

**BOARD OF TRUSTEES  
POLICY BOOK**

*A Public Institution Supported By  
Alcorn, Prentiss, Tippah, Tishomingo, and  
Union Counties and the State of Mississippi*

The Board of Trustees Reserves the Right to  
Change Policies Stated herein when deemed  
Necessary and Within Accordance of State  
Statutes

2017-2018

NORTHEAST MISSISSIPPI COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
BOONEVILLE, MS 38829

Telephone: (662) 728-7751

## **ORGANIZATION OF THE POLICIES AND PROCEDURES OF NORTHEAST MISSISSIPPI COMMUNITY COLLEGE**

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## *FOREWORD*

This Board Policy Book has been compiled for the purpose of assisting the Board of Trustees in carrying out routine matters during the year and acquainting each Board member with the Policies of the Board of Trustees and of the College.

Careful adherence to Northeast Mississippi Community College Board of Trustees Policy and State statutes contained herein is necessary in order to maintain the effective operation of Northeast Mississippi Community College.

The policies within this book are reviewed annually by the Board Trustees through a Policy Review Committee and are read and approved by the Board of Trustees during a regularly scheduled meeting.

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Section 100

# BASIC COLLEGE FOUNDATIONS

## **ACCREDITATION**

Northeast Mississippi Community College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award the Associate of Arts degree, Associate of Applied Science degree, and Certificates. Contact the Commission of Colleges at 1866 Southern Lane, Decatur Georgia 30033-4097 or call 404- 679-4500 with questions about the accreditation of Northeast Mississippi Community College. Any inquiries to the Commission on Colleges should relate only to the accreditation status of this institution, and not to general admission information.

- a) The Associate Degree Nursing program is accredited by the Accreditation Commission for Education Nursing (ACEN) and by the Board of Trustees of Institutions of Higher Learning, State of Mississippi.
- b) Medical Assisting program is accredited by the Committee on Allied Health Education and Accreditation.
- c) The Dental Hygiene program is accredited by the Commission on Dental Accreditation of the American Dental Association, a specialized accrediting body recognized by the Council on Postsecondary Accreditation by the United States Department of Education.
- d) The Radiologic (Medical) Technology program is accredited by the Joint Review Committee on Education Radiologic Technology – JRCERT.
- e) The Medical Laboratory Technology Program is accredited by the National Accrediting for Clinical Laboratory Sciences.
- f) The Practical Nursing Education Program is accredited by the Mississippi Community College Board (MCCB).

Revised: 08-09-2016

## **COLLEGE BOARD LEGAL STATUS**

The Board of Trustees of the Northeast Mississippi Community College District is established by law as "the general government of the community college and directive of the administration thereof."

*Statutory*

LEGAL REF.: 37-29-67

## **COLLEGE DISTRICT LEGAL STATUS**

Northeast Mississippi Community College District was established and operates under Title 37, Chapter 29, Section 31, of the School Laws of the State of Mississippi, Mississippi Code of 1972.

While governed by a local Board of Trustees, it is subject to the policies of the State Community College Board, which, by law, has been established to administer regulations on the establishment and operation of junior/community college districts in the state.

The law establishes the Northeast Mississippi Community College District as being composed of the Counties of Alcorn, Prentiss, Tippah, Tishomingo, and Union.

The Northeast Mississippi Community College District operates the Northeast at New Albany and Northeast at Corinth centers and the campus at Booneville.

*Statutory*

LEGAL REFS.: 37-29-1 et. seq. MISSISSIPPI CODE OF 1972 CHPT. 29.

## **HISTORY OF NORTHEAST**

The district junior colleges in Mississippi grew out of county agricultural high schools. In 1924 the Legislature first approved post-high school courses, and by 1928, ten of the high schools were offering some kind of college program. The interest in many of the other schools in adding college classes led to the first junior college law, which provided that a separate school district or an agricultural high school meeting certain criteria might establish a junior college.

The law also provided that school districts and county agricultural high schools might unite with other school districts or other counties in the establishment of junior colleges.

The Northeast Mississippi Junior College was incorporated in Prentiss County in 1941, but the construction program was delayed until the end of World War II. Upon completion of the original plant, the College was opened to students in September 1948, as an agricultural high school and junior college comprising Alcorn, Prentiss, Tippah, Tishomingo, and Union counties. The following year, the name was changed to reflect junior college status only. Since that time, the institution has expanded its offerings in curriculum and physical facilities.

On August 1, 1987, The Northeast Mississippi Junior College officially became Northeast Mississippi Community College, by action of the State Board of Trustees for Community and Junior Colleges. Northeast's Board of Trustees first approved the name change at their regular May 1987 meeting and reaffirmed the decision at the July 1987, meeting. The action was taken to use the community college name to reflect the comprehensive curricula and community based nature of the institution. Northeast Mississippi Community College is located in the northeastern part of Mississippi, approximately 190 miles north of Jackson and 100 miles southeast of Memphis, Tennessee. The school has an elevation of 530 feet above sea level. The climate is moderate both summer and winter.

The College is easily accessible by automobile over U. S. Highway 45 (Veterans Memorial Highway) -- N & S; and, State Highways 4 and 30.

The Board of Trustees empowered the college to grant the degrees of Associate of Arts in 1948 and the Associate of Science in Nursing in 1957. Effective 1977-78, the college began awarding the Associate of Applied Science Degree.

In keeping with the philosophy of Northeast, a Department of Career and Technical Education was developed in the fall of 1965 to provide educational opportunities for persons to qualify for employment in various career and technical areas.

A comprehensive evening program is also offered on campus and in off-campus locations. Night classes are taught in core academic subjects and in select areas of Career and Technical Education. The institution serves thousands of persons each year through start-up training programs and industrial training courses provided for local industries. In 1994, a Skill/Tech Center was established on the Northeast campus in conjunction with Mississippi's program of work- force education and training through one- stop career centers at the community colleges. Created by the

Workforce Education Act of 1994, Skill/Tech is a regionally based system for education and training, which responds to the needs of the workforce and employers.

In the Fall of 2000, the college began offering a limited number of classes via internet through the Mississippi Virtual Community College. (MSVCC) This is a consortium of 15 colleges who share instructional resources to students throughout the State. In 2002 MSVCC and each of its members received accreditation from the Southern Association of Colleges and Schools (SACS). This action cleared the way for students to earn an Associate degree through on-line instruction.

In August 2003, the Board of Trustees approved a plan to begin developing Northeast at Corinth and Northeast at New Albany into instructional centers. Northeast at Corinth was the first to open on a limited basis in August 2006.

Phase I construction saw the completion of a comprehensive WIN Job Center with limited class offerings. Northeast at New Albany was developed as a WIN Job Center with limited course offerings until July 2006. The College notified the Southern Association of Colleges and Schools Commission on Colleges that it was ready to fully develop the New Albany site into a comprehensive instructional site. In February 2007, SACSCOC representatives visited the site and approved the center without recommendation. Phase II construction at Northeast at Corinth was completed in January 2009. The expansion includes additional classrooms, a science laboratory, a library, office space, and a student lounge area. In September 2009, SACSCOC representatives visited the Corinth site and approved, without recommendation, the substantive change proposal submitted by Northeast, thereby recognizing Northeast at Corinth as an approved off- campus instructional site. Northeast was reaccredited by SACSCOC for a 10-year period at their June 2010 meeting. In the summer of 2011 the college was notified that the period of accreditation had been extended for one additional year to accommodate the reassignment of schools to the SACSCOC staff.

In September 2016, the college will submit a 5-year Interim Report to the SACSCOC which details progress on the college's Quality Enhancement Plan "Reading Roars."

Revised: 07-01-2015

## **MISSISSIPPI COMMISSION ON COLLEGE ACCREDITATION** **AUTHORIZATION**

The Mississippi Commission on College Accreditation (MCCA) has statutory authority and duty to approve all colleges and universities or other entities that offer one or more postsecondary academic degrees and are domiciled, incorporated or otherwise located in the State of Mississippi. The College is authorized by the MCCA to provide postsecondary academic degrees.

Revised: 07-01-2015

## **PURPOSE STATEMENT**

Northeast Mississippi Community College is a public, comprehensive community college that exists to meet the educational and career needs of individual students and the community within the district it serves - Alcorn, Prentiss, Tippah, Tishomingo, and Union Counties -by awarding the Associate of Arts Degree (AA), Associate of Applied Science Degree (AAS), and Certificates. Beyond this original scope, however, Northeast responds to the needs of all who seek a college education.

To accomplish the intended role and scope of the college, the following institutional goals were established:

1. To provide degree and certificate programs delivered through traditional and distance educational courses delivery, that prepare students for continued studies or immediate employment.
2. To provide a program of student services that will facilitate the educational, career, personal, and social growth of students.
3. To provide developmental studies within the curriculum to strengthen the basic skills of students.
4. To offer continuing education, community services and adult basic education for individuals striving for personal and professional growth and/or personal enrichment.
5. To provide employer-driven, industry-specific workforce education and training to business, industry, and individuals.
6. To provide human resources, financial resources, instructional resources, and physical facilities necessary to offer quality instruction.

Revised: 08-09-2016

## **REAFFIRMATION PLAN FOR REGIONAL ACCREDITATION**

The Board of Trustees directs the College to cooperate with the Commission on Colleges in an effort to comply fully with the Commission's principles. The College will address suggestions and recommendations rendered by the reaffirmation visiting committee in a timely manner and with a goal of full compliance. The College will work cooperatively until the Commission is fully satisfied with the institution's follow-up plan. The Board of Trustees assures the Commission on Colleges that the approved follow-up plan will be implemented as is presented and approved.

## **REGIONAL ACCREDITATION**

The Northeast Board of Trustees acknowledges the Southern Association of Colleges and Schools Commission on Colleges as the standard bearer for quality education within the southeastern region of the United States. Because the Board is aware of the Commission on College's Conditions of Eligibility and the Criteria of Accreditation, it directs the College personnel to cooperate fully with the Commission and to maintain full compliance continuously.

## **SUBSTANTIVE CHANGE**

The College will follow the Substantive Change requirements as set forth by the Southern Association of Colleges and Schools Commission on Colleges, SACSCOC. Substantive Change is defined as a significant modification or expansion of the nature and scope of an accredited institution. It is the responsibility of the President to ensure that Northeast Mississippi Community College follows the substantive change procedures of the Commission on Colleges and informs

the Commission of such changes.

Section 200

# **LOCAL GOVERNANCE**

## **APPROVAL OF CONTRACTUAL AGREEMENTS**

- a. The College may engage in contractual agreements with outside agencies to provide services to the institution.
- b. All professional contractual services must be approved by the Board of Trustees by a simple majority vote and reviewed annually in June.
- c. Documented financial reports should show that the services rendered by such agencies are fiscally productive for the College.

## **BOARD AUTHORITY**

- a. The Board's powers are derived from the State; consequently, it may perform only those acts for which some authority exists. This authority may be expressly stated or implied in state law. The Board's authority to exercise powers within the framework of those laws allows extensive freedom of action.
- b. All powers of the Board lie in its action as a body by Resolution only. Board members acting as individuals have no authority over personnel or school affairs.
- c. Under the law, the Board:

*"...subject to the provisions of 37-29-1 to 37-29- 273,...shall have full power to do all things necessary to the successful operation of the district and the college or colleges or attendance centers located therein to insure educational advantages and opportunities to all the enrollees within the district."*

*Statutory*

LEGAL REF.: MISSISSIPPI CODE 1972, Title 37, Chapter 29 generally.

## **BOARD COMMITTEES**

The Board of Trustees shall generally transact business as a committee of the whole. However, the Chairman may, at the Chairman's discretion, or shall, upon the request of the majority of the members present at any legal meeting, appoint such committees as the Chairman may see fit.

Such committees shall enjoy such executive authority as shall be specifically granted to them by the Board.

## **BOARD MEETINGS**

### **BOARD MEETING AGENDAS**

- a. The President shall prepare all agendas for meetings of the Board. In doing so, the President shall consult, as deemed necessary, with the Chairman of the Board.
- b. The order of business that shall be followed at all regularly scheduled Board meetings is as follows:

- I. Call to Order

- II. Invocation
- III. Approval of Minutes
- IV. Introduction of Guests
- V. Reports of Special Committees
- VI. Unfinished Business
- VII. New Business
- VIII. Other Business
- IX. Monitoring Reports
- X. Status of Funds
- XI. Adjournment

The President shall direct to each member of the Board of Trustees a copy of the monthly Board Agenda no later than the Friday prior to the meeting of the Board on the Tuesday of the following week.

Revised: 05-09-2017

### **BOARD REGULAR MEETINGS**

Regular meetings of the Board of Trustees of Northeast Mississippi Community College shall be held on the second Tuesday of each month at 1:30 p.m., at the Booneville campus of the College.

### **BOARD RULES OF ORDER**

Unless otherwise provided in the Board's policies governing its internal operations and procedures, Robert's Rules of Order, Newly Revised, shall be its official guide to the conduct of official meetings.

### **CALLED MEETINGS OF THE BOARD**

When necessary, a called meeting of the Board will be made by the Chairman or when requested in writing by at least six members of the Board. The special meeting shall be held within five days after the Chairman has received the written request.

### **EXECUTIVE SESSIONS OF THE BOARD**

- a. The Board of Trustees may enter into Executive Session for the transaction of public business, provided however, that all meetings of the Board of Trustees shall commence as an open meeting, and an affirmative vote of three-fifths (3/5) of all members present shall be required to declare an Executive Session.
- b. Any member shall have the right to request by motion a closed determination upon the

issue of whether or not to declare an Executive Session.

- c. Such motion, by majority vote, shall require the meeting to be closed for a preliminary determination of the necessity for Executive Session.
- d. No other business shall be transacted until the discussion of the nature of the matter requiring Executive Session have been completed and a vote on the issue of whether or not to declare an Executive Session has been taken.
- e. The total vote on the question of entering into an Executive Session shall be recorded and spread upon the minutes of the Board of Trustees.
- f. Any such vote whereby Executive Session is declared shall be applicable only to that particular meeting on that particular day.

### **PROCESS TO CALL MEETING**

Special meetings may be called at time, date, and place by the following action:

1. The Board may at any meeting, by Resolution spread upon its minutes, order that any regular monthly meeting or any other meeting previously scheduled to convene thereafter, be omitted entirely or be convened at a different time, date, or place from that previously scheduled, and may order that additional meetings be held at other times, dates, and places.
2. The Chairman may, when the Board is not in session, by order filed in the Office of the President, forthwith, order that any regular monthly meeting or any other meeting previously scheduled to convene thereafter, be omitted entirely or be convened at a different time, date, or place from that previously scheduled, and may order that additional meetings be held at other times, dates, and places. The minutes of the next meeting of the Board after the filing of the Chairman's order shall reflect the fact of the filing of the order, the substance thereof and the action taken accordingly. The Chairman or other person designated by the Chairman, as follows, shall give each member of the Board, notice of actions thus taken by the Chairman:
  - a. Notice of actions omitting a scheduled meeting, or advancing the time or date of additional meeting, shall be given not less than five days before the date of the omitted meeting. The notice shall include the date of the omitted meeting, the date of the meeting as advanced, or the date of the additional meeting.
  - b. Notice of actions changing the place of a scheduled meeting or postponing a scheduled meeting shall be given not less than one day before the date of the meeting as scheduled and, in the case of postponements, the new date shall not be less than five days after the date of notice.
  - c. Notices may be given orally or in writing, as the Chairman deems appropriate in the circumstances.
  - d. Emergency meetings may be called immediately when urgent and necessitous circumstances require, provided a majority of the total

membership concurs in the holding of the meeting when advised in person, by tele- phone, or otherwise, of the time, date, place, and reasons for the emergency meeting, and provided a quorum then assembles.

3. The Chairman shall, on receipt of a written request signed by not less than six (6) members of the Board, call an additional meeting at such time, date, and place, as the Chairman deems appropriate, provided that the date of that meeting is not later than five (5) days after the date of the written request. In such cases, the Chairman shall enter that order calling the meeting in the files within twenty-four (24) hours after receipt of the request. On the Chairman's failure to do so, any member of the Board who signed the written request may act in the Chairman's stead for the purpose of calling the additional meeting.

*Statutory*                    LEGAL REF.: MS LAWS 1975, CH.R 481.

### **PUBLIC MEETINGS OF BOARD**

All meetings shall be public and open, unless the Board of Trustees goes into executive session as provided in the Policy Book, Section 230.08.

### **PUBLIC PARTICIPATION AT BOARD MEETINGS**

All official meetings of the Board of Trustees, unless otherwise provided in the Mississippi Open Meetings Act (Mississippi Laws of 1975, Chapter 481) or in the Constitutions of the United States of America or the State of Mississippi, are declared to be public meetings and shall be open to the public at all times unless declared an Executive Session, as hereinafter provided.

### **QUORUM OF THE BOARD**

- a. Eight members of the Board of Trustees shall constitute a quorum for the transaction of business. The Chairman of the Board shall preside, or in his/her absence, the Vice-Chairman, or the Secretary, or in the absence of all, a Chairman pro tempore, to be elected by a majority of the Trustees present. Business shall be conducted, as nearly as reasonably appropriate, under the provisions of *Robert's Rules of Order, Newly Revised*.
- b. It is the policy of the Board to consider all college business at formal meetings of the Board and to avoid individual commitment through personal interviews with individuals, which might tend to hamper and embarrass Board members or prejudice their individual decisions when matters finally come before the Board for settlement.

### **BOARD MEMBERS COMPENSATION AND EXPENSES**

State law states: "Each community college trustee may be paid, out of junior college funds, a per diem of . . . \$40.00 per meeting ...and, in addition thereto," reimbursement per mile at the college's rate, "... in coming to and returning from said meeting, calculated upon the customary and normally traveled route from the home of such trustee to the campus of ...(the) college."

"Such allowance of per diem and mileage, shall not, however, be allowed for more than fifteen meetings for any one fiscal year and shall only be paid for meetings actually attended..."

*Statutory*

LEGAL REF.: 37-29-65 (revised 1975)

### **BOARD MEMBERS' QUALIFICATIONS**

- a. Board members shall be discreet persons of good moral character, sufficient education and experience.
- b. They must have proven interest in public education and be qualified electors of their respective counties.
- c. Board members must have no contractual, employment, or personal or familial financial interest in the institution.

*Statutory*

LEGAL REF.: 37-29-65

### **BOARD MINUTES**

- a. Minutes shall be kept of all meetings of the Board of Trustees, whether in open or in executive session, showing the members present and accurately recording any final actions taken at such meeting. The minutes shall be recorded and shall be open to public inspection during regular business hours within a reasonable time after recess or adjournment. All minutes shall be signed by the Chairman of the Board of Trustees and shall be attested by the Secretary of the Board.
- b. The President or a designee shall keep complete records of meetings of the Board. These minutes shall include:
  1. A record of all actions taken by the Board.
  2. Resolutions and motions in full, and the names of members making and seconding them; motions recorded as passing or failing; reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
  3. Board members may request roll call vote and members may request their voting recorded.
  4. Board members present.
- c. The minutes shall become permanent records of the Board and shall be in the custody of the President.

## **BOARD OFFICERS**

### **ORGANIZATION AND ELECTION OF BOARD OFFICERS**

- a. Officers of the Board shall be a Chairman, a Vice- Chairman, and a Secretary. These officers shall be elected from the Board of Trustees by its membership. Vacancies shall be filled at the next regular meeting after they occur.
- b. The election of any said officer(s) shall be placed on the agenda.
- c. Elected officers shall serve for a term of two (2) years or until the current term of his/her appointment has expired, whichever occurs first.
- d. At the designated time to elect an officer(s), the Chairman shall request from the Board if the method of election is to be open or to be by ballot.
- e. Any officer may be re-elected to office for an unlimited number of times.

### **DUTIES OF THE BOARD CHAIRMAN**

- a. Preside at all meetings of the Board.
- b. Appoint special committees unless otherwise specifically provided by passage of motion at the Board meeting.
- c. Sign all necessary legal instruments approved by the Board including minutes of meetings and contracts.
- d. When necessary, call special meetings of the Board.
- e. The Chairman of the Board is permitted to vote on matters before the Board when his/her vote will break a tie vote. Exception: The Chairman may vote on all matters when the Board operates as a committee of the whole (i.e. Presidential selection).

### **DUTIES OF THE BOARD VICE CHAIRMAN**

- a. In the absence of the Chairman, the Vice Chairman shall have all executive powers of the Chairman.
- b. In regular session, when the Chairman is present, the Vice Chairman shall participate as a regular member of the Board.
- c. Vice Chairman shall serve as Chairman of Presidential Evaluation Committee.

Revised: 08-09-2016

### **DUTIES OF THE BOARD SECRETARY**

- a. In the absence of the Chairman and the Vice Chairman, the Secretary shall become the executive officer with full authority to conduct regularly scheduled meetings.

- b. Be responsible for maintaining an accurate record of the minutes of the Board.
- c. Sign all necessary legal instruments and minutes of the Board.

## **BOARD POLICY**

### **DEFINITION OF POLICY AND PROCEDURE**

The Board of Trustees defines POLICY as “A written statement endorsed by the Board of Trustees that establishes a direction or standard that the administration is expected to support by developing appropriate procedures.”

The Board of Trustees defines PROCEDURE as “A written process or method that reflects a direct policy of the Board of Trustees or the established mission of the college.”

### **AMENDMENTS TO POLICY**

The Board's policies may be altered or amended at any regular meeting by eight (8) affirmative votes of the Board, provided that notice of the proposed action shall have been given at the last regular meeting and made a part of the minutes of said meeting, or provided a written notice of proposed changes is mailed to each Board member through the Office of the President of the College at least ten (10) days before said meeting.

### **ATTORNEY INVOLVEMENT IN POLICY DEVELOPMENT**

The President shall seek the counsel of the College Attorney when, in his/her opinion or the Board's, there may be a question of legality or proper legal procedure in the development of a proposed policy.

### **FORMAL BOARD ACTION**

It is the policy of the Board to consider all college business at formal meetings of the Board and to avoid individual commitment through personal interviews or prejudice their individual decisions when matters finally come before the Board for settlement. The Board individually and collectively rejects undue pressure from political, religious, or other external bodies, and it protects the administration and faculty from similar pressures.

The Board shall:

- a) Prepare annually a budget which shall contain a detailed estimate of the revenues and expenses anticipated for the ensuing year for general operation and maintenance and which shall set forth the reasonable requirements for anticipated needs for capital outlays for land, buildings, initial equipment for new buildings and major repairs, a reasonable accumulation for such purposes being hereby expressly authorized.
- b) Consider and pass upon the recommendations of the President in all matters of policy, appointment or dismissal of faculty, salary schedules, or other administrator or student personnel regulations, curriculum, or other matters pertaining to the welfare of the campus.
- c) Act as a court of final appeal for instructors, students, and patrons in cases where the

President has been unable to adjudicate or which may have been appealed from his decision.

- d) Interpret the needs of the community and the requirements of the college.
- e) Consult with the President regarding recommendations for extensions or adjustment of the educational activities of the College and to amend, approve, or reject these recommendations.
- f) Appraise the effectiveness with which the campus is achieving the educational purposes of the Board and shall keep itself informed of the working conditions of the campus.
- g) Appraise the efficiency of the campus and its officials in terms of its value to the community.
- h) Keep the public informed concerning the progress and needs of the College; weigh public opinion as it affects the College; and, represent the needs of the College before the public.

### **HARMONY WITH LAW**

No policy or regulation, nor any portion thereof, shall be operative if it is found to be in conflict with applicable law.

Effective: 07-01-2000

### **POLICY ADOPTION**

The Board shall have the sole right to adopt policies. The President may issue regulations purely of a procedural nature to carry out Board policies. However, no ancillary documents shall be binding on the College without the prior authorization of and approval by the Board.

Effective: 07-01-2000

### **POLICY DEVELOPMENT**

Policies and policy amendments may be proposed by the President, Board of Trustee members, faculty, employees, or community citizens, but shall be recommended for the Board's consideration by a Board member or the President.

Effective: 07-01-2000

### **POLICY DISTRIBUTION**

Board Policies should be made readily available to the college and community.

Effective: 07-01-2000

### **POLICY REVIEW COMMITTEE**

The Board of Trustees desires to provide consistent and effective review of its policies; therefore, a Board sub- committee to be appointed by the Chairman of the Board will conduct an

annual review of Board policy. This committee will be supported by a group of college staff members, which will include, at a minimum, the College President and the College Attorney. The College President will appoint other staff members as appropriate.

### **PURPOSE OF BOARD POLICY**

- a) The Board of Trustees shall initiate and vote on questions of policy to be considered and reported by the President.
- b) It is the intent of the Board to develop policies and put them in writing so that they serve as guidelines and goals for the successful and efficient functioning of the institution.
- c) The Board considers policy development its chief function, along with appraisal of the result achieved through its policies.

It is through the development and adoption of written policies that the Board shall exercise its leadership in the operation of the College; it is through study and evaluation of reports concerning the execution of its written policies that the Board shall exercise its control over college operation.

It is the Board's intention that its written policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all persons who are interested in, and affected by, the College.

Once the Board of Trustees approves policies, the administration and faculty are to implement the policies within the broad framework established by the Board.

The Board of Trustees either individually or collectively, will not administer policy, nor does the administration or faculty have the authority to impose policies, which are not approved by the Board.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of present and future Boards. Thus, policy development is an ongoing process.

### **REPEAL OF POLICY**

Through the adoption of these policies, all previously adopted policies are repealed and of no force or effect if in conflict with these policies. Any amendment of or addition to these policies shall repeal any policies in conflict with it.

Effective: 07-01-2000

### **BOARD STATEMENT OF ETHICS**

As a member of the Board of Trustees, I will strive to improve public education, and to that end I shall adhere to the following ethical standards:

- a. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning issues to be considered at those meetings.
- b. Work with other Board members to establish effective Board policies and to delegate

authority for the administration of the college to the Chief Executive Officer (president).

- c. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
- d. Render all decisions based on available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
- e. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, faculty, staff, and all elements of the community.
- f. Communicate, to other Board members and the college president, expressions of public reaction to Board policies and college programs.
- g. Inform myself about current educational issues by individual study and through participation in programs providing needed information sponsored by the American Association of Community Colleges and the Association of Community College Trustees.
- h. Support the employment of those best qualified to serve as employees of the college and insist on regular and impartial evaluation of all staff and faculty.
- i. Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal gain.
- j. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.
- k. Remember always that my first and greatest concern must be the educational welfare of the students attending the college.

Effective:07-01-2000

### **COUNTY REPRESENTATION BY BOARD MEMBERS**

- a. One representative from each county shall be the County Superintendent of Education unless, at his/her discretion, he/she chooses not to serve.
- b. In all counties where the office of "administrative superintendent" is abolished from and after January 1, 1992, the county board of supervisors shall appoint one (1) additional member to the board of trustees of their community college district to serve in lieu of the county superintendent's position on such board.

### **INDIVIDUAL MEMBER LEGAL STATUS**

- a. Members of the Board of Trustees are considered officers of the state.
- b. The State Constitution and the section of law pertaining to junior/community colleges 37-29-1 et. seq.) apply to Board members of junior/community college districts.
- c. The members of the Board have governing authority only when the Board is in formal session.

*Statutory*

LEGAL REF.: MISSISSIPPI CODE 1972, Title 37, Chapter 29 generally.

### **NAMING BUILDINGS BY BOARD**

- a. To be considered, a Board Member must have served at least eight (8) years. However, this may be waived should the member while serving on the Board become incapacitated, deceased, or because of unusual or rare circumstances could no longer render the service.
- b. Any person having served as President of the institution is eligible for consideration.
- c. Consideration is to be given to the name of buildings for each county plus an alumni building.
- d. Any faculty, administrative or staff member is eligible for consideration at the discretion of the Board.
- e. Any citizen that has made a substantial contribution to the community college is eligible; however, the Board, at its discretion, may develop a list of Named Gift Opportunities for an identified Major Gifts Campaign. Such a list will identify the facility and the level of giving required.
- f. All names for the buildings will be selected by a majority of the Board.
- g. The nominations should be placed on the official minutes as a recommendation one month prior to the voting at the next regular Board meeting.
- h. The selection of a name for a building will be by secret ballot.

Revised: 08-14-2001

### **NUMBER OF BOARD MEMBERS**

- a. The Northeast Mississippi Community College Board of Trustees shall consist of fifteen (15) members – six (6) members from Prentiss County; two (2) each from Alcorn, Tippah, Tishomingo, and Union counties with one (1) member elected at-large by the Board of Trustees itself.
- b. The term of the member-at-large shall be rotated among the counties of the district other than Prentiss County.

### **PRESIDENT OF THE COLLEGE**

#### **COLLEGE PRESIDENT LEGAL STATUS**

State law requires that the Board of Trustees appoint a President, who will be executive head of the College.

*Statutory*

### **CONTINUATION OF EXECUTIVE LEADERSHIP**

The College has an interest in continued Executive decision making regardless of the health of the President. This procedure is established to ensure that executive leadership is provided during periods of personal health crisis of the President. At any time the President is unable to perform the duties of the office due to extended personal illness, the Executive Vice-President will convene a meeting of the Cabinet to assess the health status of the President. The Cabinet is empowered to determine if the President is sufficiently impaired for an extended period of time so as to limit the President's decision making ability. Circumstances necessary to justify this decision include extended unconsciousness for three or more consecutive days, or the inability of the President to communicate his/her decisions to the Executive Vice-President for an extended period. Upon making the determination that the President is seriously incapacitated, the Cabinet will vote to communicate their findings to the officers of the Board of Trustees. The Executive Vice-President will communicate the findings of the Cabinet via phone and registered letter. The Executive Vice-President will perform the duties of President until the President's capability is restored or until the Board of Trustees acts to assign someone else.

The Officers of the Board of Trustees will review the health status of the President to determine an extended course of action. The Officers of the Board may delegate the duties of the President to an existing administrator when the interruption is expected to be short-term. When the conditions are more serious and expected to persist for an extended period, the officers may call a "Special" meeting of the Board to determine the need to name an Acting President to perform the duties of the office until such time as the Board approves for the President to resume his/her duties or until a permanent replacement is named.

### **DUTIES OF THE PRESIDENT OF THE COLLEGE**

- a. The President shall be the chief executive officer of the college with authority to manage and direct all affairs of the college under policies and regulations established by the Board of Trustees and of the Mississippi state laws governing junior/community colleges, including attending all Board Meetings.
- b. The President shall be responsible for the administration and enforcement of all adopted policies and regulations relating to the operation of the college.
- c. The President shall furnish creative leadership to the Board of Trustees and to all employees of the college.
- d. With the counsel of the appropriate administrators and the faculty, the President shall prepare an annual report on the program of studies, curricula, and the courses of study for the Board's consideration.
- e. The President shall nominate all faculties to the Board of Trustees for election, shall determine and assign their powers and responsibilities, and supervise and direct them in their performance. The President shall select and employ all substitute and emergency instructors, pending the approval of the Board at their regular Board meeting.
- f. The President shall control and direct the admission and classification of students in

- conformity to accreditation requirements.
- g. The President shall be responsible for the safety, proper care, and use of all school property, so far as means at his/her disposal will permit.
  - h. The President shall act as purchasing agent for the Board of Trustees, purchasing all supplies, materials, and services authorized by the annual budget in accordance with state laws and adopted policies of the Board.
  - i. The President shall sign all checks for all monies paid out of school controlled funds, or authorize and sign warrants where provisions in using state monies require the signature on checks of the V.P. of Finance & Operations.
  - j. The President shall prepare an annual budget for the approval and adoption by the Board of Trustees.
  - k. The policy of contracting with an architect for services at Northeast Mississippi Community College shall include an agreement that the architect shall be responsible to the President of the College for all phases of the contracting agreement with the Board of Trustees of Northeast Mississippi Community College.
  - l. The President may delegate authority and responsibilities for directing specific areas of operations of the college to other employees of the college, but the final authority and responsibility is to be retained by him/her.
  - m. The President shall on advice and counsel of the Chairman of the Board, be responsible for developing an agenda for regular Board meetings.
  - n. The President shall be responsible for notifying the chancery clerk of each county of the expiration of a Board member's term.
  - o. The President shall make necessary allocations or adjustments for expenditures when they are not specifically provided for in the budget.
  - p. The President shall be responsible for the athletic program, with specific attention being given to developing a balanced program in athletics (intercollegiate and intramural) to provide for the needs of all students who attend Northeast.
  - q. In accordance with the state law, the President shall be responsible for employing, terminating, and working schedules of all college personnel, and using sound judgment in their selection. Such employment shall be in accordance with budget allocations.
  - r. The President shall establish a set of administrative procedures for the faculty and auxiliary employees.
  - s. The President shall furnish the board with a comprehensive organizational chart for administration and keep it up to date.

### **EVALUATION OF THE COLLEGE PRESIDENT**

The Board of Trustees shall periodically complete a formal evaluation of the President of the college. The evaluation will be performed by the Evaluation Committee.

- a. The Evaluation Committee will be comprised of five Board members (one from each county).
- b. The vice chairman of the Board of Trustees will serve as the chair of the Evaluation Committee.
- c. The other four members of the Evaluation Committee will be appointed by the Chairman of the Board from Board nominations.

Report and Recommendation will be made to the Board of Trustees and discussed in an executive session of the Board. The President will be asked to attend any portion of the executive session deemed appropriate by the Board. Formal action, as appropriate, resulting from the evaluation will be taken in open session.

Revised: 08-09-2016

### **HIRING OR DISMISSAL OF PRESIDENT**

Not less than eight (8) members of the Board of Trustees shall constitute a quorum. However, notwithstanding the presence of a quorum, the election or rejection of the President of Northeast Mississippi Community College shall be made effective by not less than a two-thirds (2/3) vote of those voting members present.

### **PRESIDENT'S COMPENSATION AND BENEFITS**

The Board shall set the President's compensation and benefits.

### **REPLACING PRESIDENT DUE TO VACANCY**

- a. Upon vacancy of President's Office a special meeting of the Board of Trustees will be called within 48 hours.
- b. An Interim President who will not be an applicant for the position of President will be appointed by the Board.
- c. The Board of Trustees will take the necessary steps to publicize the vacancy and commence receiving applications without any limitations being placed on the residency of the applicant.

### **RELATIONSHIP OF THE BOARD OF TRUSTEES TO THE FACULTY**

The Board of Trustees shall consider and pass upon recommendations of the President in all matters of policy concerning appointment or dismissal of faculty, salary schedules, faculty or student personnel regulations, and curricula.

- a. Faculty Recommendations. The President shall recommend faculty members to the Board for approval. All new instructors, with the exception of Career and Technical Education instructors, shall have a minimum of a Master's Degree with 18 hours in their respective discipline or provide proof of qualifications by alternate means for which they are employed and shall meet the other required standards of the Mississippi Community

College Board and the Southern Association of Colleges and Schools Commission on Colleges. Career and Technical Education instructors shall meet the requirements as prescribed by the Mississippi Community College Board. In addition, technical faculty members must hold a minimum of an Associate Degree.

- b. Responsibility of the Faculty. Instructions and directions to faculty and employees shall be communicated through administrative channels and the Northeast Procedures Manual. A copy of the Board of Trustees Policy Book will be provided to each instructor upon request. All college faculty, staff, and administrative personnel are subject to the President of the College and his/her delegated representative for special assignments at any time when they may serve the best interests of the College. The stated school hours each day is not to be interpreted as being limited to classroom activities.
  1. Instructor agrees to support and attend college sponsored student and faculty activities.
  2. Instructor agrees to adhere to all policies, terms and conditions as set forth in the Northeast Procedures Manual, a copy of which is furnished to instructors.
  3. For academic faculty, the contract is based on fifteen (15) semester hours of academic instruction during the fall and spring semesters. These fifteen (15) semester hours may be assigned per semester in either the day, evening or on-line programs at any location within the Northeast Mississippi Community College District.
  4. For technical faculty, the contract is based on twenty (20) contact hours per week per regular school semester or the number of hours required to teach the program curriculum. Contract is valid provided it qualifies for reimbursement from the Mississippi Community College Board.
  5. For career faculty, the contract is based on the number of contact hours required to teach the program curriculum. Contract is valid provided it qualifies for reimbursement from the Mississippi Board for Community and Junior Colleges.
- c. Faculty Overload. Full-time will be limited to no more than 4 overloads in one academic year.
- d. Full-time Employees Attending Off-Campus Summer School. Full-time instructional or administrative employees may request time off for educational purposes. Such employees shall be required to enter an agreement with the College to return the following session and fulfill the contract with the College or repay such salary received while on leave. This policy is subject to the approval and/or recommendation of the President.

Revised: 07-01-2015

### **REMOVAL OF BOARD MEMBERS**

- a. A member of the board may be recommended for dismissal for any of the following reasons:
  1. willful neglect of duty
  2. conviction of a felony as prescribed in MS Code Annotated 25-5-1

3. adjudicated by proper authority to be mentally incompetent
- b. Due Process
1. Proceedings to consider a trustee for dismissal will be commenced when a written complaint is filed with the Chairman of the Board of Trustees and/or any officer of the Board. Any of the following may submit a complaint:
    - another member of the Board
    - an employee of the college
    - a member of the public from within the service area of the college
  2. The Board Chairman or designated officer will notify the subject trustee of the charges made within 10 days of receipt of the complaint. (This notice shall be in writing.)
  3. The Board Chairman or designated officer will appoint and convene a Hearing Committee composed of 5-7 trustees to hear evidence from the complainant and from the trustee within 5 days of filing notice with the trustee.
  4. The Hearing Committee will file a report of their findings along with their recommendation of action with the full board at the next regular meeting.
  5. The Board may recommend the removal of a trustee upon a vote of a least 2/3 of the Board recommending removal.
  6. The Chairman of the Board or designated officer will communicate the recommendation of the Board to the authority which has placed the trustee on the Board. (Board of Supervisors, Board of Education, etc.)

NOTE: Final action to remove a member of the Board of Trustees will be vested with the Board or authority who placed the trustee upon the Board of Trustees.

*Statutory*

LEGAL REF. 37-29-65

Each member of the Board of Trustees is expected to adhere to the Board Statement of Ethics.

### **RENTAL OF COLLEGE FACILITIES**

- a. College facilities may be made available for the use of civic, cultural, and similar public groups for meetings and programs which are non-controversial in nature.
- b. The Board of Trustees authorizes the administration of the college to develop a procedure whereby a formal request may be made to the Northeast Office of Event Planning. The written request must specify the particular facility to be used; the purpose for which it will be used, the date(s) and time(s) of the use; a summary of activities and such other information as may be required. The college reserves the right to deny requests that are deemed to be inappropriate for a college campus. The renting organization should specify a responsible person to be present during the event. The sponsoring organization will be

responsible for security, supervision, liability, and damages that result from the event. The Board of Trustees may impose a reasonable charge for the use of the facility payable prior to the scheduled event.

- c. Extended leases of college property may be made when such property is not needed for immediate occupancy or use by the institution. Formal applications for extended leases should be made to the Office of the Executive Vice President.

### **REQUESTS FOR PUBLIC RECORDS**

All requests to inspect and/or receive copies of "Public Records," as defined in Senate bill 2448 of the 1983 Regular Session of the Mississippi Legislature, held by Northeast Mississippi Community College, shall be made in writing to the President clearly indicating the specific record requested and the name and address of the individual and/or organization requesting the records.

- a. Northeast Mississippi Community College shall either make the public record available during normal business hours or produce a copy of the record within fourteen (14) working days from the date the request was received or furnish a written denial containing a statement of the specific reasons for denial.
- b. There will be a reasonably calculated fee charged to cover the actual costs of searching plus a fee of ...\$.50 per page reproduced on the copy machine. In addition, if there are other costs for hand copying, postage, or other actual expenses involved, they also shall be included.
- c. Such fees shall be payable in advance. This charge shall be an estimate of the actual cost. In the event the actual cost shall exceed the estimate, the balance shall be due prior to examining or receiving copies of the public record. Any delay in receiving this fee may result in an extension of the fourteen-day time limit specified above.
- d. Copies of any denials of requests shall be on file for at least three (3) years.

*Statutory*

LEGAL REF.: MS. LAWS OF 1975, CH. 481

### **TERM OF OFFICE AND METHOD OF ELECTION OF BOARD MEMBERS**

- a. All members of the Board except the Superintendents of Education in their respective counties (who are automatic members) are appointed for five-year terms by their respective boards of supervisors, with the exception of the member-at-large who is appointed by the Board for a five-year term.
- b. Terms are staggered so as to prevent the retirement of more than one member of any one county in any one- year.

*Statutory*

LEGAL REF.: 37-29-65

## **UNEXPIRED TERM FULFILLMENT OF BOARD MEMBERS**

The respective boards of supervisors fill vacancies annually, if any occur. If a vacancy occurs among one who serves also as a County Superintendent of Education, such vacancy shall be filled by appointment by the Board of Supervisors or by election as provided by law.

*Statutory*

LEGAL REF.: 37-29-65

**Section 300**

**HUMAN  
RESOURCES  
AND  
PERSONNEL**

## **PURPOSE OF HUMAN RESOURCES**

Northeast Mississippi Community College's commitment is to the student. Quality instruction is the heart of this commitment. In order to contribute to this purpose, the human resources function is to provide college-wide consistency in the area of employment, promotion, benefits, and salary administration while maintaining the college policy of equal employment and opportunity.

Effective: 07-01-2000

## **ALCOHOL/DRUG ABUSE POLICY**

In keeping with its educational mission, Northeast Mississippi Community College will utilize primarily educational strategies as its major approach to addressing problems related to the abuse of alcohol and other drugs by any member of the college community (students, faculty, and staff).

However, any member of the college community who violates the drug and alcohol policy will be subject to prosecution and punishment by the civil authorities and to disciplinary procedures of the college.

The Board of Trustees of Northeast Mississippi Community College adopts this policy to accomplish the following:

- a. Aid in the prevention of alcohol and other drug abuse through strong educational efforts.
- b. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of the academic community who need their assistance with alcohol and other drug-related problems.
- c. Discipline appropriately those members of the college community who engage in substance abuse and related behaviors.
- d. Direct the college president to assure that appropriate procedures are in place to accomplish sections a, b, and c as detailed above.

Revised: 07-01-2001

## **CHANGE OF ADDRESS**

It is the responsibility of the employee to complete a revised Employee Identification Form in the Human Resource Office in the event of any change in address, telephone number, or other information on the initial form.

Effective: 07-01-2000

## **COMPLIANCE POLICY**

In compliance with Title VI of the Civil Rights Act of 1964; Title IX, Educational Amendments of 1972 of the Higher Education Act; Americans with Disabilities Act; and, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, the Board

of Trustees of the Northeast Mississippi Community College hereby adopts a policy assuring that no one shall, on the grounds of race, color, national origin, age or sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity of the College.

### **CONFIDENTIALITY OF PERSONNEL RECORDS**

The following guidelines have been developed regarding the personnel records:

- a. The Human Resource Office is the official custodian of the Personnel Records.
- b. Any employee may have access to the information in that employee's permanent personnel file, except to confidential placement or reference data secured prior to employment. This access is available in the President's Office only.
- c. In the event an employee wishes to amend or correct an inaccurate record, the employee may do so by addressing such a request to the President and attaching the corrected or amended information for inclusion in the personnel file.
- d. No information about an individual will be disclosed to anyone outside the College without the employee's consent, except as required by law.
- e. Copies of materials in the personnel files will be provided to the employee upon request.
- f. Permanent personnel files are available for review by the employee's supervisors

### **DRUG-FREE WORKPLACE POLICY**

It is the policy of the Board of Trustees that the Northeast Mississippi Community College campus, centers and work-places will be maintained as drug-free.

The administration is directed to develop appropriate rules and procedures to assure that a good faith effort is made to maintain a drug-free workplace through the implementation of this policy.

Specifically, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession, use or being under the influence of a controlled substance, as defined in state or federal law, in any Northeast facility during working hours or at college-related events outside usual working hours.

Employees in violation of this policy will be subject to disciplinary action. Such actions may include mandatory drug rehabilitation, suspension or dismissal.

As a condition of employment at Northeast Community College, each employee shall abide by the terms of the requirements and prohibitions set out in this statement.

Effective: 07-01-2000

### **EMPLOYEE DRUG TESTING POLICY**

#### **General Statement of the College's Policy on Drug and Alcohol Use**

The College will provide a safe work environment and to foster the well-being and health of its employees. Compliance with the College's Drug and Alcohol Free Workplace Policy is a condition of employment. The College strictly prohibits the unlawful manufacture, possession, use, abuse, sale, transfer, distribution, solicitation or possession, including possession with the intent to sell or distribute any controlled substances, including illegal drugs, alcohol, prescription drugs (used contrary to a legitimate prescription), nonprescription drugs (used in a manner contrary to the directions or for a purpose other than that for which the drugs are offered by the manufacturer) or any other controlled substances or drug paraphernalia at any time, whether on College or personal time, including but not limited to any time on the College's premises, in the College's vehicles, when performing College business or when otherwise acting as an employee of the College.

An applicant for employment may be required to submit to a drug and alcohol test as a condition of the job applicant's employment application.

An employee may be required to submit to a drug and alcohol test as a condition of employment when the College has a reasonable suspicion that an employee is in violation of the College's Drug and Alcohol Free Workplace Policy or as part of neutral selection drug and alcohol testing. The College may refuse to hire a job applicant or may discipline any employee, up to and including discharge, on the basis of a positive confirmed drug and alcohol test result, a refusal to submit to a drug or alcohol test, or any other violation of the College's Drug and Alcohol Free Workplace Policy. Further, conviction for a drug-related offense may result in discipline up to and including discharge.

#### **Statement of Mississippi Law**

You are hereby advised that the College has implemented a drug and alcohol policy and conducts a testing program, pursuant to House Bill No. 84 of 1994, codified at Miss. Code Ann. § 71-7-1, et seq. (hereinafter "the Act"), and you are hereby advised of the existence of said Act. You are hereby advised that the College has also implemented a drug and alcohol policy and conducts a testing program pursuant to the Drug-Free Workplace Workers' Compensation Premium Reduction Act, codified at Miss. Code Ann. §§71-3-201 to 71-3-225, and you are hereby advised of the existence of said law.

#### **Confidentiality**

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the College through its drug and alcohol testing program are confidential communications, except under certain circumstances as allowed by the Act.

#### **Procedures for Confidentially Reporting Prescription or Nonprescription Medication**

An employee or job applicant shall be allowed to provide notice to the College of currently or recently used prescription or nonprescription drugs at the time of the taking of the specimen to be tested, and such information shall be noted prior to initial testing.

#### **When Drug and Alcohol Testing May Occur**

Drug and alcohol testing may occur under the following circumstances:

- a) Job applicants may be required to submit to a drug and alcohol test as a condition of employment.
- b) All employees may be required to submit to reasonable suspicion drug and alcohol testing. Reasonable suspicion means a belief that an employee is using or has used drugs in violation of the College's Drug and Alcohol Free Workplace Policy when such belief is drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Reasonable suspicion may be based on, but is not limited

to, the following:

1. observable phenomena such as direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug or alcohol;
  2. abnormal conduct or erratic behavior while at work, absenteeism, tardiness, or deterioration in work performance;
  3. a report of drug or alcohol use provided by reliable and credible sources and which has been independently corroborated;
  4. evidence that an individual has tampered with a drug or alcohol test during his employment with the College;
  5. information that an employee has caused or contributed to an accident while at work; or
  6. evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs while working or while on the College's premises or operating the College's vehicle, machinery or equipment.
- c) An employee may be required to submit to neutral selection drug and alcohol tests.

#### **Consequences of Refusing to Submit to a Drug and Alcohol Test**

The College may refuse to hire any job applicant who refuses to submit to a drug and alcohol test. The College may discipline any employee for refusing to submit to a drug and alcohol test authorized under the College's Drug and Alcohol Free Workplace Policy, and such discipline may include discharge.

#### **Contesting the Accuracy of a Positive Confirmed Drug and Alcohol Test Result**

An employee who has received a positive confirmed drug and alcohol test result may contest the accuracy of that result or explain it to the College.

#### **List of Drugs for Which the College May Test**

The College may test for marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), and alcohol.

#### **Federal Drug-Free Workplace Notice**

The College provides a drug-free workplace under the provisions of the Federal Drug-Free Workplace Act.

The College also has established a drug-free awareness program to inform employees about the dangers of abuse in the workplace, the College's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs, and the penalties which may be imposed upon employees for drug abuse violations.

Further, the College has made it a requirement that each employee as a condition of employment will be given a copy of the College's Drug and Alcohol Free Workplace Policy,

setting out the items identified above as required by the Federal Drug-Free Workplace Act. The College has further notified each employee that as a condition of employment the employee must:

- a. abide by the terms of the College's Drug and Alcohol Free Workplace Policy and the Federal Drug Free Workplace Act, including those requirements set out above; and
- b. notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction.

Effective: 07-01-2015

### **EMPLOYEE PRIVACY**

The Board of Trustees directs the President of the college to develop procedures which will establish such steps as may be reasonable and necessary to prevent the inadvertent disclosure of an individual's social security number to anyone other than those persons or agencies having a legitimate and lawful need to know the individual's social security number for the performance of required duties.

Effective: 08-13-2002

### **EMPLOYEE STATUS DEFINITION**

The College will employ instructional, administrative and support personnel as necessary to efficiently provide services to students and the community.

**Regular full-time:** An employee is hired for an indefinite period of time or specified contract period in excess of 4.5 months and scheduled to work at least 20 hours per week. Employees in this category will be covered by insurance benefits.

**Regular part-time:** An employee hired for an indefinite period of time and is scheduled to work not less than fifteen and no more than 19 hours per week. Employees in this category will not be covered by insurance benefits.

**Occasional:** An employee hired for an indefinite period and scheduled to work not more than 14.5 hours per week. Occasional employees are not covered by insurance benefits.

**Temporary or seasonal:** An employee hired to work not more than ninety (90) days. The work assigned is seasonal in nature or required by a short term operational need. Insurance benefits are not applicable to employees in this category.

**Hourly:** An employee hired to work with payment of wages made on an hourly basis. The assignment can be for full-time or part-time employment; can be for an indefinite period of time or for a specific assignment over a definite period of time; and can be for a grant based program. Employees in this category will be covered by insurance benefits and will be members of PERS as applicable to the assignment being full-time or part-time (more than 20 hours a week). Hourly employees working no more than 19 hours per week will not be covered by insurance benefits. Hourly employees are not entitled to leave or vacation time regardless of the length of

the assignment. Employees in this class are issued a regular salary agreement or a supplemental salary agreement form as applicable.

**Student Worker/Student Intern:** A student worker/intern is employed for an indefinite period, but must be currently enrolled for at least 6 credit hours or equivalent in order to continue working in this status. A student worker/intern is regularly scheduled to work 18 hours or less per week. Interim employment is allowed and may continue between semesters when there is an intent to re-enroll. Student workers/interns are not covered by the benefit package.

**Adjunct Faculty:** An instructor hired to work one semester or less and assigned less than half the normal teaching load. Adjunct faculty is appointed each semester, which equates to no more than 19 work hours per week total, subject to overall class enrollments. Adjunct faculty are not eligible for benefits. Preference for class assignments will be given to full time employees.

**Salary Paid Over 12 Months-** The College requires that all full-time employees be paid over a twelve-month period. Faculty and staff who have full-time contracts or salary agreements for nine, ten, or eleven months will be paid that salary over a twelve-month period. If there is separation from employment, the earned and accrued salary of the employee will be paid in full at the time of separation. Separation of service may be due to death, disability, voluntary or involuntary termination, or an unforeseeable emergency.

This policy is established in an effort to ensure that funds are available to pay the costs of insurance and other fringe benefits selected by the employee without a break in the employee's coverage. Because the payment of full-time salaries over a twelve-month period is required for all employees, the employee is not subject to an excise tax for having a non-qualified deferred compensation plan.

Part-time employees overload salary agreements will be paid monthly as earned. Pay for adjunct faculty and faculty overloads will be paid at the end of the semester in which the course is taught. No pay will be deferred into the next year.

Revised: 08-09-2016

## **EMPLOYEE TUITION WAIVER**

As a part of the benefits package for Northeast full-time employees, the employees and their dependents may receive a tuition and course materials fee waiver to enroll in classes taught by Northeast.

Northeast will provide tuition and course material fee waiver for dependent children of retired Northeast employees. The tuition benefit is limited to the equivalent of six full-time semesters of enrollment for children who are dependents of the employee at the time of retirement. Employees should plan to take classes at times other than the employee's traditional work day. The Vice President or President may, at their discretion, grant special permission for an employee to take a maximum of one-class per semester during the workday provided all missed work time is made up at a time acceptable to the College.

Dual Credit instructors may qualify for tuition and course materials fee waiver.

Revised: 05-09-2017

## **EMPLOYMENT OUTSIDE OF PRIMARY NORTHEAST CONTRACT**

The President shall request that all full-time employees of the college to accept that Northeast is their primary employment with all other work obligations as secondary. All full-time employees of Northeast are permitted to seek supplemental professional and work opportunities outside primary Northeast contract, provided the following conditions are met:

- a. Supplemental employment for full-time employees of the college does not conflict with the primary job duties of the employee and mission and/or needs of Northeast Mississippi Community College.
- b. All outside, supplemental assignments, including supplemental online instruction, are conducted off campus without the aid of college owned materials and supplies and outside of the primary job duties of the employee.
- c. The employee shall not enroll current Northeast students in classes offered by other institutions in which employee is being compensated.
- d. The employee must inform the immediate supervisor and agree to cooperate with college administration whenever occasional conflicts occur between primary duties to the college and outside supplemental assignments.

The Board of Trustees authorizes the President of the college to use reasonable means to counsel and correct the actions of full-time employees who violate this policy.

Revised: 05-09-2017

## **EQUAL OPPORTUNITY**

Northeast Mississippi Community College adheres to the principles of equal education and employment opportunity without regard to age, race, sex, color, creed, or national origin. This policy includes the qualified handicapped and extends to all programs and activities supported by the College.

Revised:08-13-2002

## **EXEMPT AND NON-EXEMPT POSITIONS**

- a. Northeast Mississippi Community College adheres to the requirements and principles of the Fair Labor Standards Act and all employees of the college are covered by said act. All college positions are designated as exempt or non-exempt in accordance with the FLSA guidelines.
- b. Non-exempt positions are provided over-time compensation for hours worked in excess of forty per week during any given pay period.
- c. The college president is charged with designating all college positions as exempt or non-exempt in accordance with the FLSA guidelines and for establishing procedures for monitoring, record keeping, and pay for all overtime pay.

Effective: 07-01-2001

## **HEALTH AND WELLNESS POLICY**

Northeast Mississippi Community College is committed to the health and wellness of its students, faculty, and staff by providing the use of a fitness/wellness center and wellness education.

Effective: 07-01-2015

### **LEAVE**

#### **ACCUMULATED LEAVE**

Upon voluntary termination or retirement, an employee with five or more years of service will be paid, upon request, his or her accumulated leave based on the following schedule, provided the employee leaves in good standing, with proper notice:

- Employees with five (5) to twenty (20) years of service to Northeast will be paid up to the number of accumulated leave days or ten (10) days, whichever is less.
- Employees with more than twenty (20) years of service to Northeast will be paid up to the number of accumulated leave days or ten (10) days plus one (1) day for each year of service over twenty (20) years [up to a maximum of thirty (30) days], whichever is less.

Any leave time certified to the Public Employees Retirement System (PERS) for credit toward retirement will not be subject to payment. Unused vacation days will be forfeited by the employee if not taken prior to separation.

Employees may be granted no more than ten (10) days of leave during the last sixty (60) days of employment except for documented medical reasons. Unused vacation days will be forfeited by the employee if not taken prior to separation of service.

Revised: 08-09-2016

#### **APPROVED LEAVE**

Approved Leave - Leave may be used for bona fide emergencies (maternity, illness, illness or death of a member of the immediate family of the employee or spouse - children, parents, grandparents, grand-children, or persons standing in Loco Parentis). Leave may be taken for funerals provided prior and proper approval is requested.

#### **COORDINATION OF WORKERS' COMPENSATION AND LEAVE**

- a. It is the intention of the Board of Trustees that no employee receives a reduction in pay or benefits due to a work-related injury.
- b. The Board of Trustees authorizes the college to establish procedures that will allow an employee to combine the workers' compensation received while unable to work due to a work-related injury with accrued college leave time in order to receive total compensation at an amount not greater than the employee's normal monthly salary.
- c. The president is further directed to develop procedures that will provide for practices which are consistent with the legal of constraints of Workers' Compensation and strives to meet the Board's intent.

Effective: 07-01-2001

## **EXHAUSTED LEAVE BENEFITS**

After all leave benefits have been used, salaries will be suspended. The college will negotiate for replacement personnel. The position of the individual on leave will be retained for the remainder of the semester or for a period of 3 months, whichever is the most advantageous for the employee. In the event an employee is on extended leave, the total financial responsibility of the college shall not be more than 100% of the employee's two-semester contractual commitment.

The Board of Trustees directs the President to report all employees who have used all available leave and continue to be absent from work without pay. The Board will consider the reasons for the extended leave, the expected duration of the leave period and the impact of the extended leave on the college before determining to continue or discontinue employment. The employee is expected to provide complete and detailed medical information to the President within 10 days of the written request.

Revised: 07-01-2015

## **EXTENDED LEAVE**

Extended Leave - Any request for extended leave is subject to investigation by the college. Excluding maternity leave, no leave in excess of ten (10) days will be granted without an assessment by the appropriate Vice President as to the employee's ability to work. Any appeal of the appropriate Vice President's decision will be heard by a committee appointed by the President of the College.

## **FAMILY AND MEDICAL LEAVE (FMLA)**

Northeast Mississippi Community College and the college leave policies adhere to all requirements of the Family and Medical Leave Act.

The college president is charged with establishing and reviewing the college's leave procedures and guidelines to insure compliance with FMLA.

Effective: 07-01-2001

## **LEAVE APPROVAL PROCESS**

Approval Process - Leave, with pay, may be granted to full-time employees whose contract is for two semesters or more per academic year. Leave must be reported to the division head prior to being turned in to the appropriate administrators; prior approval must be received on all leave time from the respective Vice President, except in cases of emergency. Any absenteeism not reported by faculty or staff will be reported by the division head or supervisor at the end of each month. Leave forms are available in the offices of the President and Vice Presidents.

## **LEAVE POLICY ACCRUAL**

### Accrual

- Unlimited leave may be accrued on continuous employment. (An employee must work five consecutive days during a month in order to receive the "one-day" credit for the month.)

Maternity, Adoption/foster care, Personal, and Sick Leave

- Leave will be accrued one day per calendar month of the contract or agreement period up to 12 days per fiscal year.
- Full-time faculty members (9-11-12 month) will receive credit for summer school classes (day or evening) taught.

Vacation

- Full-time 12 month administrative, professional, buildings and grounds, and office employees will earn ten (10) days vacation per year.
- Vacation days do not qualify for accrual as unlimited leave.

National Guard Leave

- Employees who are active members of the National Guard or the U.S. Reserves will be allowed ten (10) days each contract year for official National Guard or U. S. Reserve duty.
- All days taken in excess of ten (10) days will be deducted from annual vacation time.

Jury Duty

- Employees who are selected for jury duty are granted official leave time for days missed resulting from active jury duty.
- While serving as a juror, the employee must inform the College about the anticipated duration of the jury service.
- Regular Part-Time personnel will accrue leave based on the prorate amount of time worked.

Effective 07-01-2001

**LEAVE TRANSFER PROGRAM**

Effective January 1, 1993, Northeast Mississippi Community College's Leave Transfer Program permits Northeast employees to donate accrued leave for the use of other Northeast employees for certain medical or family emergency or other hardship situations.

***COMMITTEE***

The President of the College will appoint a Leave Transfer Committee. This Committee will consist of three (3) administrative/staff personnel, two (2) faculty members, one (1) secretarial/office personnel, and one (1) maintenance/security personnel. The Committee will determine the validity of requests for leave transfer and will make sure that all criteria of the Leave Transfer Program are met.

***ELIGIBILITY***

Any Northeast employee who has been affected by a personal emergency may make application to the Leave Transfer Committee to become a leave recipient after all his/her accrued time has been used. If an employee is not able to make application on his/her behalf, the immediate supervisor may make application on behalf of the potential leave recipient.

### ***DEFINITION***

A personal emergency is defined as a medical or family emergency or other hardship situation that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income the employee because of the unavailability of paid leave. For the purpose of this procedure, an absence from duty without available paid leave that is expected to be at least ten working days is deemed likely to result in substantial loss of income.

### ***LIMITATIONS***

- When the personal emergency affecting a leave recipient terminates, the employee or his/her immediate supervisor should promptly notify the Leave Transfer Committee. Once the personal emergency ends, no more transfers of leave can be made. The recipient can retain no leave in excess of the time used for the personal emergency. Leave will be credited on a first donated basis. Any donated time not used will be credited back to the employee(s) donating the time.
- The use of donated leave is subject to all of the conditions and requirements of the published Employee's Leave Policy.
- A maximum number of thirty (30) days can be received per single emergency; an employee can only receive donated leave two (2) times for personal emergencies during a fiscal year.
- A limit of five (5) days is placed on the amount of time that an employee can donate to another individual (per emergency). A maximum number of twelve (12) days can be donated per employee, per fiscal year.
- To request donated leave time, a Leave Transfer Request Form should be completed. This includes the employee's name, position, and a brief description of the nature, severity and anticipated duration of the personal emergency affecting the employee. To donate leave, a Leave Transfer Authorization Form should be completed.

The Leave Transfer Committee will review all requests for donated leave time. Consideration will be given to the nature of the emergency and the past leave history of the employee. If the request is approved, the committee will notify Northeast employees by campus mail about the recipient's request so that employees who wish to donate leave time may do so. If the potential recipient does not wish to inform all employees of the existence of a personal emergency, a memorandum will not be distributed campus-wide but donations can be accepted from those employees who are aware of the emergency.

- The Leave Transfer Program is voluntary. An employee may not directly or indirectly solicit contributions of donated time or attempt to intimidate any other employee for the purpose of receiving leave days.
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## **MILITARY LEAVE**

Any employee of Northeast Mississippi Community College who is called to active military duty by the President of the United States is entitled to the following:

- a. The employee is entitled to leave of absence from his/her respective duties for periods not to exceed fifteen (15) working days, without loss of pay, time, annual leave, or sick leave when ordered to military duty. When duty is in excess of fifteen (15) working days, the employee is entitled to leave of absence without loss of time, annual leave, or sick leave, until released from duty. In addition to the fifteen-(15) days of leave time with pay, the employee is entitled to pay for acquired personal leave time.
- b. An employee called to active duty must apply for reemployment within ninety (90) days after release from active duty. Reserves and military guard ordered to initial active duty for training (IADT) of not less than twelve (12) consecutive weeks must apply for reemployment within thirty-one (31) days after release from such training. Upon release from active duty, the employee will be reemployed in the same or like position and at the same status, pay, and seniority if the employee is physically and mentally competent. Should the employee return disabled from active duty and not be qualified to perform the duties of the same or like former position, the college will offer other employment which is consistent with the employee's potential. In such case, the salary will be commensurate with the job. After reemployment, an employee may not be discharged within one (1) year without cause. An employee returning from initial active duty for training (IADT) may not be discharged within six (6) months without cause. Reemployment protection applies to individuals performing active duty for up to four years, and for five years if requested to remain on active duty for the convenience of the government. Reemployment protection is not available to an employee dishonorably discharged.
- c. An employee ordered into active duty would retain medical insurance benefits afforded by the college until the last day of the month in which the employee was activated. After reemployment, the employee will be entitled to medical insurance without proof of insurability. If applicable, the same policy applies for the employee's family members.

*Statutory:*

LEGAL REF. 22-1-21

## **PERSONAL LEAVE**

Personal Leave - Employees are encouraged to limit the use of leave time for personal business to three days per year. Such use of leave time will require prior approval by one's division head and the appropriate Vice President.

## **PROFESSIONAL LEAVE**

Professional Leave – Professional leave time is considered as a workday and no leave time is charged to the employee. Faculty members, however, must submit a Travel Authorization form to the Division Head and Executive Vice President for approval. Other employees must gain approval from their immediate supervisory and respective vice president. Normally professional leave time will not be granted if a faculty member has been absent a total of five

days during the semester.

Revised: 07-01-2015

### **NEPOTISM**

When the College employs two or more members of the same family full-time, neither member of the family shall be in a position to have direct supervision over the other without prior approval of the President of the College.

Effective: 08-13-2002

### **PERSONNEL RECORDS**

Prior to assuming duty all employees must:

- a. Complete a salary agreement or employment contract.
- b. File an IRS withholding tax form (W-4), Mississippi income tax withholding form and an I-9
- c. Provide documentation of residency as required by e-verify.
- d. Complete an Employee Identification Form in the Human Resource Office. This includes a permanent mailing address, telephone number, and name of emergency contact person.
- e. Complete the appropriate forms for becoming a member of the Public Employees Retirement System.
- f. Complete appropriate forms for participation in the insurance plans as desired.
- g. File with the Human Resource Office official transcripts of all college credits and other appropriate documents verifying training and experience.

Information maintained in the permanent personnel file is that which is relevant to the employment history or employment contract of the employee including: formal application for employment, official transcripts of college credits, licensure, contract or letters of assignment, performance evaluations, and official job related correspondence between a supervisor and the employee.

Effective: 07-01-2000

### **POST EMPLOYMENT DATA**

All post-employment data will be collected by the Human Resource Office. All regular full-time and part-time employees may have an exit interview conducted by the President or designated representative.

Effective: 07-01-2000

### **PROBATIONARY PERIOD FOR NEW HIRES POLICY**

All new employees are subject to a ninety (90) day probationary period.

Effective: 08-09-2016

### **PROMOTION AND JOB POSTING**

The College is committed to fill positions with the most qualified persons available.

New or vacant job positions will be posted when appropriate at all appropriate College sites as well as at external sites.

Consistent with this commitment, the College attempts to promote qualified employees from within the College.

The Board directs the President of the college to develop procedures to fulfill the intent of this policy.

In order to assure that appropriate credentials and experience are considered in the selection and hiring of future faculty and staff, the Board of Trustees charges Northeast's President to develop procedures for verifying credentials, verifying experience, and other background checks on future employees as necessary to assure qualified faculty and staff.

Effective: 07-01-2000

### **REDUCTION IN FORCE (RIF)**

- a. The President shall apprise the Board of Trustees from time to time regarding enrollment, financial requirements, program needs and shall recommend, when appropriate, a reduction in force to the Board.
- b. When a layoff and/or termination of faculty occurs, all supporting personnel will be reduced proportionally in so far as practical.
- c. The President shall reduce personnel in all categories so that the relationship of teaching faculty to all other personnel remains essentially the same.
- d. The Vice Presidents of each area will recommend to the President reductions in a program or activity; a teaching area or class; and the number of positions in a teaching area.

#### **Considerations and Options**

- a. A reduction in force may be accomplished by not filling vacated or vacant positions; transferring personnel from an area requiring reduction in force to an area where an open position is to be filled; and/or layoff of personnel. Prior to recommending a reduction in staff, the President will consider the following:
  1. Reduction of teaching contracts from twelve months or ten months to nine months.
  2. Re-assignment to an alternate position, if qualifications permit, provided an open position exists.
  3. A reduction in teaching load with a concomitant assignment to other professionally comparable duty.

### Board's Decision

- a. The Board of Trustees shall be presented with the President's statement regarding the need for a reduction in force.
- b. If the Board determines that on the basis of this or any other available information it may deem necessary to provide, it must take action that might reasonably involve a reduction in force, it shall make such a decision and authorize the President to work with appropriate staff in determining which particular personnel are to be laid off.

### **Criteria for Decisions**

In selecting faculty or staff for termination, the Board directs the president to use the following criteria or prepare a statement that offers justification for using other criteria.

- Provision of education to students
- Viability of the affected program
- Length of service to the institution
- Action that avoids serious disruption to Northeast's purpose or would be deleterious to the program of instruction.

### Return to employment

- a. Faculty – for one year after the effective date of termination due to reduction in force, the Board of Trustees shall not replace the faculty member whose employment has been terminated without first offering the position to the laid-off faculty member.
- b. Members of the staff – for one year after the effective date of termination due to reduction in force, the administration shall not replace the position of a staff member whose employment has been terminated without first offering the position to the laid-off staff member.

Effective: 07-01-2001

### **REEMPLOYMENT OF RETIREES**

The College may reemploy retirees in accordance to the guidelines set forth by the Mississippi Public Employees Retirement System (PERS). The College will follow all guidelines in reemploying a retiree of the College.

Revised: 007-01-2015

### **SEXUAL HARASSMENT/ BULLYING**

- a. Northeast Mississippi Community College does not condone, from its employees (including any individual with a formal association with the college), or students, any form of sexual harassment, including offensive gestures, inappropriate physical contact, and language with sexual connotations directed toward other individuals.
- b. Northeast Mississippi Community College does not condone bullying or any form of harassment toward other individuals.

- c. Also, the college holds its employees responsible for students, under their direct supervision, who may harass other students or employees. Each employee or student is, therefore, totally responsible for his/her actions and language and, if found guilty of sexual harassment, will be subject to appropriate discipline which may include termination.
- d. All parties are charged with protecting the employees and students of Northeast and are charged with the reporting of all known incidents of sexual harassment.

Revised: 07-01-2001

## **SEXUAL MISCONDUCT POLICY**

(Includes sexual harassment, sexual assault, sexual exploitation, stalking, dating violence, and domestic violence)

### **PURPOSE**

In compliance with Title VI of the Civil Rights Act of 1964; Title IX, Educational Amendments of 1972 of the Higher Education Act; and Section 504 of the Rehabilitation Act of 1973, as amended, the Board of Trustees of Northeast Mississippi Community College hereby adopts a policy assuring that no one shall, on the grounds of race, sex, color, age, creed or national origin be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity of the college. NORTHEAST MISSISSIPPI COMMUNITY COLLEGE adheres to the principle of equal educational and employment opportunity without regard to race, sex, color, age, creed, or national origin. This policy includes the qualified disabled and extends to all programs and activities supported by the college. (Board Policy)

The purpose of this policy is to comply with Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in the course of any federally funded educational program or activity, and to provide procedures for the prompt and equitable resolution of complaints of sexual misconduct. Sexual misconduct, as defined in this policy, includes both sexual harassment and sexual violence, which are forms of sex discrimination prohibited by Title IX. This policy also covers domestic violence, dating violence, and stalking in accord with the Violence Against Women Act Amendments to the Clery Act.

Northeast Mississippi Community College has developed its policy on Sexual Misconduct in accordance with Title IX of the Education Amendments and the Violence Against Women Act to reaffirm the College's commitment to address sexual misconduct and take steps to prevent its reoccurrence and remedy its effects.

NEMCC will not tolerate and prohibits sexual assault and all forms of sexual misconduct including intimate partner violence, stalking, dating violence, sexual violence, sexual harassment, and domestic violence offenses. These acts are against Mississippi State Law.

### **SCOPE**

The NEMCC Sexual Misconduct Policy applies to all members of the College community, including students, faculty, staff, employees, contractors, vendors, and visitors, and to all programs and activities sponsored by the College whether conducted on or off campus.

### **POLICY**

NEMCC is committed to maintaining an environment free from sexual harassment, sexual violence, domestic violence, dating violence, and stalking. In accord with the provisions of Title IX, NEMCC prohibits discrimination on the basis of sex and/or gender, including sexual misconduct. NEMCC has an affirmative duty pursuant to Title IX to take immediate and

appropriate action once it knows, or reasonably should have known, of any act of sexual misconduct in any of its educational programs or activities. NEMCC will act on any complaint of sexual misconduct in order to resolve such complaints promptly and equitably.

NEMCC policy is intended to make students, faculty, staff, employees, contractors, vendors, and visitors aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual violence.

While activities covered by the laws of the community and those covered by the College's policies may overlap, the community's laws and the College's policies operate independently and do not substitute for each other. The College may pursue enforcement of its own policies whether or not legal proceedings are underway and may use information from law enforcement agencies and the court to determine whether College policies have been violated.

Individuals reporting an incident regarding Sexual Misconduct and/or making inquiries concerning the application of Title IX at Northeast Mississippi Community College should consult the NEMCC Procedures Manual or the Student Handbook.

Effective: 09-08-2015

### **SOCIAL MEDIA POLICY**

The Board of Trustees approves appropriate use of social media for its employees.

Effective: 08-09-2016

### **TOBACCO-FREE ENVIRONMENT**

“In order to promote a healthy environment for students, staff, faculty and visitors, Northeast Mississippi Community College is tobacco-free on all campuses. The use of tobacco and electronic cigarettes and smoking devices is not permitted on any Northeast Mississippi Community College-owned property, which includes but is not limited to buildings, grounds, parking areas, walkways, recreational and sporting facilities and college-owned vehicles. This policy applies to faculty, staff, students, contractors, vendors and visitors. The use of tobacco, including smoking, is prohibited in college facilities, outdoor areas and college-owned vehicles, including Booneville, Corinth, and New Albany campuses.

Effective 01-01-2012

### **WHISTLE BLOWER POLICY**

Purpose of this policy is to:

- a. encourage the reporting of fraudulent behavior that may cause financial or non-financial loss to Northeast Mississippi Community College or damage Northeast's reputation;
- b. enable Northeast to effectively deal with reports from Whistleblowers in a manner that protects the identity of the Whistleblower and secures the information provided;
- c. establish policies for protecting Whistleblowers against reprisal by any person internal or external to Northeast;
- d. establish a formal structure for investigating the Whistleblower claims and

alternative means for reporting fraudulent behavior.

1. This policy applies to all employees and students of Northeast or members of the public.
2. This policy documents Northeast's commitment to maintaining an open and supportive work environment in the following manner:
  - a. Northeast is committed to a culture of ethical behavior and honest business practices;
  - b. Whistleblowers may report matters of concern and suspected wrongdoings which constitute Reportable Conduct within the internal structures of the college;
  - c. Whistleblowers may be guaranteed protection against reprisals, discrimination, harassment or victimization for making a report.
3. The Northeast Whistleblower Policy includes the following provisions:
  - a. Whistleblower – For the purpose of this policy, a Whistleblower is any Northeast employee, student, or member of the public who, whether anonymously or not, makes, attempts to make, or wishes to make a report in connection with Reportable Conduct, as defined in the following section.
  - b. Reportable Conduct is conduct by a person or persons connected with Northeast which, in the view of a Whistleblower acting in good faith, is
    - i. Dishonest;
    - ii. Fraudulent;
    - iii. Corrupt;
    - iv. In breach of federal or state legislation or regulations, or Northeast policy;
    - v. Unethical or representing a breach of Northeast's code of conduct, Northeast policy;
    - vi. Serious improper conduct;
    - vii. Results in an unsafe work practice which involves substantial risk to the health and safety of students, employees or the public;
    - viii. Bullying or harassment;
    - ix. Gross mismanagement or gross negligence;
    - x. Serious and substantial waste;
    - xi. Repeated instances of breach of administrative procedures;
    - xii. Any other conduct which may cause financial or non-financial loss to Northeast or be otherwise detrimental to the interests of Northeast; or
    - xiii. Any deliberate concealment relating to any of the
  - c. Protected Disclosure
    - i.A Whistleblower will be protected under this policy from disciplinary action, reprisals, discrimination, harassment or victimization arising from the

disclosure of Reportable Conduct, provided the disclosure is:

1. made in good faith;
2. based on reasonable grounds; and
3. made in accordance with the procedures outlined in clause 4-d or 4e

ii. The Whistleblower will not be protected under this policy if:

1. the Whistleblower is involved in Reportable Conduct, to the extent of reasonable consequences flowing from their involvement (although an admission may be a mitigating factor when considering disciplinary or other action); or
2. the Whistleblower knowingly makes a false report regarding alleged Reportable Conduct.

iii. If a Whistleblower knowingly makes a false report regarding alleged Reportable Conduct, the Whistleblower may be subject to disciplinary proceedings, including termination of employment.

d. Disclosing Reportable Conduct

- i. A Whistleblower who is aware of any Reportable Conduct is encouraged to report it to the Executive Vice-President or the Vice-President for Planning and Research.
- ii. Reports of any Reportable Conduct can also be made anonymously in writing to the Executive Vice-President or the Vice-President for Planning and Research. The use of email to disclose Reportable Conduct is discouraged due to the lack of appropriate security.
- iii. If the Reportable Conduct involves either of the above listed officers, the Whistleblower should report the matter to the Chairman of the Board of Trustees through the Administrative Assistant to the President.

e. Investigation Process

- i. The Executive Vice-President is responsible for conducting investigations into reports received from a Whistleblower to determine whether there is evidence in support of the matters raised or alternatively, to refute the report made.
- ii. Upon receipt of a report from a Whistleblower, the Executive Vice-President must ensure that:
  1. the matter is investigated in a timely manner;
  2. a written report is prepared (and retained) upon completion of the investigation;
  3. appropriate action is taken to correct the Reportable Conduct; and

4. a report is made to the President and the Chairman of the Board of Trustees on matters investigated.
  - iii. The Executive Vice-President will use reasonable effort to follow best practices in investigations and be fair and independent of the Whistleblower or any person who is the subject of the Reportable Conduct.
  - iv. The Executive Vice-President shall have direct, unfettered access to independent financial and legal advisers as required.
- f. Communication with the Whistleblower
- i. The Whistleblower will be provided with:
    1. An acknowledgement that their report has been received within 2 business days of receipt of the report; and
    2. Notification that their report is being investigated or rejected within 2 business days of the decision being made to either investigate or reject the report.
  - ii. The Executive Vice-President must ensure that the Whistleblower is notified of the outcome of the investigation of the Whistleblower's report, subject to the considerations of confidentiality, privacy under Northeast policy, and legal professional privilege of those against whom the allegations are made.
- g. Confidentiality
- i. Whistleblowers must maintain their duties of confidentiality regarding institutional information of Northeast and must not disclose confidential information of Northeast to persons outside the institution.
  - ii. The Executive Vice-President and/or the Vice-President of Planning and Research must ensure that information received from a Whistleblower is held in the strictest confidence and must only be disclosed to a person not connected with the investigation of the matters raised if the Disclosure Clause 4-i applies.
  - iii. Northeast will ensure that all records relating to a report about Reportable Conduct are stored securely.
  - iv. Information disclosed regarding personal or sensitive information will be treated in accordance with applicable local, state, and federal laws, as well as Northeast's Employee Privacy Policy, subject to any disclosure which may reasonably be required to be made to investigate the Whistleblower's report.
- h. Protection of the Whistleblower
- i. A Whistleblower who reports or seeks to report a Reportable Conduct shall be guaranteed anonymity (if anonymity is desired by the Whistleblower) subject to any requirement on Northeast to disclose the identity of the Whistleblower in the circumstances specified in the Disclosure Clause 4-i.
  - ii. The Executive Vice-President is required to take whatever action is possible to

ensure that the Whistleblower is not personally disadvantaged (for example, by disciplinary action, dismissal, demotion, termination of contract, harassment, discrimination or any form of bias against them in respect of their employment prospects with Northeast, whether currently or in the future) by reason solely of having made a report regarding Reportable Conduct.

- iii. A Whistleblower will not be dismissed from their employment with Northeast, demoted or otherwise disadvantaged due to the disclosure of Reportable Conduct, provided the disclosure is made in accordance with clause 4-d.
- iv. The protections afforded to the Whistleblower under clause 4-h-ii and clause 4- h-iii will apply equally to the Whistleblower’s colleagues or relatives, provided that the relevant colleagues or relatives are not involved in any Reportable Conduct.
- v. Neither the Executive Vice-President nor the Vice-President for Planning and Research has the power to grant the Whistleblower or their colleagues or relatives immunity from criminal proceedings.
- i. Disclosure Clause – Northeast will make a concerted effort to protect the identity of the Whistleblower. However, if necessary, Northeast reserves the right to disclose:
  - i. he identity of the Whistleblower;
  - ii. he information disclosed by the Whistleblower; and/or
  - iii. information that may lead to the identification of the Whistleblower, where: the Whistleblower has been consulted and consents in writing to the disclosure;
  - iv. the disclosure is required by law;
  - v. the disclosure is necessary to prevent or lessen a serious threat to a person’s health or safety; or
  - vi. it is necessary to protect or enforce legal rights or interests or to defend any claims.
- j. Reporting to the President and the Board of Trustees
  - i. The Executive Vice-President or the Vice- President investigating the Reportable Conduct shall report directly to the President and/or the Chairman of the Board of Trustees.
  - ii. The officer investigating the Reportable Conduct shall make a weekly report summarizing activities (if any) under this policy to the President, but without the identity of the Whistleblower unless required under the Disclosure Clause 4-i.
  - iii. The President of the College and/or the Chairman of the Board of Trustees shall determine whether further action if any, is to be taken to correct the Reportable Conduct.

Revised 7-20-2015

## WORK SCHEDULES

Administration and Staff – The maximum official work-week for full-time 12-month staff is 40 hours.

- a. For those staff members who are non-exempt under the fair labor standards act (FLSA), overtime – hours beyond 40 per week – will be compensated either by time calculated as 1.5 times the hours worked over 40 or by payment valued as 1.5 times the calculated hourly amount.
- b. Work schedule for staff will be 8:00 a.m. until 4:00 p.m. Monday – Thursday and 8:00 a.m. until 12:00 p.m. on Friday. Maintenance staff and campus police hours will be set by their respective department head.
- c. The President is directed to establish procedures for call back duties, approving overtime, accounting for it, and assuring compensation.
- d. During certain times of the year, employees will be required to work hours beyond normal work hours as directed by the President or his designee.

Teaching Faculty – Full-time faculty are expected to be present and accountable 8:00 a.m. – 3:00 p.m. Monday through Thursday. Full-time faculty must participate in division meetings, college committee work, and professional development. Due to the four day instructional schedule, Fridays are extremely important for pursuing all these activities. In order to create a balance between these activities and respect the faculty's need to donate to classes and advising, the following schedule will be followed:

First Friday of each month should be used for Division Meetings, Faculty Development, and Committee Meetings. Third Friday must be kept open on an “as needed” basis. If no meetings are scheduled that require attendance on campus, then a faculty member will have the option of working from home or office. Other Fridays will be used by faculty for working from home or office. Faculty are required to be present and actively involved with recruitment and other special activities of the college. These include NE Now, Science Fair, and Priority Registration Day. An effort will be made to schedule all special activities on the college calendar at least four weeks in advance.

Revised: 05-09-2017

Section 400

# INSTRUCTION

## **ADVANCED PLACEMENT NON- TRADITIONAL CREDIT**

The Board of Trustees recognizes the importance of knowledge that an individual achieves prior to attending Northeast Mississippi Community College.

Therefore the Board charges the administration to develop and administer procedures that award credit for non-traditional instruction.

All established procedures must comply with the institution's purpose statement, admissions policy, and degree requirements.

A maximum of 18 semester hours of credit may be granted under this policy. Students enrolled in the MI-BEST program are exceptions to this rule. Upon successful completion of the HSE exam, MI-BEST students may attempt challenge exams for all pathway courses previously completed; they will receive "Z" credit for successful completion of the challenge exams.

Examples of non-traditional credit are "Challenge Examination: and "Advanced Placement (AP) Credit."

Revised: 05-09-2017

## **COLLEGE CALENDAR**

- a. The calendar for the ensuing year shall be prepared by the President or by a designee.
- b. The calendar shall set forth the days school is to be in session, faculty preparation days, holidays, and vacation periods.
- c. The Board of Trustees approves the College Calendar which is published in the college catalog each year.

Revised: 08-13-2002

## **COLLEGE YEAR**

The "scholastic year" ... (of the college)...shall commence on the first day of July and end on the thirtieth day of June each year.

*Statutory*

LEGAL REF.: 37-61-1

## **CREDIT HOUR POLICY**

### **1. FEDERAL DEFINITION OF A CREDIT HOUR**

According to federal regulations, a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates:

- a. Not less than one hour of classroom or direct faculty instruction and a minimum of two hours out of class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time, or;
- b. At least an equivalent amount of work as outlined in item 1 above for other academic

activities as established by the institution including laboratory work, internships, studio work, and other academic work leading to the award of credit hours.

## **2. APPLICATION OF CREDIT HOUR POLICY**

This credit hour policy applies to all courses that award academic credit (i.e. any course that appears on an official transcript issued by the College) regardless of the mode of delivery including, but not limited to, self-paced, online, hybrid, lecture, and laboratory. Credit hours are awarded only for work that meets the requirements outlined in this policy. Each division is responsible for ensuring this standard is met.

The expectation of contact time inside the classroom and student effort outside the classroom is the same in all formats of a course whether it be fully online, a hybrid of face-to-face contact with some content delivered by electronic means, or one delivered in a lecture (face-to-face) format. Courses that have less structured classroom schedules, studio work, or any other academic work leading to the award of credit hours, at a minimum, should state clearly learning objectives and expected outcomes and workload expectations that meet the standards set forth above.

## **3. CAMPUS PROCESSES - ACADEMIC CALENDAR**

Northeast Mississippi Community College adheres to the Carnegie unit for contact time (750 minutes for each credit awarded). The Executive Vice President, as Chief Academic Officer, chairs the Academic Calendar Committee that prepares and recommends the annual Academic Calendar for approval by the President and Board of Trustees no less than 12 months in advance of the planned academic year. The Academic Calendar must have a minimum of 750 minutes of instruction per credit hour. The standard meeting times for courses are a 75-minute, Monday-Wednesday schedule and a 75-minute, Tuesday-Thursday schedule. For the standard 3-credit hour course, 2,250 minutes of instruction are required. The calendar is planned with a minimum of 30 Monday-Wednesday or Tuesday-Thursday meeting days. The calculation for summer sessions follows this same standard of 750 contact minutes for each unit of credit which means longer class meeting times over the course of the two summer terms. The official Academic Calendar is maintained on the College's website: In addition, the Academic Calendar is published in the Student Catalog.

## **4. CAMPUS PROCESSES – CURRICULUM REVIEW**

Each instructional division within the College is charged with following the policy on credit hours in their review and approval of all courses and for certifying that the expected student learning for the course meets the credit hour standard. The determination of credit hours is made when a new course or a revision to an existing course is proposed. The submitted syllabus is examined for contact time as well as for assignments and assessments. Instructional division heads are responsible each semester for ensuring the course schedule offerings maintain the credit hour standards.

Annually, the College evaluates at least one instructional division through a formal curriculum review process. Each faculty member in the division evaluates the courses in their respective program of study or programs to ensure the curriculum matches the curriculum articulation agreement between the Mississippi Community College Board and the Mississippi Institutions of Higher Learning.

Revised: 05-09-2017

## **EMERGENCY CLOSINGS**

The President is empowered to close the school in the event of hazardous weather, epidemics, or other emergencies, which threaten the safety or health of students or staff members.

### *Statutory*

LEGAL REF.: MISSISSIPPI LAWS 1975,37-13-65 (2)

## **INTELLECTUAL PROPERTY RIGHTS**

The Board of Trustees for Northeast Mississippi Community College encourages faculty and staff to publish, copyright, invent, and patent materials and objects of their own creation that will contribute to the advancement of learning. While encouraging this activity, the College must protect its and the employee's interest in regard to publications, inventions, discoveries, trade secrets disclosures, and other work that has potential monetary value.

### **GENERAL GUIDELINES**

The policy governing intellectual property rights shall apply to all persons employed full-time by Northeast and to anyone using college facilities either with or without supervision by college personnel. The policy shall apply to intellectual property creation of all types, regardless of whether it can be patented, except written work that is not produced as a part of the regular work responsibilities of the author. (Example: Northeast has no claim on a novel written at home; it is the sole property of the author.)

### **DISCLOSURE**

Any faculty or staff member who plans to create materials or objects developed wholly or partially using Northeast time, equipment, materials, or facilities, and who intends to copyright, patent, or otherwise merchandise those materials or objects shall through the Executive Vice President inform the President of that intent.

- a. The Board of Trustees charges the President of the College to develop procedures to establish ownership rights of the employee and/or College and appropriate legal protection.
- b. Final approval of the resulting agreement rests with the President.

### **OWNERSHIP**

The following guidelines shall apply to ownership:

- a. All classes of intellectual property, scientific and technological developments, materials or objects created or produced by a faculty or staff member on personal time without the assistance of Northeast resources, personnel, equipment, materials, or facilities, shall be the exclusive property of the individual.
- b. All classes of intellectual property, as defined above, created or produced by a faculty, or staff member using Northeast resources, time, personnel, equipment, materials, and/or facilities, shall be the property of the College.

- c. Northeast, in return for unrestricted license to use and reproduce original work without royalty payment, shall transfer to the creator of that work full ownership of any present or subsequent copyright/patent in accordance with the following paragraph:

*In the event that materials or objects are sold to entities outside the college, all income will go to the college until all developmental expenditures incurred by Northeast for that project, including stipends paid to the developer (over and above contract salary), prorated support staff salaries, supplies, and other expenses related to the creation of the materials or objects, are recovered. Thereafter, all remuneration as a result of copyright, publication or patented sale, will go to the creator(s) of the materials or objects.*

- a. Copyright ownership or patents on all material, including inventions, disclosures, trade secrets, and computer software, that is developed through a “sponsored research agreement” (grant) shall be determined by the terms of the grant.

### **EQUITY**

In the event that the ownership of the intellectual property is shared by the College and the employee/creator (partnership), the employee/creator will share in the equity (right, claim or interest) resulting from an invention or copyright. Further, the employee/creator will be entitled to participate in the management of a business related to development of his/her intellectual property. Finally, the employee/creator may share in the equity of a company designed to market for profit the created product.

### **LICENSING**

License agreements made with third parties under this policy should contain all provisions as are determined to be in the best interests of both Northeast Mississippi Community College and the employee/creator and shall be submitted for confirmation to the Northeast President.

### **ROYALTY PARTICIPATION**

It is the intention of the Board of Trustees of Northeast Mississippi Community College that any faculty or staff member developing materials under the terms of this section will be permitted to participate in any royalties received.

Authors of intellectual works that are not partially owned by the College (See 425 .03c) own the copyrights of their works and are free to publish them, register the copyright, and receive any revenues, which may result. The staff member and/or College may market the intellectual property upon written notification to the other party at which time an agreement on the division of any royalties received shall be made between the staff member and the college. The division of any royalties received shall be contingent on the approximate amount of participation in the project by each party as determined by the President of the College.

Effective: 08-13-2002

### **PLACEMENT TESTING**

Northeast Mississippi Community College maintains an “open door” policy for the residents of the Alcorn, Prentiss, Tippah, Tishomingo, and Union counties.

The College Board supports the use of instruction and student support strategies that promote student success including testing for placement, developmental education, tutorial assistance, and academic advising.

Placement testing and developmental education are important tools to help students enroll in appropriate coursework, improving student success and retention in college programs.

- a. Testing - Students will be evaluated for placement in English, mathematics, using a diagnostic instrument(s) selected by the college.
- b. Placement – The procedures for placement in college level or developmental courses will include procedures for student appeal of the placement ruling.

Effective: 07-01-2001

### **USE OF COPYRIGHTED MATERIALS**

The Board of Trustees directs the President to develop procedures as necessary to ensure the College is in compliance with federal copyright law, including the illegal electronic downloads of electronic copyrighted material and peer-to-peer (P2P) file sharing of copyright material. These procedures will provide for the full exercise of rights accorded to users of copyrighted works, while protecting the rights of the copyright owner as provided by federal law.

Section 500

# STUDENTS/ STUDENT SERVICES

## **ADMISSION POLICY**

The Board of Trustees has adopted general and specific admission standards, which are included in the College Catalog to ensure that admitted students are reasonably capable of academic success.

Changes in the specific standards require Board approval.

Admission policies, as approved by the board, are consistent with the purpose statement of the institution.

## **CAMPUS LAW ENFORCEMENT**

The Northeast Mississippi Community College Campus Law Enforcement is licensed by the State of Mississippi and approved by the Northeast Board of Trustees to operate as Campus Law Enforcement effective July 1, 2005.

### **PURPOSE**

The purpose of the NEMCC Campus Law Enforcement is to provide a safe and secure environment for the learning and recreational experience for faculty, staff, students, and visitors while upholding the rules and regulations of Northeast Mississippi Community College and the Laws of the State of Mississippi.

### **DUTIES**

All officers who hold “full-time” or “part-time” certification from the State of Mississippi will be a designated “police officer” with all the duties and responsibilities listed in the Northeast Mississippi Community College Campus Law Enforcement Policies and Procedures Manual. All other full-time and all part-time officers will be designated “security officers.” Police officers and security officers will uphold the rules and regulations of NEMCC and the laws of the State of Mississippi. All officers (police and security) will be Trained and certified in the “use of force” as listed in the Policy and Procedure Manual which may include the use of baton, O.C. spray, and/or Taser as an authorized weapon within the line of duty. Only fulltime police officers who are trained and certified in the use of firearms will be authorized to use firearms in the line of duty.

Revised: 07-01-2015

### **SELECTION & TRAINING**

It will be the responsibility of NEMCC to select and provide training to individuals who will serve in Campus Law Enforcement with Honor, Integrity and Fidelity. Individuals will be selected to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality, and justice.

## **DIRECTORY INFORMATION**

Directory information includes the student's name, address, telephone number, e-mail address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees received, honors and awards earned, and the most recent educational agency attended by the student and other similar information.

## **DRUG TESTING OF ATHLETES**

- a. All NEMCC student athletes will be tested for drugs prior to the beginning of their respective sports.
- b. Random drug testing will be conducted throughout the year at the discretion of the Northeast Athletic Administration.
- c. Post-Test Action:

### ***First Positive Test:***

1. The Athletic Director and head coach will meet with the athlete to discuss the process.
2. Parents/Guardians will be notified
3. Student athlete will be required to attend two counseling sessions with NEMCC counseling center during the next two weeks at a time to be scheduled with NEMCC counseling center.
4. Student athletes who are under counseling for a positive drug test will be required to submit to follow-up drug testing for the remainder of the school year and during their career at NEMCC.
5. A refusal by the student athlete to submit to follow up testing will require immediate suspension from the athletic program for two weeks. If a student athlete does not comply with this requirement within two weeks, permanent suspension from the athletic competition and forfeiture of any athletic scholarship will be required.
6. The head coach will be notified within 24 hours prior to the test by e-mail and phone/voice mail. If athlete is not present, it will be considered a positive test. It is the coach's responsibility to communicate with the student athlete.

### ***Second Positive Test:***

1. The Athletic Director and Head Coach will meet with the athlete to discuss the process.
2. Parents will be notified.
3. Suspension from athletic participation for the next two weeks while student athlete obtains counseling from NEMCC counseling center for two sessions.

### ***Third Positive Test:***

1. The student athlete is permanently suspended from athletics at NEMCC and forfeits all athletic scholarship aid from NEMCC.
2. Refusal to be tested:
3. A student athlete who refuses to be tested, after initially consenting to be tested, shall be considered to have made the decision not to participate in the athletic program. A refusal to cooperate in testing will result in suspension from the athletic program and forfeiture of any athletic scholarship. The Athletic Director and Head Coach shall be notified of any

refusal to be tested.

Revised: 7-29-2015

### **EQUAL OPPORTUNITY**

The Northeast Board of Trustees Admission Policy, which includes admitting students regardless of race, sex, age, color, creed, national origin, or physical disabilities, places no limits on the size and/or character of the College's student body.

### **FEE COMMITTEE POLICY**

The College shall have a committee with its members designated by the President for the purpose of making tuition and required fee recommendations to the Board of Trustees for approval annually.

Effective: 07-01-2015

### **FREEDOM OF SPEECH POLICY**

Northeast Mississippi Community College will protect the rights of freedom of speech, expression, petition, and peaceful assembly as set forth in the U.S. Constitution.

Effective: 08-09-2016

### **MILITARY LEAVE POLICY FOR STUDENTS**

- a. Any student who has enrolled at Northeast Mississippi Community College and is a member of the Mississippi National Guard, or one or more units of the Mississippi State Guard, or any of the reserve components of the armed forces of the United States, and who has been placed in active duty status by orders of the President of the United States or who has been drafted into any component of the armed forces of the United States, may be allowed to withdraw as a student of the college with a full tuition refund, out-of-state fees (if applicable), and/or student fees or any special fees, with room and board fees prorated with the approval of the President of the College.
- b. Any student who withdraws from Northeast Mississippi Community College under this policy will not receive any grades. The student record will show evidence of the withdrawal with documentation on file.
- c. Any student who has completed at least three-fourths of the semester, who is in good standing with the institution and who needs to take only the final examination to complete the semester has the option to leave the college pursuant to this policy, without his class standing affected and without refund of any of the above fees or tuition. However, within ninety (90) days after release from active duty, the student must make arrangements to take the final examination. The score on the final exam plus the completion of any unfinished semester's work will constitute the student's final grade.
- d. A student who is within three weeks of completing a semester when activated may receive a final grade based on the average of completed assigned work and previously taken examinations.

## **PRIVACY RIGHTS OF PARENTS AND STUDENTS**

Northeast Mississippi Community College complies with all provisions of the Federal law entitled "Privacy Rights of Parents and Students." Copies of a policy statement indicating the records affected by this law, the student's rights and obligations, and the college's rights and obligations may be obtained in the Records Office.

### **RED FLAG IDENTITY THEFT PREVENTION PROGRAM**

The Board of Trustees establishes an Identity Theft Prevention Program (Program) to comply with the Red Flag Identity Theft Prevention Program (commonly called "Red Flags Rule") as required by the Federal Trade Commission (FTC). The Identity Theft Prevention Program is designed to detect, prevent, and mitigate identity theft and to thereby reduce the possible threat to the well-being of the college community.

The College's Identity Theft Program has been established in accordance with the "Red Flag Rule" requirements set forth in the FTC's implementation of Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003, and amendment to the Fair Credit Reporting Act (FCRA) pursuant to U.S.C. 161s(a)(1).

The Red Flags Rules require institutions that hold "covered accounts" (accounts to which a person makes repeat payments) or that process student loans to develop and implement an Identity Theft Prevention Program for new and existing accounts. The College has established procedures to ensure compliance with the Red Flags Rule requirements. In accordance with the Red Flags Theft Prevention requirements these procedures include reasonable steps to:

1. Identify relevant Red Flags for covered accounts that the College offers or maintains, and incorporate those Red Flags into the Program.
2. Detect Red Flags that have been incorporated into the Program.
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate identity theft.
4. Ensure the Program is updated periodically to reflect changes in risks to College consumers and to the safety and soundness of the College from identity theft.

The Board of Trustees directs the President to establish such steps as necessary to ensure the College maintains compliance with the FTC's Red Flag Identity Theft Prevention Program and to mitigate the risks for identity theft. The President, or designated representative, will ensure development and implementation of the policy and procedures required to maintain compliance.  
December 2010

### **RELEASE OF STUDENT RECORDS**

Northeast Community College will release directory information about any student unless he/she does not want any such information released. This written request must be filed within two weeks after the student registers. It should be noted that such a request would be followed to the letter. Any future requests from non-college persons or organizations for such directory information will be refused.

## **STUDENT COMPLAINT POLICY**

The College shall log all student complaints in the appropriate offices for record keeping purposes. Complaint logs are submitted to the Executive Vice President's office annually.

Effective: 07-01-2015

## **STUDENT INTELLECTUAL PROPERTY RIGHTS**

The policy governing intellectual property rights of students shall apply to all persons enrolled as students of Northeast Mississippi College.

Students will retain full ownership of all classes of intellectual property, including, but not limited to, scientific and technological developments, art work, written and oral compositions, music compositions/arrangements, and all other objects, items, or content that may be deemed "intellectual property" that they create or produce, both individually and collaboratively.

The College will retain an unrestricted license to use and reproduce the students' intellectual property for educational and nonprofit purposes, including, but not limited to, publicity, promotion, and marketing. In no way will the College profit from the sale of the students' intellectual property.

## **STUDENT PRIVACY (SOCIAL SECURITY NUMBER)**

The Board of Trustees directs the President of the college to develop procedures which will establish such steps as may be reasonable and necessary to prevent the inadvertent disclosure of a student's social security number to anyone other than those persons or agencies having a legitimate and lawful need to know the individual's social security number for the performance of required duties.

## **USE OF COPYRIGHTED MATERIALS**

The Board of Trustees directs the President to develop procedures as necessary to ensure the College is in compliance with federal copyright law, including the illegal electronic downloads of electronic copyrighted material and peer-to-peer (P2P) file sharing of copyright material. These procedures will provide for the full exercise of rights accorded to users of copyrighted works, while protecting the rights of the copyright owner as provided by federal law.

## **VETERAN'S BENEFITS**

The College participates in a variety of Veteran's Affairs benefits, including Chapter 30-Montgomery GI Bill Active Duty, Chapter 31-Vocational Rehabilitation Veteran's With Disabilities, Chapter 33 Post-9/11 GI Bill, Chapter 1606 Reserve GI Bill, and Chapter 1607 Reserve Educational Assistance Program.

## **WEAPONS**

- a. Northeast Mississippi Community College acknowledges that the possession of pistols, firearms, or other weapons on the college premises or at college functions by persons other

than duly authorized enforcement officials creates an unreasonable and unwarranted risk of injury or death to college employees, students, visitors, and guests and further creates an unreasonable risk of damage to properties.

- b. Because of such dangers, Northeast Mississippi Community College Board of Trustees hereby prohibits the possession of pistols, firearms, or other weapons in any form by any person in areas declared by the Board as non-public except:
- Certified law enforcement officers employed by the college for official duty.
  - Certified law enforcement officers of other agencies who are on campus to perform their official duties.
  - Participants in official training activities which are conducted by the college and which requires a firearm as part of the instructional program (Reserve Officer Training, State Approved Enhanced Concealed Carry Training)
  - Employees of the college who meet qualifications determined by the President who need a firearm to carry out specific duties when assigned by the President, the Executive Vice-President and/or Northeast Chief of Police.
- c. This prohibition includes weapons in vehicles on college premises. "College premises" does not include private business or the private residences of faculty or staff.
- d. State Statute extends protection to those who legally possess weapons inside their personal vehicle, provided that these are not brandished or displayed in a threatening manner.

*Statutory*

LEGAL REF.: 97-37-17

Revised: 07-01-2000

Section 600

# EDUCATIONAL SUPPORT

Section 700

# BUSINESS AND SUPPORT SERVICES

## **ACQUISITION OF REAL PROPERTY- LAND**

- a. Section 43-37-3(c) of the Mississippi Code of 1972 states that when real property is to be purchased with public funds an appraisal must be performed on the property and the amount paid for the property cannot be less than the appraised value of the property.
- b. Under subsection (j) of the same law, the seller may agree to sell the real property for less than the appraised value. When the seller agrees to sell real property for less than the appraised value, the purchase contract should note that the seller has been informed of his right to receive just compensation, and that he chooses to donate the additional value of the property to the College.

*Statutory*

LEGAL REF.: 43-37-3

## **AUDITS**

There shall be an annual audit of the institution's fiscal records by the State Department of Audit.

## **BONDED EMPLOYEES**

All employees handling institutional funds shall be properly bonded.

## **BUDGET**

### **BUDGETARY PROCESS**

- a. Development - The Board of Trustees requires that the institution develop, through appropriate procedures and hearings, an annual budget, which is to be approved by the President and adopted by the Board during an official meeting. The Board directs the President of the College to implement procedures for the development of the budget that are consistent with the College's purpose statement and incorporate input from all college employees. These procedures must include, at a minimum, an appointed budget hearing committee that will, with the assistance of the Director of Finance, consolidate the budget.
- b. Adoption - Once approved by the President, the proposed budget must be mailed to each Board member prior to a regular Board meeting date. Adoption of the budget requires a simple majority vote of the Board. The President is further charged to present a monthly financial report to the Board.

### **MANAGEMENT OF THE OPERATING BUDGET**

- a. Budget Control - The Board of Trustees directs the President of the College to provide broad leadership in the expenditure of all approved funds. The Board charges the President of the College to maintain a system of control over expenditures whereby all funds will be appropriated according to state law and to conditions of the approved budget. The President of the College is granted discretionary authority to appoint college personnel to provide direct supervision over approval of allocated funding for purchasing and transacting business for the College. The Board of Trustees requires that the President maintain an effective program of internal and financial control and that the institution maintains proper control over purchasing and inventory management.

## **REVISIONS OF BUDGET**

- b. Revisions of Budget - The Board of Trustees authorizes the President of the College to allow divisional budget revisions when conditions are necessary. Such budget revisions must be approved by appropriate personnel and must be communicated to the Vice President of Finance for accounting purposes. All approved budget revisions must be included in the final revised budget report that is submitted annually to the Board for approval.

## **CHECKING ACCOUNTS & AUTHORIZED SIGNATURES**

- a. The President and the Vice President of Finance shall be responsible for all money paid by check from college funds. They are authorized to use facsimile signatures effected by a rubber stamp and/or check signature machine.
- b. The Vice President of Finance shall be responsible for the maintenance and validity of a check register, which shall be kept on all checks that are written.

Effective: 07-01-2001

## **DEPOSITORY OF COLLEGE FUNDS**

The Vice President of Finance shall secure proposals on the depositor for the college funds every five years.

## **DISPOSAL OF SURPLUS PROPERTY**

The law states:

*“When any land or other property owned by a junior college district shall cease to be used or needed by the district, the same may be sold by the Board of Trustees upon sealed bids after three (3) weeks’ advertisement in a newspaper in the county where the said property is located.*

*Personal property having a value determined by the Board of less than ...\$500.00 may be sold without such advertisement; however, in such event, notice shall be posted in at least three public places in the county where such property is situated or where it is to be sold, giving notice of the time and place of such sale, and such property shall be sold to the highest and best bidder for cash. Such notice shall be posted for ten (10) days before the sale.*

*Worthless/junk personal property may, by official board order, be cannibalized or disposed of as trash (solid waste) and removed from inventory.”*

*Statutory*

LEGAL REF.: 37-29-75

## **EMERGENCY PURCHASES**

- a. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for

competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefore in making such purchase or repair shall approve the bill presented, and he or she shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made.

- b. At the next Board meeting following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the Board and shall be placed on the minutes of the Board of such governing authority.

*Statutory*

LEGAL REF.: MISSISSIPPI CODE TITLE 31, CHAPTER 7 Revised S. B. 2193, Section 31-7-13

**FIXED ASSET ACCOUNTABILITY**

- a. The college will maintain all fixed assets in accordance with the laws of the state of Mississippi, the regulations and guidelines of the State of Mississippi Department of Audit, and generally accepted accounting procedures.
- b. The college strives to insure accountability and security of all college fixed assets.

Effective.07-01-2000

**FORGIVENESS OF DEBT**

- a. No debt to Northeast Mississippi Community College shall be forgiven.
- b. All debts to Northeast Mississippi Community College are debts to the State of Mississippi and no debt to the State of Mississippi shall be forgiven for any reason.

*Statutory*

LEGAL REF.: MS Constitution, Art. 4, Sect. 100

**GIFTS –RECEIPT OF**

All bequests of property for the benefit of the College shall vest the property in the Board of Trustees.

- a. When not specified by the grantor, funds or other property donated, or the income there from, may be designated as “Unrestricted” and expended in any manner authorized by statute.
- b. The President shall make recommendations to the Board of Trustees regarding the acceptance of gifts and donations including donor, form, and restrictions.
- c. The authority to accept gifts shall be vested solely with the Board of Trustees.
- d. The Board shall not accept gifts that discriminate against any person on the grounds of age, sex, race, color, religion, national origin, or handicap.

Effective: 07-01-2001

## **GRANTS AND EXTERNAL CONTRACTS**

Externally funded grants and contracts are important financial resources for an educational institution. It is important, however, that any efforts in resource development be appropriate to Northeast Mississippi Community College and contribute to the accomplishment of its mission.

- a. The College may agree to perform certain special projects that are externally funded.
- b. Such externally funded grants and contracts must ensure support to the College's normal activities and mission.
- c. The administration is charged with the responsibility of assuring that:
  - Instruction shall not be sacrificed for research and
  - General operational budgets shall not become overly dependent upon special short term contract/grant funding.

Effective: 07-01-2001

## **INVESTMENT OF COLLEGE FUNDS**

- a. Short or long term surplus funds shall be invested as soon as possible with a bank within the college district at the highest rate of interest available at the time of deposit.
- b. Quotes are to be obtained by a college official for this purpose.
- c. Interest rate quotes are not requested, or accepted, from financial institutions at which a member of the Board of Trustees serves in an official capacity.

*Statutory*

LEGAL REF.: 27-105-5

Revised: 7-01-2005

## **LOCAL TAX REVENUES**

The Board of Trustees is expressly authorized and empowered to make a thorough study and evaluation of the costs of operation on the community college district, and said Board shall recommend a fair and acceptable tax rate for district general support and maintenance from each of the member counties.

## **LONG RANGE NEEDS DETERMINATION**

- a. Before approving any new building projects, the Board shall require the preparation of a building priority list by the President. In preparing the list, the President shall seek the advice of the Buildings and Grounds Committee, composed of members of the Board, the administration, consultants and specialists, and shall list the major and minor needs of the College.
- b. The list and subsequent reports shall include new construction, repairs, improvements, or additions to the College's facilities.

## **PETTY CASH ACCOUNTS**

The Board authorizes petty cash payments as reimbursements for certain approved minor purchases, but petty cash shall not be used for advance payments.

## **PROJECT FINANCING**

The Board has the legal authority to apply for grants, to negotiate loans, and/or to issue bonds to acquire land for, and construct, repair, and maintain buildings for the use of students, faculty members, officers, and employees.

*Statutory*

LEGAL REF.: 37-29-107

## **PURCHASING**

- b. The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended.
- c. The acquisition of services, equipment, and supplies at the district level shall be centralized under the supervision of the Director of Purchasing, and through whose office all purchasing transactions will be conducted.
- d. All purchases of Northeast Mississippi Community College will be made in accordance with generally accepted accounting principles, State of Mississippi Department of Audit regulations and guidelines, and the purchasing laws of the state of Mississippi as set forth in the Mississippi Code.
- e. The Board declares that from time to time it is necessary for the college to make prepayments for goods and/or services to ensure the proper operation of college activities and authorizes the President and Vice President of Finance to establish procedures for authorizing such purchases.

Effective. 07-01-2014

## **STATE AND FEDERAL AID**

The College shall continually explore the avenues of State and Federal aid open to it, and shall apply for such aid when it appears to be in the best interest of the College to do so.

## **Section 800**

# **COMMUNITY AND GOVERNMENTAL RELATIONS**

## **BROADCAST POLICY FOR ATHLETIC EVENTS**

- a. Northeast Mississippi Community College is in contract with WiFi Sports Network (WSN). Area radio and/or TV stations desiring to live broadcast Northeast athletic events must gain access to the WSN feed if at all possible.
- b. Video-only recording for delayed broadcasting may be arranged on a game-by-game basis.
- c. Vendors desiring to provide coverage of athletic events must contact the Northeast Athletic Director a minimum of three days prior to the broadcast.
- d. The President of the College is authorized to enter contracts with specific stations to serve as the official “voice” of Northeast sports. In this case other vendors must adhere to the terms of the contract, if applicable.
- e. The minimum contract for a vendor to gain exclusivity to the designation “voice of Northeast sports” will require the vendor to broadcast all regular season football, and all North Division basketball games plus an agreed upon percentage of the remainder of the scheduled dates and all post season game (men and women).
- f. Additional events may be offered to the vendor on an option basis.
- g. The College reserves the right to seek other vendors, if the contract station declines to fully broadcast any required or optional event.

## **DESIGNATION OF PUBLIC AND NON-PUBLIC AREAS**

The Board of Trustees declares all Northeast campuses as non-public areas for the safety of faculty, staff, students, and visitors.

Effective: 08-09-2016

## **RETENTION OF COLLEGE RECORDS**

- a. Northeast Mississippi Community College desires to provide consistent and effective retention of college records, which, at a minimum, meets established legal requirements.
- b. Each department or division on campus is required to designate a Records Retention Coordinator and establish a records retention policy.
- c. The College President will establish procedures for assuring records retention.

This Bulletin of information has been compiled for the purpose of assisting the Board of Trustees in carrying out routine matters during the year and acquainting each Board member with the policies of the Board of Trustees and of the College.

Careful adherence to policy and State statutes contained herein is necessary in order to maintain the operation of the Northeast Mississippi Community College.

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