written statement to the hearing officer that includes any response the party wishes to make to the investigative report. Each party's pre-hearing statement must be submitted at least five days prior to the hearing. The hearing officer will share the statement with the other party, who may submit a response within two days.

#### **2C.05 Failure to Appear**

If any party, advisor, or witness fails to appear at the hearing after having been provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the hearing officer will proceed with the hearing and issuance of their responsibility determination and, as applicable, sanction recommendation. SCC will provide an advisor to any party who attends the hearing unaccompanied.

#### **2C.07 Evidentiary Matters**

A Title IX hearing does not take place within a court of law and is not bound by formal rules of evidence. Evidence of and questions about the Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted at the hearing, with the following exceptions: (1) if the questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or (2) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.

Evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally investigated or found responsible for such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged Sexual Harassment at issue before the hearing officer, provided that the Respondent has not been found "not responsible" by SCC in a proceeding related to such conduct.

SCC will not access, consider, disclose, or otherwise use in a grievance process any party's treatment records that are maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional/paraprofessional capacity unless the party provides voluntary, written consent. Questions and/or evidence that constitute or seek disclosure of information protected under a legally recognized privilege are not permitted, unless the person holding the privilege has waived the privilege in writing.

SCC will make the evidence that the investigators provided to the parties for their review and inspection prior to finalization of the investigative report available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

#### **2C.08 Conduct of the Hearing and Questioning of Witnesses and Parties**

The hearing will be conducted with parties in separate rooms, using technology to ensure that each party can see and hear any party or witness answering questions. At the discretion of the hearing officer, the hearing may be conducted partially or entirely remotely, with any or all participants participating virtually.

The Complainant and the Respondent will have equal opportunity to address the hearing officer, if desired, and both the hearing officer and the parties' advisors will have the opportunity to question the other party



and any witnesses, including investigators and expert witnesses. The hearing officer will first ask any questions of each party and each witness through direct examination. After the hearing officer has completed direct examination, the advisor for each party will have an opportunity to conduct a cross-examination of the other party and/or the witnesses. Any questions that a party has for a witness or the other party must be posed by the party's advisor. A party's advisor will not have the opportunity to question the party for whom they serve as advisor.

Before a party or witness answers a cross-examination question, the hearing officer will determine whether the question is relevant and allowed under these Grievance Procedures. For example, the hearing officer may exclude as not relevant duplicative questions or questions posed solely to harass a witness or the other party. The hearing officer will explain any decision to exclude a question.

If a party does not have an advisor present at the hearing, SCC will provide an advisor, at no cost to the party, to conduct cross-examination on behalf of that party.

Members of the SCC community are expected to provide truthful testimony, and any member of the SCC community who knowingly provides false information during this process is subject to discipline.

#### **2C.09 Unavailability or Refusal to Testify or Submit to Cross-Examination**

The Respondent and/or the Complainant may choose not to testify at the hearing; however, the exercise of that option will not preclude the hearing officer from making their responsibility determination and, as applicable, sanction recommendation regarding the Formal Complaint. Also, if a party or witness does not submit to cross-examination at the hearing, the hearing officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility or, as applicable, recommendation regarding sanctions. The hearing officer will not draw an inference regarding responsibility or sanctions based solely on a party's or witness' absence from the hearing or refusal to testify or submit to cross-examination.

#### **2C.10 Recording**

SCC will record the hearing. This recording will be the only recording permitted of the proceedings and will be the property of SCC. The parties and the appeal officer may use the recording as part of the appeal process. Reasonable care will be taken to ensure a quality recording; however, technological problems that result in no recording or in an inaudible one will not affect the validity of the outcome of a hearing.

#### **2C.11 The Determination of the Hearing Officer Regarding Responsibility**

Following the hearing, the hearing officer will determine whether the evidence establishes that it is more likely than not<sup>5</sup> that the Respondent committed Sexual Harassment. The hearing officer will render a finding of "Responsible" or "Not Responsible" and will provide the rationale for the decision. If the Respondent is found "Responsible," the hearing officer will specify the specific type(s) of Sexual Harassment for which the Respondent is found "Responsible" (for example, Sexual Assault, Stalking, etc.). When feasible, the hearing officer will orally communicate the finding of "Responsible" or "Not Responsible" to the parties on the day of or day following the hearing. Additional information regarding the decision, including the rationale and sanctions (if applicable) will be communicated in the final outcome letter (as described below).

#### **2C.12 The Recommendation of the Hearing Officer Regarding Sanctions**

If the hearing officer determines that the Respondent is "Responsible," they will recommend appropriate sanctions to be imposed on the Respondent.

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<sup>5</sup> In other words, the standard of proof will be the preponderance of the evidence standard.

Sanctions following a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline, or both. Sanctions for employees may include, but are not limited to, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, and compensation adjustments.

Sanctions for students may include, but are not limited to, expulsion or suspension from SCC, disciplinary probation, social restrictions, expulsion or suspension from campus housing, suspension or revocation of admission, suspension or revocation of degree.

Other potential sanctions for Respondents may include, but are not limited to, written warning, mandated counseling, completion of an intervention program, completion of violence risk assessment, parental notification, and/or education sanctions (such as community service, reflection paper(s), and/or fines) as deemed appropriate by the hearing officer.

In recommending sanctions, the hearing officer will consider whether a sanction will bring an end to, prevent a recurrence of, and remedy the effects of the Sexual Harassment. The hearing officer also will consider the impact of separating a student from their education. The appropriate sanctions for Sexual Assault generally will include at a minimum a period of separation from SCC.

### **2C.13 Review of Sanctions**

The hearing officer will forward their sanctions recommendation to the Title IX Coordinator, who will share it with other designated college administrators. These individuals will consider the recommendation in the context of the sanctioning guidelines, the Respondent's disciplinary history, the institution's handling of similar cases, and other relevant factors.

### **2C.14 Implementation of Sanctions**

Sanctions generally are effective immediately upon issuance of the final outcome letter described below. However, if necessary to protect the welfare of the Complainant, Respondent, or SCC community, the hearing officer may recommend and/or the Title IX Coordinator may determine that any sanctions are effective at any time after the conclusion of the hearing and continue in effect until the issuance of the final outcome letter.

### **2C.15 Final Outcome Letter**

Within seven days after the hearing, the hearing officer will issue a final outcome letter through the Title IX Coordinator to the Respondent and Complainant simultaneously.

The final outcome letter will (1) name the Respondent; (2) identify the allegations potentially constituting Sexual Harassment; (3) describe procedural steps taken from the filing of the Formal Complainant through the determination; (4) provide findings of fact in support of the hearing officer's determination; and (5) provide a statement of rationale for the result as to each allegation, including the responsibility determination and any sanctions.

### **2C.16 Appeals**

The Complainant or the Respondent may appeal the decision of the hearing officer regarding responsibility and/or the sanction(s) imposed on the Respondent.

The following are the only permissible grounds for an appeal of the hearing officer's responsibility determination: (1) procedural irregularity that affected the outcome; (2) new evidence that was not reasonably available at the time of the determination and that could affect the outcome; and (3) the Title IX Coordinator, an investigator, or the hearing officer had a conflict of interest or bias that affected the outcome.

Sanctions may only be appealed on the ground that the severity is incommensurate to the gravity of the Sexual Harassment for which the Respondent was found responsible.

Appeals must be submitted in writing to the Title IX Coordinator within five days from the date of the final outcome letter. The Title IX Coordinator will promptly inform the other party of the filing of the appeal. The other party will have three days from such notification to submit a written response to the appeal.

#### **2C.17 Appointment of the Appeal Officer and Challenging of the Same**

Upon receipt of an appeal, the Title IX Coordinator, in consultation with the other college administrators will appoint an appeal officer.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that appeal officer. The Title IX Coordinator will carefully consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

#### **2C.18 Appellate Review**

The Title IX Coordinator will share the Formal Complaint, the investigative report, the hearing recording, all statements introduced at the hearing, any other evidence considered by the hearing officer, the hearing officer's written findings, and the written appeal submissions with the appeal officer. In addition, if an appeal raises procedural issues, the Title IX Coordinator may provide the appeal officer additional information relevant to those issues.

Within ten days of the receipt of the appeal the appeal officer will determine (a) that the decision of the hearing officer should stand; or (b) that the decision of the hearing officer should be overturned and will issue a written explanation of that result and the rationale behind it.

In the event that the appeal officer determines that the decision of the hearing officer should be overturned, the appeal officer will specify, after consultation with the Title IX Coordinator and other SCC administrators as necessary, the appropriate steps to be taken to come to a final resolution of the Formal Complaint (which may include another hearing before the same hearing officer or a different one).

### **D. INFORMAL RESOLUTION**

#### **2D.01 Determination of Formal Versus Informal Resolution**

At any time before the issuance of the hearing officer's responsibility determination, the parties may elect to resolve the Formal Complaint through the informal resolution process, provided that (1) the parties both voluntarily consent in writing to such resolution; (2) both parties are students or employees of SCC; and (3) the Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving that specific Formal Complaint. Otherwise, a Formal Complaint that is not dismissed will proceed to a hearing. Informal resolution is not an appropriate mechanism for resolving a Formal Complaint by a student against an employee.

Informal resolution may not be selected for less than all of the misconduct alleged in the Formal Complaint. If the parties agree to informal resolution (and informal resolution is appropriate for all of the allegations at issue), then all of the allegations must be resolved according to the informal resolution process.

Either party has the right to terminate the informal resolution process at any time and proceed with formal resolution (i.e., a full investigation and hearing). Furthermore, the Title IX Coordinator may, where appropriate, terminate informal resolution and proceed with the formal resolution process instead.

## **2D.02 Notice of Allegations and Notice of Informal Resolution and Facilitator**

The Title IX Coordinator will provide the parties a written notice disclosing the Formal Complaint's allegations and the requirements of the informal resolution process, including any circumstances under which SCC would preclude the parties from resuming a Formal Complaint arising from the same allegations.

When the Formal Complaint is to be resolved according to the informal resolution process, the Title IX Coordinator will designate a trained individual to serve as the informal resolution facilitator. The Title IX Coordinator will contemporaneously share the name of the informal resolution facilitator with the Complainant and the Respondent.

Within two days of such notification, the Complainant or Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that facilitator. The Title IX Coordinator will carefully consider such statements and will promptly assign a different facilitator if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

## **2D.03 Facilitated Resolution**

The informal resolution facilitator will meet separately with each party to review the informal resolution process and the allegations in the Formal Complaint and to identify the outcome that each party seeks from the informal resolution process. If the facilitator determines that it would be productive for both parties to attend a resolution meeting, the facilitator will provide written notice to the Complainant and the Respondent setting forth the date, time, and location of that meeting. At the request of either party or at the discretion of the informal resolution facilitator, the meeting may occur with the parties in different locations or meetings with parties may take place on different dates.

Both the Complainant and the Respondent are expected to participate in the informal resolution process. If either party fails to participate, the Title IX Coordinator may direct that the Formal Complaint be resolved using a full investigation and hearing or may reschedule the meeting.

During informal resolution, the parties may: (1) engage one another in the presence of, and/or facilitated by, the informal resolution facilitator; (2) communicate their feelings and perceptions regarding the incident and the impact of the incident (either by communicating directly with one another or by communicating indirectly through the informal resolution facilitator); (3) relay their wishes and expectations regarding the future; and/or (4) come to an agreed-upon resolution of the allegations in the Formal Complaint.

Participation in the informal resolution process is completely voluntary, and either party, the informal resolution facilitator, or the Title IX Coordinator may terminate the process at any time.

## **2D.04 Resolution**

The informal resolution facilitator will attempt to facilitate the parties' resolution of the Formal Complaint. If this process results in a resolution between the parties and the Title IX Coordinator finds the resolution to be appropriate under the circumstances (giving consideration to factors including the extent to which the resolution will protect the safety of the Complainant and the entire SCC community), the resolution will be reduced to writing, which will conclude the process and close the Formal Complaint.

## **2D.05 Written Resolution Agreement**

To be effective, any agreement reached during the informal resolution process must be memorialized in writing and signed by the parties, the informal resolution facilitator, and the Title IX Coordinator. If a Respondent completes all measures agreed to in the written resolution agreement, no further process is available with regard to the allegations in the Formal Complaint.

Measures that parties agree to in the informal resolution process may include (but are not limited to):

- 1) Alcohol education classes for the Respondent;
- 2) Completion of online sexual harassment training;
- 3) Completion of an intervention program;
- 4) Regular meetings with an appropriate individual, unit or resource;
- 5) Permanent or temporary no contact order;
- 6) Restrictions for participation in certain activities, organizations, programs or classes;
- 7) Change in residential assignment or restrictions on access to certain residence halls or apartments;
- 8) Restriction of participation in certain events;
- 9) Reflection paper or written apology;
- 10) Counseling sessions; and/or
- 11) The Respondent's completion of an educational or behavioral plan.

#### **2D.06 Termination of Informal Resolution Process**

At any time prior to completing a written resolution agreement, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint. If either party terminates the informal resolution process or SCC determines that the informal resolution process is no longer appropriate, the formal resolution process outlined above will promptly resume.

#### **2D.07 Confidentiality of Information Shared**

Any information that the parties share during the informal resolution process may not be used in any other investigation or proceeding at SCC.

#### **2D.08 Timeframe**

The informal resolution process generally will be completed within 20 days of the parties' agreement to the informal resolution process.

#### **2D.09 Appeal**

A resolution reached pursuant to the informal resolution process is final and not subject to appeal.

#### **2D.10 Records**

A resolution reached through the informal resolution process will not be included in a student Respondent's student conduct record or in an employee Respondent's personnel record, unless the inclusion of such information is agreed to as part of the informal resolution of the matter. The Title IX Coordinator will retain a record of the written resolution agreement for no less than seven years. **EXHIBIT A**

### **Suggested Actions for People Who Have Experienced Sexual Harassment**

If you have experienced Sexual Harassment, SCC's first priority is to help you take steps to address your safety, medical needs and emotional well-being. You are encouraged to take the following actions, as applicable, regardless of whether you have made a decision about whether to pursue a criminal or SCC complaint.

#### **1. Ensure Your Physical Safety**

Campus Security can assist you with contacting local enforcement and can help you obtain transportation to the local law enforcement office. Campus security can be reached at 910-900-4034.

#### **2. Seek Medical Assistance and Treatment**

It is crucial that you obtain medical attention as soon as possible after a sexual assault, for example, to determine the extent of physical injury and to prevent or treat sexually transmitted diseases (such as HIV). Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

If you choose to have an evidence collection kit (or “rape kit”) completed, it is important to do so within 120 hours.

Even if you have not decided whether to file charges, it is advisable to have the evidence collection kit completed so that you can better preserve the options of obtaining a protective order and/or filing criminal charges at a later date.

It is advisable to avoid showering, bathing, going to the bathroom, or brushing your teeth before an evidence collection kit is completed. You should also wear (or take with you in a paper – not plastic – bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

### **3. Obtain Emotional Support**

Students may contact the Student Assistance Program administered by McLaughlin Young at 1-800-633-3353 to help students sort through their feelings and begin the recovery process. The professionals at the Counseling Center are trained to provide crisis intervention on short-term and emergency issues. The Counseling Center can also provide referral services for outside providers and law enforcement. Counseling is free of charge to all students. In some instances, the law may require the disclosure of information shared by students with counselors. However, absent a legal mandate to the contrary, counseling services are strictly confidential, are not part of students’ records, and will not be reported to other SCC personnel.

Employees may contact the Employee Assistance Program administered by McLaughlin Young at 1-800-633-3353 to obtain emotional support.

### **4. Obtain Information/Report Misconduct**

You are encouraged to report incidents of sexual assault to SCC’s Title IX Coordinator (even if you have filed a report directly with law enforcement). The Title IX Coordinator can help you access resources and can provide you with support and information, including information on SCC’s procedures for investigating and addressing instances of sexual assault.

#### **Important Contact Information**

Executive Director of Human Resources & Board Relations/Title IX Coordinator  
Frankie Sutter, 910-900-4043  
[fsutter@sampsoncc.edu](mailto:fsutter@sampsoncc.edu)

Director of Security  
Darryl Grady, 910-900-4034  
[dgrady@sampsoncc.edu](mailto:dgrady@sampsoncc.edu)



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**SCC Policy and Procedure: Social Media**

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**Legal Authority:** Civil Rights Act of 1964, as amended; Title IX of Higher Education Act of 1972, as amended; and, Chapter 99D NCGS. NC Public Records Act, NCGS 132-1

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**Approval Date:** Fall 2022

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**Review/Revision Dates:** Fall 2022

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## SOCIAL MEDIA POLICY

Sampson Community College recognizes social media sites are important communication tools. The Board of Trustees authorizes the college President to develop policies and procedures for the management of social media use.

The College defines social media to include online platforms such as professional or social networking, posting commentary or opinions, sharing pictures, audio, video, or other content which includes but are not limited to Facebook®, LinkedIn®, YouTube™, Twitter™, blogs, message boards, professional forums and chat rooms.

The College reserves the right to remove any content and/or social media page for any reason the College determines is not in its best interests, including but not limited to, content deemed threatening to the safety or well-being of its employees or students; content that violates intellectual property rights or privacy laws; is a violation of the College policies; commercial promotions not related to or affiliated with the College; or, content in violation of federal or state law. In addition, the College reserves the right to archive content from its official college-sponsored pages or sites.

The following govern the use of social media at the College:

- College employees must exercise good, professional judgment when using official college social media sites to ensure that communications are appropriate, professional, maintain the security of the College's network and comply with local, state and federal laws and with college's technology use procedures. Social media accounts controlled by the College are subject to records retention regulations.
- The College encourages employees to use college social media sites for educational purposes. The College allows for reasonable use of social media to enhance instruction, participate in audio conferences and webinars, and to inform the public about college activities and developments.
- The College respects its employees' right to express personal opinions when using personal social media for lawful purposes; however, employees should be judicious when communicating online and avoid the dissemination of information that is harmful to the College's mission or interests. When employees publish information and opinions online, they are legally responsible for their commentary and the posted information. Social networks are public spaces; therefore, employees should be as respectful to the College, its employees, students and other affiliates as they would be in person.
- All of the College's policies continue to apply in the context of social media. Employees should consider these policies before posting anything in their communications that might

reference or be a reflection on the College.

- All employees are expected and required to protect the College's confidential information. College confidential information should never be transmitted or forwarded to outside individuals or recipients not authorized to receive the information. The College requires lawful use of technology among members of the campus community.
- Employees are also cautioned that they should have no expectation of privacy while using college resources, including social media. The College reserves the right, at its discretion, to review any employee's college-owned electronic files, messages, and utilization to the fullest extent necessary to maintain the integrity of the system and ensure electronic media and services are being used in compliance with the law, this policy and other college policies.
- The College strongly encourages employees to carefully review the privacy settings on any social media sites they use and exercise care and good judgment when posting content and information to these sites. Given applicable law, some files, messages, or utilization may eventually become public in connection with matters that may arise regarding the College.
- Social media use that is abusive, derogatory, insulting, false or fails to comply with the College's anti-harassment or EEO policies is strictly prohibited. College employees, students, and visitors to the College's Facebook page have the right to free speech or comment pursuant to the First Amendment to the Constitution of the United States, provided that speech is exercised in accordance with the College's policies related to sexual misconduct, discrimination, harassment, or violence. Those persons who post to the College's Facebook page should be self-governed by the Civil Rights Act of 1964, as amended; Title IX of Higher Education Act of 1972, as amended; and, Chapter 99D of the General Statutes of North Carolina.
- The College neither discourages nor encourages departments, programs clubs or organizations from utilizing social media to communicate with internal or prospective constituents. The College does not recognize these entities as communicating on behalf of the College, nor does it wish any member of the public to perceive it to be so. Any program, department, club or organization affiliated with the College that is using or intends to leverage social media (blogs, Facebook, Twitter, Tumblr, Instagram, etc.) is required to notify their supervisor and the College's Communication Administrator.

College employees and students must, at all times, exhibit the highest standards of ethics and professionalism. Such standards include concern for other person's needs, respect for fellow employees and students, and maintaining community standards. Employees may not engage in any personal or political activity that might lead to a conflict of interest.

Employees violating any of the College's policies in connection with social media use are subject to revocation of electronic media privileges as well as discipline, up to and including termination. Furthermore, employees using the system for defamatory, illegal, or fraudulent purposes and employees who break into areas of the College's electronic media systems may also be subject to civil liability and criminal prosecution.

Visitors to the College's social media pages or websites who violate any of the College's policies in



connection with social media use are subject to revocation of electronic media privileges and will be blocked from accessing these sites.

Any questions regarding the application of this policy or whether information is confidential, proprietary, copyrighted, or otherwise appropriate for posting or release should be referred to the College's Communication Administrator.



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**SCC Policy and Procedure:** Title IX of the Educational Amendments of 1972

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**Legal Authority:** Title IX

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**Approval Date:** Spring 2012

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**Review/Revision Dates:** Fall 2022

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## TITLE IX OF THE EDUCATIONAL AMENDMENTS OF 1972

The Board of Trustees and the Administration of Sampson Community College are fully committed to the principles and practice of equal employment and educational opportunities. The College does not practice or condone discrimination in any form, against students, employees, or applicants on the grounds of race, color, national origin, religion, sex, age, disability, or political affiliation. The College commits itself to positive action to secure equal opportunity regardless of those characteristics.

The College prohibits all forms of illegal discrimination and fosters a campus environment which empowers individuals to bring forth claims of illegal discrimination without fear of retaliation. No form of illegal discrimination shall be tolerated whether it arises in the employment environment or in some manner which impedes the ability of students, employees, and others to access any college service. The College will emphasize training to help faculty, staff, and students recognize, intervene, prevent, and end illegal discrimination based on sex or gender, including sexual harassment, sexual violence, sexual assault, stalking, domestic violence, dating violence, or other forms of intimate partner violence.

It is the goal of the College to provide the safest educational environment possible. The College employs one full-time Director of Security and other part-time Clinton City Police Department officers as security personnel. These officers serve as representatives of the College and have full law enforcement authority to provide coverage of the main campus during the College's scheduled hours of operation. All criminal incidents that occur at college sponsored off-campus activities should be reported to the college official in charge of the activity and the appropriate law enforcement agency having jurisdiction. Campus security personnel will investigate and document incidents that are reported.

### GRIEVANCE PROCEDURES

Employees or students who believe they are victims of, or witnesses to, sexual harassment or discrimination, should report the matter immediately to one of the grievance officers so that appropriate corrective action may be taken. When an allegation of misconduct is made, the College will:

- Inform the alleged victim of options and assistance which may be available to them;
- Maintain confidentiality to the fullest extent permitted by law;
- Thoroughly and impartially investigate the allegation;
- When reasonably necessary, provide an interim remedy(ies) pending a final resolution;
- Provide all parties involved in the allegation a prompt and equitable determination of the merits of the claim;
- Decide whether the allegations are more likely than not to have occurred (preponderance of the evidence standard); and, if it is more likely than not that the allegations occurred, resolve the allegations in a manner designed to end the discrimination, prevent its reoccurrence, remedy the effects upon the victim and the community, and impose reasonable sanctions on any party found to have engaged in behavior prohibited by this policy.

Any individual who does not feel that appropriate action has been taken as a result of a harassment or discrimination report may appeal to the Board of Trustees. For definitions of prohibited conduct and

additional information regarding Title IX policies and procedures, please visit the Title IX webpage at [www.sampsoncc.edu](http://www.sampsoncc.edu).

### **GRIEVANCE OFFICERS**

Dean of Student Services - North Building (910) 900-4076

Executive Director of Human Resources & Board Relations - Title IX Compliance Officer (910) 900-4043

Director of Security - Warren Student Center (910) 900-4034

If none of these grievance officers are available, employees should report such incidents through the chain of command or to the College president. Students should report such incidents to their instructor or any member of the College administration.



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**SCC Policy and Procedure: Vaccinations Requirements Employees and Students**

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**Legal Authority:** NCGS 130A**Approval Date:** Spring 2022**Review/Revision Dates:** Fall 2022

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## VACCINATIONS REQUIREMENTS EMPLOYEES AND STUDENTS

### Employees

Proof of immunizations are not required for employment by Sampson Community College. While The College does not mandate that employees receive vaccinations, clinical facilities/program sites reserve the right to mandate vaccinations for employees who work in certain programs, including but not limited to, Basic Law Enforcement Training, Associate Degree Nursing, Practical Nursing, Nursing Assistant, Medical Assisting, and Emergency Medical Sciences.

Employees must comply with the policies and procedures of the clinical/program host sites. If an employee chooses not to comply with these policies and expectations, they may not be able to perform any duties at clinical/program host sites requiring vaccinations. In compliance with Title VII of the Civil Rights Act of 1964, exemptions for vaccines based on medical or religious reasons may be requested from the clinical site. Employees may be required to submit adequate documentation to support these claims and the determination for granting exemptions comes from the clinical/program site.

In such cases where an employee fails to meet clinical/program site policy requirements and a reasonable accommodation cannot be provided, the employee will be removed from the responsibilities assigned at the site, which may result in an inability to fulfill employment requirements and termination of employment.

### Students

Sampson Community College does not require specific vaccines in order to enroll or attend classes on campus. Nursing and health science programs require clinical hours to be completed at one or more at clinical sites under agreement with The College. Students admitted to these programs must comply with the requirements set by outside clinical agencies which may include a criminal background check, drug screen, physical, and/or specific vaccines. Decisions about an individual student's presence in the clinical environment are made by the clinical agencies.

Clinical sites may be subject to the COVID-19 requirements of the Centers for Medicaid and Medicare Services, or other requirements established by the clinical site. Students are guests in these clinical facilities and in order to maintain clinical privileges, must abide by the clinical site's requirements for students and faculty.

Notice of changes of agency requirements may or may not provide students or faculty with advance notice of any changes. If vaccination becomes a requirement at one of SCC's clinical agencies, lack thereof may affect students and their completion of a course and program.

If requirements are made by an SCC clinical agency and a student chooses not to comply, they may not be ineligible to complete the clinical requirements of the program and will become unable to complete a course and the program.



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**SCC Policy and Procedure:** Whistle Blower

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**Legal Authority:** NCGS 126, Article 14

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**Approval Date:** Fall 2022

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**Review/Revision Dates:** Fall 2022

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## WHISTLE BLOWER

If an employee of Sampson Community College reasonably believes that some policy, practice, or activity of the College is in violation of the law, or a clear mandate or public policy, the employee may communicate his or her concern to the immediate supervisor or to the college President without fear of retaliation. If either or both of these communications are inappropriate due to the circumstances of the concern, the employee may communicate the complaint (either orally or in writing) to the Chairman of the Board of Trustees or the North Carolina Office of the State Auditor.