

**ALPENA COMMUNITY COLLEGE
POLICIES & PROCEDURES MANUAL AND
THE BOARD OF TRUSTEES POLICIES & PROCEDURES MANUAL**

This manual is a publication of the sources of Board of Trustees authority, Board-approved policies, and Administrative procedures. It will continue to be updated, revised, and amended based on the actions of the Board of Trustees regarding new and revised policies and changes in administrative procedure, job descriptions and contract language.

Office of the Board of Trustees
Alpena Community College
Alpena, MI 49707

Last updated: October 22, 2024: added Policy 7009A, Title IX Policy and Grievance Procedures for Complaints of Sex Discrimination and Sex-Based Harassment; edited Procedure 1511 Emeritus Procedures to remove “photo” from section 5.

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SERIES 1000 — GOVERNANCE POLICIES

1001 Alpena Community College Board of Trustees Bylaws

Adopted February 21, 1980. Revised and Amended March 28, 1996, and May 17, 2007.

These Bylaws are adopted under the authority granted in Act No. 331, State of Michigan Public Acts of 1966, as amended. All business conducted by the Board of Trustees shall be in conformance with current Michigan statutes.

1. Name

The legal name of this college is the Alpena Community College.

2. Membership

A. Selection, Number and Terms

The Board of Trustees shall consist of seven (7) members, elected at large in the Community College District on a nonpartisan basis for staggered terms of six (6) years. The election is held the first Tuesday in November in even-numbered years. The term of office is from January 1 to December 31.

B. Qualifications

Any qualified elector residing within the Community College District of the Alpena Public Schools is eligible to be chosen as a Board member.

C. Duties of Individual Board Members

Each member of the Board of Trustees has the duty to attend the Board meetings, both regular and special; to perform special responsibilities as authorized by the Board and directed by the President or Chair to support the best interests of the College; and to faithfully represent the district in all matters before the public.

D. Vacancies

Whenever a vacancy in the Board of Trustees occurs, the remaining members of the Board by majority vote shall fill the vacancy immediately with a qualified elector of the Community College District. The Trustee so appointed shall hold office until the next regular Trustee election at which time the electors shall fill the office for the unexpired portion of the term. The newly elected trustee shall take office immediately.

3. Functions of the Board

A. Responsibilities

The Board of Trustees, as the legally constituted authority for the governance of Alpena Community College, recognizes its ultimate responsibility for all aspects of the College including the following:

1. Selection and hiring of the President.
2. Establishing the mission and goals of the College.
3. Reviewing and developing policy.
4. Monitoring the College's financial condition to assure a sound financial base.
5. Establishing tuition and fees.
6. Acquiring and conserving College funds and property.

B. Orientation

The Chair and the President of the College shall plan and implement a program to orient new members of the Board in such areas as the following:

1. The mission and goals of the College.
2. The general organization and administration of its programs.
3. The major challenges faced by the Board.
4. Board operations.

The orientation program shall be provided to all new Board members.

C. Professional Growth and Development

The Board of Trustees affirms the need for professional growth and development activities to enhance each member's governing role. These activities may include attendance at and participation in local, state, national and international conferences; visits to other campuses; the purchase of audio, video, and printed materials; and the hiring of consultants as necessary.

Expenses incurred for such activities shall be the responsibility of the College. Expense reports shall be submitted in accordance with established College procedure.

D. Conflict of Interest

Should a conflict of interest or a potential conflict of interest occur for a Trustee, the Trustee shall advise that a conflict exists and refrain from discussion and abstain from voting on the issue.

4. Officers

The officers of the Board shall consist of a Chair, a Vice Chair, and a Treasurer, who shall be members of the Board, and a Secretary. The Secretary shall be a member of the administrative staff and non-voting officer of the Board. The officers shall be elected by the Board of Trustees for a term of two (2) years.

In the event of a vacancy in the office of Chair, Vice Chair or Treasurer, the Board shall fill the vacancy from its members by majority vote at the same meeting at which the vacancy occurs, or as soon thereafter as possible. In the event of a vacancy in the office of Secretary, the Board shall appoint an appropriate administrative member of the College staff to fill the vacancy at the same meeting at which the vacancy occurs, or as soon thereafter as possible.

A. Duties of the Chair

The principal duties of the Chair shall be to:

1. Provide leadership in planning the work of the Board.
2. Consult with the President regarding the preparation of the Board agenda.
3. Preside at meetings of the Board.
4. Consult with the President on matters suggested by other members of the Board.
5. Act for the Trustees when such action is required by law in signing contracts and other official documents.
6. Represent the Board or designate a representative on occasions when such representation is deemed desirable.
7. Perform such other duties as may be prescribed by law or State regulation or determined by the Board.

B. Duties of the Vice Chair

The Vice Chair shall be elected by the Board from its membership. The Vice Chair shall assume the duties of the Chair during the absence of the Chair.

C. Duties of the Secretary

The principal duties of the Secretary of the Board shall be to:

1. Maintain records of all meetings of the Board of Trustees.
2. Post all legal notices.
3. Sign all regular documents as required by statute.
4. Maintain all records of the Board for public inspection.
5. Send each member of the Board, prior to the regular meetings, a copy of the minutes of the preceding Board meeting(s).
6. Notify Trustees of all meetings.
7. Conduct all elections for the College.
8. Perform such other duties as the Board may direct.

D. Duties of the Treasurer

The principal duties of the Treasurer of the Board shall be to:

1. Sign all regular documents as required by statute.
2. Audit the President's expenses on a quarterly basis.
3. Perform such other duties as may be prescribed by law or State regulation or determined by the Board.

5. Meetings

A. Regular

The Board shall establish the date, time and place of its regular meetings. A regular meeting of the Board may be changed by a unanimous vote of the members present at the regular monthly meeting preceding the change.

B. Special

Special meetings may be called by the Chair, or the Secretary must call a special meeting upon the request of three Board members. Special meetings must be called for a specific purpose. Additional items may be considered upon concurrence of a majority of the Board. Public notice of special meetings must be given within eighteen (18) hours before the meeting. The Board may meet in emergency session without compliance with public notice requirements when 2/3 of the Trustees decided that delay would be detrimental to any efforts to respond to the matter under consideration.

C. Retreat

The Board of Trustees acknowledges its role in planning for the future of the College. Therefore, at least one annual retreat or workshop shall be held with appropriate College Staff, headed by the President, to review the short and long-range plans of the College and other such timely items that the President or Trustees determine should be included on the agenda.

D. Quorum

A majority of four members of the Board of Trustees is a quorum. No act is valid unless voted on at a meeting of the Board by a majority vote of the members of the Board and a proper record made of the same.

E. Open Meetings Act Compliance

The Board of Trustees shall conduct its meetings and business in conformance with Act No. 267, State of Michigan Public Acts of 1976, the “Open Meetings Act.”

F. Procedures

Robert’s Rules of Order, Revised shall govern the procedures of all meetings of the Board of Trustees.

G. Committee

1. Ad Hoc Committees

The College President or Chair of the Board of Trustees may establish and appoint committees as necessary for the conduct of Board business and shall establish the charges to these committees.

2. Community Committees

The College President or Chair may appoint a Trustee(s), with the approval of the Board, to serve on community committees or with off-campus organizations where Board representation would be in the best interest of the College. The appointee(s) shall represent the interests of the Board and be required to make periodic reports to the Board.

H. Agenda

The President of the College is responsible for preparing the agenda for each meeting of the Board of Trustees. A copy of the agenda and supporting materials for each meeting shall normally be mailed or delivered to each Trustee at least forty-eight (48) hours before the meeting.

I. Media

The media are invited to attend all regular and special meetings of the Board of Trustees.

J. Citizens

Individuals and delegations are welcome to attend any regular or special meeting of the Board of Trustees. The chair shall allot each individual or delegation a set period of time to address the Board.

6. Amendments

Amendments to the Bylaws must be submitted in writing to the Board of Trustees before the regular Board meeting at which time they will be reviewed and discussed. Adoption of amendments to the Bylaws shall be considered at the next official Board meeting. A vote of five (5) members of the Board is required for the adoption of amendments.

The Board shall have the power to suspend a particular Bylaw temporarily by unanimous vote, provided that all members are present and voting.

Issued: August 22, 1997

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1002 The College Mission Statement

Adopted by the Alpena Community College Board of Trustees on October 20, 2005; revised on June 19, 2019.

The Mission of Alpena Community College is to create a culture of educational excellence and service to the community.

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1003 College Goals

Adopted by the Alpena Community College Board of Trustees on October 20, 2005; revised on June 19, 2019.

Alpena Community College's goals are to:

#1 – Campus/Culture

Offer a welcoming, safe and adaptable culture that inspires diversity.

#2 – Learning/Education

Motivate continuous exploration of diverse opportunities and knowledge acquisition through a flexible learning environment.

#3 – Community

Stimulate community collaboration, which fosters comprehensive economic, cultural, and community development.

#4 – Value

Exercise sustainable value that supports career pathways and fiscal responsibility.

Issued: June 19, 2019

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1004 Open Meetings Act Compliance Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

The Alpena Community College shall comply with the applicable requirements of Act 267 of the Public Acts of 1976, known as the Open Meetings Act.

Issued: August 22, 1997

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1005 Relationship with Alpena Public Schools Policy

Adopted by the Alpena Community College Board of Trustees on September 15, 1988

WHEREAS, education is a vital ingredient to an improved quality of life and the success of the greater Alpena Area; and

WHEREAS, the refinement and expansion of cooperative activities between all components of the education community will more effectively and efficiently meet the needs of the greater Alpena area; and

WHEREAS, the Board of Trustees of Alpena Community College and the Board of Education of the Alpena Public School District have a long-standing positive relationship which was recently reaffirmed at a joint board meeting on Thursday, October 13, 1988; and

WHEREAS, numerous existing cooperative projects were discussed and additional areas of potential cooperation suggested; and

WHEREAS, a Liaison Committee has been established for following up and discussing with appropriate staff those matters of mutual interest and benefit to the community and its respective citizens;

NOW, THEREFORE, BE IT RESOLVED, that by joint resolution the Board of trustees of Alpena Community College and the Board of Education of the Alpena Public School District are pledged to encourage such a cooperative spirit, charges its staff to actively support the spirit and intent of this resolution, and shall meet annually in joint session to review the progress being made to implement this resolution.

Issued: August 22, 1997

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1006 Defense and Indemnification of Trustees, Officers and Employees Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

Alpena Community College shall, to the fullest extent permitted by law, indemnify any Trustee, officer, employee or authorized volunteer (each referred to as "individual"), threatened action, suit, proceeding or investigation, whether civil, criminal, investigative or administrative (other than an action by or in the right of the College), by reasons of the fact that the individual was or is a Trustee, officer, employee or authorized volunteer of the College. The College shall indemnify an individual against all expenses (including attorney fees for counsel retained by the College), judgments, fines and amounts paid in settlement, actually and reasonably incurred 1) related to or arising out of conduct of the individual within his or her scope of employment authority, or authority as a Trustee or volunteer and 2) undertaken in good faith by the individual.

With respect to any criminal action, the College shall indemnify a Trustee, officer employee or authorized volunteer if: 1) that individual was acting within the scope of his or her employment authority, or authority as a Trustee or an authorized volunteer, 2) all related actions or conduct by the individual were undertaken in good faith, and 3) the individual had no reasonable cause to believe that his or her conduct was unlawful.

Indemnification shall be made only to the extent that the individual is not made whole for his or her losses or expenses from all other sources, including insurance. In no case will indemnification, when considered with all other sources, exceed the actual amount of expenses incurred by the individual.

This policy shall not be interpreted to limit the power of the College to elect to indemnify and hold harmless any agent or other person in any particular circumstance.

The President shall keep the Board of Trustees informed as to the status of all lawsuits in which the College or an individual is named as a party, including any decision to provide defense and/or advance expenses for an individual.

Issued: August 22, 1997

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1007 Separation of Church and State Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

Consistent with legal interpretations of the Constitutions of the United States and the State of Michigan, Alpena Community College shall neither promote nor discourage, support nor oppose, fund nor discriminate against, compel nor prevent the free exercise or study of personal belief and religion.

Issued: August 22, 1997

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1008 Appointment of Legal Counsel Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

The Board of Trustees shall normally appoint legal counsel for Alpena Community College at its regular June meeting in an even-numbered year. Legal counsel shall be appointed for a period of two years beginning with the fiscal year immediately following the June meeting.

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1009 Appointment of Bond Counsel Policy

Adopted by the Alpena Community College Board of trustees on May 16, 1996

The Board of Trustees shall appoint bond counsel for Alpena Community College as the need for such counsel arises.

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1010 Appointment of Auditors

Adopted by the Alpena Community College Board of trustees on May 16, 1996

The Board of Trustees shall appoint an auditor for Alpena Community College as its regular June meeting in an even-numbered year. The auditor shall be appointed for a period of two years beginning with the fiscal year immediately following the June meeting.

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1011 Emeritus Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

Alpena Community College Board of Trustees establishes the rank of Emeritus faculty, staff, or member of the College Board of Trustees to honor, upon retirement, such members who have made long-term contributions to Alpena Community College and to encourage a continuing relationship with the College.

Please see Administrative Procedure 1511 pertaining to this policy.

Issued: August 22, 1997

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1012 Public School Academies Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Under the provisions of 1993 Public Act 362, the Board of Trustees of Alpena Community College (“Board”) is authorized to enter into contracts for the creation of Public School Academies (PSA). It is the purpose of this policy to set forth criteria and procedures for the administration of the Alpena Community College Board of Trustees’ responsibilities under that law. However, they are intended guidelines only, and the validity of a contract shall not be affected because of a departure from one or more of these criteria or procedures in approving the charter.

The Alpena Community College Board of Trustees will consider the approval of contracts for PSAs in order to provide elementary and secondary students with enhanced opportunities to achieve the objectives of Article 8 of Michigan's Constitution. By assisting in the development of such educational programs, Alpena Community College may make a significant contribution to the variety and quality of educational programs available to public school pupils, as well as create models for exemplary educational practices and parental involvement. The Board may approve such contracts where the likelihood is shown that proposed PSAs can and will meet educational needs of those who are presently inadequately served by offering a quality educational program which is both responsive to those needs, and which has the means and resources necessary to accomplish its educational goals.

Please see [Administrative Procedure 1512](#) pertaining to this policy.

Issued: August 22, 1997

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1013 Citizens Advisory Councils Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

It is recommended that local advisory councils operate within the policy and guidelines of the Board of Trustees, and that the mechanics of the organization be left up to the College administration. It is further recommended, that where feasible, representation on these advisory councils be voluntary rather than by appointment. Individuals should serve for a designated period of time.

Issued: August 22, 1997

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1014 Nondiscrimination Policy

Adopted by the Alpena Community College Board of Trustees on April 16, 2014; revised on September 18, 2024.

A. TITLE IX — NONDISCRIMINATION ON THE BASIS OF SEX

Alpena Community College does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations.

Inquiries about Title IX may be referred to the Title IX Coordinator for Alpena Community College, the U.S. Department of Education's Office for Civil Rights, or both. The contact information for the Title IX Coordinator for Alpena Community College is as follows:

Melissa Guy, Title IX Coordinator
Alpena Community College
102 Van Lare Hall
665 Johnson Street
Alpena, MI 49707
Phone: (989) 358-7211
Email: guym@alpenacc.edu

Alpena Community College's nondiscrimination policy and grievance procedures can be found at the following links:

ACC's nondiscrimination policy:

https://discover.alpenacc.edu/terms_and_policies/equal_employment.php

ACC's grievance procedures:

https://container.alpenacc.edu/faculty_staff/acc_policies_&_procedures_manual.pdf

To report information about conduct that constitutes sex discrimination or make a complaint of sex discrimination under Title IX, please refer to Alpena Community College Policy 7009.

The above Notice of Nondiscrimination shall be published on the website of Alpena Community College and in each handbook, catalog, announcement, bulletin, and application form which the College makes available to people entitled to notice, or which are otherwise used in connection with the recruitment of students or employees, provided that the College may instead include the following statement, if necessary due to the size of the publication:

“Alpena Community College prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The Notice of Nondiscrimination is located at www.alpenacc.edu.”

B. EQUAL EMPLOYMENT OPPORTUNITY

The College is an equal opportunity employer and is committed to recruit, employ, and promote personnel without regard to race, color, sex, age, religion, marital status, national origin, citizenship status, genetic information, marital status, familial status, height, weight or disability in compliance with federal and state statutes and regulations that pertain to nondiscrimination in employment.

The Human Resources Office administers the College's Equal Opportunity policies and practices. Contact that office with any concerns related to any form of prohibited discrimination. The College's EEO statement is published on the College website at www.alpenacc.edu.

C. THE COLLEGE INSTITUTIONAL STATEMENT OF NONDISCRIMINATION

The College policies and practices for admission, employment, and activities comply with requirements of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973 as amended, the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disability Act (ADA) of 1990 and the ADA Amendments Act of 2010; Title II of the Genetic Information Nondiscrimination Act of 2008. The College does not discriminate on the basis of race, color, religion, national origin, gender, sex, age or disability. The College practices and policies also comply with the Michigan Persons with Disabilities Civil Rights Act (PDCRA) and the Michigan Elliott-Larson Civil Rights Act (ELCRA) which prohibits discrimination in hiring based on age, height, weight and marital status and familial status in addition to race, color, religion, sex (which includes pregnancy) and national origin.

The College's Statement on Nondiscrimination is published on the College website at www.alpenacc.edu.

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1015 Chief Financial Officer Access to the Board of Trustees

Adopted by the Alpena Community College Board of Trustees on March 19, 2015.

Notwithstanding the unique role for the president of Alpena Community College to communicate with the Board of Trustees on College business, the chief financial officer of the College is specifically required to convey relevant information to the Board in a case where misappropriation of funds by the president is suspected on the basis of evidence, or where it is suspected on the basis of evidence that the president is suppressing information about misappropriation of funds by any other employee.

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SERIES 2000 — ADMINISTRATION POLICIES

2002 Strategic Planning and Budgeting Policy

Adopted by the Alpena Community College Board of Trustees on October 18, 2007.

At the direction of the President, Alpena Community College shall follow an annual strategic planning and budgeting process in order to set objectives and marshal resources necessary to achieve the College mission and goals enacted by the Board of Trustees. The formal process shall:

1. Originate with the Strategic Planning and Budgeting Committee comprising representatives from all employee units with meetings open for all employees to attend.
2. Gather relevant information from both internal and external sources, subject it to analysis, and incorporate it in the formulation of general operating fund recommendations with as much consensus as possible.
3. Conclude with recommendations in time for review and action by the Executive Council and subsequently by the President.

After acting on strategic planning and budgeting recommendations, the President shall present a balanced, comprehensive annual budget to support objectives of the highest priority for approval by the Board of Trustees prior to the start of the fiscal year.

These elements represent the College's compliance with relevant criteria for accreditation published by the Higher Learning Commission of the North Central Association.

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2003 Visitor Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College welcomes all visitors to the campus and the use of its facilities by the community. Individuals or groups who are not faculty, staff, or students must request permission of the College administration in order to utilize the facilities.

Regulations:

1. College staff will provide assistance to visitors so that their business can be completed in an expeditious manner.
2. Non-staff members and organized groups (including minor children) may be invited as resource people or for instructional purposes to classes or meetings; non-staff members may not perform the duties of College employees nor may they operate College equipment or apparatus on College premises.
3. The College reserves the right to prohibit access to or occupancy of any or all of its facilities by faculty, staff, students, and the general public as deemed necessary and prudent.
4. The use of College facilities by individuals who are not members of the College community is expressly prohibited except for those facilities obviously designed for public use.
5. Minor children shall be in the company and care of a responsible adult at all times, and may not be present in classrooms, laboratories, or other instructional or work areas during class session or work hours unless authorized in an organized group.
6. Although relatives and family members may find it necessary to visit during work hours, their presence should be limited to occasional short periods of time.
7. Violation of this policy and the attendant rules will result in disciplinary or legal action.

Issued: August 22, 1997

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2004 Raffle Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Raffles are permitted as a means of raising funds for College-sponsored activities by College-approved organizations.

Please see Administrative Procedure 2504 pertaining to this policy.

Issued: August 22, 1997

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2005 Archives Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

It is the intention of the Board of Trustees to preserve and protect the permanent records and valuable papers of the College. To that end, the Board of Trustees directs the administration to initiate a formal program to establish an integrated archives and record management system which will include, but not be limited to, procedures designed to identify, collect, preserve, store and make available for use College records and papers of permanent value.

Appropriate retention and disposal schedule designed to systematically purge current records are also to be included in the procedures developed to implement this policy.

Please see [Administrative Procedure 2505](#) pertaining to this policy.

Issued: August 22, 1997

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2006 Election Expense Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

In accordance with Public Act 331 (1966), as amended, the College elections, by law, shall be conducted by the constituent school districts.

The costs for conducting such elections, with certain exclusions provided by Statute, will be considered as a joint expense between the College and the individual school district areas, and subject to the conditions outlined herein.

It is the intention of the Board of Trustees, when College elections coincide with elections held in constituent school districts, to pay their mutually agreed “fair share” of such expense up to 50%.

For special elections involving only the College, the College will pay the election costs.

Please see the Administrative Procedure 2506 pertaining to this policy.

Issued: August 22, 1997

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2007 Privacy Act Statement Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996.

Alpena Community College has an institutional policy specifying the confidentiality of student records and controls regarding any release of information. Students are permitted to inspect and review their own educational records. All requests from students wishing to examine their records must be made on the forms available in the Registrar's Office. Such requests will be honored by Alpena Community College within a time period not to exceed forty-five (45) days from the date of the request.

Transcripts or grades the student receives, financial records, and attendance records cannot be released to third parties, even parents, without a written request by the student.

Please see the Administrative Procedure 2507 pertaining to this policy.

Issued: August 22, 1997

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2008 Proprietary Rights Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

It is the intent of the Board of Trustees of Alpena Community College to encourage innovation and increase productivity in the teaching and learning processes of Alpena Community College. To that end, the academic prestige and effectiveness of Alpena Community College will be enhanced through the generation by its staff of publications, patents, grants, computer software and similar public evidence of scholarly expertise. It is the policy of Alpena Community College to protect the respective proprietary rights of all parties.

Please see the [Administrative Procedure 2508A](#) pertaining to this policy.

Issued: August 22, 1997

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2009 Real Property Acquisition or Disposal Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

Unless otherwise directed by the Board, the administration shall evaluate land holdings every five (5) years as a part of the long-range planning process, using contracted professional services when needed. The President will present his/her recommendations along with reports and/or site development plans to the Board of Trustees.

Please see the [Administrative Procedure 2509](#) pertaining to this policy.

Issued: August 22, 1997

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2010 Use of College Name, Seal and Logotype Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

The exhibition or other use of the Alpena Community College name, seal and logotype is restricted to the official business of the College. Moreover, no person may use or exhibit a name, seal or logotype so nearly resembling those of the College that it tends to deceive the public. No other use is permitted without prior, written consent. Individuals wishing authorization to use the name, seal or logotype for other than official business will direct requests to the President. Apart from this policy, Michigan Compiled Laws 430.102 et seq govern the use of seals and emblems and provide penalties for violation.

Issued: August 22, 1997

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2011 Institutional Effectiveness and Assessment Policy

Adopted by the Alpena Community College Board of Trustees on November 19, 1992

The Board of Trustees affirms a commitment to the development of a comprehensive outcomes assessment system that will:

1. Be ongoing and an integral part of the total institution.
2. Involve a broad base of the college community.
3. Lead to improved services for students.

Appropriate College officials are directed to take all necessary action to implement this commitment and to provide an annual report to the Trustees on progress in this important area.

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2013 Carrying or Possessing Weapons, Firearms or Explosives Policy

Adopted by the Alpena Community College Board of Trustees on January 17, 2002

The Board of Trustees recognizes its responsibility for the safety and welfare of the students, staff, and general public, to preserve the physical assets of the College, and to permit no disruptive action that would hinder students in the pursuit of their educational goals or interfere in any way with the Board and its representatives in the orderly performance of their duties.

Since all College property including vehicles are used for instructional purposes, and, therefore, all spaces are considered “classrooms,” the carrying of weapons, firearms, or explosives is not permitted unless necessary for instruction or the performance of authorized activities. This policy shall apply to all College employees, College students and visitors on College property regardless of whether or not they are licensed to carry a concealed weapon and shall further apply to off-campus activities such as field trips, extension courses, and co-curricular events/activities. The only exception to this policy is licensed law enforcement officers. Violations of this policy will result in disciplinary action up to and including discharge and/or expulsion.

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2014 Cyber Security Awareness and Education Policy

Adopted by the Alpena Community College Board of Trustees on December 17, 2015.

1. Purpose

The College takes protecting the organization, its intellectual property and any personal or confidential information extremely seriously. To help protect our organization, the College will provide training to all our employees, staff and contractors. The College's goal is to make individuals understand the risks in using today's technology and how to effectively defend against today's cyber threats, both at work and at home.

2. Scope

This policy is applicable to all persons who will have access to our network (i.e. employees, consultants, sub-contractors, instructors) and/or have a College e-mail address.

3. Policy

All College personnel will be required to take all training that is introduced as mandatory, usually in the form of on-line video training or onsite workshops. In addition, the College will provide hands-on training, newsletters, and webcasts. Other items may include:

Unscheduled awareness assessments periodically to assure compliance with training.

Feedback surveys to improve our awareness training and education program.

Training completion and results will be maintained by the MIS department as part of a permanent record.

4. Enforcement

Any employee who fails to take required training may be subject to disciplinary action.

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SERIES 3000 — STUDENT SERVICES POLICIES

3001 Admissions Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College grants admission to all persons 18 years of age or older who demonstrate the ability to benefit from a particular program of study. Ability to benefit may be demonstrated by those who:

1. Have a high school diploma or GED, or
2. Have satisfactory skill levels as measured by institutional placements tests, or
3. Enroll in specialized training programs not leading to a degree or certificate, or
4. Are a dually enrolled high school student as provided for by the State School Aid Act, as amended. (Interested high school students should contact their high school principal or guidance counselor for further information).

This admissions policy applies to admission to the College only and is intended to assure students of both opportunity and quality in programs. Admission to a specific curriculum or course is based on student interest, achievement, and test scores necessary for preparation to enter a specific program or course.

Please see Administrative Procedure 3501 pertaining to this policy.

Issued: August 22, 1997

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3002 Residency Policy

Adopted by Alpena Community College Board of Trustees on August 20, 1996

It is the intent of Alpena Community College to make every reasonable effort to correctly classify students according to their residence. In this spirit, the following regulations approved by the Board of Trustees will determine the students' residence status in one of the three categories: i.e., in-district (graduate of Alpena High School; a resident six months in the Alpena Public Schools District), in-state, or out-of-state. Tuition will be paid according to residency status. (If a question arises regarding a student's residence, it is his or her responsibility to discuss it with the Dean of Students).

Please see Administrative Procedure 3502 pertaining to this policy.

Issued: August 22, 1997

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3003 Transcript Evaluation Policy

Adopted by Alpena Community College Board of Trustees on May 16, 1996

Any transfer student accepted for admission or a student of record (prior student) will submit an official transcript to the Coordinator of Registration and Student Records for formal evaluation. Alpena Community College will accept only courses with grades of C (2.00 g.p.a.) or higher from regionally-accredited institutions. Additionally, ACC will not apply any courses (transfer or ACC) more than seven years old toward the occupational specialty area for an Associate in Applied Science degree. Exceptions would be by department recommendation based on departmental proficiency standards.

Issued: August 22, 1997

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3004 Drop Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

A student may drop a class through the 10th week of the semester (2/3 of the semester for accelerated courses). A complete withdrawal from all classes is permitted through the last instructional day of classes prior to final exams.

Please see Administrative Procedure 3504 pertaining to this policy.

Issued: August 22, 1997

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3005 Withdrawal Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

A student withdrawing from the College must begin the process in the Student Services Office. The withdrawal must be presented to the Registrar's Office for recording and authorization of any possible refund. All students who withdraw must be readmitted in order to register for classes.

Please see Administrative Procedure 3505 pertaining to this policy.

Issued: August 22, 1997

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3006 Student Obligations, Fines and Fees Policy

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

Students shall be held responsible for all fees, fines and other obligations that they incur at Alpena community College. Failure to comply with this policy will result in withholding of transcripts.

Issued: August 22, 1997

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3007 Americans with Disabilities Act Compliance Policy

Approved by the Alpena Community College Board of Trustees on May 16, 1996

It is the policy of Alpena Community College to comply with Section 504 of the Rehabilitation Act of 1973 (PL 93-112), as amended (PL 93-516), and with the Americans with Disabilities Act of 1990 (ADA). These acts provide for equal opportunity for students with disabilities in educational activities, programs and facilities.

Students with disabilities seeking special accommodations should contact the Dean of Students. Any student denied special accommodations may appeal the decision to the ADA Grievance Committee. This appeal must be made in writing and students may also be required to attend a meeting in person. The ADA Grievance Committee is comprised of the Dean of Students, the Vice President for Administration and Finance, the Director of the Learning Center, and the Student Services Department Chairperson.

Issued: August 22, 1997

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3008 Academic Renewal Policy

Adopted by the Alpena Community College Board of Trustees on January 13, 1987

Alpena Community College is committed to academic excellence and to the ideal of the dignity and worth of the individual. Recognizing that education is a comprehensive, life-long activity the College will provide a measure of forgiveness for past academic deficiencies. A second opportunity will be provided those former students qualifying for and requesting academic renewal.

Guidelines:

1. A student may declare and receive academic renewal only once.
2. Academic Renewal
 - A. Grades and course history will remain on the transcript, but credits, grade points, and grade point averages will be deleted.
 - B. The point of academic renewal will be the end of a semester as chosen by the student.
 - C. A period of two years or more must have passed since the selected academic renewal point.
 - D. All ACC course work prior to and including the selected semester will be subject to academic renewal.

Please see Administrative Procedure 3508 pertaining to this policy.

Issued: August 22, 1997

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3009 Academic Rights of Students Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Information about Course Content

A student has the right to be informed in reasonable detail in writing at the first or second class meeting with the assigned instructor about the nature of the course and to expect the course to correspond generally to its official description.

Information about Course Grading Criteria

A student has the right to be informed in writing at the first or second class meeting with the assigned instructor about the criteria to be used in evaluating the student's performance and to expect that the grading system as described in the College catalog will be followed. Whenever factors such as absences or late papers will be weighted heavily in determining grades, a student shall be so informed in writing at the first or second-class meeting.

Contrary Opinion

A student has the right to take reasoned exception to the data or views offered in the classroom without being penalized. The instructor has the right to limit discussion.

Academic Evaluation

A student has the right to receive a grade based only upon a fair and just evaluation of performance in a course as measured by the standards announced by the instructor at the first or second-class meeting. Grades determined by anything other than the instructor's good-faith judgment based on such standards are improper. Among irrelevant considerations are race, religion, sex, national origin, political affiliation, or activities outside the classroom that are unrelated to the course work.

Cheating and Plagiarism

Dishonest scholarly practices include, but are not necessarily limited to taking, using, or copying another's work and submitting it as one's own, intentionally falsifying information or taking another's ideas with the intention of passing ideas in class as one's own.

The individual instructor should in most cases, make the judgment regarding a dishonest scholarly practice. The basic criterion that will be used in judging the dishonest scholarly practice is the intention of the student to enhance his own position within the class by employing a dishonest or unacceptable scholarly practice. A few examples would include (but are not limited to): (1) work copied verbatim from an original author, (2) work copied practically verbatim with only a few words altered from the original without proper credit being given, (3) copying answers from another's test paper, (4) evidence of a deliberate and calculated plan to engage in a dishonest academic practice such as gaining access to examinations prior to the time the exam was to be given or the extraction of information regarding an examination from other students, and (5) falsification of clinical records.

Consequences for proven cases of dishonest scholarly practices:

The course instructor will determine the appropriate penalty for proven cases of dishonest scholarly practice in their class. **Minimum penalties will be:**

1. The first offense may result in an equivalent grade of “E” being given for the particular test, project, paper, course, etc. on which the cheating has occurred. The instructor may require the student to demonstrate mastery of the objectives for the particular test, project, paper, course, etc.; the grade will remain as “E.”
2. The second offense (two total offense, not necessarily in one course) will result in the student being assigned a failing grade for the course in which the second offense occurred.
3. Any student involved in three total offenses (not necessarily in one course) will be immediately dismissed for the College for one full academic semester.

The student has the right to appeal this disciplinary action within ten (10) days of the occurrence.

The instructor shall report all incidents of dishonest academic practice to the dean, at the same time informing the chairperson of the department in which the course is offered. The dean shall maintain a file consisting of all reports of incidents of dishonest academic practice. The student shall be notified in writing by the dean in all cases; the students should be notified of the consequences and his/her right to appeal. The information will be placed in the student’s official record. In all cases the dean shall see that the appropriate action is taken and shall notify the instructor and chairperson of the action taken.

Issued: August 22, 1997

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3011 Reportable Communicable Diseases Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College, in order to strike a balance between the right of a student or employee infected with a reportable communicable disease to continue his/her education or employment and the right of fellow students or employees to be free from the risk of exposure to communicable disease, will adhere to the following guidelines and procedures. Reportable communicable diseases defined by the Michigan Department of Public Health include, but are not limited to, Acquired Immunodeficiency Syndrome (AIDS), hepatitis, tuberculosis, and venereal diseases.

Please see Administrative Procedure 3511 pertaining to this policy.

Issued: August 22, 1997

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3012 Financial Credit Policy

Adopted by the Board of Trustees on September 20, 2007.

All tuition and fees are payable at registration except for those students who have approved financial aid.

NOTICE: No student will be allowed to register for courses if any financial obligation is owed from any previous semester.

Waivers for citizens 65 years of age and older:

College district residents 65 years of age and older may register the first day of classes and have their tuition waived if space is available in the desired class. All fees must be paid, however.

If College district residents 65 years of age and older register for classes prior to the first day of class, they must pay full tuition and fees. Once the tuition has been paid, a waiver cannot be granted later for these classes.

Issued: August 22, 1997

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3013 Graduation Requirements Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College continually revises courses, programs, and graduation requirements in order to provide students with quality educational experiences. Courses are updated to reflect new technology, new courses are added to programs to strengthen students' technical skills, and general education requirements are adjusted in order to more effectively meet students' needs. In situations in which students have enrolled in the College and changes have been made in the graduation requirements for the program that they are pursuing, the following guideline is established:

Students enrolled in a program and degree at Alpena Community College will have the option of completing the degree as specified under the requirements in place at the time of the student's initial enrollment in the program or the requirements in place at the time of graduation if the student has been continuously enrolled in the program. Continuous enrollment is defined as enrollment in at least one course during the fall and spring semesters from the initial time of enrollment in the program until the time of graduation. Students who do not meet the continuous enrollment requirement must meet the program requirement in effect at the time of graduation.

Issued: August 22, 1997

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3016 Student Travel Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Students who travel on College-related activities **MUST** have advance written approval from the appropriate College official to do so. An “Application for Travel Approval” form must be completed and approved by the group advisor and appropriate dean. Travel advances of up to 90 percent of the estimated total are available. Upon completion of the trip, the actual expenses must be documented on the “Application for Travel Approval” form and resubmitted to the Registrar’s Office. **RECEIPTS MUST ACCOMPANY ALL EXPENSES.**

Issued: August 22, 1997

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3017 Recognition for Student Achievement Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The recognition of all students for achievement is encouraged. Such recognition procedures will take a variety of forms but must be appropriate and related to the goals of the College. The criteria and procedures for identifying and presenting said recognition will be developed within the guidelines or expectations established for the secondary education program and related extra-curricular activities.

It is expected that proposed trophies, prizes, scholarships or other awards will be consistent with regulations of State or National organizations and College policies.

The acceptance or rejection will require affirmative answers to at least the following criteria:

1. Can the proposed award be considered free from motives of personal or corporate gain and publicity?
2. Are the criteria for making the award under the control of the professional staff, or acceptable to the staff?
3. Are the purposes, either implied or explicit, of the proposed award consistent with our College goals?

Issued: August 22, 1997

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3018 Academic Probation and Dismissal Policy

Adopted by the Alpena Community College Board of Trustees on March 27, 1979

A student may be placed on academic probation or dismissed from the College if he/she cannot maintain the minimum academic standards of the College, or if there is scholastic evidence that he/she can no longer benefit from or successfully work toward the completion of a program at Alpena Community College.

Please see Administrative Procedure 3518 pertaining to this policy.

Issued: August 22, 1997

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3019 Right to Access and Privacy of Student Records Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Information to be gathered by Alpena Community College shall be limited to that which will contribute to the education of the student and information necessary for the College to qualify for State and Federal grants.

Any student enrolled at Alpena Community College has the right to inspect and review any and all records, files, and data directly related to himself/herself except:

1. Confidential letters submitted under waiver of the right of future access or review.
2. Financial records of parents.
3. Confidential letters or documents of recommendation submitted prior to January 1, 1975.
4. Personal files seen only by the writer.
5. Files related to employment status.

Furthermore, personally identifiable records or files will not be released without the written consent of the student except to other College officials and those agencies specified under current State and Federal Law.

Please see Administrative Procedure 3519 pertaining to this policy.

Issued: August 22, 1997

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3020 Student Organization Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Board of Trustees of Alpena Community College supports the concept of an active student organization at the College.

College groups and other such organizations will be authorized only when recognized by the Student Senate.

Issued: August 22, 1997

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3021 College-Sponsored Activities and Social Events Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

All events partially or totally paid for by College funds, (including student activity fee monies) whether on or off campus, must have authorization in advance by the appropriate administrative officer. Further, any event not authorized by the administration in advance will not be considered a College-sponsored activity.

Please see Administrative Procedure 3521 pertaining to this policy.

Issued: August 22, 1997

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3022 Student Activity Fee Management of Funds Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The accounting system for managing student funds shall be designed to yield the largest possible educational return to students without sacrificing the security of funds or exposing the students to undue responsibility or unnecessary routine.

The administration is charged with the responsibility for establishing regulations and procedures for the continued operation and maintenance of student activity accounts and for the safeguarding, accounting, and auditing of all monies received and derived there from.

Only authorized College groups or clubs may receive revenues from student activity fee monies.

Issued: August 22, 1997

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3023 Gifts to College Personnel Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Students and their parents will be discouraged from the routine presentation of gifts to College employees. When a student feels a spontaneous desire to present a gift to a staff member, the gift will not be elaborate or unduly expensive. The Board shall consider as always welcome and, in most circumstances, more appropriate the writing of letters to staff members expressing gratitude or appreciation.

Issued: August 22, 1997

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3024 Student Accident Policy

Adopted by the Alpena Community College Board of Trustees on October 18, 2001

Any personal injury, which occurs on College property or in the course of a College-sponsored function or event, must be immediately reported to the College administration and an ACC incident report form completed and returned to the Office of the College Controller or his/her designee.

Only minor emergency first aid should be administered by an employee.

Please see Administrative Procedure 3524 pertaining to this policy.

Issued:

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3025 Tutorial Program Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

All students enrolled at Alpena Community College are potentially eligible to receive the services of a tutor for those courses in which they are experiencing difficulty.

Please see Administrative Procedure 3525 pertaining to this policy.

Issued: August 22, 1997

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3026 Financial Aid Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

All students enrolled at Alpena Community College are eligible to be considered for financial assistance.

The Administrative Procedures pertaining to this policy are available from the office of Student Services.

Issued: August 22, 1997

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3027 Campus Nicotine Policy

Adopted on October 17, 2018, by the Alpena Community College Board of Trustees. Replaces 3027, Tobacco Use Policy, adopted by the Alpena Community College Board of Trustees on May 21, 2009.

Policy Statement

Alpena Community College is committed to providing a safe and healthy work and learning environment for all students, employees, and visitors. It is the policy of the College that smoking and the use of nicotine on all its campuses is prohibited.

Definitions

Smoking

Smoking is defined, but not limited to, the act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind, and/or “vaping” with e-cigarettes, mechanical personal vaporizers (MPVs), or atomizers. It also includes the use of any product intended to mimic tobacco products, contains tobacco flavoring, or delivers nicotine other than for purposes of cessation.

Smokeless Tobacco

Alpena Community College prohibits the use of smokeless tobacco products on any of its campuses. This includes chewing tobacco, dipping tobacco (dip), snuff, nasal tobacco (snus) and/or any other variation of smokeless tobacco product.

Electronic and Mechanical Nicotine Delivery Systems and Vaping

Alpena Community College strictly prohibits the use of e-cigarettes and/or any other type of electronic or mechanical nicotine delivery system. This includes electronic cigarettes, pipes, cigars, and atomizers or mechanical devices such as mechanical personal vaporizers (MPVs) which use mechanical magnetic switches for activation. While the College recognizes that these products may not contain tobacco, they may contain nicotine and their use looks similar to regular tobacco products and therefore gives the appearance and/or effect of smoking.

Scope

The Campus Nicotine Policy applies to any property owned or maintained by the College including inside all buildings including College Park Apartments, exterior open spaces, parking lots, indoor facilities, on-campus sidewalks, recreational spaces, and in vehicles owned or leased by the College. This policy applies to all employees, temporary employees, students, clients, visitors (customers and vendors), consultants, independent contractors and/or their employees on College property.

Theatrical Performances at the Granum Theatre

The use of artificial tobacco products designed to mimic the appearance of smoking are only permitted on stage as part of a theatrical production. Such props must be verified by the Director of Facilities to ensure compatibility with smoke detection devices.

Cessation

Alpena Community College is strongly committed to supporting individuals to become nicotine free. Nicotine replacement therapy products (e.g., nicotine patches, gum) for the purpose of cessation are permitted provided they do not give the appearance of smoking. Employees may contact Human Resources for more information on available smoking cessation programs.

Please see [Administrative Procedure 3527](#) pertaining to this policy.

Issued: October 17, 2018

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3028 Former Students Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College extends to all students a continuous matriculation; therefore, a former student needs only to contact the Registrar's Office to update personal information file and reactivate registration status. The only exception to this policy applies to students who have been formally dismissed. They must reapply through the office of the Dean of Students.

Issued: August 22, 1997

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3029 Guest Students Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

A guest applicant is a student who is currently enrolled in a program at another college or university, and who wishes to complete a course at Alpena Community College as part of that program. Guest applicants may complete the regular application procedure, or complete a Guest Application Form, and receive permission to attend Alpena Community College. Guest Application Forms are usually available at the Records Office of the student's home college or university. A student may not attend as a guest for two consecutive semesters.

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3030 Transfer Students Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Transfer students are welcome to apply for admission to Alpena Community College. Transcripts of college level course work may be submitted for evaluation to determine possible transfer of credit under the following policies:

1. Credits may be transferred from regionally accredited institutions only.
2. Only courses with a “C” (2.0) grade or higher are accepted in transfer.
3. Quarter credits or other units of credit transferred in will be converted to semester credits and must equal the required semester credits for the purpose of satisfying graduation requirements.
4. Course work older than seven years will not apply towards any occupational specialty area for an associate in applied science degree. Exceptions may be allowed with departmental recommendation based on departmental proficiency standards.

Issued: August 22, 1997

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3031 Refund Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996; edited July 13, 2018

Full Refunds (100%)

A refund of all tuition paid will be issued providing a Drop/Add form is processed and in the possession of the Registrar's Office (Van Lare Hall) prior to 3:30 p.m. of the last day of the enrollment period of the semester, or if a miscellaneous course, prior to the end of the enrollment period of the course.

The "enrollment period" is defined as: not less than 1/10th of the calendar days between and including the first day of the semester and the final exam period. This college uses a Predominant Calendar System for determining the actual enrollment period for regularly scheduled semester courses (Fall, Spring, Summer). Other individually scheduled courses have independently determined enrollment periods.

The "enrollment period" starts with the first instructional day of a semester or miscellaneous course and ends when the appropriate number of calendar days has elapsed.

Financial aid students who have attended classes but have withdrawn during the full (100%) refund period will be assessed the cost of books and required fees, which will be charged against available grants and loans. No scholarship or grant funds will be refunded to the student. Books can be returned to the ACC Bookstore for the proper credit. Fees currently being charged to students include a registration fee, student services fee, facilities maintenance fee, and a drop/add fee.

Pro-Rata Refund

Alpena Community College will refund to the student the appropriate portion of tuition and fees according to current federal regulations. This policy applies to a student who is attending the institution for the first time and who is receiving Title IV financial aid and who withdraws from classes prior to 60 percent of the enrollment period having elapsed.

Issued: August 22, 1997

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3032 Non-Payment Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Grades and other records may be withheld from those students who have not met all of their financial obligations.

Issued: August 22, 1997

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3034 Tuition Policy for International Students

Adopted by the Alpena Community College Board of Trustees on June 21, 2001

Students attending Alpena Community College under F-1 Visa status must meet the following conditions to be eligible for in-district tuition consideration:

1. Student must be officially sponsored in writing by a resident of the tax district;
2. Student must be living with a resident of the tax district during enrollment at the College;
3. Student must maintain a 3.00 GPA;
4. Student must agree to provide a specified series of college service activities; and
5. A maximum of twelve students will be eligible for such consideration during any enrollment period at the College.

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SERIES 4000 — INSTRUCTIONAL POLICIES

4001 General Instruction Policy

Adopted by Alpena Community College Board of Trustees on August 24, 1976

In its relationship with the instructional program of the College, the Board of Trustees hopes to make its finest contributions to education in our community. The Board sees itself supporting and supplementing the efforts of the faculty.

How college classes are taught is generally the prerogative of the professional staff. Our contribution to that operation is to provide the needed equipment, materials of instruction, and such other facilitating action that they may need.

The Board is interested, too, in supporting the staff's continuing efforts to improve the instructional program.

Finally, the Board wishes to have the staff present evidence of student achievement or lack of achievement in light of the goals of the college.

Since different people learn in different ways, the Board encourages a variety of programs and a variety of teaching styles in hope that diversity in the college environment will enable more students to have successful school experiences and to broaden their interests and abilities, and to establish or complete a career goal.

Issued: August 22, 1997

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4002 Instructional Program Policy

Adopted by Alpena Community College Board of Trustees on August 20, 1976

The primary purpose of the instructional program at Alpena Community College is to educate and prepare students for a purposeful station in society.

The instructional program has been developed around the perceived needs of the students for two years of transfer credit for occupational training for satisfaction of special interests. The objectives of the program are to provide the education and preparation for these student needs while finding answers to new ones.

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4003 Subject Fields Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1976

Alpena Community College will endeavor to instruct in subject fields which are recognized as valid by other institutions of higher education so that transfer students may make maximum use of their time.

Other fields of study may also be considered as college credit when they provide instruction useful to our constituency.

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4004 Experimental/Innovative Programs Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Alpena Board of Trustees will encourage new programs whenever they can be developed to answer the needs of the community.

Issued: August 22, 1997

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4005 Curriculum Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

In its structure and emphasis, the Alpena Community College curriculum should reflect the priorities and responsibilities set forth in the College's statement of educational philosophy and goals (see College catalog). It is expected that in their day-to-day activities, the administrative and instructional staff will apply and implement the educational goals of the College. The Alpena Board of Trustees, its administration and faculty, shall systematically and continuously review the curriculum of Alpena Community College in the interest of adherence to those standards and objectives.

The Board of Trustees will establish, as it sees fit, such programs of instruction supplemental to the regular courses of study as in its opinion are necessary and desirable in fulfilling the educational needs of the community or of special groups within the community.

The Board of Trustees will attempt to provide such special services and programs, as it deems necessary to achieve the aims of the curriculum and to discharge its educational obligation to the community. In general, these will consist of non-academic services or they will be designed to enable students who are handicapped. The Board of Trustees also recognizes the claims of the gifted and talented students and will endeavor to provide for their special needs whenever possible.

Issued: August 22, 1997

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4006 Course Scheduling Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

The College academic year will be divided into two (2) semesters, fall and spring, and summer session. Course schedules will be prepared in sequence of two (2) semesters at a minimum to allow students to adequately plan their courses of study.

Issued: August 22, 1997

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4007 Instructional Class Sessions Policy

First adopted by the Alpena Community College Board of Trustees on August 20, 1996. Revised on December 21, 2016.

In accordance with federal regulations and for purposes of the application of its policy on the Definition of a Credit Hour, Alpena Community College adopts the federal definition of the credit hour which is as follows (as provided in 34 CFR 6668.8(k) and (l)):

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 not less than –

- (1) One hour of classroom or direct faculty instruction and a minimum of two hours of 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*
- (2) At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution, including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.*

This definition of credit hour applies to all courses regardless of the mode of delivery, including, but not limited to, online, hybrid, lecture, studio, and laboratory. Learning objectives, expected outcomes, and workload expectations that meet the standards set forth above should be clearly stated in all courses.

Please see [Administrative Procedure 4507](#) pertaining to this policy.

First Issued: August 22, 1997. Revised: December 21, 2016.

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4008 Recognition of Religious Beliefs and Customs Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Although college instruction may involve an objective study of religious beliefs and customs, there will be no organized effort to support, discredit or destroy established institutions.

Issued: August 22, 1997

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4009 Controversial Issues Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Controversial issues arising from research, teaching or the traditional college involvement in intellectual pursuits will be considered a part of the internal process of higher education. The college will not lend its name or resources to private, political, or commercial causes without explicit Board direction.

Issued: August 22, 1997

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4010 Student Freedom of Expression Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Students have all rights as citizens to freedom of expression and are responsible for their actions and statements as are all citizens.

Issued: August 22, 1997

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4011 Directed Study Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Occasionally, students will have a need and interest to pursue additional study in a selected subject area which is not normally taught within the curriculum. An instructor, upon appropriate approval, may create a directed study experience to meet a specific educational or training need if the instructor determines the student(s) is/are capable of successfully completing the proposed course of study.

Please see Administrative Procedure 4511 pertaining to this policy.

Issued: August 22, 1997

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4012 Independent Study Courses Policy

Adopted by the Alpena Community College Board of Trustees on July 11, 1996

Occasionally, the need will arise to provide selected students an alternative delivery system in lieu of regular lecture and/or lab only scheduling for courses taught within the curriculum. An instructor, upon approval, may create an independent study course to meet an individual student's need if the instructor determines the student is capable of successfully completing the course through independent study.

Issued: August 22, 1997

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4013 Final Class Examinations Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1996

Final exams are considered to be an important part of the evaluation process in most college classes, and instructional time is scheduled for final examinations. Examination time will be used for examinations or equivalent instructional activities.

Issued: August 22, 1997

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4014 Minimum Course Enrollment Policy

Adopted by the Alpena Community College Board of Trustees on July 11, 1996

The minimum paid student enrollment to offer non-sequential credit courses on and off campus is ten (10) students if only one (1) course section is scheduled for the location. A paid student enrollment of fifteen (15) students is required for the first sequential course at any location if only one course is scheduled. Courses with enrollments below these minimums may be offered if one of the following criteria exists:

1. The course is taught at an instructional rate, which makes it cost effective.
2. The course is taught as part of a full-time faculty member's normal load to maximize the annual instructional load.
3. The course is required for students expecting to graduate at the end of the semester.
4. The course is necessary to maintain the continuity and normal completion time for the curriculum.
5. The course meets a specific need within the College community.

Issued: August 22, 1997

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4015 Course Syllabi Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

Instructors are required to prepare a syllabus for each course taught. The syllabus will be prepared in accordance with the Alpena Community College standardized Course Syllabus Preparation Guidelines. Each student shall be given a course syllabus during the first week of class.

Issued: August 22, 1997

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4016 Articulation Agreements Policy

Adopted by the Alpena Community College Board of Trustees on July 11, 1996

In the interest of cooperatively serving students who wish to continue their education beyond the secondary level, the College will enter into articulation agreements with area high schools in selected program areas.

Issued: August 22, 1997

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4017 College Level Examination Program (CLEP) Policy

Adopted by the Alpena Community College Board of Trustees on March 27, 1979

New students will be given the opportunity to gain credits through the College Level Examination Program (CLEP) process.

Please see Administrative Procedure 4517 pertaining to this policy.

Issued: August 22, 1997

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4018 Non-Traditional Credit Evaluation Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

A maximum of thirty (30) semester hours may be applied toward the associate degree from non-collegiate/non-traditional learning experiences such as military school, work experience, correspondence courses and credit by examination.

Please see Administrative Procedure 4518 pertaining to this policy.

Issued: August 22, 1997

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4019 Request for Credit or Waiver by Examination Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Students may demonstrate proficiency in the content of selected courses based on prior experience in lieu of enrolling in regular course work for ACC credit. A student may request a proficiency examination in a course upon prior approval of the course instructor, and upon passing the examination; receive full credit for the course.

Please see Administrative Procedure 4519 pertaining to this policy.

Issued: August 22, 1997

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4020 Audio-Visual Materials Policy — Learning Resources Center

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Learning Resources Center (Library) will maintain the audio-visual materials, which are available to all instructors. The Learning Resources Center is responsible for maintaining an inventory of the audio-visual materials and the location of the materials at all times.

Issued: August 22, 1997

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4021 Audio-Visual Materials Policy — The Learning Center

Adopted by the Alpena Community College Board of Trustees on March 27, 1979

The Learning Center will maintain audio-visual materials, which are available to all instructors. The Center is responsible for operation, maintenance, and inventory of its audio-visual materials.

Issued: August 22, 1997

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4022 Community Resources Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

It is recommended that college personnel use community resources to further the education of students.

Issued: August 22, 1997

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4023 Student Production of Services and Materials Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The primary interest of the Alpena Community College Board of Trustees is the education of people. Any production of services or materials by students must, therefore, be educational.

Issued: August 22, 1997

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4024 Textbooks and Workbooks Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The texts, workbooks or materials required in a course are described on the course outlines. The college bookstore handles course texts and materials as specified in the course outline. Some texts are also stocked by local bookstores.

Issued: August 22, 1997

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4025 Faculty Meetings Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Faculty departments will meet on a regular basis to coordinate the curriculum within the discipline areas. Every effort will be made to involve part-time faculty in departmental activities whenever possible.

Issued: August 22, 1997

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4026 Faculty Qualification Policy

First adopted by the Alpena Community College Board of Trustees on August 20, 1996. Revised on November 16, 2016.

The college will continually strive to hire the most qualified individuals available to teach on a full-time or part-time basis.

Instructors teaching courses in a transfer degree or under the Michigan Transfer Agreement must hold a master's degree or higher in the discipline or subfield. If a faculty member holds a master's degree or higher in a discipline or subfield other than that in which he or she is teaching, that faculty member should have completed a minimum of 18 graduate credit hours in the discipline or subfield in which they teach. A tested credential and work experience will be used to determine qualifications for foreign language and American Sign Language instructors.

Instructors teaching courses in a terminal degree (certificate or associate in applied science) must meet one of the following criteria:

- a. Bachelor's degree in the discipline or subfield. (preferred)
- b. Associate's degree in the discipline and 5 years of work experience.
- c. Recognized industry tested credential and 5 years of work experience.

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4027 Adjunct Faculty Benefits Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

It is to the good of the college to recruit and retain qualified adjunct faculty to enhance the delivery of quality educational and training experiences for students. An adjunct faculty member is one who teaches eight (8) or less equated hours of instruction. Adjunct faculty will receive selected benefits for their work at the college as defined by the appropriate procedures.

Issued: August 22, 1997

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4028 Adjunct Faculty Evaluation Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Part-time faculty will be evaluated annually by the department chairperson in compliance with procedures adopted by the institution.

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4029 Field Trips Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Faculty is encouraged to incorporate practical experience opportunities into their course content. Field trips are encouraged to achieve the objective. Faculty must obtain prior approval to conduct course field trips (from Department Chairperson and Dean).

Issued: August 22, 1997

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4030 Student Opinion of Instruction Policy (Adjunct Faculty)

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

The college will continuously strive to assess and improve the quality of instruction and enhance teaching effectiveness. One method to be used in implementing a continuous quality improvement plan is to routinely survey students on the quality of instruction and teaching effectiveness. A student opinion of instruction survey will be conducted in all courses taught by adjunct instructors.

Issued: August 22, 1997

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4031 Community/School Partnerships — Tech Prep Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

The Board of Trustees of Alpena Community College joins with Alcona Community Schools, Alpena Public Schools, Atlanta Community Schools, Hale Area Schools, Hillman Community Schools, Oscoda Area Schools, Posen Consolidated Schools, Rogers City Community Schools, Tawas Area Schools, Whittemore-Prescott Schools, Iosco ESD, COP/ISD, AMA/ESD, business, industry, and government in Northeast Michigan to establish the northeast Michigan Tech Prep Consortium to design an educational delivery system for Northeast Michigan that will:

- Provide enhanced counseling and career guidance services in grades 7-14 with an education/employability development plan for each student.
- Provide technological education in grades 7 through 10.
- Provide all students with a common core proficiency in mathematics, science, communications, social science/humanities and technology.
- Integrate academic and vocational/technical education into a sequential program of study that may be articulated with a post-secondary technical education program.
- Prepare all graduates with the skills necessary to enter a post-secondary education program without the need for remediation.

Issued: August 22, 1997

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4032 Community/School Partnership/Workforce Development Board Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

The Board of Trustees joins with local business and industry, school districts and other public service agencies to implement a local Workforce Development Partnership to promote education and training opportunities for citizens and organizations within the service area of the college. The Alpena Community College Board of Trustees commits appropriate college staff to act as a liaison and serve on local Workforce Development Boards as requested.

Issued: August 22, 1997

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4033 Program Advisory Committee Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

The Board of Trustees supports and encourages the development of Program Advisory Committees for all occupational areas. The Board further recognizes that these members are selected to serve on a program committee because their knowledge and understanding of training and employment are advisory in nature. They may assist the college in developing curricula and identifying training experiences needed by students to become employable.

Issued: August 22, 1997

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4034 Program Approval Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

The Board of Trustees authorizes the initiation of all credit certificate and associate degree programs upon approval of the President and recommendation of the College Curriculum Committee. New programs, certificates, and degrees must reflect local, regional, state, and national employment needs or transfer requirements to baccalaureate institutions.

Upon approval of new programs, the Board directs appropriate college officials to obtain necessary state and regional accreditation.

Issued: August 22, 1997

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4035 Staff Development Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996

The Board of Trustees supports and encourages the professional growth and development of all college employees. The Board authorizes creation of a Staff Development Committee at Alpena Community College to promote activities and provide assistance to enable all employees of the college to be involved in some type of self-improvement experience. This may include being updated in topics of general interest to those who work in a community college setting, as well as in specific information, techniques, and skills for individual areas of interest and responsibility.

Issued: August 22, 1997

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4036 Student Outcomes Assessment Policy

Adopted by the Alpena Community College Board of Trustees on June 20, 1996; edited July 13, 2018

The Board of Trustees supports and encourages the documentation of students' academic achievements as part of the evidence that the institution meets the criterion established by the College's accrediting body. The Board of Trustees directs the appropriate college officials and the Student Outcomes Assessment Committee to design, implement, and administer a Student Outcomes Assessment Plan which addresses the following components:

1. The plan must be linked to the mission, goals and objectives of the institution.
2. The plan must be carefully articulated and institution-wide in conceptualization and scope.
3. The plan must lead to institutional improvement.
4. The plan must be implemented according to a time line.
5. The plan must be administered by the Vice President of Instruction.

Issued: August 22, 1997

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4037 Quality Assurance Guarantee Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College assures that its graduates who complete course work with a “C” or better average and earn an Associate Degree or Certificate of Achievement are competent in the subject of those courses and capable of performing the skills specified in their particular program of study.

Because unused skills deteriorate rapidly, the assurances offered herein are in effect for a period of one year following graduation from Alpena Community College.

Graduates who transfer are assured that any course on the appropriate transfer equivalency list identified as transferable and completed with a grade of “C” or better will transfer to the baccalaureate degree institution listed.

Transferring institutions are assured that Alpena Community College graduates are competent in courses completed with a grade of “C” or better. A student will be permitted to retake, at no tuition charge, any course or courses in areas deemed deficient by the institution to which the student transferred.

Employers are assured that an Alpena Community College graduate has the skills to perform competently in the areas covered in course work completed with a grade of “C” or better. Remediation may be requested by an employer who believes a graduate does not possess appropriate skills and can specify deficiencies in the course content area. Alpena Community College will permit the student to retake a specified course or courses with no tuition charge.

Issued: August 22, 1997

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4038 Advanced Credit Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

In addition to credit earned at another accredited institution of higher education, a maximum of 30 semester hours may be applied toward the Associate Degree from sources other than credit earned in college courses; for example, military school, work experience, correspondence schools and/or credit by examination. CLEP is the College-Level Examination Program. It enables those who have reached the college level of education in non-traditional ways to assess the level of their academic achievement and to use the test results in seeking college credit or placement. The test can be taken at Alpena Community College or at other test centers. ACC is a “limited” test center for CLEP and administers the examination only to ACC students or to new incoming students who have been admitted to ACC and are taking the examinations for credit at ACC.

Issued: August 22, 1997

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4039 Advanced Placement Policy

Adopted by the Alpena Community College Board of Trustees on August 20, 1996

Alpena Community College accepts credit from the Advanced Placement (AP) program. ACC will evaluate AP grade reports received from the College Board and will award appropriate course credit for selected AP examinations. Minimum score requirements vary from course to course.

Issued: August 22, 1997

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4040 Non-Supplanting of Perkins Funds Policy

Adopted by the Board of Trustees on September 20, 2007.

Federal funds received under the Carl D. Perkins Vocational and Applied Technology Act shall be used to supplement and increase, to the extent practicable, the amount of state and local funds that would, in the absence of such federal funds, be made available for the use specified in the Act, and in no case supplant such state or local funds.

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4041 Posting of Grades Policy

Adopted by the Board of Trustees on October 18, 2007

The posting of grades for the purposes of efficiently and effectively transmitting information to students about their academic progress is permitted providing that it protects the identity of each individual on the posting. The use of social security numbers, college-issued student ID numbers, names, and initials or parts thereof, as a means of student identification, are prohibited in the posting of grades. The use of random numbers confidentially assigned to an examination or student may be used as a means of identification for the purposes of posting grades

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SERIES 5000 — BUSINESS SERVICES

5001 Budgeting of Revenues and Expenditures Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Board of Trustees is aware of the potential reductions in revenues during the fiscal year over which no control is possible and unforeseen expenditures may exceed budgeted allocations. As a protection against such reductions of income or a required increase of expenditures, the General Fund Budget shall include a reserve equal to two (2) per cent of the total budgeted expenditures, unless waived by the Board at the time of adoption because of extenuating circumstances.

Issued: August 22, 1997

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5002 Transfer of Funds Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

At any time during the fiscal year, budget categories may be examined and the year-end status of each estimated. Well before the close of the fiscal year, upon approval by the Board, appropriate amounts may be transferred from those categories in which a surplus is anticipated into those in which a deficit is anticipated only as permitted by law.

Legal Reference: M.S.A.

15.3565 Accounting of monies

15.3566 Use of school monies

Issued: August 22, 1997

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5003 Sales of Real Estate Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976. Revised on March 27, 1979

All sales of College real estate shall be approved by the Board in a scheduled meeting. Such transactions must be conducted in conformity with state law and serve to forward the educational opportunity of the College's students.

The rental and/or loan of equipment (less than one (1) month) for use outside the College shall be determined on an individual basis with due consideration given to community needs. The Board reserves the right to make exceptions.

Legal Reference: M.S.A.

- | | |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15.3077 | Acquisition of sites and buildings; sales; exchange or lease of property; dedication or sale for highway purposes; taxation of leased real property. |
| 15.3580 | Use of school property as community or recreation centers; rules and regulations' damages; fees |

Issued: August 22, 1997

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5004 Short-Term Loans Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Funds shall be borrowed from a responsible organization offering the most favorable terms.

Issued: August 22, 1997

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5005 Employee Bonds Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

All College employees who handle funds shall be covered for amounts recommended by a reputable insurance firm under a blanket fidelity bond.

Issued: August 22, 1997

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5006 Tax Abatement Policy

Adopted by the Alpena Community College Board of Trustees on September 19, 1991

Alpena Community College views the economic health of its district as a matter of critical importance. In this light, the Board of Trustees will look favorably toward tax abatements when by virtue of the abatement; a significant benefit to the district and its citizens in economic terms can be expected to be realized. Abatement may be considered appropriate whether the need arises by virtue of expansion of an existing business or for the attraction of new business. The Board will be concerned with a net benefit in comparison with any short-term detriment which the College may suffer as a result of the abatement as compared with non-abatement; and also will be concerned with other benefits which the College district may enjoy from the expansion of business resulting from the abatement, such as the value of training programs or other educational services available through the College that the entity seeking abatement might utilize, or the enhancement of the overall quality of life which the abatement might provide to the citizens of the district.

In pursuit of this policy, the Board of Trustees directs appropriate College officials to develop procedures which will implement the above policy and periodically advise the Board with regard to the institution's analysis of tax abatements which are being proposed.

Issued: August 22, 1997

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5007 Investment Policy

Adopted by the Alpena Community College Board of Trustees on November 18, 1993

SCOPE

This policy applies to the financial assets of Alpena Community College. Specifically, assets of those funds that are designated for operations and expansion of plant facilities and other funds as designated by the College Board of Trustees.

OBJECTIVE

Assets of the College shall be invested in compliance with the Community College Act of 1966, as amended by Act 299. The investment of assets shall be managed in a manner as to maximize rate of return, while facilitating cash flow and preserving capital.

DELEGATION OF AUTHORITY

The Vice President for Administration and Finance at Alpena Community College shall be designated as responsible for investment decisions and activities. The Vice President for Administration and Finance may direct specific members of his staff to conduct investment activities on his behalf. Timing of investments will be based on a cash flow analysis to optimize return while maintaining the ability to liquidate obligations as they become due.

PORTFOLIO COMPOSITION

Limitations on instruments and schedules of maturities shall depend upon whether the funds being invested are short or long term. The College will diversify use of instruments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. Diversification of instruments shall include, but not necessarily be limited to:

- U.S. Treasury Obligations (Bills, Notes, Bonds)
- Certificates of Deposit (CDS) Commercial Banks
- Certificates of Deposit (CDS) Savings & Loan Associations
- Money Markets
- Checking Accounts

Issued: August 22, 1997

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5008 Surplus Property Disposal Policy

Adopted by the Alpena Community College Board of Trustees on January 21, 1994

Properties of the College (excluding real property) will be disposed of under the following conditions:

1. The property is surplus (no longer needed) or obsolete (no longer suitable or operational).
2. All sales of such property will be advertised in advance, and sales will be open to the public. A licensed auctioneer may be used to conduct such sales at a public auction and the property will be sold to the highest bidder. The College may establish minimum bid requirements for individual items.
3. Proceeds of the sales of such property shall be deposited in the College's Plant/Equipment Fund.
4. The College's Business Office will maintain records of all property which has been disposed of under this policy.
5. Procedures for implementing this policy shall be administered by the Vice President for Administration and Finance.

Please see Administrative Procedures pertaining to this policy.

Issued: August 22, 1997

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5009 Local Incentive for Providing Goods and Services Policy

Adopted by the Alpena Community College Board of Trustees on September 15, 1988. Revised by the Alpena Community College Board of Trustees on September 19, 2013

Unless restricted by federal regulations, the Board of Trustees approves a 3% local incentive for qualified vendors seeking to provide goods and services through the competitive bidding/quotation process, who have a valid and permanent business address within the College tax district at least six (6) months prior to the solicitation date for providing such desired services.

Issued: August 22, 1997

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5010 Federal Property Assistance Program Policy

Adopted by the Alpena Community College Board of Trustees on October 29, 1992

The Board of Trustees approves the attached resolution authorizing the College's participation in the Federal Property Assistance Program under the conditions specified.

Issued: August 22, 1997

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5011 Tuition Waiver for Campus Activity Program Policy

Adopted by the Alpena Community College Board of Trustees on March 15, 1990; revised on September 16, 2021, and January 19, 2023.

The Board of Trustees authorizes College officials to initiate procedures which will implement a program of tuition waivers in selected activity areas that will make available to designated key participants a waiver of tuition in an amount not to exceed 30 contact hours per year per student with a grand total of such waivers not to exceed 780 contact hours per fiscal period. In addition, this policy allows students a book and fee waiver only when the student's contact hours are covered by another source; the approval of these waivers will come from the Dean of Students and be based on established procedures. The book and fee waiver amounts will not exceed the equivalent amount allowed for contact hours. Annual progress reports will be provided.

Issued: August 22, 1997

Revised: September 16, 2021; January 19, 2023.

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5012 Adjunct Faculty Waiver Tuition Policy

Adopted by the Alpena Community College Board of Trustees on June 18, 1992; edited on July 13, 2018

1. Adjunct faculty earn .5 contact hour tuition waiver for each one (1) contact hour taught, NOT to exceed a maximum of eight (8) contact hours per academic year. NOTE: The academic year is determined to begin with the fall semester and end after the summer session.
2. The adjunct faculty member may use this benefit for him/herself, or spouse, or an unmarried dependent child as defined by the IRS for personal income tax reporting, at a total of no more than eight (8) contact hours.
3. The adjunct faculty member can use this benefit after employment during one (1) academic year with ACC. This tuition waiver benefit is earned in the year prior to the year it is used. The adjunct faculty member cannot accumulate this no-cost tuition benefit beyond the subsequent academic year after the year earned.

NOTE: An adjunct faculty member is defined as anyone who teaches a total of eight (8) or less contact hours per semester.

To expedite the potential use of this benefit, it was further proposed that credits be earned retroactively to the 1991 fall semester so that actual waivers could be granted starting with the fall semester of 1992. It is anticipated that even under these conditions, limited use will be made of this policy, but that a good faith message will be provided to the College's adjunct faculty of their worth and value to the institution. However, a record shall be maintained of the use of this potential benefit and periodically reported to the Trustees.

Issued: August 22, 1997

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5013 Security of Buildings and Grounds Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Buildings constitute one of the greatest investments of the College. It is in the best interest of students and taxpayers to protect that investment adequately.

Security means more than having locks and being sure that they are locked at the proper times. Security also means:

1. Minimizing fire hazards.
2. Reducing the probability of faulty equipment.
3. Guarding against the chance of electrical shock.
4. Keeping records and funds in a safe place.
5. Protecting against vandalism and burglary.

The President is directed to establish such rules and regulations as may be needed to provide for security in the sense outlined above.

It will be the policy of the Board of Trustees to vigorously seek restitution from student and/or parents of students responsible for damage to College property through negligence, malicious mischief or vandalism.

Issued: August 22, 1997

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5014 Facility Rental Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Vice President for Administration and Finance shall have authority to enter into rental agreements on an annual basis for use of campus facilities. Any agreement exceeding one year shall be approved by the Board of Trustees.

Issued: August 22, 1997

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5015 Food Service Policy

Adopted by the Alpena Community College Board of Trustees on March 27, 1979

The Vice President for Administration and Finance shall have the authority to enter into a contract for food service for the College.

Issued: August 22, 1997

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5016 Information Technology Policy

Adopted by the Alpena Community College Board of Trustees on September 20, 2007

The Board of Trustees authorizes appropriate Alpena Community College administration to establish rules, regulations, and procedures in providing a broad computing and network communication service supporting the campus infrastructure, instruction, and its mission. Any misuses, unauthorized access, or attempted access to files, programs, services, computing, and network services other than the authorized and assigned resource as a user of ACC's infrastructure, will be considered a security violation and will be subject to disciplinary action.

Disciplinary action may include limit of access to College services, up to and including dismissal, which may be applicable under the General College Policies and Procedures, College Computer Usage Rules, Regulations, and Procedures and other related college policies, handbooks, or contracts. This policy would relate to all individuals who use Alpena Community College's computing and networking services, on campus and off campus.

Issued: September 20, 2007

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5017 Auxiliary Enterprises Policy

Adopted by the Alpena Community College Board of Trustees on January 21, 1988

Auxiliary enterprises furnished by Alpena Community College must reflect the quality of service that the College desires for its students, faculty, staff, alumni and the community. Senior administrators must insure that procedures supporting the College's desired style and quality of life are understood and that the managers of enterprises adopt and implement the approved procedures.

Alpena Community College provides various auxiliary enterprises relating to the mission related services for the benefit of the college community. The organization and implementation of auxiliary enterprises are subject to acceptance by the Board of Trustees of Alpena Community College. The Board of Trustees will determine the appropriateness of an enterprise, its initiation, termination, and allocation of funds.

Issued: August 22, 1997

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5018 Learning Resource Center Acquisition Policy

Adopted by the Alpena Community College Board of Trustees on January 20, 1983

1. PHILOSOPHY

The purpose of the Alpena Community College Learning Resource Center acquisition policy is to guide library and AV staff in the selection and maintenance of materials and to inform interested patrons about the principles upon which selections are made. The policy evolves from the philosophy of Alpena Community College itself, which states in part:

Alpena Community College is dedicated to the belief that its philosophy and all of the activity which is guided by that philosophy, has developed out of the needs and natures of the community it serves.

The ACC Learning Resource Center program is planned to meet the curricular and cultural needs of the total college population students and staff. The primary function of the program is to facilitate and improve learning by providing resources and services for the implementation of the instructional program including instructional assistance to the faculty. The secondary function of the program is to provide resources relevant to the intellectual, cultural, and recreational activities of the college population.

2. RESPONSIBILITY FOR SELECTION AND MAINTENANCE OF MATERIALS

The ultimate responsibility for the selection and maintenance of materials rests with the Director of the Learning Resource Center, who operates within a framework of policies determined by the Board of Trustees.

3. CRITERIA FOR SELECTION OF BOOKS, PAMPHLETS, AND AV MATERIALS

- Materials already available in the collection
- Timeliness or permanence of the materials
- Relevance of the subject matter to the current or projected curriculum
- Recommendation of college staff
- Reputation of author or creator
- Authoritativeness
- Quality of publisher or producer
- Price
- Quality of material

The above items are not necessarily in order of priority.

4. CRITERIA FOR SELECTION OF PERIODICALS

Periodicals are purchased which are of high current interest and/or have value as reference or research materials. Those titles which have value for reference or research are duplicated in microform.

5. NEWSPAPERS

When financially feasible, the library subscribes to representative major local, state, national, and foreign newspapers. Back files of newspapers on microform are purchased on the basis of cost, demand, and availability of indexing.

6. CONTROVERSIAL SUBJECTS

The Learning Resource Center affirms its allegiance to the Library Bill of Rights and the Freedom to Read Statement as adopted by the American Library Association. The LRC will, in so much as possible, provide varying points of view on controversial subjects. Materials presented in an extreme or sensational manner or containing undocumented statements or accusations will be acquired only rarely, when some special historic or scientific interest justifies. Decisions are made after consultation among staff, and when questionable situations arise, the Director of the Learning Resource Center makes the final decision.

7. GIFTS

The same standards which apply to the selection of purchased materials apply as well to those received as gifts. Gifts are accepted only if they are offered without conditions as to their retention or use. The same standards apply to gifts of money.

8. INTER-LIBRARY LOANS

Through the Northland Inter-Library Loan System, the library attempts to obtain materials not held as part of its collection.

9. SELECTION TOOLS

The LRC relies heavily upon recommendations from Choice and Booklist, both review aids published by American Library Association.

10. BUDGET ALLOCATIONS

While the LRC operates within a yearly budget allotment with specified amounts allocated to various departments within the LRC, the Director of the LRC may, at his/her discretion, transfer funds from one department to another.

Issued: August 22, 1997

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5019 Gifts, Grants and Bequests Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Board may accept on behalf of and for the college any bequest or gift of money or property for a purpose deemed by the Board to be suitable, and to utilize such money or property so designated.

All gifts shall be accepted in the name of the college and become the property of the college, but may be assigned for use in a particular department.

Only items of legitimate use in the college program shall be accepted.

The Board is under no obligation to replace the gift if it is destroyed or becomes worn out.

Gifts shall not be accepted if there is excessive cost of maintenance or installation.

The College President shall set up criteria to be met in the acceptance of gifts, and the procedure for examining and evaluating offers of gifts to the College.

Issued: August 22, 1997

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5020 Credit Card Policy

Adopted by the Alpena Community College Board of Trustees on October 17, 2002

1. That the Vice President for Administration and Finance is responsible for the College's credit card issuance, accounting, monitoring and retrieval and generally for overseeing compliance with the credit card policy.
2. That a credit card may be used only by an officer or employee of the College for the purchase of goods or services for the official business of the College.
3. That an officer or employee using credit cards issued by the College shall submit to the College documentation detailing the goods or services purchased, the cost of the goods or services, the date of the purchase and the official business for which purchased goods or services supported.
4. That an officer or employee issued a credit card is responsible for its protection and custody and shall immediately notify the College if the credit card is lost or stolen.
5. That an officer or employee issued a credit card shall return the credit card upon the termination of his or her employment or service in office with the College.
6. That a system of internal accounting controls be established to monitor the use of credit cards issued by the College.
7. That the Vice President for Administration and Finance approves all credit card invoices before payment.
8. That the balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than 30 days of the initial statement date.
9. That an officer or employee who makes unauthorized use of a College credit card will be subject to discipline consistent with College policy, to include but not limited to: repayment to the College of the unauthorized use and loss of credit card privilege.

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5022 Spending Threshold Policy

Adopted by the Alpena Community College Board of Trustees on November 15, 2007

The Alpena Community College Board of Trustees shall approve by specification all major expenditures of \$15,000 or more. Included within the scope of the policy are expenditures typically viewed as one-time and biddable, such as equipment, software, and periodically renewed service contracts. Excluded are regular payments to maintain long-term service relationships such as legal fees and utility payments.

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5023 General and Maintenance/Replacement Fund Balances

Adopted by the Alpena Community College Board of Trustees on March 27, 2008

Alpena Community College shall maintain a general fund balance equal to 15% of annual general fund expenditures, unless a temporary resolution otherwise is approved by a two-thirds majority of the Alpena Community College Board of Trustees. College staff shall annually present to the Board of Trustees a financial plan for advancing toward or maintaining the required balance.

Furthermore, Alpena Community College shall also budget for and maintain a maintenance/replacement fund balance equal to the cost of critical maintenance/replacement projects over the next three years as determined by the annual facilities assessment and other relevant documentation.

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5024 In-State Tuition for Veterans Educational Benefit Recipients

Adopted by the Alpena Community College Board of Trustees on April 16, 2015, and amended on March 20, 2019.

Any individual using educational assistance under either Chapter 30 (Montgomery GI Bill® -- Active Duty Program), Chapter 31 (Vocational Rehabilitation), Chapter 33 (Post-9/11 GI Bill®) of Title 38, United States Code, Chapter 35 (Survivors' and Dependents' Educational Assistance Program), Chapter 1606 of Title 10 U.S.C. (Montgomery GI Bill – Selected Reserve), and/or the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. §3311(b)(9)) who lives in the State of Michigan while attending Alpena Community College (regardless of his/her formal state of residence) shall be charged no more than in-state tuition.

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5025 Travel Policy

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

Travel procedures for college employees shall adhere to federal (Uniform Guidance 2 CFR 200), state and college guidelines.

Please see Administrative Procedure 5525 pertaining to this policy.

Issued: July 2, 2018

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5026 Financial Management Systems Policy

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

The College shall establish cash management procedures that comply with federal (Uniform Guidance 2 CFR 200), state and college guidelines.

Issued: July 2, 2018

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5027 Conflict of Interest Policy

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

The College shall establish procedures to ensure federal (Uniform Guidance 2 CFR 200), state, and college conflict of interest guidelines are met.

Please see Administrative Procedure 5527 pertaining to this policy.

Issued: July 2, 2018

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5028 Code of Conduct Policy Related to Student Loan Activities

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

Policy Statement

Alpena Community College as a participant in federal loan programs is required to have a code of conduct relating to student financial aid matters that is applicable to the College's agents and employees. The code of conduct requirements are set forth in the Higher Education Opportunity Act (HEOA) signed into law on August 14, 2008. In addition, the law includes requirements related to publication of the code and annual disclosures.

Reason for Policy

The HEOA program participation agreement which must be executed by all colleges and universities participating in Title IV financial aid programs, including student loan programs, requires a code of conduct with which the institution's agents and employees shall comply. Such code must prohibit a conflict of interest with the responsibilities of an agent or employee of an institution with respect to such loans, and include the provisions set forth in the HEOA related to conflicts. The law further specifies that the code shall be displayed prominently on the institution's website and that all institutional agents or employees with responsibilities related to such loans be annually informed of the provisions of the code of conduct.

Scope of Policy

This Code of Conduct applies to all agents or employees of the College.

This Code of Conduct shall be annually distributed to all college agents or employees with responsibilities related to student loan activities.

Code of Conduct

Alpena Community College hereby adopts the following as its Code of Conduct Related to Student Loan Activities and will annually inform all College agents or employees with responsibilities for student loan activities and decisions of the provisions of this code.

- 1. Revenue-sharing Arrangements.** The College shall not enter into any revenue-sharing arrangement with any lender.

The term "revenue-sharing arrangement" means an arrangement between the College and a lender under which

- a lender provides or issues a loan that is made, insured, or guaranteed to students attending the College or to the families of such students; and
- the College recommends the lender or the loan products of the lender and in exchange, the lender pays a fee or provides other material benefits, including revenue or profit sharing, to the College, an agent or employee of the College.

2. **Gifts.** No employee of the College who is employed in the financial aid office of the College or who otherwise has responsibilities with respect to education loans, or agent who has responsibilities with respect to education loans, shall solicit or accept any gift from a lender, guarantor, or servicer of education loans.

The term ‘gift’ means any gratuity, favor, discount, entertainment, hospitality, loan, or other item having a monetary value of more than a de minimus amount. The term includes a gift of services, transportation, lodging, or meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

The term ‘gift’ shall not include any of the following:

- Standard material, activities, or programs on issues related to a loan, default aversion, default prevention, or financial literacy, such as a brochure, a workshop, or training.
- Food, refreshments, training, or informational material furnished to an agent or employee of the College, as an integral part of a training session that is designed to improve the service of a lender, guarantor, or servicer of education loans to the College, if such training contributes to the professional development of the agent or employee.
- Favorable terms, conditions, and borrower benefits on an education loan provided to a student employed by the College if such terms, conditions, or benefits are comparable to those provided to all students of the College.
- Entrance and exit counseling services provided to borrowers to meet the College’s responsibilities for entrance and exit counseling as required by law, as long as the College’s staff are in control of the counseling, (whether in person or via electronic capabilities), and such counseling does not promote the products or services of any specific lender.
- Philanthropic contributions to the College from a lender, servicer, or guarantor of education loans that are unrelated to education loans or any contribution from any lender, guarantor, or servicer that is not made in exchange for any advantage related to education loans.
- State education grants, scholarships, or financial aid funds administered by or on behalf of a State.

A gift to a family member of an agent or employee of the College, or to any other individual based on that individual’s relationship with the agent or employee, shall be considered a gift to the agent or employee, if the gift is given with the knowledge and acquiescence of the agent or employee and the agent or employee, has reason to believe the gift was given because of the official position of the agent or employee.

3. **Compensation for Services.** An agent or employee who is employed in the financial aid office of the College or who otherwise has responsibilities with respect to education loans

shall not accept from any lender or affiliate of any lender any fee, payment, or other financial benefit (including the opportunity to purchase stock) as compensation for any type of consulting arrangement or other contract to provide services to a lender or on behalf of a lender relating to education loans. Nothing in this paragraph shall be construed as prohibiting:

- An agent or employee of the College who is not employed in the College's financial aid office and who does not otherwise have responsibilities with respect to education loans, from performing paid or unpaid service on a board of directors of a lender, guarantor, or servicer of education loans.
- An agent or employee of the College who is not employed in the College's financial aid office but who has responsibility with respect to education loans as a result of a position held at the College, from performing paid or unpaid service on a board of directors of a lender, guarantor, or servicer of education loans, if the agent or employee recuses himself or herself from participating in any decision of the board regarding education loans at the College.
- An agent or employee, or contractor of a lender, guarantor, or servicer of education loans from serving as a member of the College Board of Trustees if the trustee recuses himself or herself from participation in any decision regarding education loans at the College.

Sanctions

An employee that violates this Code of Conduct shall be disciplined in a manner consistent with applicable College policies, procedures or collective bargaining agreements. Disciplinary action may include termination of employment at the college.

Issued: July 2, 2018

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5029 Sales Tax Exempt Policy

Adopted by the Alpena Community College Board of Trustees on November 20, 2018.

Alpena Community College is exempt from paying Michigan **state** sales tax.

All employees should make every effort to exclude Michigan sales tax from all regular purchases and on hotels and motels when traveling.

Issued: November 21, 2018

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SERIES 6000 — PERSONNEL POLICIES

6001 Professional Personnel Policy

Adopted by the Board of Trustees on August 24, 1976

The Board of Trustees of Alpena Community College, upon the recommendation of the President, shall employ, assign, transfer and reclassify College personnel and adopt regulations governing their employment and duties. The dismissal of employees shall be a prerogative to the Board in consultation with the President; such dismissal conforming to the procedures outlined in the Master Agreement between the Alpena Community College and the Faculty Council.

Please see Administrative Procedure 6501 pertaining to this policy.

Issued: August 22, 1997

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6002 Appointment Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Board of Trustees of Alpena Community College seeks to employ the best-qualified people available at salaries high enough to attract competent people, and in keeping with the compensation schedules as approved by the Board of Trustees.

Please see Administrative Procedure 6502 pertaining to this policy.

Issued: August 22, 1997

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6003 Personnel Records Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

A personnel folder shall be maintained for all employees in the college and shall contain the employment application, recommendations, college credentials, transcripts, correspondence, pertinent data concerning the employee, anecdotal notes, and evaluation reports.

These folders shall be considered confidential and shall be kept in locked files. Folders of personnel who have left the instructional staff shall be similarly kept, but in an inactive file.

See current agreement between Board of Trustees and Faculty Council.

Issued: August 22, 1997

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6004 Orientation Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1996

The administration is hereby directed to establish, set up and conduct appropriate orientation sessions for all new employees and transferred employees. Costs of orientation will be included in each annual budget.

Please see Administrative Procedure 6504 pertaining to this policy.

Issued: August 22, 1997

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6005 Promotion/Demotion Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

It is the desire and policy of the Board of Trustees to promote from within the ranks wherever it is practicable, educationally desirable and consistent with the educational needs of the community. All openings for promotion and/or new positions and positions paying salary differentials shall be adequately publicized, and all qualified personnel shall be given adequate opportunity to make application for such positions. Administration of this policy shall be consistent with terms of any current employee agreements.

Any instructor who shall be assigned to a supervisory or executive position with the college and shall later return to instructor status shall be entitled to a place on the instructor salary schedule according to his/her total service credit.

Where fiscally possible, the President is authorized to employ interns from within the system for administrative or other professional growth. No more than one (1) intern per semester shall be permitted without specific Board action.

Issued: August 22, 1997

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6008 College Personnel Participation in Community Activities Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Alpena Community College must represent the best interest of all persons living in the service area.

Students and staff personnel acting as representatives of Alpena Community College are encouraged to participate in only those community activities which further the general welfare and not the limited aims of an individual organization representative of a small segment of the community.

The administration of Alpena Community College will use the following criterion in making its decision regarding participation in such an activity:

That the purpose of the venture is primarily to improve the community, and not to promote the purposes of the organization.

The prime purpose of Alpena Community College is to educate. If Alpena Community College becomes too involved in the sponsorship of the aims of other community groups, this prime purpose will be dissipated.

Personnel should not accept community responsibilities if such duties interfere with their regular work; however, reasonable responsibilities can be assumed and are encouraged. Responsibilities of this kind should be cleared with the President before being accepted.

Issued: August 22, 1997

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6009 Instructor's Duties Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1996; edited July 13, 2018.

Each instructor shall be responsible to the appropriate College official for carrying out policies of the Board of Trustees as they relate to the functions of the college, to the classroom, and to the immediate contact with students.

Please see Administrative Procedure 6509A pertaining to this policy.

Issued: August 22, 1997

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6010 Professional Growth Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Professional employees shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

In the light of their impact upon the lives of students and in keeping with the breadth of experience and depth of training which they possess, opportunities for the professional staff shall be especially rich and varied.

The President shall provide the staff with reasonable opportunities in areas such as the following:

1. Release time and leaves of absence for travel and study.
2. Visits to other classrooms and other colleges.
3. Conferences involving other personnel from the service area, county, state, region or nation.
4. Membership in committees, drawing personnel from such sources.
5. Training, classes and workshops offered within the service area.
6. Further training in institutions of higher learning.

Issued: August 22, 1997

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6011 Participation in Community Life Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

Regular attendance at service club meetings may be permitted provided such attendance does not interfere with the duties of the employee.

Participation with community study groups and workshops is a part of the responsibility of administrators.

Employees are expected to secure correct and complete information about the college in order to represent it effectively.

Issued: August 22, 1997

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6012 Soliciting and Selling Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1996

College employees shall not use college time or college facilities in connection with any soliciting or selling activities for financial profit outside the regular college program.

Issued: August 22, 1997

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6013 Non-College Employment Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

The Board of Trustees shall discourage employees from engaging in conflicting activities that decrease their effectiveness in serving the college.

Issued: August 22, 1997

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6014 Political Activities Policy

Adopted by the Alpena Community College Board of Trustees on August 24, 1976

College employees are expected to assume full responsibility of citizens living in a democracy. These may include such citizen rights as voting, or refraining from voting; discussing the social, political and economic issues of the day in public meetings; supporting candidates; accepting appointive or elective public office; or holding office in political parties. Any such action will be taken as individuals and not as representatives of the college.

Issued: August 22, 1997

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6015 Employment of Relatives Policy

Adopted by the Alpena Community College Board of Trustees on September 17, 1992

1. In accordance with Alpena Community College's Equal Employment Opportunity policy, the basic criteria for employment and promotion of all College staff shall be appropriate qualifications and performance. Relationship by family or marriage shall constitute neither an advantage nor a deterrent to employment by the College, provided the individual meets and fulfills the following appropriate College employment standards:
 - A. Staff members should neither initiate nor participate in institutional decisions involving a direct benefit to members of their immediate families.
 - B. To avoid any suggestion of favoritism, staff members will not routinely be placed in a direct supervisory role over members of their immediate families.
2. In accordance with general college policy, there shall be no discrimination based upon marital status or sex in employment, promotion, compensation, benefits, and other conditions of employment.
3. Definitions:
 - A. Relative: For the purpose of this policy, "relative" includes spouse, children, parents, brothers and sisters, step-children, step-parents, grandchildren, grandparents, and all of the above in-laws.
 - B. Direct Benefit: Initial employment, retention, promotion, compensation, leave of absence or similar items.
4. This policy may be waived where exceptional circumstances merit such consideration.

Issued: August 22, 1997

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6016 Severance Pay for Administrators Policy

Adopted by the Alpena Community College Board of Trustees on September 20, 2001

The Alpena Community College Board of Trustees has approved the Severance Pay Policy for Administrators effective September 20, 2001.

The Vice President of Administrative Finance will review the wage history of a separating administrator who has provided at least 30 days notice of separation. The death of an administrator satisfies the 30-day notice requirement. A contribution factor of 1.5 percent for each year's wages will be calculated until the year after the administrator reaches the top of his/her classification steps or 25 years of service as an administrator, whichever comes first. An uncompounded interest factor of three percent will be calculated on the contribution for each year.

The College will purchase an annuity that meets the requirements of Internal Revenue Code Section 403(b) for an administrator, unless the employment of the administrator has been terminated for just cause as defined in his/her administrative contract. The annuity will be purchased within 30 days of the administrator's separation from Alpena Community College. Individuals eligible for benefits under this policy will have no option to receive cash in lieu of an annuity except when an annuity amount (as determined below) is in excess of 403(b) contribution limits for that year.

The annuity will be purchased in the following manner:

1. An administrator who has completed 10 years of service* as an administrator of Alpena Community College but not 15 years will receive 55 percent of the calculation.
2. An administrator who has completed 15 years of service* as an administrator of Alpena Community College but not 20 years will receive 70 percent of the calculation.
3. An administrator who has completed 20 or more years of service* as an administrator of Alpena Community College will receive 85 percent of the calculation.
4. An administrator who has completed 25 years of service* as an administrator of Alpena Community College will receive 100 percent of the calculation.

The annuity to be purchased will be selected by the separating administrator from a list of companies approved by the Alpena Community College Board of Trustees.

*Years of service are defined as continuous years of employment from the date of hire as an administrator. Years of service as a K-14 administrator are included only for those who are **serving** as an administrator at Alpena Community College as of July 1, 2001.

Issued: September 20, 2001

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SERIES 7000 — SAFETY POLICIES

7001 Policy on Appointment of Clery/Title IX Task Force

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: June 18, 2015; December 19, 2019.

The College is committed to enhancing the safety and security of our campus communities. The College seeks to protect the security of property and persons through cooperation with law enforcement agencies, development of policies and procedures which educate the College community regarding safety issues, and prevention and awareness programs designed to cultivate a caring population of involved people who report suspicious and unlawful behavior to the police and to designated College officials.

The College has adopted a series of policies and procedures, including those set forth in Series 7000 of the Alpena Community College Board of Trustees Policies and Procedures, which are designed to address issues of safety and security and to comply with federal and state laws and regulations, including but not limited to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), Title IX of the Education Amendments of 1972 (“Title IX”), and the Violence Against Women Reauthorization Act of 2013.

To ensure that the College policies and procedures continue to comply with developing laws and regulations relating to campus safety and security, the President shall appoint a Clery/Title IX Task Force which shall regularly review such policies, develop procedures and other supplementary information to support the implementation of such policies, and recommend revisions to the policies and procedures in consultation with College legal counsel.

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7002 Policy on Preparation of Annual Security Report and Disclosure of Crime Statistics

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: June 18, 2015; December 19, 2019.

The Vice President for Administration and Finance is responsible for the preparation of Alpena Community College's Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (The Clery Act) as well as the Violence Against Women Reauthorization Act of 2013 (VAWA). The full text of this report can be located on our web site at www.alpenacc.edu.

The Clery Act, as amended by VAWA, requires the College to disclose the following categories of reported crime statistics, as those categories are defined by law: (i) criminal offenses; (ii) hate crimes where the offender's actions were motivated by bias on the basis of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability; (iii) arrests and referrals for disciplinary action for violation of weapons, drug, and liquor laws; and (iv) incidents of domestic violence, dating violence, sexual assault, and stalking.

Alpena Community College does not have a security force employed on any campus. In preparing the Annual Security Report, the College works in cooperation with the local law enforcement agencies surrounding our main Alpena campus and our Oscoda campus to obtain information on reported crimes occurring on campus, in student housing facilities, on public property within or immediately adjacent to the campus, and in other geographic locations to the extent required by law.

The crime, arrest and referral statistics which are disclosed in the College's Annual Security Report include those reported to local law enforcement agencies, as well as those reported to Campus Security Authorities and to officials at those public school locations where the College conducts classes.

In the event a reported crime is investigated by sworn or commissioned law enforcement personnel, and such law enforcement personnel determine the report to be false or baseless, and thus, "unfounded," the College is not required to include such report in its crime statistics.

Each year, notification of the availability of the Annual Report is made to all students, faculty, and staff who have opted into in the College's school messenger system or provided an email account. A copy of the report may also be obtained at the office of the Director of Public Information, Besser Technical Center 125F, or by calling (989) 358-7215.

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7003 Policy on Crime Reporting and Relationship with Local Law Enforcement

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: June 18, 2015; December 19, 2019.

Alpena Community College encourages its students, faculty, staff, and guests to report all crimes and public safety incidents in an accurate and timely manner. Although Alpena Community College does not employ a security force on any campus, it maintains a close working relationship with the City of Alpena Police Department, the Oscoda Township Police Department, the Alpena County Sheriff's Department, the Iosco County Sheriff's Department, and the Michigan State Police. Alpena Community College and the City of Alpena are parties to an Agreement for Enhanced Law Enforcement Coverage effective January 1, 2019, to provide one or more certified police officers to the ACC Alpena Campus on a part-time basis. A Daily Crime Log shall be maintained by the College on and after January 1, 2019, in accordance with 7013 Policy on Maintaining Daily Crime Log.

To report a crime (emergency) on any campus, dial 911.

To report a crime (non-emergency) on the Alpena campus, contact:

- City of Alpena Police Department: (989) 354-1800
- Alpena County Sheriff's Department: (989) 354-9830
- Michigan State Police – Alpena Post: (989) 354-4101

To report a crime (non-emergency) on the Oscoda campus, contact:

- Oscoda Township Police Department: (989) 739-9113
- Iosco County Sheriff's Department: (989) 362-6164

In addition, you are encouraged to report any crime or public safety incident to any of the following College officials:

- Vice President for Administration and Finance: 989-358-7368
- Vice President of Instruction: 989-358-7458
- Dean of Students: 989-358-7212
- Director of Human Resources: 989-358-7211
- Athletic Director: 989-358-7263
- Title IX Coordinator: 989-358-7211
- Director of Facilities Management: 989-358-7202
- Director of Student Life and Campus Housing: 989-358-7394

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7004 Policy on Access and Security of Campus Buildings and Grounds

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: December 19, 2019

Alpena Community College publishes hours of operation for campus buildings in its catalog, as well as on its website. During published hours of operation, College buildings are open to the general public. Campus buildings are closed and locked during the hours of 10:30 p.m. to 6:00 a.m. and rooms with special equipment are also locked at other times. Access to closed or locked buildings and rooms is permissible only by authorized persons possessing legally issued keys or access cards. Persons not in possession of legally issued keys or access cards will not be allowed to remain unless accompanied by an authorized person or written authorization from appropriate personnel. Custodial staff monitors access to campus facilities. Student and staff parking areas are posted and lighted. Parking permits are issued to students and staff.

The College has adopted procedures for access to locked buildings and rooms (Procedure 5602) and for key requests (Procedure 5603). A campus Safety Committee has been established to review and examine security issues and make recommendations to the President regarding such security matters as lighting, locks, alarms and communications. The President, in consultation with the Safety Committee, is authorized to adopt such other or additional procedures, rules or regulations as may be appropriate to implement the intent of this policy.

The on-campus student housing facility, College Park Apartments, consists of 16 four-person units, and are owned and managed by Alpena Community College. Tenants are issued keys to their individual apartments. The College also maintains security cameras near the entrances to the apartment buildings.

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7005 Timely Warning Policy

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: December 19, 2019.

In the event that a situation arises, either on or off campus, that, in the judgment of the President or his/her designee, in consultation with local law enforcement, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the College’s school messenger system to those students, faculty, and staff who have elected to opt into the system. In addition, a warning will be posted on the College website at www.alpenacc.edu.

Timely warnings must be issued for any Clery Act Crime that is reported to campus security authorities and that is considered by the institution to represent a serious or continuing threat to students and employees. The timely warning shall be issued in a manner that is reasonably likely to reach the entire campus community.

Timely warnings may also be issued in situations where, in the judgment of the President, or his designee, there is a situation which does not constitute a Clery Act Crime but raises a reasonable concern regarding the safety of students or employees.

Anyone with information warranting a timely warning should report the circumstances to the Director of Public Information at (989) 358-7215 or the Vice President for Administration and Finance at (989) 358- 7368. Names of victims shall not be included in any timely warning.

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7006 Policy on Emergency Response and Evacuation Procedures

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: December 19, 2019.

In the event of an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the College community, notification of the emergency or dangerous situation will be given through voice and text messages to phones and e-mail messages via the College's school messenger system. Notification will also be given through the College's website, public address system, and various media outlets, if appropriate. Members of the College community must provide a personal email account and/or a cell phone number to the Registrar in order to receive notifications via the College school messenger system. For more information on the school messenger system, please contact the Registrar's Office, Van Lare Hall Room 108, or (989) 358-7353.

The College's Emergency Management Team consists of the President, Vice President for Administration and Finance, Director of Facilities Management, Director of Public Information, Dean of Students, Vice President of Instruction, and Director of Human Resources. One or more members of the Emergency Management Team will consult with local law enforcement to determine whether an emergency or dangerous situation exists. If confirmed, one or more members of the Emergency Management Team will determine the content of the message to be sent, and will use some or all of the systems described above to communicate the threat to the College community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

One or more members of the Emergency Management Team will, without delay and taking into account the safety of the community, initiate the notification system, unless issuing a notification will, in the judgment of local law enforcement, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Emergency Procedures Manual for both the Alpena Campus and the Oscoda Campus is made available to College students and staff on the website. Students receive information about evacuation procedures during orientation, and building-specific evacuation maps are posted in strategic locations in all campus buildings.

The College conducts at least one announced or unannounced drill and exercise each year, and conducts follow-through activities designed for assessment and evaluation of its emergency and evacuation plans and capabilities. The College will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

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7007 Policy on Sex Offender Registration

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: December 19, 2019.

Federal law requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student. Accordingly, Alpena Community College is providing a link to the Michigan State Police's Public Sex Offender Registry.

In the state of Michigan, convicted sex offenders must register with the Public Sex Offender Registry maintained by the Michigan State Police. The Michigan State Police Public Sex Offender Registry can be found at: <http://www.mipsor.state.mi.us/>

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7008 Policy on Crime Prevention and Security Awareness Programs, Including Sexual Assault and Sexual Violence

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended: June 18, 2015; December 19, 2019.

It is the policy of Alpena Community College to provide every student and employee with information on crime prevention and security awareness. This includes information on awareness of personal safety and security, as well as awareness, avoidance and prevention of theft, vandalism, sexual assault and sexual violence, including, rape, acquaintance rape, dating violence, domestic violence, and stalking. This information is provided in a brochure entitled “Campus Guide for Prevention and Response to Sexual Misconduct: Know Your Rights- Protect Yourself,” which is available on the college website and in printed form in the following offices:

Office of Title IX Coordinator - Van Lare Hall, Room 102

Office of Academic and Student Affairs - Van Lare Hall, Room 109

Each year, during orientation, the above information is provided to new students. New employees shall receive this information upon hiring, as well as periodically throughout their employment.

The College shall also provide a publication entitled “Rights and Options: What Every Student Should Know About Sexual Harassment, Sexual Violence, Dating Violence and Stalking.” This publication shall contain definitions of key terms related to Sexual Misconduct, in accordance with Policy 7009, as well as reporting options and procedures to be followed by victims of alleged sexual misconduct, descriptions of resources and interim measures available to victims of sexual misconduct, information regarding investigation of reports of sexual misconduct and disciplinary action which may be imposed by the College in cases of dating violence, domestic violence, sexual assault, or stalking.

The College shall provide programs to prevent dating violence, domestic violence sexual assault and stalking. The primary method of presenting such programs shall be through a web-based training program which can be accessed by students and employees at their convenience. The College shall notify all students and employees of the training modules which they are required to complete.

The Clery/Title IX Task Force, in cooperation with local law enforcement and other community resources shall also present programs to prevent dating violence, domestic violence, sexual assault and stalking. Such programs shall include both primary prevention and awareness programs directly and incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees. Such programs shall be presented at least once during each academic year, and shall include information on crime prevention, awareness, avoidance, risk reduction and safe and positive options for bystander intervention.

ACC’s Emergency Procedures also contains additional information on crime prevention, and is made available to students and staff. Ongoing prevention and awareness campaigns may also be

disseminated through security alert posters, displays, videos, website links, and articles in the campus newsletter, *The Splinter*.

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7009 Sexual Misconduct Policy

Adopted by the Alpena Community College Board of Trustees on April 16, 2014.

Amended: June 18, 2015; December 19, 2019; August 13, 2020; and August 25, 2023.

I. Policy Summary

The College supports its educational mission by fostering and maintaining a campus environment based on civility, dignity, diversity, inclusivity, equality, freedom, honesty, and safety. Consistent with these values, the College is committed to providing a safe and non-discriminatory learning, living, and working environment. The College does not discriminate on the basis of sex or gender in any of its education or employment programs and activities.

The College prohibits sexual harassment and sexual violence, including domestic violence, dating violence, sexual assault, retaliation, discrimination on the basis of sex or gender and sexual exploitation, collectively referred to in this Policy as “Sexual Misconduct.” In this Policy, Sexual Misconduct may also sometimes be referred to as “Prohibited Conduct.”

Sexual Misconduct diminishes individual dignity, jeopardizes the welfare of our students and employees and impedes access to educational, social, and employment opportunities. Sexual misconduct violates our institutional values of Respect, Integrity, Accountability and Excellence. Sexual Misconduct is expressly prohibited by College policy as well as by law.

The College strives to eliminate Sexual Misconduct through primary prevention and awareness programming, education, training, clear policies, and procedures.

This Policy also explains how the College will proceed once it is made aware of reported Sexual Misconduct in keeping with our institutional values and to meet our legal obligations under Title IX of the Education Amendments of 1972 (Title IX), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act (Clery Act), the Violence against Women Reauthorization Act of 2013 (VAWA), and other applicable law and regulations.

The procedures established under this Policy are designed to prevent the recurrence of Sexual Misconduct, remedy its effects, promote safety, and deter individuals from future Sexual Misconduct.

Sexual Harassment is a specific form of Sexual Misconduct as defined in this Policy. Federal law known as “Title IX” prohibits discrimination on the basis of sex in education. Sexual Harassment is a form of prohibited sex discrimination under Title IX and Michigan law.

Sexual Harassment may include incidents between any members of the College community, including faculty and other academic appointees, staff, coaches, interns, students, student employees and non-student or non-employee participants in College

programs, such as vendors, contractors, visitors and guests. Sexual Harassment may occur in hierarchical relationships or between peers, or between persons of the same sex or opposite sex. In determining whether the reported conduct constitutes Sexual Harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.

Sexual Harassment is not tolerated by the College. When the College has actual knowledge of an allegation or report of Sexual Harassment, the College will respond promptly in the manner set forth in this Policy.

Federal regulations (34 CFR Part 106) include specific definitions and requirements for public colleges related to alleged violations of Title IX. These regulations are intended to ensure that a college responds to alleged incidents of Sexual Harassment in a way that supports the alleged victim and treats both parties fairly. It is the purpose and intent of this Policy to comply with such regulations, by adopting a specific Title IX Grievance Process and related procedures that apply to alleged violations of Title IX.

This Policy also addresses other procedures to address and respond to other forms of Sexual Misconduct where the facts and circumstances, as alleged, if true, would not constitute Title IX Sexual Harassment, but could constitute Sex Discrimination or other form of Sexual Misconduct.

II. To Whom This Policy and Procedures Apply

This Policy applies to all “Members of the College Community”, which includes all College students, faculty, staff, trustees and certain third parties including, but not limited to, guests, visitors, contractors, consultants, and their employees.

III. Prohibited Conduct

Every Member of the College Community should be aware that the College prohibits acts of Sexual Harassment, Sex Discrimination and other forms of Sexual Misconduct. The College will respond promptly and effectively to reports of violation of this Policy and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this Policy. Prohibited conduct includes all of the following:

A. Sexual Harassment as defined by federal law commonly known as Title IX (20 U.S.C 168, including 34 CFR part 106.) This Policy refers to such conduct as “Title IX Sexual Harassment” which is conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the College conditioning an educational aid benefit or service on an individual’s participation in unwelcome sexual conduct (known as Quid Pro Quo Sexual Harassment.)
2. Unwelcome conduct on the basis of sex that is determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a

person equal access to the College's education program or activity (known as Hostile Environment Sexual Harassment.)

3. "Sexual Assault" as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), "Dating Violence", "Domestic Violence" or "Stalking" as defined in 34 U.S. Code 12291 (See Definitions under Section XVI of this Policy.
- B. Sexual Harassment under Michigan law, defined in the Elliot Larson Civil Rights Act as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct or communication of a sexual nature when:
1. Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, to obtain employment, public accommodations or public services, education, or housing;
 2. Submission to or rejection of such conduct or communication is used as a factor in decisions affecting an individual's employment, public accommodations or public services, education, or housing;
 3. Or, such conduct or communication substantially interferes with an individual's employment, public accommodations or public service, education, or housing.
- C. Sex Discrimination or Discrimination on the Basis of Sex, which includes discrimination on the basis of sexual orientation and gender identity, in violation of federal or Michigan law. Sex Discrimination can be manifested by unequal access to educational programs and activities on the basis of sex, unequal treatment on the basis of sex in the course of conducting those programs and activities, or, the existence of a program or activity that has a disparate impact on participation, improperly based on the sex of the participants.
- D. Retaliation of any nature taken by any Member of the College Community against another Member of the College Community. Retaliation means conduct which intimidates, threatens, coerces, or discriminates an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report, complaint, testified, assisted or participated or refused to participate in an investigation, proceeding or hearing under this Policy. An allegation of Retaliation will be treated as a separate allegation of a violation under this Policy. An exercise of rights protected under the First Amendment does not constitute retaliation.
- E. Violation of any "No Contact" Orders or other Supportive Measures designed to remedy or mitigate claims of Sexual Misconduct.
- F. Sexual Exploitation, which includes any act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage. Examples of sexual exploitation include, but are not limited to:

1. observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
 2. non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
 3. prostituting another individual;
 4. exposing another's genitals in non-consensual circumstances;
 5. knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge; inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.
- G. Unwelcome Conduct of a Sexual Nature or on the Basis of Sex, which would not otherwise be defined as Sexual Harassment but which is objectively offensive to a reasonable person, and which continues after a person who is subjected to such conduct has expressed that the conduct is unwanted and offensive. Such conduct may include but is not limited to the following:
1. Physical:
 - (a) Any unwanted and offensive physical contact of a sexual nature, including unnecessary touching, patting, hugging, brushing the body, impeding or blocking movement
 - (b) Unwanted sexual gestures or pantomiming sexual acts
 - (c) Leering or ogling
 2. Verbal/Auditory
 - (a) Sexual advances or propositions
 - (b) Sexually explicit, suggestive or abusive talk, sexually explicit jokes, teasing or anecdotes (including jokes and comments about a person's body parts, types or conditions)
 - (c) Remarks of a sexual nature about a person's body, sexual performance, activity or prowess
 - (d) Continuing to express interest after being informed the interest is unwelcome
 3. Visual
 - (a) Display of sexually-oriented graphic pictures, posters or other visual material

- (b) Displaying or transmitting any sexually explicit material via e-mail or the Internet

IV. Location of Prohibited Conduct

- A. On-campus. This Policy prohibits acts of Sexual Misconduct anywhere on-Campus. For this purpose, on-Campus includes College Park Apartments and any ACC-owned, ACC-leased or ACC-controlled property.
- B. Off-campus. This Policy prohibits acts of Sexual Misconduct occurring off-Campus, subject to the provisions of sub-paragraph C, below, if the Sexual Misconduct affects an ACC student or employee's participation in an ACC activity. This includes, but is not limited to, Sexual Misconduct which:
 - 1. Affects the individual's participation in an ACC activity including the living, learning, and working environments;
 - 2. Occurs during ACC-sponsored activities (e.g., field trips, social or educational functions, athletic competitions, student recruitment activities, internships, and service or learning experiences);
 - 3. Occurs during the activities of organizations affiliated with ACC, including, but not limited to, the activities of registered student organizations;
 - 4. Occurs during ACC-affiliated travel;
 - 5. Occurs during the application for admission to a program or selection for employment; or
 - 6. Poses a threat to a student or employee.
- C. Title IX Jurisdiction. The College only has jurisdiction over allegations of Title IX Sexual Harassment when all the following are true:
 - 1. The alleged conduct occurred in the Education Program and Activities of ACC, which is defined as locations, events and circumstances over which ACC exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs.
 - 2. ACC has control over the Respondent at the time of the Complaint.
 - 3. The alleged conduct occurs against a Complainant who is in the United States.

Despite the foregoing jurisdictional requirement related to Title IX Sexual Harassment, the College may have obligations to report alleged conduct or take other action in response to such alleged conduct for purposes other than response to alleged violations of Title IX (e.g, Reporting under the Clery Act, or action in response to allegations of Sexual Harassment under Michigan Law or other allegations of Sexual Misconduct which do not constitute Title IX Sexual Harassment.)

V. Title IX Coordinator

The Title IX Coordinator is the official designated by the College to ensure compliance with Title IX and with this Policy. The Title IX Coordinator has the primary responsibility for coordinating and overseeing the efforts of the College regarding programming, training, investigation and education of the College Community designed to prevent Sexual Harassment, Sex Discrimination and other forms of Sexual Misconduct and to respond to, resolve and remediate prohibited conduct under this policy. The Title IX Coordinator may designate appropriate, trained personnel to assist in carrying out these duties.

The Title IX Coordinator also is the coordinating member of the Clery/Title IX Task Force. The Clery/Title IX Task Force is appointed by the College President, pursuant to Board Policy 7001, to review, recommend and develop policies and procedures, in consultation with College legal counsel, addressing issues of safety and security and to comply with federal and state laws and regulations including but not limited to the Clery Act, Title IX, and the Violence Against Women Reauthorization Act of 2013.

The Title IX Coordinator is responsible for overseeing a prompt and equitable grievance procedure for claims of Sex Discrimination and specific formal grievance process to adjudicate Sexual Harassment, as set forth in the Procedures section of this Policy, as well as procedures for other forms of Sexual Misconduct.

The name, office address, telephone number and email address of the Title IX Coordinator shall be prominently posted on the College website and in each handbook or catalog provided to applicants for admission or employment. This contact information shall be provided to all students, employees, applicants for admission and employment and all unions and professional organizations holding collective bargaining agreements with the College. All communication and reports under this Policy should be directed to the Title IX Coordinator, through such contact information. At the time of adoption of this Policy, such contact information is as follows, which may be changed, provided that notice of such change is given in the manner and to the persons set forth above:

Title IX Coordinator: Melissa Guy
Alpena Community College
102 Van Lare Hall
Alpena, MI 49707
Phone: 989.358.7211
Email: guym@alpenacc.edu

VI. Consent and Consensual Relationships

- A. Consensual Relationships. This Policy covers unwelcome conduct of a sexual nature. Consensual sexual relationships between Members of the College Community are subject to other College policies. While romantic and sexual relationships may begin as consensual, they may evolve into situations that lead to charges of sexual harassment or sexual violence, subject to this Policy.

- B. Consent. Consent as referenced in this Policy means informed, voluntary consent which is subject to the following provisions:
1. Consent is informed. Consent consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent to some form of sexual activity does not imply consent to other forms of sexual activity.
 2. It is the responsibility of a person who wants to engage in sexual activity with another person to ensure that the other person has consented to engage in the sexual activity.
 3. Lack of protest or resistance, or silence does not constitute consent.
 4. Consent is voluntary. It is given without coercion, force, threats, or intimidation; it is an affirmative cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.
 5. Consent is given when the person is not impaired or incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury, or other forms of coercion, or has a mental disorder, developmental disability, or physical disability that would impair his/her understanding of the act, as described below:
 - (a) Incapacitation is the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep and blackouts.
 - (b) Where alcohol or drugs are involved, incapacitation is distinct from drunkenness or intoxication, and is defined with respect to how the alcohol or other drugs consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. The factors to be considered include whether the accused knew, or a reasonable person in the position of the accused should have known, that the complainant was impaired or incapacitated.
 6. Consent may be revoked or withdrawn at any time.
- C. Consensual Relationships Between College Employees and Students. College employees are prohibited from having consensual sexual relationships with a current college student, if the Employee has any teaching, evaluative, or other supervisory authority over the student. If a consensual relationship exists or develops between a College Employee and a person who is a current student or becomes a student, the Employee shall immediately report the relationship to the Title IX Coordinator and shall assure that the Employee has no teaching, evaluative or other supervisory authority over such student. Faculty are strongly discouraged from having consensual

sexual relationships with students to avoid any potential breach of professional ethics and potential conflicts of interest.

VII. Dissemination of the Policy, Education and Awareness Programs

As part of the College's commitment to providing a working and learning environment protected from Sexual Harassment, Sex Discrimination and other Sexual Misconduct, this Policy shall be disseminated widely to the College community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. Educational materials shall be available to all members of the College community to promote compliance with this Policy and familiarity with reporting procedures.

Education and awareness programs/materials shall include information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks, as well as safe and positive options for bystander intervention.

VIII. Reporting of Sexual Harassment or Sexual Misconduct

A. Who May Report. Reports of alleged Sexual Misconduct may be made to the Office of the Title IX Coordinator by a:

1. Complainant, as defined in Section XVI.
2. Responsible Employee, as defined in Section VIII B., below
3. Third Party Reporter, including Campus Security Authority, as defined by the Clery Act.

B. Mandatory Reporting by Responsible Employees

1. Responsible Employees are required to promptly report allegations of Sexual Harassment and other forms of Sexual Misconduct to the Title IX Coordinator or the designee of either such person, except as provided in subparagraph B. 3, below.
2. All ACC employees are Responsible Employees unless a specific exception applies.
3. Exceptions. The following people are not Responsible Employees:
 - (a) People acting in the role of, or employed by, a Confidential Resource, only to the extent that they are serving in that role;
 - (b) Office professional staff serving in an administrative support role for a Confidential Resource, only to the extent they are serving in that role;

- (c) Direct supervisors of a person acting as a Confidential Resource, only to the extent information shared regarding an alleged incident of Sexual Misconduct is shared for the purposes of providing support services concurrently or prospectively;
 - (d) Faculty members directly supervising students in a practicum course, only to the extent information shared regarding an alleged incident of Sexual Misconduct is shared for the purposes of providing mental or physical health services concurrently or prospectively.
- 4. Responsible Employees are not required to report allegations of Sexual Misconduct when the Responsible Employee learns about the allegation during a public awareness or activism event, or other public forum at which a Member of the College Community discloses experiences with Sexual Misconduct. Examples of these types of events or forums include, but are not limited to, “Take Back the Night” programs, candlelight vigils, survivor “speak-outs” and protests.
- 5. Responsible Employees are required to share information regarding the alleged Sexual Misconduct known to them, including the names of the individuals involved in the alleged Sexual Misconduct, if known, with the Title IX Coordinator, or designee.
- 6. Responsible Employees, other than the Title IX Coordinator, or designees, should not investigate any allegations of Sexual Misconduct or seek to obtain more information than the individual making the disclosure wishes to share.
- 7. Responsible Employees should inform people with whom they are discussing allegations of Sexual Misconduct that:
 - (a) They are Responsible Employees;
 - (b) They have a duty to report the alleged Sexual Misconduct to the Title IX Coordinator; and
 - (c) There are Confidential Resources available.
- 8. A Responsible Employee who knew of an act of Sexual Misconduct and failed to report the prohibited act also may be subject to disciplinary action.
- C. Reports by Students to the Title IX Coordinator. Students are encouraged to report alleged Sexual Misconduct directly to the Title IX Coordinator.
- D. Reports by Students to Other College Officials. The Title IX Coordinator is the primary reporting pathway for all claims of Sex Discrimination, Sexual Harassment and other forms of Sexual Misconduct. However, the College recognizes that there are times at which reports of Sexual Misconduct may be made to a College Official other than the Title IX Coordinator, such as the Dean of Students or Director of Housing or a Campus Security Authority. Such College Officials must immediately

convey such reports to the Title IX Coordinator so that the appropriate response procedures may be carried out under the direction of the Title IX Coordinator and Supportive Measures offered.

- E. How to File a Report of Sexual Misconduct. Reports, Complaints and Notices of alleged violations of this policy may be made to the Title IX Coordinator in any of the following ways at any time, including non-business hours.
1. Fill out the Sexual Misconduct Reporting form found at https://discover.alpenacc.edu/safety/docs/sexual_misconduct_reporting_form.pdf and email, mail or deliver the form to the Title IX Coordinator using the contact information found in Section V. of this Policy. This form may be used to report any type of Sexual Misconduct under this policy including alleged Sex Discrimination, Sexual Harassment, Retaliation or Other Sexual Misconduct.
 2. Provide verbal notice to the Title IX Coordinator by calling the phone number listed in Section V. and speaking to the Title IX Coordinator or leaving a voice message that you wish to report an incident of Sexual Misconduct and providing verbal information about the incident, including your contact information.
 3. File a Formal Complaint of Sexual Harassment with the Title IX Coordinator. A Formal Complaint is a document filed and/or signed by the Complainant (or signed by the Title IX Coordinator) alleging Title IX Sexual Harassment. A Formal Complaint may be filed in person, by mail or email, using the contact information provided in Section V. of this Policy. If the Title IX Coordinator receives a written notice that does not meet this standard, the Title IX Coordinator will contact the Complainant to verify their intent to file a Formal Complaint of Sexual Harassment and provide assistance to the Complainant if needed to properly file the Formal Complaint.
- F. Anonymous Reports. Anonymous reports can be made through any of the means set forth in Section E.1 or E.2 above. The information contained in the anonymous report may necessitate a need for the College to investigate. However, without a known Complainant or reporter, the College is limited in its ability to obtain information necessary to properly respond to the Complaint and Supportive Measures.
- G. Reports Alleging Misconduct by the Title IX Coordinator. In the event a College Official receives a report which involves alleged Sexual Misconduct by the Title IX Coordinator, such report shall be referred to the Vice-President for Administration and Finance, who in consultation with legal counsel and the President, shall designate a person other than the Title IX Coordinator, having the requisite training, to review and respond to the report in the manner required by this Policy.
- H. Timeliness of Reporting. To promote timely and effective review, allegations of Sexual Misconduct should be reported to the Title IX Coordinator, or designee, as soon as possible. A report of Sexual Misconduct may be made at any time, however,

a delay in reporting an allegation may make it more difficult, or impossible, to gather relevant and reliable information.

- I. Limited Amnesty for Alcohol Violations. The College considers reporting of Sexual Misconduct to be of paramount importance and seeks to remove barriers to such reporting. Accordingly, if a person comes forward with a good faith report of Sexual Misconduct in a situation which also involves a violation of a College policy regarding alcohol, the College will not pursue disciplinary measures for the alcohol violation against such person, but may require participation in community service, education or awareness activities as an alternative to disciplinary measures. This policy does not apply to any person who is found to be responsible for an act of Sexual Misconduct

IX. Response to Reports of Sexual Harassment, Sex Discrimination or Sexual Misconduct

- A. Responsibility of Title IX Coordinator. The College shall provide a prompt and effective response to reports of Sexual Harassment, Sex Discrimination or other Sexual Misconduct in accordance with this Policy. The Title IX Coordinator has responsibility for overseeing the College's response to all allegations of Sexual Misconduct and identifying and addressing any patterns or systemic problems uncovered during the review of these allegations. The Title IX Coordinator has the responsibility for taking steps to ensure compliance with College policies and procedures regarding allegations of Sexual Misconduct.
- B. Initial Contact with Complainant and Initial Assessment. Upon receiving notice of a report or allegation of Sexual Misconduct, the Title IX Coordinator, or Designee, shall make an initial contact with the alleged victim (Complainant) to make an initial assessment regarding the appropriate next steps. During this initial assessment, the Title IX Coordinator or Designee will provide the following information and take the following action:
 1. If the report is a claim of Sexual Harassment, or the Title IX Coordinator reasonably believes that the reported facts could constitute a claim of Sexual Harassment, the Title IX Coordinator, or Designee will:
 - (a) Offer Supportive Measures as described in Paragraph D. of this Section and provide information regarding such measures.
 - (b) Notify the Complainant of his/her right to file a Formal Complaint if a Formal Complaint has not been filed.
 - (c) Notify the Complainant of his/her right to have an Advisor, as provided in Section X. A.
 - (d) Provide information regarding the Formal Grievance Process for Complaints of Sexual Harassment, including the following:

- (i) The presumption that the Respondent is not responsible for alleged Sexual Harassment unless and until the Respondent is determined to be responsible based on a preponderance of the evidence.
 - (ii) Information regarding the investigation process which will be conducted as outlined in the Procedures defined in this Policy. (Section XII)
 - (iii) The right of both parties to receive a copy of the Investigative Report and the right to obtain all evidence obtained as part of the Investigation which is directly related to the reported Sexual Harassment.
 - (iv) The Title IX Hearing Process as set forth in the Procedures defined in this Policy, including the right to present evidence and witnesses and the right of each party, through their Advisors, to cross-examine witnesses.
 - (v) The right to a written determination by an impartial Decision-Maker and the right to appeal such determination.
 - (vi) The right to appeal a Dismissal of the Formal Complaint.
 - (vii) The right of the parties to opt out of the Formal Grievance Process at any time after the filing of a Formal Complaint and to seek an Informal Resolution of the Complaint, except where the Complaint involves an allegation of Sexual Harassment by a College Employee, in which case Informal Resolution is not permitted. Both the Complainant and Respondent must consent in writing to opt out of the Formal Grievance Process and seek Informal Resolution. Either party may subsequently reinstate the Formal Grievance Process if no Informal Resolution is reached.
- (e) Determine if the individual wishes to file a Formal Complaint and offer assistance if desired by the individual. If the Complainant elects not to file a Formal Complaint, he or she can change that decision at a later date.
 - (f) If there is no Formal Complaint filed, the Title IX Coordinator shall determine whether it appears there is a sufficient basis for the Title IX Coordinator to file a Formal Complaint of Sexual Harassment.
 - (g) If the Complainant does not wish to pursue a Formal Complaint or does not desire an Investigation to take place, the Complainant may make such request to the Title IX Coordinator, who will evaluate that request in light of the College's duty to comply with state and federal law and the duty to protect the safety and security of the campus community. The College may be compelled to take action to investigate or otherwise respond to alleged Sexual Misconduct regardless of the Complainant's wishes.

- (h) In making the determination to file a Formal Complaint against the wishes of the Complainant, the Title IX Coordinator shall also consider the effect of the non-participation by the Complainant and the College's ability to pursue the Formal Grievance Process fairly and effectively. The Complainant retains all rights of a Complainant under this Policy regardless of his or her level of participation.
 - (i) If the conduct alleged, if true, could constitute Title IX Sexual Harassment, a formal Complaint is required before the parties can elect to opt out of the Grievance Procedure and elect the Informal Procedure.
- 2. If the reported Sexual Misconduct does not involve a claim of Sexual Harassment and the Title IX Coordinator does not reasonably anticipate that a claim of Sexual Harassment could be made, based on the information reported, the Title IX Coordinator, or Designee, will:
 - (a) Offer Supportive Measures as described in Paragraph D. of this Section and provide information regarding such measures.
 - (b) Notify the Complainant of his/her right to file a Formal Complaint of Sexual Misconduct other than Sexual Harassment, if a Formal Complaint has not been filed.
 - (c) Notify the Complainant of his/her right to have an Advisor, as provided in Section X. A.
 - (d) Notify the Complainant of his or her right to seek an Informal Resolution of the matter, without filing a Formal Complaint, as set forth in Section XIII.
- 3. If the reported Sexual Misconduct involves a claim of Sex Discrimination, the Title IX Coordinator, or Designee, will:
 - (a) Notify the Complainant of the rights under subsection 2 above.
 - (b) Notify the Complainant of the Grievance Procedure for Sex Discrimination under the Section XIV of this Policy.
 - (c) Take appropriate action to prevent and mitigate any adverse effects on the Complainant.
- 4. The Title IX Coordinator or Designee will notify the Complainant of the College's Prohibition on Retaliation and will advise the Complainant that any attempts intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any rights under Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing constitutes retaliation which is prohibited and should be reported to the Title IX Coordinator. Intimidation, threats, coercion, or discrimination, including charges against an

individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by title IX or this Policy, constitutes retaliation.

5. The Title IX Coordinator or Designee shall provide Complainant with written notice of this policy, the availability of the policy on the College website and shall also provide a copy or website link to College publications which summarize the rights and options of persons who allege a violation of the Sexual Misconduct Policy as well as the rights and options of those persons who are alleged to have violated the Policy.

C. Notification of Additional Information in cases of Sexual Assault, Domestic Violence and Stalking. In addition to providing the information in Paragraph B, above, if the report of Sexual Misconduct involves an allegation of Sexual Assault, Dating Violence, Domestic Violence or Stalking, the Title IX Coordinator shall also notify the alleged victim (Complainant) of the following information, rights and options:

1. The option to notify law enforcement authorities, including local police; be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses; or to decline to notify such authorities.
2. The right to seek orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts.
3. The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order.
4. Existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.
5. Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the complainant and if reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

D. Supportive Measures. When a Member of the College Community experiences an act of alleged Sexual Misconduct, ACC shall offer Supportive Measures regardless of whether a Complaint has been filed and regardless of whether the Complainant wishes to participate in this process provided by this Policy. The Title IX Coordinator, or Designee, will coordinate Supportive Measures with the appropriate ACC Personnel and community resources. Privacy will be maintained as much as reasonably possible when Supportive Measures are provided. The specific Supportive Measures provided will be determined on a case-by-case basis. Supportive Measures may be modified as necessary to remedy the effects of the alleged Sexual Misconduct

and to promote safety. Examples of Supportive Measures include, but are not limited to:

1. Referral to confidential resources, including counseling and other mental health services, and the Employee Assistance Program for employees, and community-based service providers;
2. class schedule modifications, withdrawals, or leaves of absence;
3. altering housing arrangements;
4. increased security and monitoring of certain areas of the campus;
5. student financial aid counseling;
6. education to the community or community subgroup(s);
7. altering work arrangements for employees or student-employees including reassignment to a different supervisor;
8. safety planning including safety escorts;
9. providing transportation accommodations;
10. implementing contact limitations (no contact orders) between the parties;
11. academic support, extensions of deadlines, or other course/program-related adjustments;
12. Issuing Timely Warnings, per the Clery Act;
13. any other actions deemed appropriate by the Title IX Coordinator.

These remedies may be applied to one, both, or multiple parties involved. Violations of the interim measures may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the College.

E. Determination of Process Following Initial Assessment. Following the Initial Assessment, the Process for handling the reported Sexual Misconduct shall be determined by the Title IX Coordinator, as follows:

1. Dismissal (Mandatory). If a Formal Complaint is filed by the Complainant alleging Title IX Sexual Harassment, the Title IX Coordinator shall determine whether the facts as alleged, if proven, would constitute Title IX Sexual Harassment. If, at any time, the Title IX Coordinator determines they would not, or do not fall within the College's Title IX jurisdiction, the Formal Complaint must be Dismissed. The Title IX Coordinator may offer other policy options to the Complainant or may proceed with further action for other forms of Sexual

Misconduct, which may include further investigation, determinations and resolutions provided by the Policy. A Dismissal of a Formal Complaint is subject to Appeal as set forth in the Procedures.

2. Dismissal (Discretionary). The Title IX Coordinator may, but is not required to, dismiss the Formal Complaint or any allegations therein if, at any time during the investigation or hearing, a Complainant would like to withdraw the Formal Complaint or any allegations in the Complaint; or if the Respondent is no longer enrolled as a student or employed, or specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or the allegations contained in the Formal Complaint.
3. Formal Title IX Grievance Process. If a Formal Complaint is filed by the Complainant alleging Title IX Sexual Harassment, the Title IX Coordinator shall initiate the Formal Grievance Process, all in accordance with the Procedures Section XII of this Policy. Such Process shall include:
 - (a) Notice of Investigation
 - (b) Investigation
 - (c) Report of Investigation
 - (d) Hearing with Cross-Examination
 - (e) Determination of Responsibility
 - (f) Determination of Sanctions
 - (g) Rights of Appeal
4. Informal Resolution. If a Formal Complaint is filed alleging Title IX Sexual Harassment, and the Complaint does not involve allegations against a College employee, the Title IX Coordinator shall offer the parties the option for Informal Resolution, which may be selected by mutual, voluntary written consent of the parties at any time. The process for Informal Resolution may include any of the alternatives set forth in the Procedures Section XIII of this Policy. If there is no Formal Complaint and the reported conduct involves alleged Sexual Misconduct other than Title IX Sexual Misconduct, either party may seek Informal Resolution without the necessity of filing a Formal Complaint.
5. Investigation and Determination of Alleged Sexual Misconduct other than Title IX Sexual Harassment. If the alleged violation of the Sexual Misconduct Policy does not involve allegations of Title IX Sexual Harassment, the Title IX Coordinator may proceed to investigate the allegations and make a written finding as to whether a violation occurred without a requirement of a hearing, provided that such investigation shall follow the procedures set forth in this policy for Sexual Misconduct other than Title IX Sexual Harassment. If the alleged Sexual

Misconduct involves a claim of Sex Discrimination, the Title IX Coordinator will follow the Grievance Procedure for Sex Discrimination Complaints set forth in the Procedures Section of this Policy.

F. Privacy Considerations.

1. The sensitive nature of information provided to the Title IX Coordinator, and any investigator, will be accorded the utmost respect. However, the parties are advised that, unless expressly protected by this Policy or applicable law, the information obtained during the investigation is not confidential. Prior to the completion of the investigative report, the Title IX Investigator must send to each party and to that party's advisor, if any, the evidence subject to inspection and review and give each party equal opportunity to refer to such evidence during the hearing.
2. The College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. This provision in no way immunizes a party from abusing the right to "discuss allegations under investigation for example, by discussing those allegations in a manner that exposes that party to liability for defamation or related privacy torts, or in a manner that constitutes unlawful retaliation.
3. All employees and persons involved in the process of investigating allegations must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Employees and persons involved in investigating allegations of Sexual Misconduct may disclose information received under the following circumstances:
 - (a) To the extent provided by this Policy and its Procedures;
 - (b) To the extent necessary to:
 - (i) Eliminate the alleged Sexual Misconduct;
 - (ii) Remedy the effects of the alleged Sexual Misconduct;
 - (iii) Complete an investigation under this Policy; or
 - (iv) Complete any sanctioning processes under this Policy; or
 - (c) To the extent required by law, including, but not limited to:
 - (i) The Michigan Freedom of Information Act;

- (ii) The Michigan Bullard-Plawecki Employee Right to Know Act;
 - (iii) The Family Educational Rights and Privacy Act ("FERPA");
 - (iv) A valid subpoena, search warrant or other lawfully-issued court order;
or
 - (v) Valid order to respond to any inquiry or complaint from, or filed with
a governmental administrative agency.
4. The College has federal reporting obligations under the Clery Act, including the obligation to provide statistics of certain reported crimes. ACC will not include a Complainant's name or other identifying information in publicly available reports or timely warnings, as prescribed by the Clery Act.
 5. The College may need to report an incident to local law enforcement under certain circumstances including, but not limited to, an incident where there is a clear and imminent danger, an incident involving a weapon, an incident involving a minor, or an incident warranting the undertaking of security or safety measures for the protection of the Complainant or Members of the College Community.
 6. The College cannot access, consider, disclose or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity and which are made and maintained in connection the provision of any treatment to the party, unless the College obtains that party's voluntary written consent.

X. Rights and Responsibilities of Parties

A. Right of Parties in All Claims of Sexual Misconduct.

1. *Advisors.* The Parties may each have an Advisor of their choice with them for all meetings and interviews conducted under this Policy. The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. A party may also choose to attend any interview, discussion or meeting without an Advisor. Advisors are subject to the following provisions:
 - (a) Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors are not to interrupt the meeting and are primarily present for support and consultation with the Party. If unable to comply with expectations, Advisors may be asked to leave.
 - (b) All Advisors are subject to ACC policies and procedures, and are expected to advise their advisees without disrupting proceedings. Advisors may not present statements or arguments or conduct direct examination. Advisees may consult with their Advisors as requested and may do so privately as needed.

- (c) Parties may share any information directly with their Advisors, to facilitate the Advisor's participation in the process. Upon request, the Title IX Coordinator can provide a consent form to authorize ACC to share information directly with the Advisor. Advisors are expected to maintain the privacy of any documentation, exhibits or other information shared with them in accordance with the provisions of this Policy.
 - (d) Advisors who are participating in a Sexual Harassment Hearing are subject to the additional provisions of Section B. 1. Below.
- 2. Both parties have the right to be treated with sensitivity, dignity and respect.
 - 3. Both parties have the right to request Supportive Measures.
 - 4. Both parties have the right to a process conducted by persons who are impartial and unbiased.

B. Rights of Parties in Claims of Sexual Harassment

In addition to the rights set forth in Section A. above, the parties to a claim of Sexual Harassment have the following rights:

- 1. If a Formal Complaint of Title IX Sexual Harassment is filed, the Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the College, the Advisor will be trained by the College and will be familiar with this Policy and the Procedures hereunder. In addition to the provisions of Section A. 1. above, Advisors involved in a Formal Complaint of Sexual Harassment are subject to the following:
 - (a) Advisors may request to meet with the Title IX Coordinator, or Designee, in advance of portions of the Formal Grievance process to allow Advisors to clarify and understand their role, as well as the relevant Policies and Procedures.
 - (b) One party's choice to select an attorney to serve as their Advisor does not obligate the College to provide an attorney for the other Party.
 - (c) Choosing an Advisor who is also a witness creates potential for bias and conflict-of-interest. An Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).
 - (d) At a hearing, Parties must have an Advisor to conduct cross-examination. If a Party does not have an Advisor for a hearing, the Title IX Coordinator or Designee will appoint a trained Advisor for the limited purpose of conducting any cross-examination. A party is not permitted to conduct cross-examination on his or her own behalf.

- (e) Advisors may not speak on behalf of the Party they advise except during the cross-examination portion of the hearing proceeding.
- 2. Both parties have an equal opportunity to review the Investigative Report and the right to obtain all evidence obtained as part of the Investigation which is directly related to the reported Sexual Harassment.
- 3. Respondent has the right to be presumed not responsible for alleged Sexual Harassment unless and until the Respondent is determined to be responsible based on a preponderance of the evidence.
- 4. When a Formal Complaint of Sexual Harassment has been filed, both parties have the right to participate in or not participate in the Title IX Hearing Process as set forth in the Procedures defined in this Policy, including the right to present evidence and witnesses and the right of each party, through their Advisors, to cross-examine witnesses.
- 5. Both parties have the right to a written determination by an impartial Decision-Maker and the right to appeal such determination.
- 6. Both parties have the right to appeal a Dismissal of the Formal Complaint.
- 7. Both parties have the right to opt out of the Formal Grievance Process at any time after the filing of a Formal Complaint and to seek an Informal Resolution of the Complaint, except where the Complaint involves an allegation of Sexual Harassment of a student by a College Employee, in which case Informal Resolution is not permitted. Both the Complainant and Respondent must consent in writing to opt out of the Formal Grievance Process and seek Informal Resolution. Either party may subsequently reinstate the Formal Grievance Process if no Informal Resolution is reached.
- 8. Complainant has the right not to have questions or evidence presented regarding the Complainant's prior sexual behavior or sexual predisposition, unless offered to prove that someone other than the Respondent committed the alleged conduct, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

C. Concurrent Criminal Complaints

- 1. The Complainant has the right to pursue charges or file a concurrent complaint with local law enforcement or any other state or federal agencies.
- 2. Depending upon the facts alleged, ACC may have legal obligation to investigate alleged violations of this Policy independent of any criminal investigations carried out by law enforcement.

3. ACC will not necessarily wait for the conclusion of a criminal investigation or for criminal judicial proceeding to begin before it commences its own independent investigation into the alleged violations of this Policy, if such investigation is deemed to be necessary.
4. ACC will request available evidence from law enforcement conducting any parallel criminal investigation.
5. ACC will comply with reasonable requests by law enforcement for cooperation in their criminal investigation as follows:
 - (a) At the request of law enforcement, ACC may temporarily delay its investigation into an alleged violation of this Policy while law enforcement gathers evidence for a limited amount of time.
 - (b) After a temporary and reasonable delay to allow for law enforcement to gather evidence, ACC will promptly resume its investigation, to the extent necessary under this Policy and its Procedures.
 - (c) Supportive measures may be instituted or continued while law enforcement gathers evidence, regardless of whether or not ACC has temporarily delayed its investigation into an alleged violation of this Policy.

XI. Additional Responsibilities of College

A. Time Frames

1. The College will resolve allegations of Sexual Misconduct in a reasonable, prompt, and equitable manner.
2. The College endeavors to issue a Determination and, if applicable, any sanctions within ninety (90) days of written notification to the parties that the College will undertake an investigation of an alleged violation of this Policy. However, all time frames expressed in this Policy and its Procedures are meant to be guidelines and not rigid requirements. In Sexual Harassment cases involving a Live Hearing, the time for completion of the process may be extended if necessary in order to obtain the services of a trained, impartial Decision-Maker.
3. Factors that may affect the length of time necessary to completely resolve an allegation of Sexual Misconduct include, but are not limited to: the complexity of the allegations; the availability of the Complainant, the Respondent, and witnesses; the reluctance of the Complainant to file a Complaint; the effect of concurrent criminal investigations; intervening closures of the College; the necessity to provide for rights under any applicable collective bargaining agreement; and any other unforeseeable circumstances.
4. In the event the College determines it requires additional time beyond the time frames set forth in this Policy or its Procedures to fully and properly carry out its

responsibilities under this Policy or its Procedures, it will provide simultaneous written notice to the Complainant, the Respondent, and the Title IX Coordinator, or Designee, notifying them of the anticipated length of the delay and general nature of the circumstances causing the delay.

- B. Standard of Proof. All allegations of Sexual Misconduct must be proven by a preponderance of the evidence, which means that, in the opinion of the Decision-Maker, it is more likely than not that the alleged conduct occurred and that such conduct is a violation of this Policy.
- C. Training of Personnel. The Title IX Coordinator shall receive training at least annually and as needed to carry out the responsibilities of the position. In addition, the Title IX Coordinator, and all persons serving as Investigators, Hearing Officers, Decision-Makers on Responsibility, Decision-Makers on Sanctions, Appeal-Decision Makers, Informal Resolution Facilitators, or otherwise participating on behalf of the College in the Formal Grievance Process for Sexual Harassment, shall receive annual training on the following topics, as appropriate for their roles. All materials used in the training of such personnel shall be available on the College website in their entirety.
1. The definition of Sexual Harassment under Title IX as used in this Policy
 2. The Policy and Procedures of the College regarding Sexual Misconduct in general and Sexual Harassment in particular.
 3. The scope of the College's education program or activity as it relates to Title IX
 4. How to conduct an investigation and grievance process, including hearing, appeals, and informal resolution process, as applicable
 5. How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest and bias
 6. How to use any technology involved in a live hearing
 7. How to determine questions of relevance, including how to apply the rape shield protections to protect Complainants
 8. How to apply the presumption that the Respondent is not responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process
 9. How to implement appropriate and situation-specific remedies
 10. How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

- D. Retention of Records Regarding Reports of Sexual Misconduct. The Title IX Compliance Coordinator is responsible for maintaining records relating to sexual harassment and sexual violence reports, investigations, and resolutions. Records shall be maintained in accordance with College records policies. Records and evidence relating to claims of Sexual Harassment shall be retained for at least seven (7) years from the last date of the Determination and any appeal of the Determination. Records may be maintained longer at the discretion of the Title IX Coordinator in cases where the parties have a continuing affiliation with the College. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instructions from legal counsel.

XII. Title IX Sexual Harassment Grievance Procedure

The College shall provide a consistent transparent grievance process for resolving Formal Complaints of Title IX Sexual Harassment which shall comply with this Policy, the procedures set forth in this Section and Title IX.

A. Formal Complaint

1. The grievance process for a claim of Title IX Sexual Harassment is initiated by the filing of a Formal Complaint, which may be filed by a Complainant or signed by the Title IX Coordinator, alleging Sexual Harassment against a Respondent and requesting that the College investigate the allegation of Sexual Harassment. At the time of filing a Formal Complaint, the Complainant must be participating in or attempting to participate in the Education Program or Activity of the College, as defined in this Policy.
2. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail or by electronic mail, by using the contact information listed in Section V of this Policy, or by any other method prescribed by the College. The Formal Complaint must contain the signature or digital signature of either the Complainant or the Title IX Coordinator and must be dated. If filed by a Complainant, it must contain the contact information for the Complainant. When the Title IX Coordinator signs the Formal Complaint, the Title IX Coordinator does not become the Complainant and is not a party during the grievance process and must comply with all requirements that Title IX personnel be free from conflict and bias.
3. A Formal Complaint shall set forth the specific facts alleged in sufficient detail to inform the Respondent of the basis for the Complaint.

B. Review of Formal Complaint and Assignment of Investigator.

1. The Title IX Coordinator, or Designee, shall review the Formal Complaint to assure it is signed and filed in accordance with the foregoing procedure and includes the specific allegations required. If it is procedurally deficient, the Title IX Coordinator shall contact the Complainant and advise of what information is needed to properly complete the Complaint before commencing an investigation.

If the Formal Complaint fails to allege facts which, if true, could constitute Sexual Harassment, the Complaint shall be dismissed as set forth in Section IX. E.

If the Complaint is not dismissed, the Title IX Coordinator shall assign an Investigator, who may be the Title IX Coordinator, to perform the investigation. The Investigator shall, in consultation with the Title IX Coordinator, develop a plan of investigation, including the known witnesses to be interviewed and the information to be gathered, as more fully described in Paragraph D. below

2. Impartiality and Avoidance of Conflicts of Interest.

- (a) If the Complainant or the Respondent believes that the investigator assigned to the Complaint has a conflict of interest or is impermissibly biased in the matter, the Complainant or the Respondent may request an alternative investigator. This request must be made in writing to the Title IX Coordinator within seven (7) days of when the Complainant or Respondent knew or should have known of the alleged conflict of interest or impermissible bias.
- (b) The written request must contain sufficient information and details to establish that the investigator has a conflict of interest or impermissible bias.
- (c) An investigator may seek to recuse oneself from an investigation if the investigator believes there may be a conflict of interest that prevents the investigator from being unbiased in carrying out the investigation. A request to recuse oneself must be made in writing to the Title IX Coordinator and state the basis for the request. The Title IX Coordinator will grant or deny this request in writing.

3. It is within the Title IX Coordinator's discretion to:

- (a) Appoint an alternative investigator;
- (b) Direct the investigator to fairly address the conflict of interest or impermissible bias during the investigation; or
- (c) Reject the request on the grounds that no conflict of interest or impermissible bias was demonstrated.

4. In the event that the Title IX Coordinator has a conflict of interest or is impermissibly biased, the President, or Designee, shall appoint an alternate person to serve in the role of the Title IX Coordinator for that particular matter; such alternate may be another College official having the requisite training, legal counsel for the College or a retained, neutral, outside third-party.

C. Notice of Investigation (NOI)

1. Prior to commencing the Investigation, the Title IX Coordinator, or Designee, shall provide a Notice of Investigation (NOI) to both the Complainant and Respondent. Such Notice of Investigation shall contain the following information:
 - (a) Notice of the allegations of sexual harassment potentially constituting sexual harassment as including sufficient details known at the time and with sufficient time to prepare a response before any initial interview
 - (b) A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process
 - (c) Notice that the parties may have an advisor of their choice, who may be an attorney. The Notice will also provide information regarding the College policies related to the role and conduct of Advisors
 - (d) A statement about the College Policy on Retaliation
 - (e) The name and contact information of the Investigator
 - (f) Information about how to notify the Title IX Coordinator of any conflict of interest claimed by any party
 - (g) An instruction to preserve evidence that is directly related to the allegations
 - (h) A statement that College Policy prohibits knowingly making false statements including knowingly submitting false information during the resolution process
 - (i) Information about the College's Sexual Misconduct Policy and how to access it online.
 - (j) A request to meet with the investigator to be interviewed
 - (k) Notice that if Respondent does not elect to participate in the investigation, ACC will carry out its investigation based on available information and that the Respondent may still be subject to sanctions pursuant to this Policy and its Procedures.
2. The Notice of Investigation shall also notify the parties that the parties may choose to resolve the Complaint through a process of Informal Resolution if both parties consent in writing to use such a process, provided that, at any time prior to reaching a Resolution, either party has the right to withdraw from the Informal Resolution Process and resume the Formal Grievance Process. This offer of Informal Resolution is not permitted if the Complaint contains allegations of Sexual Harassment by a College Employee against a student.

3. The Notice of Investigation may be amended as the investigation process continues if additional information becomes available regarding the addition or dismissal of allegations.
4. The Notice of Investigation will be made in writing and delivered by at least one of the following methods:
 - (a) Hand-delivery in person
 - (b) Mailed to the local address of a party as contained in the College's records by first class U.S. mail
 - (c) Sent by electronic mail to the ACC email account of the party

Delivery is presumed completed and effective on the date of delivery in person or via email, and on the day following mailing in the case of U.S. mail
5. A Notice of Investigation of faculty or staff will also comport with any requirements of the applicable collective bargaining agreement, if any, regarding notice of investigations that may lead to discipline.

D. Investigation

1. The Title IX Coordinator is the College Official in charge of any investigation required or permitted by this Policy. The investigation shall be conducted by the Investigator assigned by the Title IX Coordinator (which may be the Title IX Coordinator) under the supervision of the Title IX Coordinator.
2. The Investigator will develop a plan of investigation, approved by the Title IX Coordinator, which includes the following, all of which will be updated throughout the course of the investigation:
 - (a) The alleged misconduct and the specific College policies which are implicated, based on the Initial Assessment
 - (b) A list of the known witnesses which the Investigator seeks to interview and the evidence which the Investigator seeks to review.
 - (c) A plan for the intended investigation time frame
3. The Investigator shall interview the parties and other witnesses, as available, inspect documentary evidence, and review other evidence that may be available which the Investigator deems relevant and necessary for a complete and thorough investigation.
4. The Complainant and Respondent will be separately interviewed, unless either refuses to participate.

5. The Investigator will send written notice to the parties of any investigative interviews, meeting or hearings. There is no requirement that such written notice be sent to any party in advance of the interview, unless the participation of the party is needed, in which case the Investigator shall provide the party with written notice of the time, date and location of the meeting, as well as any other persons who are expected to be in attendance and the purpose of the meeting.
6. The parties shall have an equal opportunity to provide the Investigator with information regarding facts and expert witnesses and other inculpatory and exculpatory evidence.
7. The burden of gathering evidence is on the College, not the parties.
8. The Investigator may independently obtain any evidence available which the Investigator believes is relevant to the allegations and necessary to a thorough investigation.
9. The Investigator shall provide the parties with the same opportunity to be present and to have others present during any proceeding, including the right to be accompanied by an Advisor of the party's choice. This does not mean that the Investigator must allow either party to be present during the interview of another witness; but if one party is permitted to be present, the other party has the same opportunity.
10. The College shall not issue any "gag order" or restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
11. The Investigator shall send the parties, and their advisors, evidence directly related to the allegations, in electronic form or hard copy with at least 10 days for the parties to respond.
12. The Investigator shall provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source.
13. The Investigator may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
14. The Investigator shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and

maintained in connection with the provision of treatment to the party, unless the recipient obtains that party's voluntary, written consent.

15. Either party may provide written statements to the Investigator responding to any information produced during the Investigation and/or suggesting witnesses, documents and questions to the Investigator. It is within the Investigator's discretion to determine whether to conduct additional investigation, or ask the questions suggested by a party, based on factors such as the availability of witnesses, the relevance of the evidence sought to be produced and whether further information is needed to conduct a fair and thorough investigation.

E. Investigation Report

1. The Investigator shall prepare an Investigation Report, fairly summarizing all the evidence directly related to the Investigation. The Investigation Report shall contain, at a minimum:
 - (a) An overview of the investigation undertaken
 - (b) A summary of all evidence and testimony reviewed and considered
2. Prior to finalizing such report, the Investigator shall deliver a draft of the Investigation Report to both parties and their Advisors, via electronic mail or hard copy.
3. To the extent that a party has not already received a copy of any evidence directly related to allegations, the Investigator shall deliver a copy of such evidence, via electronic mail or hard copy to the parties and their Advisors. Delivery shall be effective on the date of email or personal delivery to each party.
4. Each party shall have an opportunity for at least 10 days following delivery of the Draft Investigation Report to make any comments or response in writing to the Investigator. Such comments and responses shall be considered by the Investigator prior to issuing the Final Investigation Report. The parties may elect to waive the 10-day comment period or any portion thereof.
5. Following the consideration of any written comments or responses submitted by the parties, the Investigator shall finalize the Investigation report which shall be delivered by email or personal delivery or U.S. Mail to:
 - (a) The Title IX Coordinator
 - (b) The Complainant
 - (c) The Respondent
 - (d) The Advisors for both parties

6. Delivery of the Final Investigation Report shall be deemed complete upon the date of email, hand-delivery or mailing by first class mail.
7. Following the delivery of the Draft Report, and at all times after that, the Investigator shall make available to the parties for inspection any original evidence directly related to the allegations, if such evidence is in the possession of the Investigator or the College.

F. Live Hearing

1. *Notice of Hearing.* Upon receipt of the Final Investigation report, the Title IX Coordinator shall send notice to both parties and their advisors that a Live Hearing will be conducted for the purpose of presenting evidence to a Decision-Maker to determine whether the Respondent is responsible for Sexual Harassment, as alleged in the Formal Complaint. The Notice of Hearing shall contain the following information:
 - (a) Date and Time of the hearing, which shall be not less than 10 days following the effective date of delivery of the Final Investigation Report.
 - (b) The place of hearing if the hearing will be conducted in person with the parties present at the same geographic location.
 - (c) If the hearing will be conducted through the use of video conference technology, the Notice shall contain the instructions for accessing any technology that will be used and for requesting any accommodation at least 5 days prior to the hearing.
 - (d) The Name of the Decision-Maker and notice that any objections to such Decision-Maker on the basis of bias or prejudice must be presented in writing to the Title IX Coordinator at least 5 days prior to the hearing.
 - (e) The names of all witnesses who may be called to present evidence at the hearing.
 - (f) Notification that the parties continue to have the right to elect the Option of Informal Resolution, provided both parties consent in writing.
2. *Selection of Hearing Decision-Maker.* The Decision-Maker may be any of the following individuals, and shall be selected by the Title IX Coordinator, in consultation with legal counsel for the college, subject to right of both parties to object to such Decision-Maker on the basis of bias or prejudice. Only Decision-Makers having received the training required by this Policy shall be selected. No person who served as the Title IX Coordinator or Investigator in the matter may serve as a Decision-Maker in that matter.
 - (a) If the Respondent is a College Employee, the Decision-Maker shall be a person who is not a college employee, having the knowledge, training and

experience to conduct a hearing and render a decision in matters involving Title IX Sexual Harassment.

- (b) If the Respondent is a Student, the Decision-Maker may be the Dean of Students, or Designee, provided that the Decision-Maker shall have the right to consult with legal counsel for the College on any evidentiary or procedural issues arising during the Hearing. If the Dean of Students is the Decision-Maker as to the issue of Responsibility, the Dean of Students shall also decide the issue of sanctions.
- (c) If the Respondent is a Student, the Decision-Maker may be an outside resource who is not a college employee, having the knowledge, training and experience to conduct a hearing and render a decision in matters involving Title IX Sexual Harassment.
- (d) If the Respondent is a Student, the Decision-Maker may be a panel of 3 people, provided that all such persons have received training as Decision-Makers. One person on the panel shall be selected as the Hearing Officer, who may consult with college legal counsel on any evidentiary or procedural issue arising during the hearing.

3. Conduct of Hearing

- (a) *Assistance by Advisors.* Both parties may have an Advisor to assist them at the Hearing and in preparing for the hearing. Advisors are subject to the provisions of this Policy as set forth in Section X. A. as well as other reasonable rules established by the Decision-Maker or Hearing Officer.
- (b) *Presentation of Report by Title IX Coordinator/Investigator.* The Title IX Coordinator/Investigator shall present the Investigation Report and provide information regarding the information that is and is not contested.
- (c) *Presentation of Witnesses and Evidence.* The witnesses shall be subject to questioning by the Decision-Maker and cross-examination by the Advisors for the parties. The Decision-Maker shall determine the order of presentation of the evidence. Both parties and the Title IX Coordinator/Investigator shall have the opportunity to present witnesses and evidence. The burden of proving Responsibility shall be on the College, not on the parties.
- (d) *Cross-Examination by Advisors.* Each Party must have an Advisor at the hearing in order to conduct cross examination. If a Party does not have an Advisor, the College shall appoint an Advisor for the purpose of conducting cross-examination. The Advisor may be but is not required to be an attorney.
- (e) *Relevant Questions.* At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

- (f) *Decision on Relevance by Decision-Maker.* Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- (g) *Absence of Party or Witness.* If a party or witness does not appear at the hearing, the hearing may continue in the absence of the party or witness. The hearing may be adjourned or rescheduled for compelling reasons at the discretion of the Decision-Maker.
- (h) *No Consideration of Statements not Subject to Cross-Examination.* If a party or witness does not appear or does not submit to cross-examination, the statements of that party or witness may not be considered by the Decision-Maker.
- (i) *No Inference Based on Failure to Appear or Submit to Cross-Examination.* The Decision-Maker shall not be permitted to draw any inference regarding responsibility based solely on the absence of a party or witness or the refusal to answer questions on cross-examination.
- (j) *Presence of Parties, Advisors and Witnesses.* The parties and their Advisors are permitted to be present during the presentation of all evidence and witnesses. Parties and Advisors are not permitted to be present during any deliberation if the Decision-Maker is a panel. Other witnesses shall only be permitted to be present when they are presenting evidence or being cross-examined, unless the Decision-Maker allows their presence for other reasons, after an opportunity for both parties to object to such presence.
- (k) *Recording of Hearing.* The College will create an audio or audiovisual recording, or transcript, of the live hearing and make it available to the parties for inspection and review. If the Decision-Maker on Sanctions is a different person than the Hearing Decision-Maker, the recording shall also be provided to the Decision-Maker on Sanctions.

G. Determination of Responsibility

1. Within a reasonable time following the Hearing, the Decision-Maker will issue a written Determination of Responsibility, which shall include the following:
 - (a) Identification of the allegations potentially constituting sexual harassment
 - (b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held
 - (c) Findings of fact supporting the determination

- (d) Conclusions regarding the application of the College's Policy to the facts
- (e) A statement of, and rationale for, the result as to each allegation, including a determination regarding whether the Respondent is determined, by a preponderance of the evidence, to be responsible for Sexual Harassment.
- (f) A Determination as to whether the Respondent has engaged in any other Sexual Misconduct alleged, or violation of College Policy or Code of Conduct, other than Sexual Misconduct, which is or may be subject to discipline.
- (g) Whether remedies designed to restore or preserve equal access to the College's education program or activity have been or will be provided by the College and whether further remedies are recommended.
- (h) Notification to each party of their right to appeal the Determination in accordance with College Policy for the following reasons:
 - (i) Procedural Irregularity that affected the outcome of the matter
 - (ii) Newly discovered evidence that could affect the outcome of the matter
 - (iii) Bias or Conflict of Interest by the Title IX Coordinator, Investigator or other Personnel that could affect the outcome of the matter
- 2. The written Determination of Responsibility shall be delivered by the Decision-Maker simultaneously to the Parties with a copy to the Title IX Coordinator and the Investigator.

H. Determination of Sanctions.

1. If the Determination of Responsibility includes a finding that the Respondent was determined to be responsible for Sexual Harassment or other form of Sexual Misconduct or other violation of College Policy, the matter shall proceed to a Determination of Sanctions, provided that if an appeal is filed by either party, the College may, but is not required to, defer the Determination of Sanctions until the outcome of the appeal. Alternatively, if the College proceeds to a Determination of Sanctions while an appeal of the Determination of Responsibility is pending, provided that the Respondent will have the opportunity following the Determination of Sanctions to appeal the Determination of Sanctions and the Determination of Responsibility.
2. *Purpose and Effect of Sanctions.* If a Respondent is found responsible for Sexual Harassment or other Sexual Misconduct or violation of Policy, the College will initiate the appropriate sanctioning process to eliminate the misconduct, prevent its recurrence, deter individuals from similar future behavior and discipline the Respondent. The Sanctioning Official shall be responsible for implementing any sanctions or otherwise ensuring sanctions are implemented.

3. *Sanctioning Official.* The person who shall make the Determination of Sanctions (Sanctioning Official) shall be one of the following:
 - (a) If the Respondent is a student, the Determination of Sanctions shall be made by the Dean of Students, or Designee.
 - (b) If the Respondent is a college employee, the Determination of Sanctions shall be made by either the Vice-President for Administration and Finance or the Vice-President for Academic Affairs, as appropriate.
 - (c) If the Respondent is a Vice President, the Sanctioning Official shall be the President. If the Respondent is the President, the Sanctioning Official shall be the Board of Trustees.
 - (d) If the Respondent is a contractor or other person over whom the College exercises control, the Sanctioning Official shall be the Vice-President for Administration and Finance, or Designee.
4. *Impact Statements*
 - (a) Within five (5) days of being given notice of the Determination, the Complainant or Respondent may submit an Impact Statement to the Title IX Coordinator, or Designee.
 - (b) The Title IX Coordinator, or Designee, will provide the Impact Statements, if any, to the Sanctioning Official.
 - (c) In the event that neither the Respondent nor the Complainant submits an Impact Statement, the Title IX Coordinator, or Designee, will inform the Sanctioning Official that no Impact Statement was submitted.
 - (d) The Sanctioning Official shall determine the appropriate sanction after receiving the Impact Statement or receiving notice from the Title IX Coordinator, or Designee, that no Impact Statement was submitted.
5. Upon determining the appropriate sanction, the Sanctioning Official will simultaneously inform the Complainant, Respondent, and Title IX Coordinator, or Designee, in writing of the terms and conditions of the sanction to be imposed.
6. The Complainant and the Respondent must be afforded equitable rights under any process used to determine an appropriate sanction. Appropriate considerations in determining sanctions include the following:
 - (a) The nature and severity of the Prohibited Conduct
 - (b) The impact of the Prohibited Conduct on others
 - (c) The circumstances surrounding the Prohibited Conduct

- (d) The Respondent's disciplinary history
 - (e) The action required to end the Sexual Misconduct, prevent the recurrence of Sexual Misconduct and remedy the effects of the Sexual Misconduct.
7. If the Respondent is a student, possible sanctions may include, but shall not be limited to, one or more of the following:
- (a) *Reprimand*: A written reprimand, including the possibility of more severe disciplinary sanctions in the event of the finding of a subsequent violation of ACC regulations within a stated period of time.
 - (b) *Campus Restrictions*: Limitations on the times and/or places where a Respondent may be present on-Campus.
 - (c) *Removal from College Housing*. Removal from or relocation within College Park Apartments.
 - (d) *Educational Programs*: Mandatory participation in educational programs intended to correct the misconduct, such as training, workshops, seminars, or other educational activities.
 - (e) *Revocation of ACC Privileges*: Revocation of ACC privileges, such as participation in extra-curricular activities, for a definite or indefinite period of time.
 - (f) *Disciplinary Probation*: Subjection to a period of critical examination and evaluation of behavior.
 - (g) *No Contact Orders*: Prohibition on all forms of contact with certain people.
 - (h) *Suspension*: Exclusion from classes and other privileges or activities as set forth for a definite period of time.
 - (i) *Dismissal*: Permanent termination of student status.
8. If the Respondent is an employee, possible sanctions may include, but are not limited to, one or more of the following:
- (a) *Written Reprimand*: Written documentation of a failure to abide by ACC policy or procedures maintained in the employee's personnel file.
 - (b) *Performance Improvement Plan*
 - (c) *Recommendation for Counseling*
 - (d) *Educational Programs*: Required completion of program or activity intended to correct misconduct such as training, workshops, seminars, or other educational activities.

- (e) *Revocation of ACC Privileges*: Revocation of ACC privileges or responsibilities for leadership roles, for a definite or indefinite period of time.
 - (f) *Campus Restrictions*: Limitations on the times and/or places where a Respondent may be present on campus.
 - (g) *No Contact Orders*: Prohibition on all forms of contact with the Complainant or other specified persons.
 - (h) *Suspension*: Exclusion from work, with or without pay, and other related activities as set forth for a definite period of time.
 - (i) *Termination*: Permanent separation of the employment relationship
9. *Time Frame*. Generally, the Sanctioning Official will determine a sanction within ten (10) days of being given the Determination of Responsibility unless the terms of the applicable collective bargaining agreement require otherwise.
10. *Pendency During Appeals*. No final disciplinary action based on the findings and conclusions of the Determination shall be taken against the Respondent during any appeal process, although Interim Measures may be instituted or continued until all appeals are exhausted.

I. Additional Remedies, Interventions, and Accommodations

Regardless of the nature of the Respondent's relationship with the College, or any sanctions imposed pursuant to these Procedures, additional remedies, interventions, and accommodations may be available to a Complainant or other individuals affected, either collectively or individually. The Title IX Coordinator, or Designee, will coordinate additional remedies, interventions, and accommodations, if any. Additional remedies, interventions, and accommodations, if any, will be determined on a case-by-case basis. Possible additional remedies, interventions, and accommodations include, but are not limited to any of the Supportive Measures set forth in Section IX. D. of this Policy.

J. Appeal Procedures

1. *Appeal of the Determination of Responsibility or Appeal of a Dismissal*. Either party may appeal any Determination or Dismissal, subject to the provisions of this Policy and its Procedures. A Complainant or a Respondent may only appeal a Determination or Dismissal on one or more of the grounds set forth below:
- (a) Newly Discovered Evidence.
 - (i) There has been the discovery of new information or evidence that would have a material bearing on the final Determination.

- (ii) The person appealing establishes by a preponderance of evidence in the written appeal that such information or evidence was reasonably unavailable at the time the Determination was issued.
 - (b) Bias or Conflict of Interest by Investigator or Decision-Maker.
 - (i) The Determination was improperly influenced based on such personal bias; and
 - (ii) The issue of personal bias was raised during the course of the investigation (if the person knew or should have known of the alleged personal bias), and
 - (iii) The investigator failed to fairly address the alleged personal bias in (or before) Determination or that the findings of fact, recommendations, or conclusions demonstrate an improper bias.
 - (c) Procedural Irregularity Affecting Outcome. To constitute grounds for appeal the Procedural Irregularity must have been raised during the hearing and must be shown to have had a substantial effect on the outcome.
2. *Timeliness.* An appeal of a Determination of Responsibility or Dismissal must be made in writing to the Appellate Decision-Maker, and delivered to the office of Title IX Coordinator within seven (7) days of receipt of the of the Determination that is being appealed.
 3. *Initial Review.* Within fourteen (14) days of receiving a written appeal, the Appellate Decision-Maker shall make an initial determination regarding whether or not the content of the written appeal, if taken as true, establishes sufficient grounds for an appeal as set forth in Section J. 1(a) -J.1(c) above. If the grounds for appeal are not sufficient, or the appeal is not timely, the Appellate Decision-Maker or Designee, shall provide the Complainant, the Respondent, and the Title IX Coordinator with concurrent written notice that the appeal has been denied and dismissed. There is no appeal from this decision.
 4. *Notice regarding Sufficiency of Grounds for Appeal* If there are sufficient grounds for an appeal, Decision-Maker shall provide the Complainant, the Respondent, and the Title IX Coordinator, or Designee, with concurrent written notice that sufficient grounds for an appeal have been stated and that each party and the Title IX Coordinator shall have 14 days to respond to the appeal in writing.
 5. *Decision on Appeal of the Determination of Responsibility.* The Decision-Maker shall determine if the reasons for appeal are supported by a preponderance of the evidence. The Decision-Maker may deny the Appeal and affirm the Determination or may grant the Appeal in whole or in part. The Determination on Appeal shall be in writing and shall contain the reasoning or rationale to support the Determination on Appeal. If the Appeal is granted, the Decision-Maker shall

specify whether the matter is remanded in whole or part for any additional investigation or hearing.

6. *Appellate Decision-Maker.* The Decision-Maker on Appeal of the Determination of Responsibility or Appeal shall be one of the following:

- (a) If the Appellant is a student, the Vice-President for Academic Affairs shall be the Appellate Decision-Maker, or the College shall have the right to select an impartial outside trained Appellate Decision-Maker.
- (b) If the Appellant is an employee, the Decision-Maker shall be either the Vice-President for Administration and Finance or the Vice-President of Academic Affairs, or the College shall have the right to select an impartial, outside trained Appellate Decision-Maker

7. Appeal of the Sanction.

(a) If the Respondent is a Student

- (i) The Respondent shall have the right to appeal any Sanction on the same grounds and in the same manner and to the same person provided in Paragraphs 1-6 above.
- (ii) In addition, the Respondent may appeal the Sanction on the grounds that the Sanction is fundamentally unfair or disproportionate based on the Determination)
- (iii) Under no circumstances may a sanction be reduced below any minimums established by this Policy or its Procedures.
- (iv) An appeal, if any, from the Sanctioning Official's decision regarding the appropriate sanctions is limited only to the terms and conditions of any sanction and may not be used as a collateral attack on the findings and conclusions contained within the Determination.
- (v) Timeliness. An appeal of the sanction must be made in writing to the Appeal Decision-Maker within seven (7) days of notice of the sanction.

(b) If the Respondent is Faculty or Staff

- (i) Grounds for Appeal. In addition to the grounds for Appeal set forth in Section XII. J., the grounds for appeal are determined by the terms of the collective bargaining agreement or employee handbook covering the terms and conditions of the Respondent's employment.
- (ii) An appeal, if any, from the Sanctioning Official's decision regarding the appropriate sanctions and interventions is limited only to the terms

and conditions of any sanctions or interventions and may not be used as a collateral attack of the findings and conclusions contained within the Determination.

- (iii) The procedures by which a Respondent may appeal a sanction are determined by the terms of the collective bargaining agreement, employee handbook or contract covering the terms and conditions of the Respondent's employment.
 - (iv) All appeals must be carried out in a prompt and equitable manner, including equal opportunity for both the Complainant and the Respondent to challenge a sanction.
 - (v) All appeals must be carried out in a manner consistent with, and not in contravention of, this Policy and its Procedures.
8. *Outcome.* The outcome of any appeal will be simultaneously communicated in writing to the Complainant, the Respondent, and the Title IX Coordinator.
9. *Final Notifications.* Upon exhaustion of all appeals, or if no appeals are filed in a timely manner, and upon notification to the Title IX Coordinator, or Designee, of the status of the appeals, the Title IX Coordinator, or Designee, shall provide simultaneous written notice to the Complainant and Respondent that the Determination and sanction, if any, are final.

XIII. Informal Resolution Options

- A. The Title IX Coordinator may offer the parties the option to resolve the allegations through informal resolution which may include any form of informal means deemed appropriate by the Title IX Coordinator, including but not limited to mediation, facilitation or restorative justice, so long as both parties give voluntary, written consent to attempt informal resolution. Any person who facilitates the informal resolution must be well-trained.
- B. The College shall not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of Sexual Harassment.
- C. The College shall not require the parties to participate in an informal resolution process.
- D. The College may not offer an informal resolution process in claims of Sexual Harassment unless a Formal Complaint is filed.
- E. Informal Resolution may be offered to the parties in an effort to resolve matters of alleged Sexual Misconduct other than Sexual Harassment without the necessity of filing a Complaint.

- F. Information Resolution may not be offered and may not be used to resolve allegations that a College employee sexually harassed a student.
- G. The informal resolution process may also be used for less complicated matters that can be quickly resolved to the satisfaction of both parties. An example of such a matter might be a single comment that the complainant deemed objectionable and either a clarification or an apology would resolve the matter. The informal process is completely voluntary, and both parties must agree to it. A complainant has the right in every case to insist on a formal investigation and findings.

XIV. Sex Discrimination Grievance Procedure

- A. Complaint of Sex Discrimination. The grievance process for a claim of Sex Discrimination is initiated by the filing of a Complaint with the Title IX Coordinator, which may also be referred to as a Grievance.
- B. An investigation shall be conducted by the Title IX Coordinator, or by an Investigator assigned by the Title IX Coordinator. The Investigation procedure consists of thorough investigations affording all interested persons an opportunity to submit information and documentation regarding the Complaint. Interested persons shall include the Grievant and the person(s) against whom the allegation(s) of discrimination have been made, and their respective representatives, if any.
- C. The investigation shall be completed and a written report of its results communicated to the Grievant and other interested parties, generally within sixty (60) calendar days of receipt of the written complaint. The report shall set forth the finding of the Title IX Coordinator as to whether the conduct complained of constitutes Sex Discrimination in violation of College Policies.
- D. The Grievant can request a reconsideration of the complaint if dissatisfied with the determination of the Title IX Coordinator. The request for reconsideration shall be made in writing within seven (7) calendar days of the Grievant's verified receipt of the written determination and shall be submitted by employees to the Title IX Coordinator, who shall submit request for re-consideration to the appropriate Vice-President. For complaints by an employee, the request shall be submitted to the Vice-President for Administration and Finance and for complaints involving Students, the request shall be submitted to the Vice-President for Academic Affairs. All information gathered by the Title IX Coordinator or Investigator shall be provided to the Vice-President for review, who shall have access to case specific and relevant information, inquire as necessary and appropriate into the case, and shall make a determination and inform the complainant of such within thirty (30) calendar days of receipt of the request for reconsideration.
- E. A person who is dissatisfied with the decision of the aforementioned Vice-President may appeal that determination in writing to the Office of the President within seven (7) calendar days of receiving said decision. The appeal shall set forth with particularity what remedy is being sought, how the process has been violated, and/or

why the decision reached is incorrect. Within fourteen (14) calendar days of receipt of the appeal, the Office of the President shall review the decision to determine that there was compliance with stated procedures, that the process was fair and equitable, and that the outcome satisfies due process. A written determination shall be issued to the Grievant and other interested parties.

- F. The Grievant shall be informed of the right to file a complaint with the appropriate state or federal agency. The right of a person to a prompt and equitable resolution of a complaint submitted hereunder shall not be impaired by the person's pursuit of other external remedies. This process shall neither supersede nor preempt any existing contract governing conditions of employment at this institution.
- G. Anyone at anytime may contact the U.S. Department of Education/Office for Civil Rights for information and/or assistance at (216)522-4970. If the grievance has not been satisfactorily settled, further appeal may be made to the Regional U.S. Department of Education, Office for Civil Rights, 600 Superior Avenue East, Bank One Center, Suite 750, Cleveland, OH 44114-2611.
- H. Inquiries concerning the nondiscriminatory policy may be directed to Director, Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

Retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited under college policy, and by state and federal law.

- I. If there is a finding that unlawful discrimination occurred, the College will determine appropriate corrective action. The College will take steps to prevent reoccurrence of any discrimination with remedies including discipline up to and including discharge for the Respondent. College will also provide remedies to the Grievant, as deemed appropriate.

Guests, contractors and other persons who violate the policy are subject to corrective action, which may include removal from campus and termination of contractual agreements. The College may also decide to take action if a Respondent is found to have engaged in inappropriate workplace behavior. Disciplinary action will be determined in accordance with Human Resources practice and any applicable collective bargaining agreement. The Title IX Coordinator, in consultation with appropriate college officials, shall recommend appropriate corrective action and/or discipline.

This Procedure Replaces Procedure 1506 and shall also apply to all claims of Discrimination in violation of College Policy, whether such claim of unlawful Discrimination is made on the basis of sex or another protected category as defined in the College Institution Statement of Non-Discrimination.

XV. Other Sexual Misconduct Grievance Procedure

In the event of a report or complaint of Sexual Misconduct which does not constitute Sexual Harassment, the following procedure shall be used.

- A. Upon receiving the report, the Title IX Coordinator, or Designee, shall conduct an Initial Review and Assessment of the Report in the manner set forth in Section IX.B.2. to determine if the reported allegations, if true, constitute Sexual Misconduct, which is not Title IX Sexual Harassment.
- B. The Title IX Coordinator may offer the Grievant the option of informal resolution and shall also offer the Grievant the right to file a Complaint of Sexual Misconduct (other than Title IX Sexual Harassment.) If the Grievant does not wish to file a Complaint, the Title IX Coordinator or Designee may file a Complaint on behalf of the Grievant.
- C. The Title IX Coordinator or Designee shall offer Supportive Services as described in Section X. D.
- D. The Title IX Coordinator shall consider whether additional facts and information are necessary to make a determination as to whether a Policy violation has occurred and, if so, shall appoint an Investigator, who may be the Title IX Coordinator, to conduct an investigation in the same manner as described in Section XII. D., providing the parties with the same rights and notices as set forth therein.
- E. At the conclusion of the Investigation, the Investigator shall issue a written Investigation Report which shall contain the information defined in Section XII. E.
- F. The Investigator shall provide a copy of the Investigation Report to the Parties simultaneously and each party shall have 5 days to submit any comments or response in writing to the Investigator.
- G. After considering the Investigation Report and any responses to the report, the Title IX Investigator will issue a Final Report with written findings as to whether there was a violation of the Sexual Misconduct Policy other than Title IX Sexual Harassment. If so, the Title IX Coordinator, or Designee, shall recommend appropriate corrective measures to eliminate the Sexual Misconduct, prevent its recurrence, and remedy its effects, and shall include any recommendations regarding sanctions for consideration and review by the Sanctioning Official.
- H. The Final Report of the Title IX Coordinator shall be delivered to the Parties, simultaneously by email or U.S. Mail or in person. Each party shall have the right to submit an Impact Statement within 5 days to be considered by the Sanctioning Official.
- I. After considering any Impact Statement, the Sanctioning Official shall meet with the Respondent to Determine and Sanction which may include the same sanctions as set forth in Section XII.
- J. The Grievance Process for Sexual Misconduct Other than Title IX Sexual Harassment does not include a Live Hearing or right to cross-examination unless if the matter is

resolved by Informal Resolution; however, the rights and notices to the parties shall otherwise be substantially the same as those set forth in Section XII for the Formal Grievance Procedure for Sexual Harassment. The Title IX Coordinator, or Designee, shall be the Decision-Maker in the Grievance Process.

- K. The Sanctioning Officials shall be the same as the Sanctioning Officials in Section IX. H. (3)
- L. The parties shall have the same rights of appeal as provided in the Formal Grievance Process for Sexual Harassment, Section XII.

XVI. Definitions.

- A. **ACC or College** means Alpena Community College.
- B. **Actual Knowledge** means notice to the Title IX Coordinator or any college official with authority to institute correctional measures, as identified in this Policy.
- C. **Awareness Programs** means community-wide or audience-specific programming, initiatives and strategies that increase audience knowledge and information and resources to prevent violence, promote safety and reduce perpetration.
- D. **Bystander Intervention** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.
- E. **Clery Act** means the federal Jeanne Clery Disclosures of Campus Security Policy and Campus Crime Statistics Act.
- F. **Consent:** means a voluntary and affirmative mutually understandable communication of willingness to participate in particular sexual activity or behavior, expressed either by words or clear unambiguous action. Additional information regarding consent can be found in Section VI of this Policy
- G. **Complaint:** See Formal Complaint.
- H. **Complainant** means a person who is alleged to have been subject to Sexual Harassment. The term Complainant is used regardless of whether a Formal Complaint is filed. In referring to complaints of Sexual Misconduct other than Sexual Harassment, the term “complainant” or “grievant” may be used to describe the person make the complaint or grievance.
- I. **Confidential Resources** means those people or entities that are not required, either by law or by policy, to report an allegation of Sexual Harassment or Sexual Misconduct to the Title IX Coordinator and that also provide confidential counseling and support services to people impacted by alleged acts of Sexual

Harassment or Sexual Misconduct, whether or not that person chooses to file a Formal Complaint, file criminal charges, or otherwise participate in any processes referenced in this Policy or its Procedures.

J. **Dating Violence** means violence committed by a person —

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) The length of the relationship.
 - (b) The type of relationship.
 - (c) The frequency of interaction between the persons involved in the relationship.

Dating Violence includes but is not limited to sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

K. **Decision Maker(s)** means the person or persons appointed by the College to make Determination of Responsibility or a Determination of Sanctions as defined in this Policy. The Decision Maker may be a single individual or a majority of individuals on panel of not more than 3 people. All Decision Makers must be unbiased and free from conflict. All Decision Makers must receive training for Title IX Personnel. A Title IX Coordinator or Deputy Coordinator or other Title IX Personnel who has been involved in an investigation of a Formal Complaint shall not be appointed as a Decision Maker on such Formal Complaint.

L. **Determination of Responsibility** means a written report prepared by the Decision Maker(s) at the end of an investigation into a Formal Complaint. A Determination of Responsibility must identify the section of this Policy or other Code of Conduct alleged to have been violated; describe the procedural steps taken from the receipt of the Formal Complaint through the Determination of Responsibility; including notice, interviews, site visits, methods used to gather other evidence and hearings held. The Determination of Responsibility must set forth findings of fact supporting the determination; conclusion applying the Policy and/or Code of Conduct to the facts; a statement of and rationale for the result as to each allegation, and the permissible basis for appeal, if any. The Determination of Responsibility must be provided to the parties simultaneously. If a Determination of Responsibility is made against a Respondent, remedies shall be established to restore and/or preserve the Complainant's access to the College's education program and activities.

- M. **Determination of Sanctions** means a written report prepared by the Decision Maker(s) following a Determination of Responsibility where the Determination of Responsibility found that a violation of this Policy or other Code of Conduct occurred. The Determination of Sanctions shall include all sanctions imposed on the Respondent and any remedies provided to the Complainant; and the permissible bases for appeal, if any.
- N. **Domestic Violence** means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Michigan, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Michigan.
- O. **Formal Complaint (See Complaint)** A written document signed and filed by the Complainant or by the Title IX Coordinator alleging Sexual Harassment and requesting that the College investigate the allegations.
- P. **Grievance Procedure for Sexual Harassment** means the grievance procedure set forth under this Policy which shall treat the Complainant and Respondent equitably and shall include due process protections for the Respondent and which complies with the requirements of 34 CFR Part 106.45.
- Q. **Grievance Procedure for Sex Discrimination** means the grievance procedure set forth in this Policy for addressing complaints of Sex Discrimination.
- R. **Impact Statement** means a brief written statement prepared after the Determination of Responsibility by either a Complainant or a Respondent regarding how the violation of this Policy has affected that person and that is used to assist the Decision Maker(s) in determining the appropriate sanctions, interventions, or accommodations.
- S. **Incapacitation** means a person lacks the ability for self-care or to understand the nature of that person's conduct.
- T. **Intimidation** means to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- U. **Member of the College Community** means ACC students, faculty, staff, and certain third parties including, but not limited to, guests, contractors, consultants, and their employees.
- V. **Official with Authority (OWA)** means a College official having the authority to implement corrective measures for Sexual Harassment. The term Official with Authority includes the President, Vice-Presidents, Title IX Coordinator, Dean of Students.

- W. **Respondent** means a person who is named in a Formal Complaint and is alleged to have engaged in Sexual Harassment or other violation of this Policy.
- X. **Responsible Employee** means an employee of the College:
1. Who has the duty of reporting incidents of Sexual Misconduct or any other misconduct by students; or
 2. Whom a student reasonably believes has this authority or duty.
- Y. **Rape** means the penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without the consent of the victim.
- Z. **Report** means a report made to the Title IX Coordinator's Office of Sexual Harassment or Other Sexual Misconduct prior to or without the filing of a Formal Complaint. A Report may be either verbal or written. In order for a report to require any action by the College, the Report must contain sufficient facts and information to put the Title IX Coordinator's Office on notice that conduct was reported to have occurred which, if true, could constitute a violation of this Policy.
- AA. **Retaliation** means conduct which intimidates, threatens, coerces, or discriminates against an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report, complaint, testified, assisted or participated or refused to participate in an investigation, proceeding or hearing under this Policy. An allegation of Retaliation will be treated as a separate allegation of a violation under this Policy. An exercise of rights protected under the First Amendment does not constitute retaliation.
- Charging an individual with Code of Conduct violations that do not involve Sexual Harassment but arise out of the same facts and circumstances as a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.
- BB. **Sanctioning Official** means the person at ACC responsible for imposing or implementing sanctions or other disciplinary measures for violation of a Policy.
- CC. **Sexual Assault** means an offense that classified as a forcible or nonforcible sex offense under the uniform crime reporting (UCR) system of the Federal Bureau of Investigation (FBI). Sexual Assault includes, but is not limited to:
1. *Sex Offenses, Forcible:* Any sexual act directed against another person without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent.
 - (a) Forcible Rape: (See Rape Definition)

(b) Forcible Sodomy:

Oral or anal sexual intercourse with another person forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

(c) Sexual Assault with an Object:

The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

(d) Forcible Fondling:

The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

2. *Sex Offenses, Non-forcible:*

(a) Incest:

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Michigan law.

(b) Statutory Rape:

Non-forcible sexual intercourse with a person who is under the statutory age of consent of Michigan

DD. Sexual Assault also includes Dating Violence, Domestic Violence and Stalking, as Defined in this Section.

Note: In Michigan, sexual assault is generally punished by the detailed statutory scheme of the Criminal Sexual Conduct Act (CSC Act), MCL 750.520a et seq. The term "sexual assault" is defined as assault with intent to commit criminal sexual conduct. Further, "sexual assault" is also defined as an act, attempted act, or conspiracy to engage in an act of criminal conduct as defined in the CSC Act, or an offense under a law of the United States, another state, or a foreign country

or tribal or military law that is substantially similar to such an offense. See MCL 600.2157a; MCL 600.2950a.

EE. **Sexual Harassment:** See Definition in Section III of Policy

FF. **Stalking** means a course of conduct directed at a specific Complainant that would cause a reasonable person to fear for that person's own or someone else's safety, or to suffer substantial emotional distress. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for his or her safety or the safety of others; or (2) suffer substantial emotional distress. For purposes of this definition,

1. *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
3. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, *require* medical or other professional treatment or counseling.

In Michigan, stalking is "the willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested." MCL 750.411h (l)(d).

GG. **Student** means a person who has enrolled at ACC, either full-time or part-time. Students also include people who have been admitted to ACC and who, before their first attendance, participate in activities intended only for prospective students (e.g., orientation, leadership activities, camps, athletic training and practices).

HH. **Supportive Measures** means non-disciplinary, non-punitive individualized support services, accommodations, and interventions that are appropriate and reasonably available, and without fee or charge to the Parties, to restore or preserve access to ACC's education program or activity, including measures designed to mitigate the effects of the alleged misconduct and otherwise promote the safety of a Complainant, a Respondent, or Member of the College Community experiencing the effects of Sexual Misconduct.

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7009A Title IX Policy and Grievance Procedures for Complaints of Sex Discrimination and Sex-Based Harassment

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- A. Title IX Nondiscrimination Policy & Notice of Nondiscrimination
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- D. Appendix: Definitions — Title IX

Purpose:

Policy 7009A is an amendment to Policy 7009 Sexual Misconduct and is intended to comply with the U.S. Department of Education 2024 Amendments to the Department's regulations implementing Title IX of the Education Act of 1972 (2024) which became effective August 1, 2024, hereafter referred to as "the 2024 amendments."

All Grievance Procedures for Complaints of Sex Discrimination, which are made or received after August 1, 2024, shall comply with all Title IX regulatory requirements, including the 2024 amendments.

All Grievance Procedures for Complaints of Sex-Based Harassment involving student complainants or student respondents, which are made or received after August 1, 2024, shall comply with all Title IX regulatory requirements, including the 2024 amendments.

Alpena Community College reserves the right to adopt grievance procedures which include additional provisions beyond those required by the 2024 amendments, as long such provisions apply equally to all parties. The Title IX Coordinator, in consultation with legal counsel for the College, and in consultation with the Clery/Title IX Task Force, is expressly authorized to modify the Grievance Procedures as necessary to carry out this Policy and to assure compliance with Title IX and its amendments, provided that the Board shall be given notice of any such modifications all changes shall be posted on the college website.

Policy 7009A amends and supersedes Policy 7009 with respect to the Notices, Definitions and Grievance Procedures applicable to Complaints of Sex Discrimination or Sex-Based Harassment under Title IX.

With respect to Complaints of Sexual Misconduct other than Sex Discrimination or Sex-Based Harassment under Title IX, Policy 7009 shall apply unless otherwise stated.

A. Title IX Nondiscrimination Policy & Notice of Nondiscrimination

Alpena Community College (the College) does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.

Inquiries about Title IX may be referred to the Title IX Coordinator for Alpena Community College, the U.S. Department of Education's Office for Civil Rights, or both.

The contact information for the Title IX Coordinator for Alpena Community College is as follows:

Melissa Guy, Title IX Coordinator
Alpena Community College
102 Van Lare Hall
665 Johnson Street
Alpena, Michigan 49707
Phone: (989) 358-7211
Email: guym@alpenacc.edu

Alpena Community College's nondiscrimination policy and grievance procedure can be found at the following links:

Link to Policy 1014:
https://discover.alpenacc.edu/terms_and_policies/equal_employment.php

Link to Policy 7009A:
https://container.alpenacc.edu/faculty_staff/acc_policies_&_procedures_manual.pdf

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator.

The above Notice of Nondiscrimination shall be published on the website of Alpena Community College and in each handbook, catalog, announcement, bulletin, and application form which the College makes available to people entitled to notice, or which are otherwise used in connection with the recruitment of students or employees, provided that the College may instead include the following statement, if necessary due to the size of the publication:

“Alpena Community College prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The Notice of Nondiscrimination is located at www.alpenacc.edu.”

B. Grievance Procedures for Complaints of Sex Discrimination under Title IX

Alpena Community College has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals

who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

1. Complaints:

a. Complaints of Sex Discrimination, including Sex-Based Harassment

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that Alpena Community College investigate and make a determination about alleged discrimination under Title IX:

- A student or employee of the College who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
- A person other than a student or employee of the College who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the College's education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- The College's Title IX Coordinator
 - When the Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination under Title IX (and in the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process), the Title IX Coordinator must determine whether to initiate a complaint of sex discrimination as required under Title IX. The requirements for such a fact-specific determination are set forth in 34 C.F.R. § 106.44(f)(1)(v)

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

b. Complaints of Sex Discrimination Other than Sex-Based Harassment.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee of Alpena Community College or

- Any person other than a student or employee who was participating or attempting to participate in the College's education program or activity at the time of the alleged sex discrimination.

Alpena Community College may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

The College is not permitted to consolidate complaints if consolidation would violate the Family Educational Rights and Privacy Act (FERPA). Consolidation would not violate FERPA when a recipient obtains prior written consent from the parents or eligible students to the disclosure of their education records.

c. How to File Complaints of Sex-Based Harassment and Sex Discrimination.

The College has adopted a standardized form which may be filed with the Title IX Coordinator to initiate all complaints of Sexual Misconduct, including complaints of Sex Discrimination and Sex-Based Harassment under Title IX. This form can be found on the College website at:

https://container.alpenacc.edu/safety/docs/sexual_misconduct_reporting_form.pdf

Reports, Complaints and Notices of alleged violations of this policy may be made to the Title IX Coordinator in any of the following ways at any time, including non-business hours.

- Fill out the Sexual Misconduct Reporting form described above and email, mail or deliver the form to the Title IX Coordinator using the contact information found in Section A. of this Policy.
- Provide verbal notice to the Title IX Coordinator by calling the phone number listed in Section V. and speaking to the Title IX Coordinator or leaving a voice message that you wish to report an incident of Sex Discrimination or Sex-Based Harassment and providing verbal information about the incident, including your contact information.
- File a Formal Complaint of Sex-Based Harassment with the Title IX Coordinator. A Formal Complaint is a document filed and/or signed by the Complainant (or signed by the Title IX Coordinator) alleging Title IX Sex-Based Harassment. A Formal Complaint may be filed in person, by mail or email, using the contact information provided in Section V. of this Policy. If the Title IX Coordinator receives a written notice that does not meet this standard, the Title IX Coordinator will contact the Complainant to verify

their intent to file a Formal Complaint of Sexual Harassment and will assist the complainant, if needed, to properly file the Formal Complaint.

- Anonymous reports can be made through any of the means set forth above. The information contained in the anonymous report may necessitate a need for the College to investigate. However, without a known complainant or reporter, the College is limited in its ability to obtain information necessary to properly respond to the complaint and provide Supportive Measures.
- Any other oral or written request to the College that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX or its regulations.

2. Basic Requirements of Title IX Grievance Procedures:

- a. Alpena Community College will treat complainants and respondents equitably.
- b. Conflict of Interest. The College requires that any Title IX Coordinator, investigator, or decision-maker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.
- c. Respondent Presumed Not Responsible. The College presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.
- d. Timeframe. The College has established the following timeframes for the major stages of the grievance procedures:
 - Preliminary Assessment/Evaluation: Within 15 days of Complaint
 - Decision to investigate or dismiss a complaint- Within 30 days of Complaint
 - Investigation: Within 60 days from Notice of Investigation
 - Determination: Within 30 days of Completion of Investigation
 - Claim of Appeal: Within 15 days of Determination
 - Decision on Appeal: Within 60 days of Claim of Appeal
- e. Extensions of Time. Alpena Community College has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:

The Title IX Coordinator shall keep the parties reasonably informed of the reasons for delay and need to extend the above timelines, which may include but is not limited to:

- Events in the academic calendar which create delay in interviewing witnesses or gathering information, such as exam schedules and semester breaks.
- Illness or unavailability of a party or witness
- Need to appoint outside investigators
- Scheduling conflicts for witnesses, parties, investigators or Title IX Coordinator

- f. Reasonable Steps to Protect Privacy. Alpena Community College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.
- g. Evaluation of Evidence. Alpena Community College will objectively evaluate all evidence that is relevant and not otherwise impermissible including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- h. Impermissible Evidence. The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by Alpena Community College to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:
- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
 - A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the College obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
 - Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is

offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

3. Notice of Allegations:

Upon initiation of the College's Title IX grievance procedures, the Title IX Coordinator, or designee, will notify the parties of the following:

- The College's Title IX grievance procedures and any informal resolution process, if such process is available (Note that the College is not required to provide an informal resolution process and, in some cases, such process may not be available) and;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence.
- If the College provides a description of the evidence: The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

If, in the course of an investigation, the College decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the College will notify the parties of the additional allegations.

4. Dismissal of a Complaint:

The College's Title IX Coordinator may dismiss a complaint of sex discrimination if:

- The College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the College's education program or activity and is not employed by the College;

- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the College determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The College determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the Title IX Coordinator, or designee, will make reasonable efforts to clarify the allegations of the complainant.

Upon dismissal, the Title IX Coordinator will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

The College will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the College will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

The party seeking to appeal must file a written Notice of Appeal with the Title IX Coordinator, including all allegations on which the appeal is based within 15 days of the date of the Dismissal.

If the dismissal is appealed, Alpena Community College will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;

- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties, in writing, of the result of the appeal and the rationale for the result.

When a complaint is dismissed, Alpena Community College will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the College's education program or activity.

5. Investigation:

If a complaint is not dismissed, Alpena Community College will provide for adequate, reliable, and impartial investigation of the complaints and make a reasonable effort to gather sufficient evidence to determine whether or not sex discrimination occurred. The Investigator may be the Title IX Coordinator or any person designated by the Title IX Coordinator, provided such person has proper training and does not have a conflict of interest.

The College will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The College will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The College will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- The College will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the College provides a description of the evidence: the College will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- The College will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and

- The College will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

6. Questioning the Parties and Witnesses:

The College will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. This may include allowing the Title IX Coordinator, or an investigator or other decisionmaker appointed by the Title IX Coordinator to ask questions during individual meetings with any party or witness and/or reviewing written statements or evidence submitted by a party or witness which are relevant to the allegations of sex discrimination.

7. Determination Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the College will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred;
- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sex discrimination;

- Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred. Note: The College may still address false statements by initiating a disciplinary process under its policies or code of conduct, as long as there is evidence independent of the determination whether sex discrimination

8. Appeal of Determination:

Alpena Community College permits an appeal of the Determination on the same basis and under the same process as provided for Appeal of a Dismissal, as set forth in Section B. 4.

9. Informal Resolution, if offered:

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The College does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of student, or when such a process would conflict with Federal, State, or local law.

10. Supportive Measures:

The College will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the College's education program or activity or provide support during the College's Title IX grievance procedures or during the informal resolution process. For complaints of sex-based harassment these supportive measures may include, but are not limited to:

- counseling;
- extensions of deadlines and other course-related adjustments;
- campus escort services;
- increased security and monitoring of certain areas of the campus;

- restrictions on contact applied to one or more parties;
- leaves of absence;
- changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative;
- and training and education programs related to sex discrimination, including sex-based harassment.

For allegations of sex discrimination, other than sex-based harassment or retaliation, the College is not required to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

If the complainant or respondent is a student with a disability, the Title IX Coordinator may consult, as appropriate, with the individual or office that the recipient has designated to provide support to students with disabilities to determine how to comply with Section 504 of the Rehabilitation Act of 1973, in the implementation of supportive measures.

11. Disciplinary Sanctions and Remedies:

Following a determination that sex-based harassment occurred, the College may impose disciplinary sanctions, which may include any of the Disciplinary Sanctions and Remedies set forth in Section C.12 (a)–(c) of this Policy.

C. Grievance Procedures for Complaints of Sex-Based Harassment Involving Student Complainants or Student Respondents — Title IX

Alpena Community College has adopted Title IX grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator. These grievance procedures address complaints of sex-based harassment that involve a student party.

1. Complaints:

The following people have a right to make a complaint of sex-based harassment, requesting that the College investigate and make a determination about alleged sex-based harassment under Title IX:

- A “complainant,” which includes:
 - a student or employee of the College who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
 - a person other than a student or employee of the college who is alleged to have been subjected to conduct that could constitute sex discrimination

under Title IX at a time when that individual was participating or attempting to participate in the College's education program or activity;

- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- The College's Title IX Coordinator.

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

The College may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.¹⁹ When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

2. Basic Requirements of Title IX Grievance Procedures:

- a. Equitable Treatment of Parties. Alpena Community College will treat complainants and respondents equitably.
- b. Conflict of Interest. The College requires that any Title IX Coordinator, investigator, or decision-maker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.
- c. Respondent Presumed Not Responsible. The College presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.
- d. Timeframe. The College has established the following timeframes for the major stages of the grievance procedures:
 - Preliminary Assessment/Evaluation: Within 15 days of Complaint
 - Decision to investigate or dismiss a complaint: Within 30 days of Complaint
 - Investigation: Within 60 days from Notice of Investigation
 - Determination: Within 30 days of Completion of Investigation
 - Claim of Appeal: Within 15 days of Determination

- Decision on Appeal: Within 60 days of Claim of Appeal
- e. Extensions of Time. Alpena Community College has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:

The Title IX Coordinator shall keep the parties reasonably informed of the reasons for delay and need to extend the above timelines, which may include but is not limited to:

- Events in the academic calendar which create delay in interviewing witnesses or gathering information, such as exam schedules and semester breaks.
 - Illness or unavailability of a party or witness
 - Need to appoint outside investigators
 - Scheduling conflicts for witnesses, parties, investigators or Title IX Coordinator
- f. Reasonable Steps to Protect Privacy. Alpena Community College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.
- g. Evaluation of Evidence. Alpena Community College will objectively evaluate all evidence that is relevant and not otherwise impermissible including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- h. Impermissible Evidence. The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by Alpena Community College to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:
- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
 - A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in

connection with the provision of treatment to the party or witness, unless the College obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

3. Written Notice of Allegations:

Upon initiation of these Title IX grievance procedures, the Title IX Coordinator will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- The College's Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex-based harassment, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited;
- The respondent is presumed not responsible for the alleged sex-based harassment until a determination is made at the conclusion of the grievance procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes this evidence. If the College provides access to an investigative report: The parties are entitled to an equal opportunity to access the relevant and not impermissible evidence upon the request of any party]; and
- The College's Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance procedures.

If, in the course of an investigation, the College decides to investigate additional allegations of sex-based harassment by the respondent toward the complainant that are not included in the written notice or that are included in a consolidated complaint, it will provide written notice of the additional allegations to the parties.

4. Dismissal of a Complaint:

The College may dismiss a complaint if:

- The College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the College's education program or activity and is not employed by the College
- The College obtains the complainant's voluntary withdrawal in writing of any or all of the allegations, the Title IX Coordinator declines to initiate a complaint, and the College determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- the College determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the College will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the College will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the College will notify the parties simultaneously in writing.

The College will notify the complainant that a dismissal may be appealed on the bases outlined in the *Appeals* section. If dismissal occurs after the respondent has been notified of the allegations, then the College will also notify the respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, the College will follow the procedures outlined in the *Appeals* section.

When a complaint is dismissed, the College will, at a minimum:

- Offer supportive measures to the complainant as appropriate;²⁰
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the College's education program or activity.

5. Investigation:

The College will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on the College — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

The College will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate.

The College will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

- The College will not limit the choice or presence of the advisor for the complainant or respondent in any meeting or proceeding.
- The College may establish restrictions regarding the extent to which the advisor may participate in these grievance procedures, as long as the restrictions apply equally to the parties.

The College will provide the parties with the same opportunities, if any, to have people other than the advisor of the parties' choice present during any meeting or proceeding.

The College will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.²²

The College will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The College will provide each party and the party's advisor, if any, with an equal opportunity to access the evidence that is relevant to the allegations of sex-based harassment and not otherwise impermissible, in the following manner:

- The College will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or the same written investigative report that accurately summarizes this evidence. If the College provides access to an investigative report: The College will further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- The College will provide a reasonable opportunity to review and respond to the evidence or the investigative report. If the College conducts a live hearing as part of its grievance procedures, it will provide this opportunity to review the evidence in advance of the live hearing. The College may decide whether to

provide this opportunity to respond prior to the live hearing, during the live hearing, or both prior to and during the live hearing; and

- The College will take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through the sex-based harassment grievance procedures.

6. Questioning the Parties and Witnesses:

The College will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex-based harassment.

a. When the College chooses not to conduct a live hearing:

The College's process for proposing and asking relevant and not otherwise impermissible questions and follow-up questions of parties and witnesses, including questions challenging credibility, will:

- Allow the investigator or decisionmaker to ask such questions during individual meetings with a party or witness;
- Allow each party to propose such questions that the party wants asked of any party or witness and have those questions asked by the investigator or decisionmaker during one or more individual meetings, including follow-up meetings, with a party or witness, subject to the procedures for evaluating and limiting questions discussed below; and
- Provide each party with an audio or audiovisual recording or transcript with enough time for the party to have a reasonable opportunity to propose follow-up questions.

b. When the College chooses to conduct a live hearing:

The College's process for proposing and asking relevant and not otherwise impermissible questions and follow-up questions of parties and witnesses, including questions challenging credibility, will

- Allow the decisionmaker to ask such questions, and either:
- Allow each party to propose such questions that the party wants asked of any party or witness and have those questions asked by the decisionmaker, subject to the procedures for evaluating and limiting questions discussed below; or

Allow each party's advisor to ask any party or witness such questions, subject to the procedures for evaluating and limiting questions discussed

below. Such questioning will never be conducted by a party personally. If the College permits advisor-conducted questioning and a party does not have an advisor to ask questions on their behalf, the College will provide the party with an advisor of College's choice, without charge to the party, for the purpose of advisor-conducted questioning. In those instances, the College will not appoint a confidential employee and may appoint, but is not required to appoint, an attorney to serve as an advisor.

c. Procedures for the decisionmaker to evaluate the questions and limitations on questions:

The decisionmaker will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The decisionmaker will give a party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

d. Refusal to respond to questions and inferences based on refusal to respond to questions:

The decisionmaker may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The decisionmaker will not draw an inference about whether sex discrimination occurred based solely on a party's or witness's refusal to respond to such questions.

7. Procedures for a Live Hearing, if offered:

The College will conduct the live hearing with the parties physically present in the same geographic location or, at the College's discretion or upon the request of either party, will conduct the live hearing with the parties physically present in separate locations with technology enabling the decisionmaker and parties to simultaneously see and hear the party or witness while that person is speaking.

The College will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review.

8. Determination Whether Sex-Based Harassment Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the College will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its

persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.

- Notify the parties simultaneously in writing of the determination whether sex discrimination occurred, including:
 - A description of the alleged sex-based harassment;
 - Information about the policies and procedures that the College used to evaluate the allegations;
 - The decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred;
 - When the decisionmaker finds that sex-based harassment occurred, any disciplinary sanctions the College will impose on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the College to the complainant, and, to the extent appropriate, other students identified by the College to be experiencing the effects of the sex-based harassment; and
 - When the decisionmaker finds that sex-based harassment occurred, any disciplinary sanctions the College will impose on the respondent, and any remedies other than the imposition of disciplinary sanctions, will be provided by College to the complainant, and, to the extent appropriate, other students identified by College to be experiencing the effects of the sex-based harassment; and
 - College's procedures and permissible bases for the complainant and respondent to appeal.
 - The College will not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the respondent engaged in prohibited sex discrimination.
 - If there is a determination that sex discrimination occurred, as appropriate, the Title IX Coordinator will:
 - Coordinate the provision and implementation of remedies to a complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sex discrimination;

- Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.
- Comply with the Title IX grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

9. Appeals:

The College will offer an appeal from a dismissal or determination whether sex-based harassment occurred on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome

The party seeking to appeal must file a written Notice of Appeal with the Title IX Coordinator, including all allegations on which the appeal is based within 15 days of the date of the Dismissal.

If a party appeals a dismissal or determination whether sex-based harassment occurred, the College will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;

- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Communicate to the parties in writing that the College will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

Any additional procedures or bases for appeal the offers will be equally available to all parties.

10. Informal Resolution, if offered:

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The College will inform the parties in writing of any informal resolution process it offers and determines is appropriate, if any. The College will not offer informal resolution to resolve a complaint of Sex-Based Harassment alleged by a student of the College against an employee of the College or when such a process would conflict with Federal, State, or local law. Before the initiation of an informal resolution process, the College will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

11. Supportive Measures:

The College will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the College's education program or activity or provide support during the Title IX grievance procedures or during the informal resolution process. For complaints of sex-based harassment, these supportive measures may include

- a. Referral to confidential resources, including counseling and other mental health resources
- b. Referral to the Employee Assistance Program for employees, and community-based service providers;
- c. class schedule modifications, withdrawals, or leaves of absence;
- d. altering housing arrangements;
- e. increased security and monitoring of certain areas of the campus;
- f. student financial aid counseling;
- g. provide training and education to the community or community subgroup(s);
- h. altering work arrangements for employees or student-employees including reassignment to a different supervisor;
- i. safety planning including safety escorts;
- j. providing transportation accommodations;
- k. implementing contact limitations (no contact orders) between the parties;
- l. academic support, extensions of deadlines, or other course/program-related adjustments;
- m. Issuing Timely Warnings, per the Clery Act;
- n. any other actions deemed appropriate by the Title IX Coordinator.

These remedies may be applied to one, both, or multiple parties involved. Violations of the interim measures may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the College.

12. Disciplinary Sanctions and Remedies:

Following a determination that sex-based harassment occurred, the College may impose disciplinary sanctions, which may include the following:

- a. If the Respondent is a student, possible sanctions may include, but shall not be limited to, one or more of the following:
- (i) *Reprimand*: A written reprimand, including the possibility of more severe disciplinary sanctions in the event of the finding of a subsequent violation of ACC regulations within a stated period of time.
 - (ii) *Campus Restrictions*: Limitations on the times and/or places where a Respondent may be present on-Campus.
 - (iii) *Removal from College Housing*: Removal from or relocation within College Park Apartments.
 - (iv) *Educational Programs*: Mandatory participation in educational programs intended to correct the misconduct, such as training, workshops, seminars, or other educational activities.
 - (v) *Revocation of ACC Privileges*: Revocation of ACC privileges, such as participation in extra-curricular activities, for a definite or indefinite period of time.
 - (vi) *Disciplinary Probation*: Subjection to a period of critical examination and evaluation of behavior.
 - (vii) *No Contact Orders*: Prohibition on all forms of contact with certain people.
 - (viii) *Suspension*: Exclusion from classes and other privileges or activities as set forth for a definite period of time.
 - (ix) *Dismissal*: Permanent termination of student status.
- b. If the Respondent is an employee, possible sanctions may include, but are not limited to, one or more of the following:
- (i) *Written Reprimand*: Written documentation of a failure to abide by ACC policy or procedures maintained in the employee's personnel file.
 - (ii) *Performance Improvement Plan*
 - (iii) *Recommendation for Counseling and/or Additional Training*
 - (iv) *Educational Programs*: Required completion of program or activity intended to correct misconduct such as training, workshops, seminars, or other educational activities.

- (v) *Revocation of ACC Privileges*: Revocation of ACC privileges or responsibilities for leadership roles, for a definite or indefinite period of time.
- (vi) *Campus Restrictions*: Limitations on the times and/or places where a Respondent may be present on campus.
- (vii) *No Contact Orders*: Prohibition on all forms of contact with the Complainant or other specified persons.
- (viii) *Suspension*: Exclusion from work, with or without pay, and other related activities as set forth for a definite period of time.
- (ix) *Termination*: Permanent separation of the employment relationship

c. Additional Remedies, Interventions, and Accommodations

Regardless of the nature of the Respondent's relationship with the College, or any sanctions imposed pursuant to these Procedures, additional remedies, interventions, and accommodations may be available to individuals affected, either collectively or individually. The Title IX Coordinator, or Designee, will coordinate additional remedies, interventions, and accommodations, if any. The College may also provide remedies, which will be determined on a case-by-case basis. Possible additional remedies, interventions, and accommodations include, but are not limited to any of the Supportive Measures set forth in Section 11 of this Policy.

D. Appendix: Definitions — Title IX

This Appendix contains certain key terms and definitions that are intended to comply with the 2024 Amendments to Title IX and are to be used in the interpretation of all provisions of Policy 7009A.

Complainant means:

- (1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
- (2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the College that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Disciplinary sanctions means consequences imposed on a respondent following a determination under Title IX that the respondent violated the recipient's prohibition on sex discrimination.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Remedies means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the recipient's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Respondent means a person who is alleged to have violated the recipient's prohibition on sex discrimination.

Responsible Employee means all employees at Alpena Community College including faculty, staff, administrators, adjunct or part-time faculty, and student employees, unless otherwise expressly designated as a "confidential resource." Responsible employees who learn of an incident of possible sex discrimination, sexual harassment or other sexual misconduct impacting a member of Alpena Community College are required to promptly share that information with the Title IX Coordinator.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- (1) **Quid pro quo harassment.** An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- (2) **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is

so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- (i) The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
- (ii) The type, frequency, and duration of the conduct;
- (iii) The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- (iv) The location of the conduct and the context in which the conduct occurred; and
- (v) Other sex-based harassment in the recipient's education program or activity; or

(3) ***Specific offenses.***

- (i) ***Sexual assault*** meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
- (ii) ***Dating violence*** meaning violence committed by a person:
 - (A) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 1. The length of the relationship;
 - 2. The type of relationship; and
 - 3. The frequency of interaction between the persons involved in the relationship;
- (iii) ***Domestic violence*** meaning felony or misdemeanor crimes committed by a person who:
 - (A) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction

of the recipient, or a person similarly situated to a spouse of the victim;

- (B) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- (C) Shares a child in common with the victim; or
- (D) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or

(iv) **Stalking** meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) Fear for the person's safety or the safety of others; or
- (B) Suffer substantial emotional distress.

Sex Discrimination means discrimination on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Under Title IX, Alpena Community College is required to take prompt and effective action when notified of conduct that reasonably may constitute sex discrimination in its education programs or activities.

Supportive measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- (1) Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or
- (2) Provide support during the recipient's grievance procedures or during an informal resolution process.

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7010 Alcohol and Drug Prevention Policy

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended with correction of Administrative Procedure 7510 on August 21, 2014; December 19, 2019. Amended on September 15, 2022.

I. Policy Subsection:

7010 Drug and Alcohol Policy

II. Policy Statement

It is the policy of Alpena Community College to prevent the possession, use, or distribution of illicit drugs, including marijuana, and alcohol by all students and employees on College premises or as part of its activities and to foster a campus environment free of drug and alcohol abuse. This policy is in compliance with the Drug-Free Workplace Act (41 U.S.C. 701) and the Drug Free Schools and Communities Act (20 U.S.C. 1145g).

This Policy covers the use, possession, distribution, purchase, sale, dispensation and/or manufacturing of alcohol, marijuana and controlled substances, as defined by state and federal law, (collectively referred to as “Covered Substances” as defined in this Policy) on College property, in College buildings or vehicles and/or in connection with any College activity, all of which is prohibited, unless an Exception is expressly provided in this Policy or other Policies or Procedure approved by the Board of Trustees.

Michigan law also prohibits the possession or consumption of alcohol by anyone under the age of 21. In addition, it is illegal under Michigan law to sell, furnish, or provide alcohol to a person under the age of 21. These laws, together with laws regarding the possession, use and distribution of alcohol and drugs are enforced by local and state police authorities and the College supports such enforcement. Violators are subject to criminal sanctions.

Any violations of law or policy by a College employee regarding alcohol or illicit drugs will also be treated as a separate disciplinary matter by the College and may result in disciplinary action, up to and including termination of employment under this Policy and/or other College Employment Policies.

All College employees must report actual or suspected violations of this policy to their immediate supervisor. The Director of Human Resources (or Designee) shall have responsibility for administering the testing program and making decisions regarding pre-employment, reasonable suspicion, and post-accident testing in accordance with procedures approved in connection with this Policy.

For students, including residents of College Park Apartments, violations shall be referred to the Dean of Students (or Designee) for disciplinary action in accordance with the Student Code of Conduct together with other applicable Codes of Conduct (e.g., Athletic Code of Conduct, Nursing Code of Conduct).

The College provides informational materials regarding drug and alcohol abuse to students and employees, including information regarding the health risks associated with the use of alcohol and illegal drugs, and information regarding counseling, treatment, rehabilitation services available in the community and employee assistance programs. Such information is contained in the College's Alcohol and Drug Prevention Annual Disclosure which is sent to every student and employee annually and may be obtained through the Office of Human Resources or the Office of Academic and Student Affairs and on the college website at www.alpenacc.edu.

In accordance with applicable laws, including the Drug-Free Schools and Communities Act, this Policy is subject to biennial review by the Safety Policies and Procedures Compliance Committee.

III. Reason for Policy

Drug and alcohol use or abuse may pose a threat to the health and safety of Alpena Community College students, staff, and community members, and to the security of our equipment and facilities. The risks associated with the use or abuse of drugs or alcohol are numerous. These include physical and mental impairment as well as effects on professional and personal lives. Use or abuse of drugs, including marijuana in any form, or alcohol, can negatively impact job or academic performance and attendance and can jeopardize continued employment or status as a student or volunteer. This policy is designed to maintain a drug-free work and learning environment and to comply with the requirements of local, state and federal laws.

IV. Entities Affected by this Policy

Persons covered by this policy include employees, students, applicants for employment, persons engaged on the premises of the college as independent contractors, volunteers, vendors, and persons participating in or attending college-sponsored programs.

V. Who Should Read This Policy?

- Students
- Employees
- Applicants for employment
- Board of Trustees members
- Volunteers

VI. Related Documents

- Drug-Free Workplace Act
- Drug Free Schools and Communities Act
- Drug and Alcohol Abuse Prevention Program (DAAPP) Drug and Alcohol Biennial Review Document Employee Agreement to Submit to Medical Review Student Code of Conduct
- Other Codes of Conduct or Handbooks (Resident, Athlete, Scholarship etc.)

- Employee Handbook
- Administrative Procedure 7510

VII. Contacts

Policy Owners:

- Director of Human Resources
- Dean of Students
- Director of Student Life and Campus Housing

VIII. Definitions

A. Covered substances: This policy covers the following substances:

1. Alcohol in any form.
2. Controlled or illegal drugs or substances (including hallucinogens, barbiturates, depressants, stimulants, cannabinoids, opioids, club drugs, dissociative drugs and any other compounds or drugs whose use, possession, or transfer is restricted or prohibited by law).
3. Marijuana in any form.
4. Any substance that influences a person in a way that jeopardizes the safety of the person or other persons or hinders the person's ability or any other person's ability to perform work responsibilities. This includes synthetic drugs.

B. Employee: Includes any person who receives employment compensation from the College including administrators, faculty, staff, adjunct employees, temporary employees, and student employees.

C. Student: The term "student" includes persons who have been issued a student number at Alpena Community College and are currently enrolled, or admitted and show intent to enroll, or withdrawn from a specific course or the College after allegedly violating the Student Code.

D. On Duty/Off Duty:

As used in this policy, the term "on duty" refers to:

- Any time period or circumstance when the employee is performing college business as required or assigned, regardless of the location of performing the work.

As used in this policy, the term "off duty" includes the following:

- Scheduled vacation time, sick time, personal time
- Any time period or circumstance when the employee is not scheduled to work, and is not actually performing work as required or assigned

An off-duty employee who is required to be available to perform work or undertake college duties, as needed, or in the event of an emergency, shall be considered off-duty unless or until such employee undertakes such duties. Such employees shall assure that an authorized designee is readily available to undertake such responsibilities if the employee is unable to do so.

IX. Exceptions

1. The legal use of prescribed drugs (other than medical marijuana which is prohibited by Federal law) is permitted, provided the medication is used in accordance with the prescribed instructions and the use does not endanger any individual or impair an employee's ability to perform their responsibilities in a proper and safe manner. If the side effects of prescription medication may jeopardize an employee's ability to perform responsibilities safely, the employee shall consult with their supervisor. The supervisor shall consult with Human Resources to determine appropriate action.
2. Possession and use of any marijuana on college property or in any college vehicle is expressly prohibited. Use of marijuana by an employee on duty, whether on college property or not, is expressly prohibited. Legal marijuana use off campus, during non-work time and unrelated to any college event or activity is not prohibited unless it causes drowsiness or other side effects that impairs the ability of the student, employee, or volunteer to perform responsibilities or participate in the educational programs of the College properly and safely.
3. If approval has been obtained in accordance with College Administrative Procedure 7510 to serve alcohol at an event held at the College, the legal use or consumption of alcohol at such event by any student, employee or volunteer is permitted, unless the employee is directed by their supervisor that, due to the nature of their duties during the event, they may not consume alcohol. In all cases, alcohol consumption shall be limited to such use which does not impair the ability of the student, employee, or volunteer to perform responsibilities or participate in the educational programs of the College properly and safely. In all cases, students, employees and volunteers shall not operate a motor vehicle during or following an event at the College if they have a blood alcohol concentration (BAC) above the legal limit in the jurisdiction.
4. Legal use of alcohol off-campus is permitted for employees and volunteers while attending work-related conferences and social events (i.e., College sponsored events) unless the employee has been directed otherwise by their supervisor, provided that it does not impair the ability of the employee, or volunteer to perform responsibilities or participate in the educational programs of the College

properly and safely, provided that employees and volunteers shall not operate a motor vehicle during such conferences and events if they have a blood alcohol concentration (BAC) which is above the legal limit in the jurisdiction.

X. Procedures

A. Recognition of symptoms of drug or alcohol use or abuse:

It is the responsibility of all employees and students to report prohibited use or abuse of drugs and alcohol. Reports regarding prohibited use or abuse of drugs or alcohol by a student (or the reasonable suspicion of such prohibited use or abuse) can be made to the Dean of Students (or Designee), Police, Director of Student Life and Housing, or to any Campus Safety Authority. College officials who receive reports of prohibited use or abuse of drugs or alcohol by a student shall immediately provide a copy of such report to the Dean of Students and to the Clery Coordinator.

Reports regarding prohibited use or abuse of drugs or alcohol by an employee (or the reasonable suspicion of such prohibited use or abuse) should be made to the supervisor for such employee if such supervisor is available. When the employee's supervisor is not available, the report should be made to the Director of Human Resources (or Designee.)

When a supervisor observes or is made aware of signs or symptoms of prohibited use or abuse of alcohol or drugs or observes or is made aware of work performance or behavior signs that could affect the safety of the individual or others, Human Resources must be contacted to determine the appropriate course of action.

All Supervisors, the Dean of Students, Director of Student Life and Housing and the Director of Human Resources (and all designees) shall receive annual training on the signs and symptoms of alcohol and drug use and abuse.

Signs and symptoms of drug or alcohol use or abuse may include:

1. Changes in temperament, speech pattern or coherence
2. Changes in physical condition, coordination, appearance, gait, balance
3. Increased absences
4. Increased errors in judgment or mistakes

Any report of suspected use or abuse of drugs or alcohol shall include specific objective information. Reports regarding employees shall be made using an approved form referred to as "Drug and Alcohol Reasonable Suspicion Report" in the manner described below.

B. Reasonable Suspicion Testing

If an employee is suspected of violating this policy or any other related policies, a “Drug and Alcohol Reasonable Suspicion Report” should be submitted to the Director of Human Resources (or Designee) by the employee’s supervisor, or by the reporting party, if the supervisor is unavailable. The College will initiate an investigation through Human Resources to determine the appropriate course of action.

If the Director of Human Resources (or Designee) has a reasonable suspicion based on a report or direct observation, and reasonable inferences drawn from such report and/or observation, that the employee is using or has used drugs or alcohol in violation of College Policy, the Director may authorize a reasonable suspicion test, which will be conducted by a designated clinic or hospital. Such testing may also include a preliminary breath test administered by a law enforcement officer. If the employee has not already signed an Agreement to Submit to Medical Review, the employee will be asked to sign such an Agreement. If the employee refuses to participate in, or fails to successfully complete testing, the refusal or failure may result in discipline up to and including termination.

While awaiting the results of the test, the employee will be placed on administrative leave. Employees will continue to receive pay until results are determined. If the results of the test are negative, the employee will be reinstated without loss of pay or benefits. If the results are positive for an employee, a meeting with the employee, a union representative (if applicable), supervisor, and Human Resources will take place to discuss the consequences.

C. Post-Accident Testing

Where there is any evidence or indication that that an employee may have caused or contributed to a work accident which resulted in bodily injury or significant property damage, a post-accident drug and/or alcohol test may be required by the Director of Human Resources (or Designee.) Such testing may also include a preliminary breath test administered by a law enforcement officer. If the employee has not already signed an Agreement to Submit to Medical Review, the employee will be asked to sign such an Agreement. If the employee refuses to participate in, or fails to successfully complete testing, the refusal or failure may result in discipline up to and including termination.

D. Employee Disciplinary Action

Employees whose work performance is determined to be impaired as a result of use or abuse of drugs or alcohol (either on or off campus); or who use drugs or alcohol in violation of this Policy; or who have been convicted of violating any criminal drug or alcohol statute while on College property or while participating in College-sponsored programs off campus; or who otherwise violate this Policy are subject to disciplinary action.

The Director of Human Resources (or Designee) handles matters that require employee disciplinary action at Alpena Community College. The concept of progressive discipline will be utilized where appropriate, in the discretion of the Director of Human Resources, taking into consideration the severity of the incident, prior disciplinary action, etc.

The following corrective actions (sanctions) may be imposed by the College for a reported violation of our Drug and Alcohol Policy, provided that, corrective action shall in all cases be subject to the Zero Tolerance Policy stated below:

- Verbal Notice: The supervisor will meet with the employee to discuss the problem and the improvements that are expected. The supervisor will document the meeting.
- Written Warning: A formal, written reminder documenting the problem and expected improvements. A copy of the formal written notice is provided to the employee and placed in the Human Resource's employee file.
- Suspension Without Pay: A formal, written explanation of the problem and time off to emphasize the seriousness of the problem and that dramatic behavior change is needed immediately. A copy of the suspension without pay notice is provided to the employee and placed in the Human Resource's employee file.
- Final Written Warning: The College may, at its discretion, choose to impose a final written warning in lieu of suspension.
- Termination: When it has been determined that an employee is unable or unwilling to meet the conditions of employment at ACC, termination results.
- Zero Tolerance: Being intoxicated or impaired by alcohol or drugs while on duty or while operating employer-owned vehicles or equipment is considered Zero Tolerance Misconduct. This form of verified intentional misconduct constitutes grounds for immediate termination of employment at ACC.

E. Action to be taken for suspected use or abuse by students:

If a student is suspected of violating the drug and alcohol policy or the Student Code of Conduct (Illegal or Unauthorized Possession/Use of Alcohol and Drugs), the Dean of Students (or Designee) will perform a Code of Conduct investigation to determine the appropriate course of action. For progressive discipline, see Student Code of Conduct.

F. Action to be taken for suspected use or abuse by volunteer:

If a volunteer is found to be in violation of this policy, the volunteer may be prohibited from holding future volunteer responsibilities for the College and/or may be referred to law enforcement authorities.

G. Action to be taken for refusal of pre-employment drug-screening (if applicable): Applicants who refuse to participate in drug screening will not be hired or be able to reapply. Applicants who test positive will not be hired or able to reapply, unless they provide documentation from a licensed physician indicating the medical necessity of the prohibited substance.

H. Actions to be taken for crimes involving drugs or alcohol:

The Director of Human Resources, in consultation with the President of the College, shall have the responsibility for determining the appropriate course of action for employees who are convicted of drug or alcohol offenses during their employment with ACC. An employee must notify Human Resources prior to the beginning of their next scheduled work shift of any misdemeanor or felony conviction involving drugs or alcohol. Conviction of a crime involving drugs or alcohol may not warrant disciplinary action if the crime does not involve on-duty conduct or constitute a violation of College Policy or affect the ability of the employee to perform their job duties in a safe manner. However, Human Resources shall take appropriate action and may require the employee to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.

I. Confidentiality:

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

J. Prevention and awareness:

In compliance with the Drug Free Schools and Communities Act, Alpena Community College publishes information regarding the College's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for Alpena Community College students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available online at:

https://discover.alpenacc.edu/safety/docs/acc_alcohol_and_drug_prevention_annual_disclosure.pdf.

K. Guests:

Guests who are found in violation of this policy will be asked to leave campus.

L. Biennial Review:

The Drug and Alcohol Subcommittee of the Clery/Title IX Task Force will conduct a Biennial Review and provide to the Clery/Title IX Task Force and to the President for review and approval.

XI. Forms:

- Drug and Alcohol Reasonable Suspicion Report
- Alcohol and Drug Testing Consent Authorization

XII. Effective Date:

September 15, 2022

XIII. Policy History

Amends Policy 7010 Alcohol and Drug Prevention Policy

This policy will be reviewed on an annual basis to ensure that it accurately reflects institutional policy, procedures, programs, and the campus safety plan.

Adopted April 16, 2014

Revised August 21, 2014

Revised December 19, 2019

Revised September 15, 2022

Next Review/Revision Date: June 2024

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7011 Missing Student Policy

Adopted by the Alpena Community College Board of Trustees on April 16, 2014.

If a member of the College community has reason to believe that a student who resides in College Park Apartments is missing, he or she should **immediately** notify the City of Alpena Police Department at (989) 354-1800.

If any College official receives a report that a student who resides in College Park Apartments is missing and the student is determined to have been missing for more than 24 hours, the College official shall immediately notify one or more member(s) of the College's Emergency Management Team, who shall have no more than 24 hours after receiving the report to notify the City of Alpena Police Department.

If the missing student who resides in College Park Apartments is under the age of 18 and is not an emancipated individual, the College will notify the student's parent or legal guardian immediately after the College has determined that the student has been missing for 24 hours.

In addition to registering a general emergency contact, students residing in College Park Apartments shall have the option to identify confidentially an individual to be contacted by the College in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the College will notify that individual no later than 24 hours after the student is determined to be missing. A student residing in College Park Apartments who wishes to identify a confidential contact can do so by contacting the Registrar's Office. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

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7012 Policy on Preparation of Annual Fire Safety Report and Fire Log

Adopted by the Alpena Community College Board of Trustees on April 16, 2014. Amended December 19, 2019.

The on-campus student housing facility, College Park Apartments, consists of 16 four-person units.

Each year, Alpena Community College shall prepare and publish an Annual Fire Safety Report for College Park Apartments, which shall include the following information:

- A description of its fire safety system.
- The number of fire drills held during the previous calendar year.
- Rules on portable electrical appliances, smoking and open flames.
- Evacuation procedures in the case of a fire.
- Description of fire safety education and training programs provided to the tenants, including procedures that tenants should follow in the case of a fire.
- Names and contact information for College personnel that tenants should report that a fire occurred.
- Plans for future improvements in fire safety, if necessary.
- Fire statistics for the previous year, including the number of fires and the cause of each, the number of persons who received fire-related injuries, the number of deaths resulting from fire, and the value of property damaged by fire.

In addition, Alpena Community College shall maintain a fire log for College Park Apartments, which shall include the date and time, nature, and general location of each fire reported to College officials.

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7013 Policy on Maintaining Daily Crime Log

Adopted by the Alpena Community College Board of Trustees on December 19, 2019.

Effective January 1, 2019, Alpena Community College shall maintain a Daily Crime Log in either electronic format or paper format or both for the Alpena Campus. The Vice President for Administration and Finance shall designate an appropriate person or persons to maintain the Daily Crime Log in accordance with this policy and with federal law. Each crime or alleged crime which is reported to the police officer on campus, or to any other college security official shall be recorded in the daily crime log. The Daily Crime Report shall include;

- The date the crime was reported (A reported crime must be logged regardless of how much time has passed since it occurred.)
- The date and time the crime occurred
- The nature of the crime
- The general location of the crime
- The disposition of the reported crime, if known

An entry, an addition to an entry or a change in the disposition of a complaint must be recorded within two business days of the reporting of the information to the campus police or the campus security department.

If a reported crime is fully investigated by sworn or commissioned law enforcement personnel, and, based on the results of the investigation, they make a formal determination that the crime report is false or baseless, the log should indicate, as the disposition of the report, that the crime is “unfounded.” Only sworn or commissioned law enforcement authorities that investigate the crime can make this determination.

The Daily Crime Log for the most recent 60 -day period shall be accessible on-site in the Human Resources Office of the Alpena Campus or such other designated location that is available for inspection by the public free of charge, upon request during normal business hours.

The college shall notify students and employees of the availability of the Daily Crime Log, that nature of the information it contains and where it is. This may be accomplished by posting such notice on the Alpena Community College website or such other location where it is likely to be seen. Information that is older than 60 days shall be available within two business days of a request for public inspection.

Entries in the crime log should be used, along with additional information, to gather the statistics that are required for inclusion in the annual security report and the annual Web-based data collection.

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ADMINISTRATIVE PROCEDURES FOR POLICIES

1506 Title IX Grievance Procedures

Refer to Policy 7009, Sexual Misconduct Policy, for the procedures for Title IX grievances.

Issued: August 22, 1997.

Revised: August 13, 2020.

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1511 Emeritus Procedures

1. To be eligible for nomination to this rank, the faculty, staff or member of the College Board of Trustees must have had continuous, honorable regular service as a member of the entity prior to retirement.
2. In exceptional rare circumstances, and for demonstrated good cause, the Board of Trustees may award emeritus title and status to a faculty, staff or member of the Board of Trustees who resigns his or her position for the purpose of accepting an appointment elsewhere or for other honorable purposes.
3. Nomination is to be initiated by the eligible retiree's or resignee's primary academic unit, department head or the Chair of the Board of Trustees.
4. In the event an academic unit, department head, President or the Chair of the Board of Trustees fails to nominate an eligible retiree within one year from the announcement of intent to retire, the President may request a recommendation from the faculty, staff or Board of Trustees or hear an appeal by the retiree and may then elect to put forth a nomination.
5. A faculty, staff or Trustee Emeritus shall:
 - A. Have his/her name and years of service displayed on an "honor wall" of emeriti
 - B. Retain purchasing privileges in the College Bookstore
 - C. Receive complimentary invitations to official College functions
 - D. Receive tuition waiver privileges in accordance with waivers in existence at the institution for comparable staff members.

Please see Board Policy 1011 pertaining to this procedure.

Issued: August 22, 1997

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1512 Public School Academies Procedures

1. Application Process

Individuals or organizations seeking to enter into a contract with the Alpena Community College Board for the creation and operation of a PSA must submit an application on Alpena Community College Board of Trustees approved forms which shall include the following items of information:

- A. All those items indicated in M.C.L. 380.502 (3).
- B. Documentation that students are presently inadequately served, and how their educational needs are to be met by the proposed PSA.
- C. A description of any unique or special educational or service features of the proposed PSA which would give it particular qualitative dimensions not otherwise available to students.
- D. A description of the qualifications and backgrounds of all teaching and administrative professionals employed by the proposed PSA, and a description of the qualifications and backgrounds of all proposed members of the Board of Directors of any PSA applicant.
- E. A copy of the deed of conveyance or lease of the PSA school building.
- F. A copy of financial planning documents describing the proposed academy's operating budget and capital needs and resources for a five-year period.
- G. A copy of any and all publications, brochures, advertisements or other promotional literature used to recruit students, raise money or otherwise represent the proposed PSA to the public.
- H. Copies of any documents or other materials submitted to obtain approval or accreditation from any governmental or private certifying or accrediting agencies, and a copy of any and all responses obtained from any such agency.
- I. Additional and supplemental information or documents may also be requested by the Alpena Community College Board of Trustees on a case-by-case basis.
- J. A one-time non-refundable application fee of \$500 shall be submitted at the time of application. Applicants which appear to offer educational programs that are consistent with the purposes of this policy will be considered candidates for Public School Academy status. Such candidates will be required to pay an additional non-refundable \$500 evaluation fee prior to program review. If the board of control ultimately approves the appointment for the PSA, the application fee and evaluation fee will be refunded to the applicant by means of a credit against the administrative fee referenced at paragraph IV (e) of this policy statement. In no event shall the combined total of compensation, expenses and fees paid by a PSA to the Alpena Community College Board exceed 4

percent of the total school aid received by the PSA in the school year in which the compensation, fees, or expenses are charged.

2. Evaluation Process

Applications will be evaluated by the Alpena Community College Board taking into consideration the resources available for the proposed PSA, the population to be served by the proposed PSA, and the educational goals to be achieved by the proposed PSA (see M.C.L. 380.503 (1)). It is the intent of the Alpena Community College Board of Trustees to retain the services of an independent, consultant-evaluator to review and evaluate the applicant and advise the Alpena Community College Board as to the needs, plans, goals, and resources of the applicant. Individuals shall be selected as a consultant-evaluator on the basis of their background and expertise in the field of K-12 education and the operation and evaluation of K-12 schools.

It is expected, but not assured that the process of evaluating applications will require from 60-120 days from date of receipt. The ACC Board will consider the evaluation report together with the contents of the application in a timely manner as part of its normal committee and Board meeting agenda.

3. Operation and Oversight of Public School Academies

Any contract issued to a PSA shall contain the following provisions:

- A. Provisions addressing all those items set forth in M.C.L. 380.503(4) and (5).
- B. The term of the initial contract, not to exceed three years, with the possibility but without the assurance of renewal.
- C. An assurance by the Board of Directors of the PSA that the school is and will remain in compliance with all applicable state, federal and local laws, including but not limited to those indicated in the Appendix to this policy.
- D. A requirement that the PSA will submit to both scheduled and unplanned review visits by consultant-evaluators appointed by the ACC Board.
- E. A provision that the Alpena Community College Board will retain 3 percent of the per pupil State funding to the PSA as compensation for administrative costs it incurs for its oversight functions and service as fiscal agent.
- F. A requirement that a public school academy will submit to the Alpena Community College Board an audit report conducted by a certified public accounting firm to be selected by the Alpena Community College Board. Such reports must be received on an annual basis, and not more than 90 days following the completion of the PSA's fiscal year.

- G. A provision that the PSA will not have or maintain any affiliation with a church or other religious organization which would disqualify it under the State or Federal constitution from receiving public support.
- H. A provision that the PSA will not operate at a site or for age and grade ranges other than those described in its original application, and that it will maintain current certifications, accreditations or other approvals from public and private agencies which were in place at the time of application.
- I. An assurance from the PSA that it shall furnish to the ACC Board of Trustees such proofs at such intervals as the ACC Board may reasonably request of the PSA's continuing compliance with all applicable laws and with the continuing truth of each and every representation made in its application to and subsequent contract with the ACC Board. Such provision shall further provide that if the PSA ceases to comply with any provision of law or any such representation ceases to be true, the PSA shall promptly notify the failure of the representation to the ACC Board.
- J. A provision requiring the PSA to undertake and sustain good faith efforts to attract and serve a student body that is culturally, economically and ethnically diverse.
- K. A provision requiring that the PSA will hold Alpena Community College, its Trustees, officers, employees and agents harmless with effect to any claims asserted because of an act or failure to act on the PSA, its officers, employees, agents, pupils or the representatives of them and shall further have Alpena Community College named as a co-endorse on general liability insurance coverage in an amount not less than \$1,000,000 each occurrence, \$3,000,000 aggregate. The charter school must also provide Workers Compensation at the statutory limits, school leaders (K-12 E&O) in the amount of \$1,000,000 each occurrence and \$2,000,000 aggregate, and crime in the amount of 500,000.
- L. A provision providing that the PSA recognizes and agrees to the grounds provided for revocation of its contract as set forth in M.C.L. 380.507 and in the contract granted by the Alpena Community College Board. The decision of an authorizing body to revoke a contract under this section is solely within the discretion of the authorizing body, is final, and is not subject to review by a court or any state agency. An authorizing body that revokes a contract under this section is not liable for that action to the public school academy, the parent or guardian of a public school academy or any other person.

4. Board of Directors of Public School Academies

Because any PSA becomes, in effect, a fully funded public school, those responsible for the governance of the PSA must be fully accountable to the public. Further, opportunity must be provided to the public for participation in the selection of those responsible for the governance of such public institutions.

The following criteria and provisions shall be applicable to the Boards of Directors of any PSA subject to a contract with the ACC Board:

- A. The PSA Boards shall be comprised of not fewer than seven persons, selected on the basis of their commitment to and interest and experience in public education. Individuals shall serve for a term of not more than three years, and the terms of PSA Board members shall be staggered to provide continuity and stability in PSA Board membership.
- B. Public notice shall be given by the PSA of vacancies on its Board of Directors, and an opportunity shall be provided for interested individuals to apply for appointment to any such Board. The PSA will submit a name for each vacancy that exists on the Board of Directors after the initial Board has been installed.
- C. The ACC Board shall approve appointments to the PSA Board of Directors.
- D. At the time of any expired term or other vacancy on a PSA's Board of Directors, the then-serving Directors shall review applicants for such vacancies and recommend to the ACC Board persons for appointments.
- E. The Alpena Community College Board reserves the authority to remove any person from membership on a PSA Board at its sole discretion for cause.

NOTE: The PSA form is available from the President's Office.

Please see Board Policy 1012 pertaining to this procedure.

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2501 Affirmative Action Review Procedures

Alpena Community College is a nondiscriminatory and equal opportunity educational institution and employer. Staff and/or students who have a question and/or concern about policy may initiate an informal and/or a formal request for review.

Informal Procedure:

A student and/or community member may initiate an informal affirmative action complaint by making an appointment with the Affirmative Action Officer, the Vice President for Administration and Finance. After the meeting, the Affirmative Action Officer will advise the individual regarding his/her complaint. At that time, the individual may elect to drop the complaint or process a formal complaint.

Formal Procedure:

A student and/or community member may process a formal affirmative action complaint by utilizing the following process:

1. Provide to the Affirmative Action Officer a written statement outlining, in detail, the complaint. This statement should include supportive statements and as much information about the incident as the individual can provide.

The Affirmative Action Officer will review the statement with the individual at the time it is submitted for action.

2. The Affirmative Action Officer will, within five (5) working days of the receipt of the complaint, convene a meeting of the Affirmative Action Committee. This group (Affirmative Action Officer, two administrators, and two staff members) will review the complaint. The committee subsequently may call in the individual initiating the complaint to clarify statements made in writing or to obtain additional information. Once satisfied that it has all pertinent information, the Affirmative Action Committee will, within fifteen (15) working days, make its findings and recommendations known to the individual and to the College President.
3. If the Affirmative Action Committee finds grounds for a complaint, the College will immediately take action to assure that the compliance with all affirmative action measures is guaranteed to each student and/or community member.
4. If the Affirmative Action Committee finds insufficient grounds for a complaint, the committee will, within fifteen (15) working days, notify the individual. At that time, the individual may elect to drop the complaint. If not, the complaint is submitted to the College President and Board of Trustees.
5. The Board of Trustees and the College President will review the complaint and, within twenty (20) working days, will issue a reaction and recommendations. If the President and Board of Trustees find insufficient grounds for a complaint, the individual may elect to drop the complaint.

6. If an individual decides to pursue the complaint beyond Step Five, he/she may use the courts or the Civil Rights Commission.

NOTE: Any individual may initiate an affirmative action complaint directly with the legal authorities or with the Michigan Civil Rights Commission.

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2504 Raffle Policy Procedures

The following conditions must be complied with:

1. Approved Process - A written request (memo) must be submitted by the faculty advisor to the Dean of Students. The request should include the State Lottery form, the raffle date and time, the prize(s), the ticket price, and the purpose for which the funds raised will be used.
2. The written request must then be approved by the Controller or the Dean of Students.
3. Upon approval, the faculty advisor must submit the proper State Lottery forms as required by Public Act 382.

Additional information is available at the Student Services Office.

Please see Board Policy 2004 pertaining to this procedure.

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2505 Business Office Archive and Retention Procedures

Retention of Records

Records shall be maintained or disposed of according to the following schedule:

<u>Items</u>	<u>Schedule</u>
Ledgers, Journals, Cashbook	Permanent
Minute Books	Permanent
Audits	Permanent
Receipts	Six Years
Canceled Checks	Six Years
Dues Paid Records	Six Years
Requisitions	Six Years
Transfers	Six Years
Ticket Reports Audit	+ One Year

Please see Board Policy 2005 pertaining to this procedure.

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2506 Election Expense Procedures

1. The Secretary of the Board of Trustees, election officer for the College, will determine the appropriate percentage of election expense based on the guidelines outlined in the Election Expense Policy.
2. The Secretary of the Board of Trustees will requisition the payment of election expenses through the College Controller's office.
3. A compilation of all election expenses will be maintained in the Office of the Board of Trustees.

Please see Board Policy 2006 pertaining to this procedure.

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2507 Privacy Act Statement Procedures

This form can be picked up in the Campus Service Office (VLH 108).

Please see Board Policy 2007 pertaining to this procedure.

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2508A Proprietary Rights Procedures

ARTICLE I

Definition of Proprietary Rights

“Proprietary rights” shall be defined as the “right of ownership and the right to control the use and revision of educational materials that are held by the various parties concerned.” Ownership of all proprietary rights in Alpena Community College sponsored material, including rights to copyright or patent shall reside jointly with “Developer(s)” and Alpena Community College, as they shall agree in writing. If either party declines to patent or copyright these materials, then the other party shall have the right to do so at its own expense and the patenting or copyright party may grant whatever license or rights to outside organizations or users as it sees fit. When more than one “Developer” participates in the production of materials, processes, products, computer software or techniques, they shall share their joint ownership in such manner as they may agree to in writing.

This policy statement does not affect the traditional Alpena Community College policy that faculty members have personal ownership of books and educational materials, which were not commissioned by Alpena Community College, or which were prepared while on leaves of absence, and the preparation of which was not supported or assisted by Alpena Community College. Agreements between parties for residual rights shall be governed by the roles and regulations specified by Alpena Community College for conditions of termination of employment, shop rights, use and revision of materials and compensation for internal and external use.

ARTICLE II

Areas of Proprietary Interest

The areas of proprietary interest are as follows:

1. Any copyrightable material, process, computer software or product, and
2. Any patentable material, process or product.

ARTICLE III

Developers

The faculty member(s), the adjunct appointee(s), or the College employee(s) who shall produce: 1) copyrightable materials, processes, computer software or products, or 2) patentable materials, processes or products shall be acknowledged and referred to herein as “Developer(s).” The Developer(s) shall give credit to all primary and support personnel who assist the Developer(s) in producing the product. Developers who are faculty members shall identify themselves as members of the Alpena Community College faculty.

ARTICLE IV

Circumstances For Which Alpena Community College

Will Not Claim a Proprietary Interest

Alpena Community College shall not have a proprietary right in materials, processes, products, computer software or techniques which a faculty member has produced in the area of proprietary interest on his/her own time, which did not involve Alpena Community College money, equipment, materials, personnel or time (for which the Developer was paid to perform contractual duties). Alpena Community College shall not have a proprietary right in materials developed by faculty members while on sabbatical leave.

ARTICLE V

Circumstances For Which Alpena Community College

May Claim a Proprietary Interest

Alpena Community College shall retain all proprietary rights in materials, processes, products, computer software or techniques which a Developer, or adjunct appointee, is contracted specifically to produce in the areas of a proprietary interest.

Furthermore, Alpena Community College, at its sole discretion, may claim a proprietary interest to the extent of recovery of all substantiated costs to Alpena Community College associated with a project for which a Developer, or adjunct appointee is: 1) employed either part-time or full-time with primary duties specified as other than the “project,” but has received additional compensation in excess of a three (3) credit course reduction or equivalent pay, or 2) received support (copying, video taping, graphics, typing, etc.) valued at more than Four Hundred Dollars (\$400).

In the aforementioned circumstances, Alpena Community College shall retain the right to internally use that which was developed, without payment to the Developer, the copyright holder or the patent holder. The Developer shall be free, at his/her expense, to obtain a copyright or patent and to market that which he/she developed.

ARTICLE VI

Procedures to Contest Proprietary Rights

of Alpena Community College

In order to insure a fair and equitable decision concerning the proprietary rights in materials, processes, products, software and techniques, the Developer shall establish his other claim by submitting a Statement of Claim to Proprietary Rights to the Vice President for Instruction prior to the creation or development of the materials, processes, products, computer software or techniques. Upon the approval by the Board of Trustees of the Statement of Claim to Proprietary Rights, the claim of the Developer shall be valid.

The Statement of Claim to proprietary Rights shall be submitted in a format provided by the Vice President for Instruction and shall contain the following information:

1. A detailed description that is sufficient to identify the material, process, product, computer software or technique which is to be developed.
2. The date on which the project is to be started, the date on which the project is expected to be completed, and the period of time for which the developed materials will be used.
3. The text of the notice of claim and rights which will appear on the developed material.
4. A declaration of the proportion of the proprietary rights which are being claimed by the Developer and the identification of any individuals who may have additional rights.
5. A statement concerning other individuals who may have a claim that may conflict with the proprietary rights of Alpena Community College.
6. A statement concerning the Developer's intent to apply for a copyright or patent.
7. A statement limiting the number of months or years for which the protection shall be in effect, unless a copyright or patent is obtained.
8. A statement of the costs and conditions, if any, by which the Developer or Alpena Community College shall be entitled to a copy of the product.
9. Any special arrangements for payment of expenses related to the development of the materials, processes, products, computer software or techniques.

ARTICLE VII

General Provisions

If a project is supported in whole or in part, by a grant from an external agency, the terms and conditions of the grant shall take precedence over any conflicting terms and conditions of this Proprietary Rights Policy. If there are no terms and conditions of the grant that conflict with the terms and conditions of this Proprietary Rights Policy, the appropriate sections of the Proprietary Rights Policy shall be applicable.

It shall be the obligation of the Developer, or adjunct appointee, when entering into any other agreement, to make known the provisions of this Proprietary Rights Policy, the appropriate sections of this Proprietary Rights Policy shall be applicable.

It shall be the obligation of the Developer, or adjunct appointee, when entering into any other agreement, to make known the provisions of this Proprietary Rights Policy and to preserve the rights of Alpena Community College contained in this Proprietary Right Policy in any other agreement.

The internal use of developed material shall be without charge to Alpena Community College and shall be housed and used as other Alpena Community College materials. Alpena Community College may distribute such materials to other institutions for the purpose of demonstration or review. External distribution by Alpena Community College of developed material for any other reason shall be with the written consent of the Developer(s) and Alpena Community College. The Developer(s) may use developed materials for professional activities such as workshops, lectures, conferences, etc. The proprietary rights of Alpena Community College shall be preserved by the Developer(s). The Developer(s) shall retain the right to review recorded material in order to update or improve the quality or accuracy of the recorded material, a separate agreement may be negotiated or, at the discretion of Alpena Community College, the recorded material may be removed from circulation.

Please see Board Policy 2008 pertaining to this procedure.

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2508B Alpena Community College Statement of Claim to Proprietary Rights

This statement of claim to rights in specially developed materials is presented within the provisions of the policy of the Board of Trustees of Alpena Community College. The parties to this agreement are known as the “Developer,” and Alpena Community College.

1. Description of materials to be developed

Example: Policy and Procedures Manual for the Health Promotion Screening Clinic, and monthly updates; see attached description for detailed description.

2. Starting date for development:

Expected date for completion:

Period of time completed materials will be used

Example: As long as the Health Promotion Screening Clinic is in existence.

3. Test of notice of claim of rights

Example: “Copyright 1988, Carol Campsmith” or words to that effect determined by Developer.

4. Proportion or rights claimed by Developer

Claimant of remaining rights

Example: It is understood that the Developer, in order to retain copyright privileges, is completing the material without remuneration by the College.

5. Will any other individual have a conflicting claim to rights?

If “Yes,” attach a statement of Release of Right.

Example: ACC will allow the Developer to use monthly update prepared during the school year in conjunction with the basic manual prepared in June to August 1990.

6. Intent concerning application for copyright or patent

Copyright will be arranged by the Developer.

7. Period of time the protection shall be in effect without a copyright or patent

8. Cost and conditions by which the Developer or Alpena Community College shall be entitled to a copy of the product

Example: Student copies will be printed by ACC and sold to students in the College Bookstore. Alpena Community College shall be entitled to a copy of the Policy and Procedures Manual for the HPSC, and to its use as long as the HPSC is in existence.

9. Arrangements for payment of production expenses

Example: Any production expenses for other than HPSC or student use will be the responsibility of the copyright holder, Developer.

These terms are acceptable as stated above. No other terms are implied. These terms may later be amended by mutual consent of the parties to this agreement.

“DEVELOPER”

Dated: _____

Developer

ALPENA COMMUNITY COLLEGE

Dated: _____ By _____

Vice President for Instruction

Please see Board Policy 2008 pertaining to this procedure.

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2509 Real Property Acquisition or Disposal Procedures

All offers to sell/lease real property to the College, or requests to buy or lease College real estate are to be referred to the President or designee.

When acquisition of real property is recommended, discussions and recommendations are to be treated as privileged and confidential until an option to purchase or lease has been obtained. Up to that point, all real property acquisitions will be discussed by the Board of Trustees in closed sessions, as permitted under PA 267(1976). All transactions involving the acquisition of real property must be consummated by formal action of the Board of Trustees in open session.

When disposal of real estate is recommended, those recommendations will be considered by the Board of Trustees in open session after one or more Public Hearings have been held within the College district.

Real estate gifts, bequests, easements, rights-of-way, quit claim deeds and the myriad of other details concerned with the management of the College's real estate holdings are exempt from this policy.

NOTE: For the purpose of these procedures, Real Property is defined as the raw land, whichever is erected or growing thereon or affixed thereto.

Please see Board Policy 2009 pertaining to this procedure.

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3501 Admission/Application Procedures

Application for Admission to Alpena Community College can be obtained in person from Campus Services at the main campus and at the ACC Oscoda Campus Office in Oscoda. Mail and telephone requests for applications are accepted at (989) 356-9021, extension 7339 and (989) 739-1445.

The application process involves submitting:

1. A completed Application for Admission.
2. Transcripts of all high school and college work completed.

The American College Test (ACT) is recommended, but not required. An applicant who is a U.S. citizen must have a Social Security number. A foreign applicant must present a visa.

Please see Board Policy 3001 pertaining to this procedure.

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3502 Residency Procedures

1. Regulations

- A. No one shall be deemed a resident of the Alpena Public School District for the purpose of admission to Alpena Community College unless he or she has resided in this district for six months immediately preceding his or her first enrollment.
- B. No one deemed a non-resident may gain resident status for tuition purposes without first obtaining approval by the Residency Committee or its designee.
- C. The residence of minors shall follow that of their legal guardian except where guardianship has been established in the district obviously to evade non-resident tuition.
- D. Aliens who have secured the Declaration of Intent papers and have otherwise met the requirements for residence shall be considered residents.
- E. The residence of any person, other than a parent or legal guardian who may furnish funds for payment of college tuition, shall in no way affect the residence of the student.
- F. Discretion to adjust individual cases within the spirit of these regulations is vested in an officer appointed by the President of Alpena Community College who is responsible and accountable for the administration of the residency policy.

2. Guidelines

In an effort to assist individuals in interpreting the above regulations, the following guidelines should be of assistance in explaining the basis upon which the questions of residency and requests for waiver of out-of-district, and out-of-state tuition are determined.

- A. No student is eligible for in-district classification unless he or she has been a benefit domiciliary of the Alpena Community College district for at least six consecutive months immediately prior to his or her first enrollment.

This requirement does not prejudice the ability of a student admitted on an out-of-district, or out-of-state basis to be placed thereafter on an in-district basis provided he or she has acquired a bona fide domicile for a duration of at least six consecutive months within the district. Attendance at Alpena Community College neither constitutes nor necessarily precludes the acquisition of such a domicile. For these purposes, a person may acquire domicile in the Alpena Community College district when he or she has been here for at least six consecutive months, primarily as a permanent resident and not merely as a student; this involves the probability of the person remaining in the Alpena Community College district beyond the completion of his or her schooling.

- B. A student 18 years of age or older in the Alpena Community College district has reached the age of majority and is considered eligible for in-district fee classification if:
 - 1. The parent (or legal guardian) was a bona fide resident of the Alpena Community College district at the time the student reached age 18 and the student elects to maintain the Alpena Community College district as his or her residence.

2. The student has maintained a bona fide residence in the Alpena Community College district for six consecutive months immediately preceding his or her first enrollment.
 - C. If a student's family (defined as sponsoring parents or legal guardian) moves to the Alpena Community College district during the time he or she is a student, the student may request a reclassification to in-district.
 1. If a student's family moves out of the Alpena Community College district during the time he or she is a student, the student's in-district classification is maintained as long as he or she is continuously enrolled. Interruptions for a summer semester vacation will not affect the enrollment status of the student.
 2. If the father and mother have separate places of residence, the student's residence is that of the parent with whom the student is living or to whom he or she has been assigned by a court.
 - D. Non-resident married persons may follow the procedure outlined in Section III to request a reclassification to in-district area status for purposes of paying tuition and fees at Alpena Community College. Persons under this classification are considered by the Residency Committee as individuals independent of their spouses.
 - E. A veteran of active United States military service (excluding reserve programs and National Guard) who, after being honorably separated, moved to the Alpena Community College district within 90 days after being separated from the service, and with the intent of becoming a resident of this district, may request to be classified as an in-district student for tuition and fee purposes.
 - F. Students registered for Alpena Community College off-campus courses do not establish in-district status on the basis of their registration in those courses.
 - G. A non-resident reaching the age of 18 years while a student at any educational or training institution in the Alpena Community College district does not, by virtue of said fact, qualify for reclassification to in-district status for purpose of paying tuition at Alpena Community College.
 - H. A non-resident student, after reaching the age of 18, may request to be reclassified to in-district status for purposes of paying tuition and fees at Alpena Community College in accordance with the following procedure.
3. Procedure for Reclassification to In-District Status

A student or prospective student requesting in-district classification shall complete the form labeled Request for Classification to In-District Status. The student shall list in detail the reasons that he or she is a bona fide domiciliary of the Alpena Community College district, primarily as a permanent resident and not merely as a student, and attach documentary data in support thereof including by way of illustration:

- A. Verification of legal voting residence in the Alpena Community College district.

- B. A notarized letter from the student's employer(s) verifying the dates of employment in the Alpena Community College district and verification of Michigan income tax withheld.
- C. The residence of minors shall follow that of their legal guardian except where the guardianship has been established in the district obviously to evade the fee.
- D. Aliens who have secured the Declaration of Intent papers and have otherwise met the requirements for residence shall be considered residents.
- E. The residence of any person, other than a parent or legal guardian who may furnish funds for payment of college tuition, shall in no way effect the residence of the student.

Students are advised to submit their request for Classification to In-District Status with attached documentation to the office of the Dean of Students at least one month in advance of the semester for which they hope to qualify for in-district status.

In the event a request for Classification to In-District Status is submitted with pending justification, the College reserves the right to withhold a decision until all evidence is clearly available. Normally, the change of status will be effective during the first semester after all evidence has been evaluated and approved.

4. Appeal Procedures

Any student desiring to challenge his or her classification under the foregoing regulation of the Board of Trustees will have the right to petition on appeal of the determination. The petition shall be addressed to the Residency Committee, which shall consist of the Vice President for Instruction, the Dean of Students, the Vice President for Administration and Finance and the Controller.

5. Proof of Residency

The responsibility of proving qualified residence rests with the student. All students are subject to a check of residency status at each registration. The following documents are acceptable to the College as legitimate proof for determining residency:

- 1. A valid driver's license
- 2. Property tax receipts
- 3. A voter's registration card
- 4. A visa (Visa presentation is required of all students classified as "foreign").

Please see Board Policy 3002 pertaining to this procedure.

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3504 Drop/Add Procedures

There are times during a student's enrollment when it may be appropriate to add or drop a course during a given semester. A student adding or dropping a course must pick up a Drop/Add Form (Authorization for Schedule Change) from the Registrar's Office. The procedure outlined on the Drop/Add Form must be followed explicitly to insure the student that the proper credit and grade for all courses added or dropped is received.

A course may be added only during the enrollment period (usually 1/10th of the calendar days in the course or semester) while a course may be dropped any time through the tenth (10th) week of the semester (2/3 of the semester for accelerated courses). Written permission of the instructor is required to drop a course after the first ten (10) days of the semester. A grade of W (Withdraw) is for courses dropped during the drop period, or if a student completely withdraws from college prior to the end of the semester no later than the last instructional day prior to final exams (See "Withdrawal from College" for details).

Please see Board Policy 3004 pertaining to this procedure.

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3505 Student Academic Procedures

Withdrawal

A student withdrawing from the College must begin the process in the Student Services Office. The withdrawal must be presented to the Registrar's Office for recording and authorization of any possible refund. All students who withdraw must be readmitted in order to register for classes.

Following the above procedures will protect the students' scholastic record, right to re-enroll or to transfer to another institution and the privilege of asking for a character reference. Students must account for all school property charged to them and must pay all obligations to the College in order that an honorable dismissal be given.

A student who is separated from the College is no longer officially enrolled and does not have the privileges of a registered student. A student who has been separated from the College may apply for readmission through the office of the Dean of Students.

Advanced Placement

Alpena Community College accepts credit from the Advanced Placement (AP) program. ACC will evaluate AP grade reports received from the College Board and will award appropriate course credit for selected AP examinations. Minimum score requirements vary from course to course.

Auditing of Courses

Students may audit lecture-type courses only. Attendance requirements for an auditing student are the same as those for students taking the course for credit. Audit students may take quizzes and examinations with the approval of the instructor. Students auditing courses pay the same fees as those taking courses for college credit.

When openings in a class are limited, preference shall be given to students enrolling for credit. The student's intention to audit must be made known at the time of registration. A student may not change either from an audit to credit status or from a credit to an audit status after classes have begun.

In the majority of cases, faculty advisors do not recommend that students audit a course. If special circumstances make it advisable for a student to audit, then the course audited would be a portion of the student's normal load.

Classification

A full-time student carries 12 or more credit hours per semester; a half-time student carries at least six, but less than 12 credit hours. Students admitted on a regular basis may carry up to 18 credit hours per semester; to carry over 18 credit hours requires permission of the academic dean. Under no circumstances may a student carry over 21 credit hours. A freshman is a student who has earned one to 23 semester credits; a sophomore has earned 24 or more.

Dean's List

In recognition of academic achievement, a list of full-time students in two categories is published each semester. These are: Students of Great Distinction, recognizing semester grade point averages of 4.0; and Students of Distinction, recognizing semester grade point averages between 3.50 and 3.99. Students must be enrolled in at least 12 credit hours, excluding credits taken on a satisfactory/unsatisfactory option basis, to be eligible for the Dean's List.

Grading System

Grades and Grade Points

The student receives one grade in each course taken. This grade combines the results of class work, tests, and final examinations. Grades are indicated by letters, each of which is assigned a certain numerical value in honor points per hours of credit as shown in the following table:

Grading System

A Excellent	4.0
A-	3.7
B+	3.3
B Good	3.0
B-	2.7
C+	2.3
C Fair	2.0
C-	1.7
D+	1.3
D	1.0
D-	0.7
E Failure	0.0

Final grades are mailed to students at the end of each semester.

Grade Point Average

The grade point average is used as a numerical summary of academic achievement. It is computed by multiplying the semester hours of credit for each course by the grade value to determine honor points, then dividing the sum of the honor points earned by the total number of credits. Example:

Subject	Hours of Credit	Honor	Grade	Points
History 121	3	C+	(2.3)	6.9
English 121	3	B	(3.0)	9.0
Psychology 255	3	A-	(3.7)	11.1
Speech 121	3	E	(0.0)	0.0
Biology 121	<u>4</u>	C	(2.0)	<u>8.0</u>
Totals	16			35.0

Grade Point Average (G.P.A.): $35/16 = 2.18$

Other marks used on student records include I (Incomplete, W (Withdrew) and S/U (Satisfactory/Unsatisfactory).

I - Incomplete

The grade of I (Incomplete) is given only when a student is unable to complete a segment of the course because of circumstances beyond his/her control. The I grade must be removed by completing the required work before the deadlines set by the instructor (but in no case later than the end of the next regular semester) or a grade of E (Failure) will be recorded. A grade of Incomplete may be given only when approved by the department head; this approval, in writing, must accompany the grade report.

W - Withdrew

The grade of W (Withdrew) is given in a course if a student processes a drop form for the course during the drop period, or if a student officially withdraws from college prior to the end of the semester no later than the last instructional day prior to final exams. See “Drop-Add Procedures” and “Withdrawal from College.”

S/U - Satisfactory/Unsatisfactory

The satisfactory/unsatisfactory option gives students an opportunity to enroll in enrichment courses without the grade being used in the computation of the grade point average. The student either receives an S (satisfactory work) or a U (unsatisfactory work) if his/her work is unsatisfactory. This option may not be elected for courses required for graduation.

Please see Board Policy 3005 pertaining to this procedure.

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3508 Academic Renewal Procedures

1. A student seeking to request academic renewal must obtain a Request for Academic Renewal from the Registrar's Office.
2. Upon completion by the student, the request for Academic Renewal is returned to Campus Services for processing.
3. The student's transcript will carry a notation: "Academic Renewal Granted for all Course Work Prior to this Entry." The course descriptions and original grades will remain on the transcript.

Please see Board Policy 3008 pertaining to this procedure.

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3511 Reportable Communicable Diseases Procedures

1. The Assistant Dean of Health Occupations will administer this policy through the office of the Vice President for Instruction. The College will analyze and respond humanely to each case as is appropriate to its particular circumstances.
2. Sensitivity to the student or employee involved and to the confidential nature of the situation will be practiced while the College takes action deemed necessary for the health, safety, and welfare of others.
3. In the spirit of this policy, any student or employee who has been diagnosed as having a reportable communicable disease is urged to notify the Assistant Dean of Health Occupations. Any such person is also urged to consider the welfare of others and act in a responsible manner.
4. A student or employee who becomes aware that someone attending or employed by the College has a reportable communicable disease that poses a health hazard to others should report this to the Assistant Dean of Health Occupations directly or through the appropriate supervisor. All confidentiality and privacy rights are to be respected.
5. The Assistant Dean of Health Occupations will contact any person reported to have a serious communicable disease and attempt to verify the information.
6. If the information can be verified, or in cases when a student or employee has reported that he/she has a reportable communicable disease, the Assistant Dean of Health Occupations will notify the College President.
7. The President or his designee, acting under the guidelines of the Michigan Department of Public Health, is authorized to take action necessary to deal with a communicable disease that poses a serious threat to the College community. The President may appoint an advisory committee consisting of the Vice President for Instruction, the Assistant Dean of Health Occupations, a Student Services Counselor, a faculty member appoint by the Faculty Council, and a representative from District Health Department #4. This committee may recommend a course of action following a review of the case and current materials regarding the disease. All persons involved in the review process will treat all proceedings, deliberations, and documents as strictly confidential.
8. The President will be the College spokesperson for public information about issues related to serious communicable diseases. In consultation with the College legal counsel and the Assistant Dean of Health Occupations, the President will determine information that is appropriate for public dissemination.

Please see Board Policy 3011 pertaining to this procedure.

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3514A Sexual Harassment Reporting Procedures

Refer to Policy 7009, Sexual Misconduct Policy, for the procedures for reporting sexual harassment.

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Revised: August 14, 2020

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3514B Sexual Assault Reporting Procedure

Refer to Policy 7009, Sexual Misconduct Policy, for the procedures for reporting sexual harassment.

Issued: April 16, 2014

Revised: August 14, 2020

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3518 Academic Probation and Dismissal Procedures

1. A student is subject to be placed on academic probation when he/she has attempted 12 semester credits and his/her record at Alpena Community College falls below 1.7 the first semester, 1.8 the second semester and 2.0 in succeeding semesters.
2. A student may be removed from academic probation upon developing a cumulative record at Alpena Community College of 2.0.
3. A student may be subject to academic dismissal if he/she has been on academic probation and fails to earn a grade point average of 2.0 in the semester credits attempted after being placed on probation.
4. The Records Office shall provide the Vice President for Instruction and the Dean of Students with a list of all students subject to academic probation and/or dismissal.
5. The Vice President for Instruction and the Dean of Students will review all students subject to academic probation and/or dismissal for a decision in each case. Students will be notified in writing of the decision.
6. A student may appeal the decision to the Vice President for Instruction, and to the President of the College. This appeal must be made in writing.

Please see Board Policy 3018 pertaining to this procedure.

Issued: August 22, 1997

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3519 Right to Access and Privacy of Student Records Procedures

Alpena Community College has an institutional policy specifying the confidentiality of student records and controls regarding any release of information. Students are permitted to inspect and review their own educational records. All requests from students wishing to examine their records must be made on the forms available in the Registrar's Office. Alpena Community College will honor such requests within a time period not to exceed forty-five (45) days from the date of the request.

Transcripts or grade the student receives, financial records, and attendance records cannot be released to third parties, even parents, without a written request by the student.

Any student enrolled at Alpena Community College has the right to inspect and review any and all records, files, and data directly related to himself/herself except:

1. Confidential letters submitted under waiver of the right of future access or review.
2. Financial records of parents.
3. Confidential letters or documents of recommendation submitted prior to January 1, 1975.
4. Personal files seen only by the writer.
5. Files related to employment status.

Furthermore, personally identifiable records or files will not be released without the written consent of the student except to other College officials and those agencies specified under current State and Federal Law.

1. All students requesting to inspect and review their records must make the request in writing to the Dean of Students.
 - A. This request must be made by completing a Request to Review Personal Records form (see attached).
 - B. A response to the student's request will be made within ten (10) days and the review will be scheduled within forty-five (45) days.
 - C. The inspection and review of the records, files, and/or data will be conducted in the presence of authorized College personnel.
 - D. The material in the records, files or data will not be copied or removed from the file.
 - E. A Personal Record Log will be maintained listing those individuals who have reviewed the file or record and the reason for the review.
2. All students requesting a transcript must complete a Transcript Request Form available from Campus Services.

- A. All requests should be in writing when possible. Verbal requests when acknowledged must be followed by written authorization.
- B. All student financial obligations to the College must be met before the transcript will be released.
- C. A notice will be sent to the student verifying that the transcript has been sent.
- D. The first transcript after each change of record is free. Others will cost the rate currently being charged.

Please see Board Policy 3019 pertaining to this procedure.

Issued: August 22, 1997

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3521 College-Sponsored Activities and Social Events Procedures

1. The Student Activity Authorization Form, available from Student Services, must be completed in sequence, steps 1 through 10, before any College funds will be released for the activity.
2. If a non-student event where alcoholic beverages will be consumed and/or sold, a valid temporary alcoholic beverage license must be secured by the group or organization sponsoring the activity and attached to the authorization form.
3. If alcoholic beverages will be consumed during the event, proof of Host Insurance covering the liquor liability of the sponsoring club and College must be attached to the form.
4. The form must carry the signature of the advisor of the recognized College club or organization and the Dean of Students.
5. All bills will be paid through the College business office upon receipt of authorized bills and funds to cover same.

Please see Board Policy 3021 pertaining to this procedure.

Issued: August 22, 1997

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3524 Student Accident Procedures

1. The student services division (preferably the Dean of Students) should be called immediately.
2. A decision will be made by the Dean of Students and the student reporting the accident as to any additional emergency treatment or steps to be taken.
3. Important - If the student loses consciousness for any reason, he/she will be transported by ambulance to the office of the family doctor or the hospital.
4. An Accident Report Form available from Administrative Offices must be completed immediately and returned to the Dean of Students.

Please see Board Policy 3024 pertaining to this procedure.

Issued: August 22, 1997

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3525 Tutorial Program Procedures

1. A student's need for a tutor shall be determined by a member of the counseling staff in consultation with the instructor.
2. The request for tutorial service may be initiated by the student, by a member of the College staff, or by the student's instructor in the respective courses.
3. The decision concerning a student's eligibility for tutorial services shall be based on as much information as possible including an interview with the student and feedback from appropriate faculty.
4. Each student's tutorial program shall be defined in the form of a written contract, which shall specify the name of the tutor, the number of hours per week of tutorial service, the days, times and locations of the tutorial contacts and the length of time the tutoring is to be provided. If the tutee misses more than two tutoring sessions without legitimate and acceptable excuses, he/she will be charged the hourly rate paid to the tutor. After two additional unexcused absences, the tutoring sessions will be canceled. The contract shall be signed by a member of the counseling staff.
5. Responsibilities of a tutor will be to:
 - A. Define the student's academic deficiencies on the basis of information provided by the counseling staff and the tutor's discussion with the student.
 - B. Develop a program of individualized study to correct the deficiencies.
 - C. Notify the student's instructor(s) of the tutorial contact and obtain any relevant information concerning the student's progress in class.
 - D. Coordinate efforts with the student's instructor and make a written bi-weekly progress report to the instructor.
 - E. At the termination of the tutoring contract, prepare a written summary of the student's deficiencies and the progress made toward correcting the deficiencies. This report must be submitted within one week of termination of the tutorial contract. The report should be given to the counselor involved in the initial contact.
6. Payroll information:
 - A. Tutors will be paid at the current minimum wage per hour.
 - B. Tutors will be paid for hours spent tutoring and preparing required written reports.
 - C. Tutors shall be limited to a maximum of fifteen (15) hours per week in the program.
 - D. Tutors must submit a timesheet to the counseling office every two weeks for hours worked.

E. Tutors will be paid through the regular College student payroll program.

Please see Board Policy 3025 pertaining to this procedure.

Issued: August 22, 1997

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3527 Campus Nicotine Policy Violation Procedures

Employees found to be in violation of the Campus Nicotine Policy (3027) are subject to disciplinary procedures as defined in the Employee Handbook.

Students found to be in violation of the Campus Nicotine Policy (3027) are subject to disciplinary procedures as defined in the Student Handbook.

Issued: February 2, 2010, as the Tobacco Use Policy Violations Procedures; updated on October 17, 2018, to Campus Nicotine Policy Violation Procedures.

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4507 Instructional Class Sessions Procedures

1. An instructional hour is defined as one 50-minute period.
2. Class sessions of more than 129 minutes in length will schedule a break period of 10 minutes.
3. Lecture instruction is equated on the ratio of one credit of lecture equals one instructional hour per week for the semester.
4. Laboratory instructions are equated on the ratio of one credit of laboratory experience equals 2-3 instructional hours per week per semester depending upon the course content.

Please see Board Policy 4007 pertaining to this procedure.

Issued: August 22, 1997

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4511 Directed Study Procedures

Adopted by the Alpena Community College Board of Trustees on March 27, 1979

Directed studies courses are arranged for advanced students or those who have exhausted regular offerings in their area of interest. The average student pursuing an associate degree will not find time for this type of credit. The concept does not apply to remedial work since that activity is provided in The Learning Center program.

A directed study must be planned in advance of registration and cannot be used at the end of a semester to fill requirements. Careful attention must be given to the description of the work posed because this constitutes our record of a course outline and is filed with the instructor, the dean and the records office.

The student is responsible for securing proper forms and following written procedures to secure faculty cooperation:

1. The student must be sponsored by an instructor who will supervise the directed study and who will evaluate the student's work. The student must prepare the Directed Study Application Form available from the Vice President for Instruction describing, as accurately as possible, the projected activity and have it signed by the instructor.
2. The student will take the proposal to the department chairperson and the Vice President of Instruction for approval.
3. The student will then take the approved proposal to the records office, which will assess the appropriate fee and complete the registration. The records office will file the application as directed on the form.

Please see Board Policy 4011 pertaining to this procedure.

Issued: August 22, 1997

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4517 College Level Examination Program (CLEP) Procedures

Alpena Community College is an open test center for CLEP. CLEP exams may be taken at Alpena Community College during the third week of every month. Students may take the exams at Alpena Community College, even if they plan to send the scores to another institution.

1. Procedure for taking a CLEP test:

- A. Student completes “CLEP Registration Form,” and check or money order for test fee made payable to “College Level Examination Program.” Registration form and check or money order must be submitted to Alpena Community College Student Services Office no later than the 21st day of the month preceding the month the test is to be taken.
- B. The day and time of the testing shall be established by the Student Services Office, and the student will be notified by mail.
- C. All answer sheets are sent to the College Entrance Examination Board (CEEB) for scoring, and CLEP scores are evaluated only from official CLEP score reports received directly from CEEB.
- D. Students may repeat CLEP tests six months after the initial testing date. Scores on tests repeated earlier than six months will be canceled and test fees forfeited.

2. Procedure for receiving credit:

- A. Student takes CLEP test and has score report sent to Alpena Community College from the CEEB.
- B. Scores are received and evaluated by Student Services Office.
- C. If student is eligible for credit, Student Services will notify the Record’s Office by written memo and will forward a copy of the student’s score report to the Record’s Office.
- D. The Record’s Office will post the credit on the student’s permanent record.
- E. Credits earned through CLEP will be added to a student’s permanent record at no cost, and no tuition shall be charged.

Please see Board Policy 4017 pertaining to this procedure.

Issued: August 22, 1997

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4518 Non-Traditional Credit Evaluation Procedures

1. An individual seeking credit for non-collegiate/non-traditional learning will submit a request in writing to the Registration and Student Records Office.

Included with the written request for evaluation will be:

- A. A résumé of the experiences to be evaluated.
 - B. Diplomas or certificates relevant to non-collegiate education/training.
 - C. Letters of recommendation from employers, associates, or personal references.
2. The Registration and Student Records Office will gather all material submitted by the individual seeking credit.
 - A. Advise the individual of the procedure(s).
 - B. Establish a file.
 - C. Perform an initial evaluation and recommendation (when feasible).
 - D. Send copies of all pertinent information to the Vice President for Instruction.
 3. The Vice President for Instruction will determine credit allowances to be made (if any), and as conditions warrant, will seek the assistance of qualified college personnel in preparing his/her final determination.

It is recognized that, in a majority of requests for credit through evaluation, the expertise for determination of the validity of non-collegiate/non-traditional education and training can be found within those responsible for instruction of a particular discipline. Therefore, the Vice President for Instruction will request the formation of an “Evaluation Group” appropriate to each request.

The Evaluation Group will consist of, as a minimum: the Vice President for Instruction, a representative from Registration and Student Records, department chairperson, and/or discipline instructor(s).

4. The Registration and Student Records Office will transcribe the credit approved by the Vice President for Instruction upon receipt of the written authorization.
5. Steps 2, 3, and 4 will not be initiated until it has been determined that the individual making the request for credit is a student of record at the college (past or present).

Therefore, evaluation may include the following:

- A. Resumé
- B. Letters of reference
- C. Documentation
- D. Testing
- E. Interviews
- F. Years of experience
- G. Recommendations of external agencies and associations
- H. Forms of competency assessment testing
- I. Educational goals
- J. Prior education (formal)
- K. Internal recommendations
- L. Benefit to the student

Please see Board Policy 4018 pertaining to this procedure.

Issued: August 22, 1997

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4519 Request for Credit by Examination Procedures

The Request for Credit by Examination form (available in the Registration and Student Records Office) will be initiated by the student, approved by the department and examining instructor, and an appropriate fee must be paid to the Business Office.

Upon satisfactory examination results, the proper notification will be made on the form and the student will carry the form to the Record's Office for directions on completing the process.

A. Recording of credits

B. Recording of waiver

The student's permanent record (transcript) will carry an entry such as the following example:

Credit by Examination

CEM 121 Gen & Inorg Chemistry (4 cr. hrs)

OR

CEM 121 Waived by Examination

Please see Board Policy 4019 pertaining to this procedure.

Issued: August 22, 1997

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4526A Adjunct Faculty Hiring Procedures

It is the intent of Alpena Community College to hire the best-qualified adjunct faculty in terms of education and appropriate work experience.

Applications received by the Human Resources Department are initially reviewed by the appropriate department chairperson. The department chairperson conducts the initial interview and makes a recommendation to the Vice President for Instruction by completing an Adjunct Faculty Qualification Review form. The department chair qualifies adjunct faculty for teaching on a course-by-course basis as indicated.

The Vice President for Instruction reviews the qualifications of the individual and makes the final determination. The adjunct faculty member is interviewed by the Vice President for Instruction prior to the start of the semester whenever possible.

Please see Board Policy 4026 pertaining to this procedure.

Issued: August 22, 1997

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4529 Alpena Community College Field Trip Request

Instructor Date

Name of Class

Number of Students _____

Department _____

Method of Travel _____

Date of Trip _____

Number of Vehicles _____

Name(s) of agencies to be visited

_Location

_Location

<u>Costs:</u>	Mileage
	Meals Account Number
	Meals
	Lodging _____
	Other _____
	Total _____

Are other classes taught by you affected? Yes No _____

If yes, what arrangements have been made for absence from class?

Are all students in the class participating? Yes No

If no, what arrangements are made to provide instruction for them?

Approved, Department Chairperson

Date_____

Approved, Dean

Date_____

Please see Board Policy 4029 pertaining to this procedure.

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4530 Student Opinion of Instruction Procedures for Adjunct Faculty

1. Full-time faculty will identify to its Vice President for Instruction which courses to survey each semester.
2. Survey packets will be distributed to full-time and part-time faculty by the tenth week of the semester.
3. Faculty will administer the survey and return it to the Vice President's office for scoring.
4. Survey data will be compiled by individual faculty and the faculty as a whole.
5. Copies of the survey results will be distributed to the faculty member and the department chairperson only.

Please see Board Policy 4030 pertaining to this procedure.

Issued: August 22, 1997

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5518 Library Bill of Rights

Adopted June 18, 1948. Amended February 2, 1961; and June 27, 1967 by the ALA Council

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries.

1. As a responsibility of library service, books and other library materials selected should be chosen for values of interests, information and enlightenment of all the people of the community.
2. Libraries should provide books and other materials presenting all points of view concerning the problems and issues of our times C no library materials should be proscribed or removed from libraries because of partisan or doctrinal disapproval.
3. Censorship should be challenged by libraries in the maintenance of their responsibility to provide public information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. The rights of an individual to the use of a library should not be denied or abridged because of his age, race, religion, national origins or social or political views.
6. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussion of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members, provided that the meetings be open to the public.

Please see Board Policy 5018 pertaining to this procedure.

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5519A Gifts, Grants and Bequests Procedures

Any gifts presented to the College must be accompanied by a letter from the donor for official action and recognition by the Board.

To be acceptable, a gift must satisfy the following criteria:

1. Have a purpose consistent with those of the College.
2. Be offered by a donor acceptable to the Board.
3. Will not add to staff load.
4. Will not begin a program which the Board would be unwilling to take over when gift or grant funds are exhausted.
5. Would not bring undesirable or hidden costs to the College.
6. Would place no restrictions on the College program.
7. Will not be inappropriate or harmful to the best education of students.
8. Will not imply endorsement of any business or product.
9. Will not be in conflict with any provision of the College code or public law.
10. All gifts, grants and bequests shall become College property.

Please see Board Policy 5019 pertaining to this procedure.

Issued: August 22, 1997

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5519B Grant Proposal, Approval, Development and Management Procedures

General Guidelines:

Any employee of the College may originate a grant proposal for external funding with initial review by the Director of Development and approval of the appropriate dean, director or department head.

The objectives of the grant must be consistent with the mission and goals of the College.

Grant research and writing will be handled by the person responsible for the grant, the Project Manager.

The Director of Development will support this process by:

1. Reviewing the feasibility of the grant activity with the Project Manager;
2. Reporting to the Executive Council with the Project Manager in support of the proposed grant application and related activity;
3. Maintaining a calendar of grant activities, approvals and deadlines;
4. Assisting in editing and final review of the grant application as needed; and
5. Following up on denied grants.

Procedures:

1. The grant originator (Project Manager) shall discuss the feasibility of the grant application and activity with the Director of Development and obtain a Grant Preparation Checklist which must be submitted at the time that the grant application is sent.
2. The Project Manager shall submit a Preproposal Review Form to the appropriate dean, director or department head.
3. The dean, director or department head will circulate the Form to the Dean's Council for review and present the proposal to Executive Council for discussion, review and approval, with the Project Manager and the Director of Development present. Approval by the Executive Council must be obtained a minimum of **two weeks** prior to the grant application deadline.
4. Once approved by the Executive Council, the Project Manager is required to schedule a meeting with a representative of all College areas affected by this grant application (i.e., Academic Services, Student Services, Management Information Systems, Vice President for Administration and Finance and Director of Development) to discuss the development of the proposal before the draft is submitted for approval. The Project Manager will organize a grant-writing team and write a draft of the proposal.

5. The Project Manager will meet with the Vice President for Administration and Finance to establish the grant budget line items.
6. The Project Manager shall present a draft of the proposal to the Director of Development for review. The Director of Development and the Project Manager will jointly present the draft to Executive Council for approval.
7. Once the above reviews are complete, the Director of Development and the Project Manager are responsible for seeing that all recommended changes have been made and that the grant is ready for submission.
8. With the assistance of the Director of Development, the Project Manager shall obtain the required signatures and submit the proposal to the funding source by the required deadline.
9. The Project Manager shall notify the Director of Development of the disposition of the proposal by the funder. The Director of Development shall keep the Executive Council updated on the status of grants and shall provide a monthly report on newly acquired grant funds to the College Board of Trustees.

Upon receipt of an award letter, the Project Manager shall obtain a Grant Award Checklist from the Director of Development and shall request the Vice President for Administration and Finance to formally establish the grant income and expense line items as established in the grant application. This request must be accompanied by:

- A. The original notice of award including the beginning and ending date of the grant.
- B. The approved budget; and
- C. The copy of the proposal.

All originals of official documents shall be filed in the Office of Development and copies should remain with the Project Manager. (A central filing location for all grant proposals is important for audit purposes.)

10. If the grant is denied, the Director of Development shall pursue the reason for denial, review the matter with the Project Manager, and seek approval for resubmission from the Executive Council, if so desired.
11. If the grant proposal is to be resubmitted, the Director of Development and the Project Manager shall obtain approval of any changes from the Executive Council. The procedure will then continue as set forth in this document.
12. Once funded, grant management is the responsibility of the Project Manager, the appropriate dean and the Vice President for Administration and Finance. The Project Manager is responsible for implementing the project with the assistance of staff and the dean, director or department head. The Project Manager must work closely with the Vice President for Administration and Finance in managing the grant funds. The Director of Development will

be responsible for formally reviewing the expenditures with the Vice President for Administration and Finance and the Project Manager on a semi-annual basis.

13. The Project Manager is responsible for all final reports required by the funder at the completion of the grant period. A copy of any reports must be on file in the Office of Development.

Note: Any and all variances from these procedures must be reviewed by the Director of Development and approved by the Executive Council.

Distributed by the Office of Development

Effective September 1, 1997

Please see Board Policy 5019 pertaining to this procedure.

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5520 Credit Card Procedures

1. Request for the issuance of an Alpena Community College credit card to an employee of the College must include the reason, the types of purchases needed and amount of credit needed. The request, approved in writing by the employee's supervisor, must be submitted to the Vice President for Administration and Finance for final approval.
2. The Vice President for Administration and Finance will review the request document. He/she will determine the need for a credit card, the areas of credit card use and the amount of credit made available. If the needs change, the Vice President for Administration and Finance will approve any changes. The approved request will then be forwarded to the controller to acquire the credit card. The Vice President for Administration and Finance will deliver the credit card, upon receipt by the College, to the employee.
3. Only an officer or employee of the College may use Alpena Community College credit cards for the purchase of goods or services for the official business of the College.
4. Employees using credit cards issued by the College shall submit to the College documentation, including appropriate receipts, detailing the goods or services purchased, the cost of the goods or services, the date of the purchase, College budget accounts to be charged and the official business for which purchased.
5. Credit cards used for travel require a completed "Application for Travel Approval."
6. Monthly credit card statements must be approved by the employee's supervisor prior to submittal to the Vice President for Administration and Finance within one week of receipt of the statement. Appropriate documentation, as listed above, must accompany the statement.
7. The balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than 30 days of the initial statement date.
8. An employee issued a credit card must return the credit card upon the termination of his or her employment with the College.

An employee who makes unauthorized use of a College credit card will be subject to discipline consistent with College policy, to include but not limited to: immediate repayment to the College of the unauthorized use and loss of credit card privileges.

Please see Board Policy 5020 pertaining to this procedure.

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5525 Travel Procedures

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

Refers to Policy 5025, Travel Policy

1. Travel advances must be authorized and approved two weeks prior to the intended date of departure. Deviation from this procedure requires Vice President for Administration and Finance approval.
2. Travel advances shall be reconciled to documented expenditures within one week after returning. All travel must be reconciled one week after returning.
3. Funds not documented by expenditure will be deemed due and payable from the employee and deducted from wages payable on month following date of return.
4. Advances will be made for the total amount of expenditures documented prior to departure (meeting registration, hotel registration, public transportation, etc.) by checks payable to sponsoring organizations or businesses providing service whenever feasible.
5. Personal, out-of-pocket expenditures (does not include mileage for use of personal vehicle) will be advanced at 90% of estimated costs. Personal expenditures include meals and lodging not paid prior to departure. No personal advances less than \$100 will be granted.
6. No advances will be issued to persons who have advances outstanding.
7. Transportation will be paid for by the most cost efficient means, considering time spent. For example, personal use of vehicle will not be reimbursed if air travel can be used at a lower cost.
8. Reimbursement will be for reasonable expenses required to meet the objectives for which the travel is intended. This includes meals, lodging and travel. All expenditures shall be documented by receipts. Credit card billings will not be acceptable documentation. ACC reserves the right to refuse payment for undocumented and unrelated expenditures. Only official Alpena Community College forms may be submitted.
9. On-campus travel is not normally subject to reimbursement. This does not preclude reimbursement for activities that require multiple daily campus travel (e.g., mail distribution) as part of job duties and is done on a daily basis.
10. Local travel (travel within 15 miles of campus) performed as a necessary function of the assigned work activity and directed by the College Administration will be reimbursed when the cumulative total exceeds 100 miles, or on a monthly basis; whichever is greater. Planned periodic local travel must be approved, in blanket form, each fiscal year by the Administrator in charge, and claims for reimbursement must be supported by a log of the actual travel. The log is to include odometer readings (starting and ending), destination,

date and purpose of trip. Claims for mileage reimbursement of less than 100 miles during a fiscal year must be made on or about June 1 and supported by a log of the travel.

11. Personal vehicle use will be reimbursed based on State of Michigan Department of Transportation mileage and/or Rand McNally Road Atlas mileage. Ten percent will be allowed for “in area” travel at destination. Miles in excess of said limitation must be justified and documented. Miles will be reimbursed at the contractual rate for faculty and a similar rate for all other staff.
12. Persons traveling on behalf of federal programs [per Uniform Guidance 2 CFR Section 200.474 (b)] are responsible for compliance with specific grant requirements. Alpena Community College will not accept liability for expenditures not in compliance with federal reporting requirements.
13. Circumstances may necessitate deviation from stated travel procedures. Such deviations shall be justified and separately authorized by the supervising Dean/Vice President or the College President in writing.
14. Claims for travel for personal business or activities will not be paid.
15. No reimbursement will be allowed for alcoholic beverages, personal long distance telephone calls, or expenses documented with only a credit card billing.

Issued: July 2, 2018

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5526 Financial Management Procedures

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

Refers to Policy 5026, Financial Management Systems Policy

Source of Governing Requirements – The requirements for cash management are contained in the Uniform Guidance 2 CFR 200, program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

Board Policy. The following policy has been separately reviewed and approved by the Board of Trustees, and is incorporated here by reference:

- Financial Management Systems Policy 5026

Business Office Procedures. The following procedures will be applied, to the extent that they do not conflict with or contradict the Board policy listed above:

1. Substantially all of the college's grants are awarded on a reimbursement basis. As such, program costs will be expended and disbursed prior to requesting reimbursement from the grantor agency.
2. Cash draws will be initiated by the Controller who will determine the appropriate draw amount. Documentation of how this amount was determined will be retained and signed/dated. An individual independent of this determination will review the draw amount and sign/initial the paperwork as evidence of the control.
3. The physical draw of cash will be processed in CMS (for Michigan Department of Education grants) or through the means prescribed by the grant agreement for other awards by the Controller.
4. Supporting documentation from CMS (for grants through the Michigan Department of Education) or a copy of the cash draw paperwork will be filed along with the approved paperwork described above and retained for audit purposes.
5. To the extent that the college passes through federal awards to subrecipients, the college will make payments to subrecipients within 30 calendar days after receipt of billing unless the college reasonably believes the request to be improper.

Please see Administrative Procedure 5526 pertaining to this policy.

Issued: July 2, 2018

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5527 Conflict of Interest Procedures

Adopted by the Alpena Community College Board of Trustees on June 21, 2018.

Transactions involved with Federal awards are subject to all conflict of interest policies, as applicable:

Board Policy. The following policy has been separately reviewed and approved by the Board of Trustees, and is incorporated here by reference:

- Conflict of Interest Policy 5027

Business Office Procedures. The following procedures will be applied, to the extent that they do not conflict with or contradict the Board policy listed above:

1. Board members will disclose any conflict of interest (whether in fact or appearance). When a member of the Board determines that the possibility of a personal interest conflict exists, he/she should, prior to the matter being considered, disclose his/her interest in a public meeting (which will be noted in the official meeting minutes). The individual shall abstain from discussing or voting on this matter.
2. Any related party transactions will be disclosed as part of the annual audit.
3. Board members and employees will not accept money or gifts from current or potential vendors of the college if such items are valued in excess of the threshold published annually by the State of Michigan.
4. College employees are prohibited from using college equipment, materials, and supplies for personal benefit.
5. A sample conflict of interest disclosure form is included next.

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Alpena Community College Conflict of Interest Disclosure Form

Employees in a position to influence decisions on purchase or contracts for Alpena Community College (the “college”) shall not have a personal financial interest either directly or indirectly in any contract or purchase of the college or benefit directly or indirectly from any financial transaction or contract of the college unless that interest has been fully disclosed and the person involved has removed him/herself from the decision-making process.

Purchases of or use of college property, materials and manpower by employees shall be accomplished in accordance with good business practices and within the framework of applicable laws and regulations.

The President, and any other college employee deemed by the President to be in a position to influence the purchase of any goods or services, shall sign and file the following information.

For purposes of this document, the following definitions are used:

AGENCY: Alpena Community College

SUPPLIER: any person, partnership, trust, corporation, or other business entity that supplies materials, equipment, real estate or services to the college.

FINANCIAL INTEREST: means any stock, bond or other debt, obligation, option or right to purchase stock, share in profits, investment, partnership interest or other interest of any nature. Ownership in securities in a corporation shall not be considered to constitute a financial interest for this purpose if all the following conditions are met:

- a. The securities are traded on a national securities exchange or regularly reported in over-the-counter quotations in the financial press
- b. The securities owned by you and to your knowledge or belief, owned by your relatives don't exceed 1% of the outstanding securities of such corporation of the same class, and
- c. The market value of the securities of such corporation so owned does not exceed 50% of your gross annual income.

FAMILY MEMBER: means your spouse, children, spouse(s) of your children; parent(s)/guardian(s); sisters and brothers of yourself and your spouse; and the spouse(s) of your brothers and sisters, and the nieces and nephews of you and your spouse. All relationships include those created by adoption or marriage. It is not necessary to interrogate the members of your family. It is sufficient to give the facts, as you know them or believe them to be.

We require complete honesty and candor of all employees asked to submit this form subject to penalties under Sec. 2 or Public Act 317.

Should you have inadvertently omitted a company in your statement and later there is a transaction involving that company come before the Board, you have a clear obligation to make that interest known. If after this statement is signed, you acquire an interest in a company doing business with the college, that interest should be made public as soon as practical. Failure to disclose this may subject you to disciplinary action up to and including dismissal.

Alpena Community College

Conflict of Interest Disclosure Form

- A. At any time since January 1, _____, have you, or to your knowledge and belief has any family member or member of your household, had any direct or indirect financial interest in any supplier of good and/or services to the Agency?

Yes _____ Provide details

No _____

- B. At any time since January 1, _____, have you been a Director, officer, sole proprietor, partner, agent, representative, employee or paid consultant or received any fee or commission from any business enterprise doing business with the Agency?

Yes _____ Provide details

No _____

Please sign and date below:

I declare that to the best of my knowledge and belief, the answers I have given and any statements attached are true and correct.

Signature

Printed Full Name

Date

Issued: July 2, 2018

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5530 Activities Allowed/Unallowed and Allowable Costs/Cost Principles Procedures

Source of Governing Requirements – The requirements for activities allowed or unallowed are contained in program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

The requirements for allowable costs/cost principles are contained in Uniform Guidance 2 CFR 200, program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

Business Office Procedures. The following procedures will be applied:

1. All grant expenditures will be in compliance with the Uniform Guidance 2 CFR 200, State law, college policy, and the provisions of the grant award agreement will also be considered in determining allowability. Grant funds will only be used for allowable costs and costs must meet the following general criteria to be allowed under Federal awards:
 - a. Be reasonable and necessary for the performance of the program and allocable thereto (see detail below);
 - b. Conform to any limitations or exclusions set forth in applicable regulations or in the award itself;
 - c. Be consistent with policies and procedures that apply uniformly to federally-financed activities and other activities of the non-Federal entity; and
 - d. Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
 - e. Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.
 - f. Be adequately documented.
2. A cost is reasonable if it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration must be given to:
 - a. Whether the cost is ordinary and necessary for the proper and efficient performance of the Federal award;
 - b. The requirements imposed by such factors as: sound business practices; arms-length bargaining; Federal, state, local, tribal and other laws and regulations; and
 - c. Market prices for comparable goods or services.
3. A cost is allocable to a particular Federal award if the goods or services involved are chargeable or assignable to that Federal award in accordance with the relative benefits received. This standard is met if the cost:
 - a. Is incurred specifically for the Federal award;
 - b. Benefits both the Federal award and other work of the non-Federal entity and can be distributed in proportions that may be approximated using reasonable methods; and
 - c. Is necessary to the overall operation of the non-Federal entity and is assignable in part to the Federal award.
4. Applicable credits refer to those receipts or reduction of expenditure type transactions that offset or reduce expense items allocable to the Federal award. To the extent that such

credits relate to allowable costs, they must be credited to the Federal award either as a cost reduction or cash refund, as appropriate.

The Federal award may be subject to statutory requirements that limit the allowability of costs. Payments made for costs determined to be unallowable must be refunded (including interest) to the Federal Government unless Federal statute or regulation directs otherwise.

Issued: August 30, 2018

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5531 Procurement, Suspension and Debarment Procedures

Source of Governing Requirements – The requirements for procurement are contained in Uniform Guidance 2 CFR 200, program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

The requirements for suspension and debarment are contained in OMB guidance in 2 CFR part 180, which implements Executive Orders 12549 and 12689, Debarment and Suspension; Federal agency regulations Uniform Guidance 2 CFR 200, program legislation; Federal awarding agency regulations; and the terms and conditions of the award.

Business Office Procedures. The following procedures will be applied:

1. Purchasing and procurement related to Federal grants will be subject to the general policies and procedures of the college [described in Policy 5609 Administrative Services (Business Office/Purchasing) General Statement – Purchasing Procedures].
2. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis of contract price.
3. Procurement will provide for full and open competition in accordance with Uniform Guidance 2 CFR 200.318 and 200.319.
4. The college is prohibited from contracting with or making subawards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred.
“Covered transactions” include those procurement contracts for goods and services awarded under a non-procurement transaction (i.e., grant or cooperative agreement) that are expected to equal or exceed \$25,000 or meet certain other specified criteria. All non-procurement transactions (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions.
5. The college will ensure compliance with suspension/debarment requirements through one of the following controls:
 - a. Including a suspension/debarment clause in all written contracts in which the vendor/contractor will certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the college immediately upon becoming suspended or debarred. This will serve as adequate documentation as long as the contract remains in effect.
 - b. Requiring vendors and contractors to sign a statement certifying that they are not suspended or debarred and agreeing to notify the college immediately upon being suspended or debarred. This would also serve as adequate documentation as long as the contract/vendor relationship remains in effect.
 - c. Periodically searching the federal excluded parties database at www.sam.gov and the State of Michigan debarred vendor list at <http://www.michigan.gov/micontractconnect/0,4541,7-225-48677-354349--,00.html> for the vendor name. Any potential match would be followed-up on immediately. A listing of the vendors search and the date of the procedures would be retained.

6. If a vendor is found to be suspended or debarred, the college will immediately cease to do business with this vendor.

Issued: August 30, 2018

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6501 Professional Personnel Recruitment and Selection Procedures

The following regulations governing the process of recruitment and selection of professional personnel are established in harmony with Board policy:

1. Outstanding colleges, universities and instructor placement agencies shall be among those sources contacted for recommendations of candidates. Visits to such agencies for the purpose of interviewing interested prospects shall be made when practical.
2. A candidate shall complete an application form and shall supply the College with transcripts of all college work.
3. All former employers and supervisors may be requested to submit in writing estimates and criticisms of the applicant's work, character and personality.
4. The applicant's work shall be observed whenever practicable.
5. The most outstanding applicants for each instructor's position shall be invited for interviews with members of the administrative staff and department chairpersons at a mutually agreeable spot. The purpose of the interview shall be to select instructors of character and intellectual integrity, possessing emotional stability and personalities suitable for living and working with young adults.
6. An employee shall be appointed only upon the recommendation of the President or his/her designee. Should a person nominated by the President be rejected by the Board, it shall be the duty of the President to make another nomination.
7. Current employees who make applications for a different job or transfer within the college:
 - A. Shall be interviewed with the same courtesy and time extended to each applicant.
 - B. Shall have their personnel records reviewed by the administrator under whom the person is to work.
 - C. Have their current administrator contacted for a recommendation.
 - D. Candidate shall be notified in writing of the action taken on his/her application.
 - E. The candidate may discuss the decision with the President or his/her designee upon request.
 - F. See current agreement between the Faculty Council and the Board of Trustees for details. (Series 8000)
 - G. The Board has assigned the responsibility for initiating, administering and controlling activities necessary to assure full implementation of the Affirmative Action Plan (AAP) and the Equal Employment Opportunity policy to the administrative staff, which includes the President, Vice President for Instruction, Vice President for Administration and

Finance, Dean of Students, and the Director of Human Resources. These responsibilities include, but are not limited to:

1. Assuring that recruiting sources are advised in writing of the Equal Opportunity Policy of the College.
2. Assisting in the identification of problem areas and establishing employment goals and objectives.
3. Conducting periodic auditing to insure that:
 - A. the established philosophy is pursued; the required posters and notices are properly displayed; the college statement of policy disseminated; and records of activities are maintained.
 - B. all employees, regardless of sex, have equal opportunity to any available job that they are qualified to perform.

Dissemination of Policy and Program

Internal

The Board will discuss the policy of Equal Employment Opportunity and the AAP with the President. The President will then inform the administrative staff, supervisors and department heads of their responsibility of carrying out the provisions of the AAP.

The College will publish and display on bulletin boards articles and announcements covering Equal Employment Opportunity.

External

Recruiting sources, such as college and university placement offices, Michigan Employment Security Commission, minority groups, women's organizations, and community leaders, will be kept informed of the College's commitment to equal employment opportunity.

Recruitment

1. Recruiting information will be maintained with colleges and universities having substantial numbers of minority ethnic groups.
2. Contacts will be maintained with representatives of minority groups to insure understanding of the Affirmative Action Plan of the College.
3. Employment advertisements in newspapers, radio and other media will include the phrase "An Equal Opportunity Employer."
4. Employment advertisements will express a preference for a male or a female only when sex is a bona fide occupational qualification for employment.

Employment Placement

1. Application for employment will be considered without regard to race, color, creed, age, sex or national origin.
2. Employment application forms will be in conformity with applicable Federal and State laws.
3. Application procedures including interviewing and testing will conform with applicable laws and acceptable personnel practices.

Please see Board Policy 6001 pertaining to this procedure.

Issued: August 22, 1997

Updated: August 10, 2007

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6502 Appointment Procedures

The Board of Trustees of Alpena Community College shall appoint upon recommendation of the President the necessary persons to carry on the educational, operational, and business affairs of the college in an efficient manner.

The President or his/her designee shall notify each employee of his/her selection and shall be responsible for completing the employment contract together with the required information and documents. The President or his/her designee shall keep accurate records of all employment records of service.

Please see Board Policy 6002 pertaining to this procedure.

Issued: August 22, 1997

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6504 Orientation Procedures

Procedures for instructor orientation should include but not be limited to the following:

1. New instructor basic orientation plan.
2. Supervision of new instructors during the first year.
3. Release time for observing the new instructor.
4. Local housing information, when available, will be shared with new instructors.
5. What to expect in professional assistance.
6. Educational staff.

The appropriate dean is responsible for the orientation of new instructors assigned to the college. He/she should give information and general directions in regard to the following:

1. The names of fellow instructors, pertinent office personnel, custodial staff, and other staff members.
2. Location and use of physical facilities of buildings: classrooms, cafeteria, library, offices and lavatories.
3. Instructional materials: courses of study, guidebooks, textbooks and supplementary materials.
4. College forms: student and college records, requisition forms, purchase orders, etc.
5. Method of ordering books and supplies, securing audio-visual equipment, material duplication, disposition of lost and found articles.
6. Class schedule.
7. Regulations for students: use of entrances, exits, equipment and activities.
8. Directions regarding faculty meetings, in-service training meetings, other meetings, assignments to college committees, fire drill regulations, policies concerning absence, attendance, etc.
9. The mission and goals of Alpena Community College.
10. College policies and regulations.
11. A qualified instructor shall be assigned to all new instructors new to the building.

Please see Board Policy 6004 pertaining to this procedure.

Issued: August 22, 1997

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6509A Instructor's Duties Procedures

All instruction revolves around the classroom instructor and the students. The instructor's specific responsibilities shall be:

1. To become acquainted with the goals and stated education philosophy of the college.
2. To direct and evaluate the learning experience of the student in both curricular work and co-curricular activities in which involved.
3. To provide guidance to the student which will promote his/her welfare and proper educational development in keeping with accepted theories.
4. To cooperate with and participate in the planning and evaluation of the college program.
5. To participate in the business and activities of the faculty.
6. To work cooperatively with specialized personnel such as: media, special services, career education, custodians, clerical, etc.
7. To do all possible to maintain cordial and cooperative working relationships with colleagues.
8. To report adequately the progress and adjustment of the students.
9. To strive for professional improvement through participation in graduate study, workshops, conference, and reading.
10. To perform in an ethical and professional manner that insures recognition of the rights, worth, and dignity of others.
11. To administer the classroom and its program.
12. To be responsible for student accounting.
13. To provide for the care and protection of college property.
14. To comply with rules, regulations, and directions adopted by the Board, or its representatives, which are not consistent with the provisions of the Master Agreement.

Please see Board Policy 6009 pertaining to this procedure.

Issued: August 22, 1997

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6509B Counselor's Duties Procedures

The counselor is a staff member who is directly responsible to the appropriate Dean. He/she works with students, staff, parents, and the community to help plan and develop the guidance program and the curriculum in relation to the needs of students.

The general responsibilities of the counselor are to:

1. Develop a counseling relationship with each of his/her counselees.
2. Assume the role of leader and consultant in the program of student appraisal for the college.
3. Assist students with educational and career planning and placement.
4. Coordinate the use of special services available in the college and community.
5. Act as a consultant to students and parents.
6. Conduct local research related to student needs and how well the college meets these needs.
7. Assist in promoting college-community relations.

The specific responsibilities of the counselor are to:

1. Through individual and group counseling sessions, counselors help the student to:
 - A. Understand himself/herself in relationship to the social and psychological work in which he/she lives.
 - B. Accept himself/herself as he/she is.
 - C. Develop personal decision-making competencies.
 - D. Resolve special problems.
2. Student appraisal:
 - A. Coordinate the accumulation and use of meaningful information about each student.
 - B. Interpret information to students, parents, instructors, and others who are professionally concerned.
 - C. Help identify students with special abilities, needs.
3. Collect and disseminate to students and their parents information concerning:
 - A. College offerings.
 - B. Opportunities for further education.

- C. Careers and career training opportunities.
- 4. Special and community services:
 - A. Maintain liaison and cooperate with specialist and community agencies.
 - B. Make appropriate referrals.
- 5. Assist in providing placement services by means of:
 - A. Student planning and scheduling.
 - B. Normal progression through college and into employment.
- 6. Consult with student or parent regarding:
 - A. Student growth and development.
 - B. Education and career planning.
 - C. Realistic expectations.
- 7. Local research and follow-up in regard to:
 - A. Curriculum development.
 - B. Evaluation of college curriculum through follow-up.
 - C. Meaningful occupational information for students.

Please see Board Policy 6009 pertaining to this procedure.

Issued: August 22, 1997

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7510 Alcoholic Beverages Procedures (On Campus)

Use during College-sponsored activities:

1. Alcoholic beverages are not to be served or sold at any student event on campus.
2. The Executive Council will act in an advisory capacity to the College administration and review all requests to serve alcoholic beverages on the campus or at College-sponsored activities.
3. The servicing of alcoholic beverages must be incidental to the nature of the event, whether the program is social, cultural, or educational.
4. At all events, where alcohol is served, food of some kind and non-alcoholic beverages must be available.
5. No one under the legal drinking age may dispense, serve, or consume alcoholic beverages.
6. No one will be allowed to leave the building or area with any unconsumed alcohol in his/her possession.
7. The State of Michigan Liquor Control Commission regulation prohibits anyone from bringing his/her own alcoholic beverage to any event for which a 24-hour license has been issued.

Please see Board Policy 7010 pertaining to this procedure.

Issued: August 22, 1997. Revised June 2014.

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ADMINISTRATIVE PROCEDURES AND OTHERS

1601 Legislative Action Plan

Adopted by the Alpena Community College Board of Trustees on January 18, 1996

Michigan's public policy direction, as well as its political climate, continues to undergo significant change. National events also are having marked effects on policy-making. A shift in the process is underway, and a decentralization of many Federal responsibilities is occurring. In turn, the State is becoming a focal point in a number of areas that were previously the purview of Congress. The need for a defined Legislative Action Plan and a corresponding government relations effort is greater than ever. With such concern, the following priorities are adopted:

1. Operational Funding - The Gast-Mathieu Funding Formula continues to be the foundation for providing operation funding for Michigan's 28 community colleges. The debate over adjustments to this Formula and the practicality of seeking full funding of the Formula are expected to continue. (Current estimates are that the Formula is under-funded by approximately \$1 million). The collective efforts of the state's community colleges to present a unified request for distribution of the 1996-97 appropriations has been positively received by the administration and bodes well for strong Legislative support.

Position - Support the modifications to the operational funding formula proposed by MCCA with a goal of achieving a +4.5% increase in operational funding for Alpena Community College in FY97.

2. Categorical Funding - Currently, categorical funding is provided to the College to support various programs providing services to "at-risk" students. In addition, proposals exist to seek categorical support to address special maintenance needs of the institution as well as the initiation of a continuous quality improvement (CQI) program.

Position - Support the continued funding of the "at-risk" program and the initiation of categorical grants to address maintenance needs and CQI initiatives.

3. Reorganization of Community College District - Currently, 80-85 percent of Michigan citizens and 50 percent of the land mass of the state is legally included in one of the 28 community college districts. This creates significant funding challenges for districts which have a restricted legal tax district within a larger service area. Various efforts have been made to address this issue, but to date, none have been successful.

Position - Support initiatives to ease the current processes for expanding the tax districts of community college districts.

4. Dual Enrollment Practices - An informal system of allowing high school seniors to enroll in college courses has existed for decades in the State of Michigan. Recently, this optional enrollment practice has become officially endorsed through Legislative statute, and efforts are ongoing to further expand these options for eligible students.

Position - Support Legislative action which will further expand access to postsecondary courses by eligible high school students.

5. Student Financial Assistance - The bulk of financial assistance is provided at the Federal level, and significant revisions to both the grant and loan programs currently available to community college students will likely occur once a decision is reached on the Federal budget.

Position - Support and advocate the American Association of Community Colleges' positions regarding these various financial assistance programs.

6. Workforce Development - A multitude of Federal programs support the training and retraining of the American worker. The College participates in a variety of these programs which have had a dramatic impact on its capacity to deliver these services in Northeast Michigan. Once the Federal budget is adopted, it is anticipated that a significant consolidation of programs will occur and monies will be distributed to the State of Michigan through various block grants.

Position - Support the American Association of Community Colleges' position regarding the consolidation of these programs at the Federal level and become active at the state level to assure representation of the College in the local decision-making process regarding the allocation of these critical funds.

7. Personnel Matters - A number of personnel matters will be addressed by the Michigan Legislature, including decisions regarding retirement and health programs. Currently, the latter matter is before the Michigan Supreme Court. Decisions in this and other personnel-related areas could dramatically affect the financial viability of the College.

Position - Monitor closely any proposed legislation in the personnel arena and work aggressively to restrict "pass through" costs to the institution.

8. Capital Development/Construction - The College has developed a long-range plan for needed new facilities. To date, it has been extremely successful in obtaining nearly \$4.5 million in state support for these activities. However, if this Master Plan is to be fully realized, an additional \$3 million in funds must be obtained to match currently available private funds.

Position - Advocate in various appropriate sectors of state government the awarding of the necessary capital monies to complete the Master Plan.

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1602 Compliance with the Lobbyist Regulation Act

Adopted by the Alpena Community College Board of Trustees on May 16, 1996

The Board of Trustees authorizes the President and his written designees to comply with all applicable provisions of Public Act 472 of 1978, known as the Lobbyist Regulation Act, with the President and his written designees as the only individuals authorized to represent the College and to be reimbursed for expenditures as required by the provisions of the Lobbyist Regulation Act.

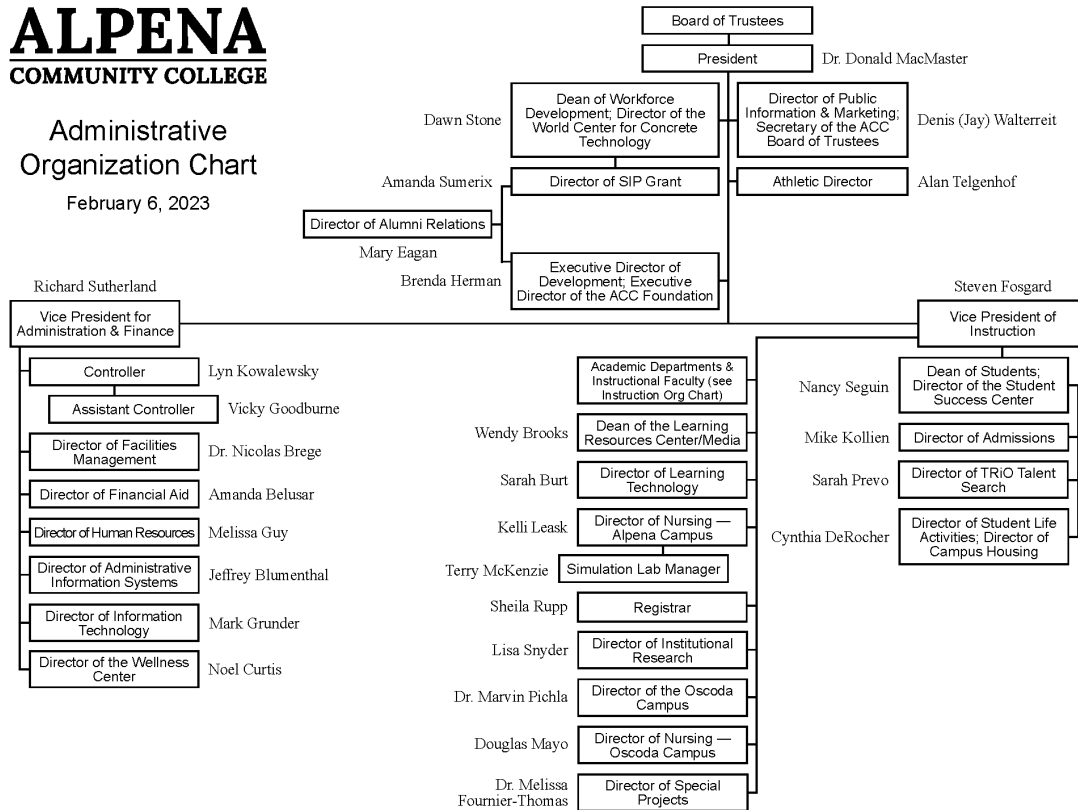
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2601 Administrative Organization Chart

ALPENA COMMUNITY COLLEGE

Administrative Organization Chart

February 6, 2023



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2602 Articulation Agreement: Alpena Community College and Northeast Michigan Vocational-Technical Education Center

Adopted by the Alpena Community College Board of Trustees on January 24, 1991

The Board of Trustees authorizes appropriate College officials to execute on behalf of Alpena Community College an Articulation Agreement with the Northeast Michigan Vocational-Technical Education Center for the purpose of facilitating the smooth transition of students in selected course areas. The agreement to become effective July 1, 1991, and publicly reviewed every two years.

ARTICULATION AGREEMENT BETWEEN ALPENA COMMUNITY COLLEGE AND NORTHEAST MICHIGAN VOCATIONAL-TECHNICAL EDUCATION CENTER

In the interest of cooperatively serving students who wish to continue their education beyond the secondary level, Northeast Michigan Vocational-Technical Education Center and Alpena Community College have entered into this articulation agreement and agree to the following:

Article 1

Alpena Community College (ACC) and the Northeast Michigan Vocational-Technical Education Center (NMVTEC) will maintain the integrity of their separate programs and enter into this agreement as equal partners.

A Program Articulation Committee composed of representatives of ACC and NMVTEC will be established to implement this agreement. The Vice President for Instruction at ACC, and the Director of Northeast Michigan Vocational-Technical Education Center will select the committee members and function as co-chairpersons.

Article 2

All articulating students must meet and maintain all entrance standards, prerequisites, and academic standards of Alpena Community College and the intended program of study.

Only grades 2.0 or above, on a 4-point scale in the selected NMVTEC courses (C or better where A, B, C, D, and E or F are used), will be considered for articulation credit. In some programs, ACC may require higher grades.

Article 3

A Student Competency Record (SCR) will be developed by mutual agreement between ACC and NMVTEC faculty on a course-by-course basis. Participating faculty at NMVTEC will provide each student with a SCR which identifies areas and levels of task achievement. This record will become part of the student's permanent record at NMVTEC, and will be forwarded to ACC upon request by the student.

Article 4

Students will receive articulation credit for courses in which they have demonstrated competencies for identified tasks based on the standards mutually agreed upon by the ACC and NMVTEC faculty on a course-by-course basis. No partial credit will be awarded. The specific courses and programs eligible for articulation credit will be jointly determined and published annually.

Article 5

Alpena Community College maintains the option of accepting the SCR as proof of competency, and/or requiring further substantiation of the achievement level through the use of performance tests, further documentation of the grading procedure used in the secondary course(s) or program, and/or personal interviews with the students. Performance tests may be written, oral, and/or demonstrative.

Article 6

Alpena Community College will accept requests for articulation credit through the use of the following procedure:

- A. The student must apply for articulation credit at ACC within two (2) years of completion of the secondary vocational course(s).
- B. Current information about the secondary course(s) must be on file at ACC before consideration will be given to course articulation requests. The information shall include:
 1. Program and course descriptions.
 2. Performance objectives (task lists) for the course and program.
 3. Competency levels required for successful completion of the secondary course(s) and program.
 4. Hours of instruction required in the secondary course(s) and program.
 5. A Student Competency Record (SCR) for the course(s) and program.
 6. Other relative information, such as the type of equipment used in the secondary program, may be requested to ensure compatibility of the course(s) and program.
- C. A completed Student Competency Record (SCR) relative to the student's competency level upon completion of a secondary course and/or program must be on file at ACC before consideration will be given to the articulation request.
- D. Upon receipt of a request for articulation credit, student transcript, and Student Competency Record (SCR); ACC will evaluate the request based on the information in Item B above.

- E. Based on information received, ACC will determine whether or not the student's secondary experience satisfactorily equates with the college course(s) for which the credit is being requested.
- F. Upon the determination that the secondary experience equates with the course(s) for which credit is being requested, the Dean of Instruction and Student Services will grant articulation credit.
- G. The determination of credit awarded will be placed in the student's file in the Records Office at ACC.
- H. Upon completion of a minimum of 12 semester credit hours of regular study with a minimum G.P.A. of 2.0 and a grade of "C" or higher in the next course in the course sequence, the student will be awarded the appropriate credit. It is the student's responsibility to notify the ACC Records Office when he/she has met this requirement. Upon notification by the student, credit will be awarded as articulation credit and entered on the student's transcript.
- I. A grade of "S," satisfactory, will be assigned to the course(s). This grade will not be used to compute the student's cumulative grade point average (G.P.A.).
- J. A recording/processing fee may be charged for articulation credit.
- K. Articulation credit will count as credit toward graduation but will not count as hours in residence at ACC.
- L. Examinations and/or performance tests, when given, will be prepared and administered by ACC. A fee will be charged for each course examination and/or performance test.
- M. A student may not receive credit for both taking a course and passing an examination equivalent to that course.
- N. A student may not repeat an examination.

Article 7

Tuition and the student fee for course articulation will be waived.

Article 8

The Program Articulation Committee will review this agreement annually. The following procedures will be in effect for the review and revision of this agreement:

- A. A review and update of the Articulation Agreement will be conducted annually. A summary of the review and any requests for revisions will be exchanged between the two institutions and submitted to the Program Articulation Committee for consideration.
- B. Additional personnel from each institution may be involved in the review and revision process, as necessary.

- C. When a curriculum change occurs, it will be the responsibility of the institution initiating the change to notify the other institution.
- D. A list of courses and programs available for articulation for the following year will be developed as a result of A, B, and C above.
- E. Revisions to the agreement will take effect on July 1st of every year.

Article 9

Revisions as recommended by the Program Articulation Committee will be submitted for approval to the President of Alpena Community College and Superintendent of Alpena Public Schools. Revisions to the agreement will take effect on July 1st of every year.

Article 10

The Board of Trustees of Alpena Community College and the Board of Education at Alpena Public Schools will review and solicit public comment on the agreement every two years.

Article 11

Alpena Community College and the Northeast Michigan Vocational-Technical Education Center agree to cooperate by communicating with each other and with their common and respective publics concerning the established relationships between programs at ACC and NMVTEC.

Article 12

Alpena Community College and the Northeast Michigan Vocational-Technical Education Center will not discriminate on the basis of religion, race, national origin, sex, age, or handicap.

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2603 Procedure for Displaying and Distributing Promotional Materials on ACC Grounds

Adopted: September 8, 2009

Philosophy:

Alpena Community College encourages students and employees to participate in community, social, and academic activities. With this in mind, on-campus promotion of appropriate services and events is condoned.

Promotional materials should not negatively impact the resources, appearance, or safety of ACC students and employees. ACC reserves the right to dispose of any promotional materials without warning.

Procedure:

Non-Alpena Community College posters, flyers, and advertisements can be displayed only on designated public bulletin boards or within an employee's office or work space. Any materials located anywhere else may be removed and discarded.

ACC-affiliated posters, flyers, and advertisements can be posted only on appropriate bulletin boards. Employees at the level of dean or above may authorize the distribution of loose materials. Please be aware that some bulletin boards are designated for use by specific ACC groups such as Student Support Services or Student Senate.

For promotional items distributed in person, all distributors must remain outdoors on public sidewalks and not block vehicle or pedestrian ingress and egress points. Distributors should not verbally or physically accost or otherwise pressure anyone to take promotional items, engage in conversation, etc.

Dos and Don'ts:

- DO use appropriate posting places; if there is a question about the use of a particular bulletin board, please inquire with the Facilities Office. Public bulletin boards will be designated with signs.
- DO remove promotional materials when they have become outdated.
- DON'T use duct tape, packaging tape, or any other fixatives that are difficult to remove or may damage walls, paint, etc.
- DON'T affix promotional materials to doors, door jambs, windows, signs, furniture, floors, etc.
- DON'T block access points to buildings, parking lots, rooms, etc.
- DO collect and dispose of promotional materials after they become obsolete.

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3601 Student Complaint Procedures

Complaints on College Operations

Students with complaints about Alpena Community College operations should contact the Dean of Students. The following steps may be taken:

Step 1 - Verbal:

The Dean will hear the student's verbal complaint and will forward the complaint to the appropriate College supervisor. The supervisor will consider the merit of the complaint and take any action considered appropriate or necessary. At this level, the student has the right to remain anonymous.

Step 2 - Written:

If the student's verbal complaint is not resolved and the student wants to continue to pursue the complaint, the student must submit the complaint in writing and specify the relief sought. The written complaint will be forwarded to the appropriate dean, and a copy will be provided to the involved College personnel. At this level, the student no longer remains anonymous.

Complaints on Grading Instruction

Student evaluation of instructors is provided for under the terms of the contract between Alpena Community College Faculty Council and Alpena Community College. This policy is not provided as a form of student evaluation, but is intended to allow a student the opportunity, with certain restrictions, to voice a complaint about the grading and/or instructional practices of faculty.

Step 1 - Verbal:

The appropriate department chair shall hear the initial verbal complaint of the student and shall notify the instructor of the complaint. If the complaint is against the department chair, the student is then referred to another department chair. Every attempt will be made to resolve the complaint at the department level. At this level, the student has the right to remain anonymous.

Step 2 - Written:

If the student's verbal complaint cannot be resolved at the department level and the student wants to continue to pursue the complaint, the student must submit the complaint in writing and specify the relief sought. The written complaint will be submitted to the Vice President of Instruction and a copy will be provided to the involved faculty member. At this level, the student no longer remains anonymous.

The Vice President of Instruction will discuss the complaint with the instructor and provide an opportunity for both parties involved to present their sides of the issue. Every attempt will be made to resolve the complaint. Student complaints under this policy shall not be the basis for any

discipline of the instructor involved as long as there is no evidence of unfair treatment of the student or discriminatory practice against the student on the part of the instructor.

Complaints on Inappropriate Behavior of Faculty or Staff

Please refer to Policy 7009, Sexual Misconduct Policy, for more information about making complaints about inappropriate behavior of faculty or staff.

Issued: August 22, 1997

Revised August 14, 2020 (Changed text in the Complaints in Inappropriate Behavior of Faculty or Staff section.)

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5601 Building Use by ACC and Non-ACC Groups and Organizations Procedures

Alpena Community College facilities are constructed and maintained for the purpose of housing college-related activities.

1. Requests for use of any ACC facility may be submitted through the office of the Director of Facilities Management by completing a Facility Use form. Priorities of use will be:
 - A. Use by an Alpena Community College credit generating activity.
 - B. Use by an Alpena Community College non-credit activity.
 - C. Use by any non-instructional group at Alpena Community College.
 - D. Use by non-profit educational groups such as CMU, LSSU, and Spring Arbor College.
 - E. Use by any non-profit organizations not charging admission.
 - F. Use by non-profit organizations charging admission.
 - G. Use by profit-making private agencies or organizations.
 - H. Private use by employees.
 - I. Private use by outside individuals.
2. The fee use of Alpena Community College facilities will be as follows:

Dedicated space (sole users):

Office space	\$6.50/sq.ft./year
Classroom space	\$5.00/sq.ft./year

College/University credit course - \$400/semester/course plus appropriate lab fees.

NRC 400 scheduled by permission of the President's Office.

(See next page for rates.)

Alpena Community College Facility Contract Fees

Non-Profit Facilities Fees (Per Hour):

Item	Monday-Friday (7 a.m.-10 p.m.)	Saturday (4-hour minimum)	Sunday (4-hour minimum)
Classrooms or Conference Rooms	\$0.00	\$25.00	\$35.00
Video Conferencing System Room	\$0.00	\$35.00	\$50.00
NRC Lecture Hall, BTC Commons, Park Arena, & Granum Theater	\$0.00	\$50.00	\$70.00
VCS Room Equipment	\$40.00	\$40.00	\$40.00
Computer Lab Equipment/Room	\$25.00	\$25.00	\$25.00
Theater Sound Technician	\$30.00	\$40.00	\$50.00
Theater Lighting Technician	\$30.00	\$40.00	\$50.00
Theater/VCS/Staff Technician	\$30.00	\$40.00	\$50.00
Large Groups (Extra Custodian)	\$25.00	\$30.00	\$45.00

Note: Food and beverages must be provided by ACC. Contact Food Service at (989) 358-7216 for food and/or beverages.

For-Profit Facilities Fees (Per Hour):

Item	Monday-Friday (7 a.m.-10 p.m.)	Saturday (4-hour minimum)	Sunday (4-hour minimum)
Classrooms or Conference Rooms	\$25.00	\$35.00	\$70.00
Video Conferencing System Room	\$35.00	\$50.00	\$100.00
NRC Lecture Hall, BTC Commons, Park Arena, & Granum Theater	\$50.00	\$75.00	\$100.00
VCS Room Equipment	\$85.00	\$85.00	\$85.00
Computer Lab Equipment/Room	\$50.00	\$50.00	\$50.00
Theater Sound Technician	\$30.00	\$40.00	\$50.00
Theater Lighting Technician	\$30.00	\$40.00	\$50.00
Theater/VCS/Staff Technician	\$30.00	\$40.00	\$50.00
Large Groups (Extra Custodian)	N/A	\$40.00	\$50.00

Note: Food and beverages must be provided by ACC. Contact Food Service at (989) 358-7216 for food and/or beverages.

Equipment Rental Fees (Per Day):

Item	Non-Profit	For-Profit
Overhead Projector/Document Camera	\$5.00	\$10.00
Portable Tripod Screens	\$5.00	\$10.00
Stereo (w/Cassette & CD)	\$5.00	\$10.00
Conference Phone	\$10.00	\$20.00
TV/DVD Player	\$10.00	\$20.00
Easel/Pad/Markers	\$10.00	\$20.00
Slide Projector	\$10.00	\$20.00
PA System	\$15.00	\$30.00
Camcorder (w/ Tripod)	\$20.00	\$40.00
LCD Projector Only	\$20.00	\$40.00
Document Camera w/ LCD Projector	\$30.00	\$60.00
Computer Projection System	\$40.00	\$80.00
Smart Room	\$50.00	\$100.00

3. The following special procedure shall apply to all groups who use the Alpena Community College theater:
 - A. Arrangements must be made in advance for consultation with the Associate Dean for Technology and Economic Development.
 - B. Operation of the lighting and sound panels is restricted to employees of the College.
 - C. No smoking, eating, or drinking will be allowed in the theater.
4. The following regulations will apply for the use of the physical education and athletic area:
 - A. All athletic contests or functions using the gymnasium, Wellness Center, athletic fields or use of the locker and first aid rooms must be under the direct supervision of designated official from the Dean of Students or designee.

- B. Athletic and/or physical education equipment of Alpena Community College shall be available for use by all credit students and athletes.
 - C. All rules and regulations of the physical education and athletic departments must be followed by users of the facility.
 - D. Employees may use the facilities with prior approval from the Director of Facilities Management and Dean of Students.
- 5. Unauthorized users found on premises will be asked to leave. Corrective actions will be taken which may result in prosecution.
 - 6. Notwithstanding the above, the public is encouraged to use Alpena Community College facilities at appropriate times, when not in use for College programs.

Approved by Executive Council on October 21, 1996

Issued: August 22, 1997; fees charts updated July 17, 2019.

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5602 Access to Rooms and Offices Procedures

Access may be gained to rooms and/or offices as follows:

1. Request a key to the room (see Key Request procedure).
2. If you plan to enter a room/office when the campus is closed (i.e., from 10:30 p.m. until 6:00 a.m.), you will need to request BOTH a room key and a building key. Some rooms are protected by the ACC security system. Check with Facilities Management for access to these rooms.
3. Rooms are left unlocked unless they contain special (valuable) equipment. A room with special equipment is locked before 10:30 p.m.

Unlocking a room in the morning is the responsibility of the first person that uses the room.

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5603 Key Request Procedures

1. All key requests must be submitted on a “Key Request” form signed with a Dean’s signature.
2. All Master keys must have the signature of the Vice President for Administration and Finance.
3. Keys are issued to Staff, Faculty and Renters. Students **will not** be issued keys.
4. Upon separation, employees who resign, retire, are laid off or discharged will be required to turn in an Alpena Community College-owned property, materials and keys to Facilities Management prior to final workday. A check-off sheet will be provided by the Personnel Office.

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5604 Maintenance/Custodial/Work Request Procedures

1. To request work to be done by either maintenance or custodial personnel, submit your request in writing indicating your name, date, and your request. If your request is quite detailed, be specific. A sketch is very helpful.
2. Place your request in the mailbox of your building custodian.
3. Emergency requests may be placed by telephone to Ext. 7360.

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5605 Bomb Threat Procedures

1. Incident notification - **BE CALM.** Use check sheet and get as much information as possible.
2. Taking action:
 - A. Call 911
 1. Indicate type of incident.
 2. Tell them location of Incident Command Team.
 - B. Evacuate Building - (Building Emergency)
 1. Assist handicap to evacuate building.
 2. Staff looks for suspicious items before leaving building.
 3. Search building to ensure everyone has left building.
 - C. Designated staff assist police in search of building.
 - D. All clear is given by Incident Command Team leader **ONLY.**

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5606 Travel Procedures

1. Travel advances must be authorized and approved two weeks prior to the intended date of departure.
2. Travel advances shall be reconciled to documented expenditures within one week after returning. All travel must be reconciled one week after returning.
3. Funds not documented by expenditure will be deemed compensation to the employee and deducted from wages payable one month following date of return.
4. Advances will be made for the total amount of expenditures documented prior to departure (meeting registration, hotel registration, public transportation, etc.) by checks payable to sponsoring organizations or businesses providing service whenever feasible.
5. Personal, out-of-pocket expenditures, (does not include mileage for use of personal vehicle) will be advanced at 90% of estimated costs. Personal expenditures include meals and lodging not paid prior to departure. No personal advances less than \$100 will be granted.
6. No advances will be issued to persons who have advances outstanding.
7. Transportation will be paid for by the most cost-efficient means, considering time spent. For example, personal use of vehicle will not be reimbursed if air travel can be used at a lower cost.
8. Reimbursement will be for reasonable expenses required to meet the objectives for which the travel is intended. This includes meals, lodging and travel. All expenditures shall be documented by receipts. Credit card billings will not be acceptable documentation. ACC reserves the right to refuse payment for undocumented and unrelated expenditures. Only official Alpena Community College forms may be submitted.
9. On-campus travel is not normally subject to reimbursement. This does not preclude reimbursement for activities that require multiple daily campus travel (e.g., mail distribution) as part of job duties and is done on a daily basis.
10. Local travel (travel within 15 miles of campus) performed as a necessary function of the assigned work activity and directed by the College Administration will be reimbursed when the cumulative total exceeds 100 miles, or on a monthly basis; whichever is greater. Planned periodic local travel must be approved, in blanket form, each fiscal year by the Administrator in charge, and claims for reimbursement must be supported by a log of the actual travel. The log is to include odometer readings (starting and ending), destination, date and purpose of trip. Claims for mileage reimbursement of less than 100 miles during a fiscal year must be made on or about June 1 each year and supported by a log of the travel.
11. Personal vehicle use will be reimbursed based on State of Michigan Department of Transportation mileage and/or Rand McNally Road Atlas mileage. Ten per cent will be allowed for “in area” travel at destination. Miles in excess of said limitation must be justified

and documented. Miles will be reimbursed at the contractual rate for faculty and a similar rate for all other staff.

12. Persons traveling on behalf of federal programs are responsible for compliance with specific grant requirements. Alpena Community College will not accept liability for expenditures not in compliance with federal reporting requirements.
13. Circumstances may necessitate deviation from stated travel procedures. Such deviations shall be justified and separately authorized by the supervising Dean or the College President in writing.
14. Claims for travel for personal business or activities will not be paid.
15. No reimbursement will be allowed for alcoholic beverages, personal long-distance telephone calls, or expenses documented with only a credit card billing.

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5607 [Deleted]

This policy has been deleted.

Issued: August 22, 1997

Deleted: June 21, 2022

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5608 Parking Regulations

Only staff vehicles must be registered.

However, persons subject to these regulations include:

1. ACC students; their spouses and children
2. ACC staff members; their spouses and children
3. Vendors/visitors

A. Registering Staff Vehicles

Vehicle registration forms are available in Parking Control C BTC 101, between 8 a.m. and 4 p.m. or at the receptionist's desk in Van Lare Hall.

Staff permits are issued on a permanent basis and only need to be updated if a change in vehicle or license plate takes place. For updating, contact Parking Control C BTC 101.

All vehicles brought on campus are the responsibility of the driver.

(Temporary permits for short-term or emergency situations are available in BTC 101.)

B. Displaying the Parking Permit

Staff parking permits are hanging tags which are placed on the rearview mirror post, facing the front window.

C. Violations

A **\$10 fine** will be assessed for:

1. Parking in unauthorized parking areas.
2. Parking in undesignated parking areas.
3. Reckless driving or exceeding the college speed limit of 15 mph.

A **\$25 fine** will be assessed for unauthorized vehicles parked in **handicapped parking** areas.

All fines are paid in the **Business Office in VLH 107**.

APPEALS: To appeal a violation, the appeal must be submitted to Parking Control C BTC 101, within five (5) school days.

NOTE: Driving and parking on campus are privileges which may be revoked by the Director of Facilities Management.

D. Special Provisions

1. Vehicles will be towed which obstruct college operations, damage lawns or shrubs, or which continually park in violation of ACC parking regulations. Towing charges are the responsibility of the registrant.
2. Only vehicles displaying a state handicap-parking permit may park in handicap designated areas.
3. Overnight parking on campus is not permitted without prior approval from Parking Control.
4. When an accident occurs on campus property, both drivers should exchange drivers license number, name, address, telephone number and name of insurance carrier. All accidents must be reported to Parking Control and an ACC incident form completed.
5. Bicycles are not permitted inside buildings.
6. No student, staff member or visitor shall verbally or physically abuse campus parking control attendants. Any such occurrence shall be handled according to college disciplinary policies and procedures.

ACC Parking Lots will be patrolled 7:00 a.m. - 3:30 p.m.

E. ACC Campus

The campus includes all buildings and properties which are owned, leased, or operated by the college.

Note location of Parking Lots.

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5609 Administrative Services (Business Office/Purchasing)

General Statement – Purchasing Procedures

This manual is designed to explain and facilitate understanding of the purchasing organization, its functions, policies and procedures, and to serve as a tool in personnel training. The manual must be kept current and should include all policy and procedure bulletins issued.

The policy statements contained in this manual represent the basic intentions and goals of Alpena Community College. They represent the permanent foundation upon which the College operates, and are expected to be relatively independent of the changing technologies and methods used to carry them out. To support this view, all policy bulletins are contained within the first section of this manual.

Alpena Community College is a nondiscriminatory institution in employment, contracting, procurement and educational opportunity. Alpena Community College encourages the participation of businesses owned by minorities, women and handicapped.

This manual may not be released outside the College without the permission of the Vice President for Administration and Finance.

Purchasing Procedures

The following forms are a guideline for the purchase of merchandise or services through Alpena Community College:

Requisition

This form is your “request” for a Purchase Order to be issued to an organization, business or individual for merchandise or services and indicates to the Business Office how the purchase is to be handled.

1. All requisitions must be signed by the Department Chair and the Executive Administrator in charge of the account to be charged for the material.
2. The account to which the payment is to be charged must appear on the requisition.
3. The “Description” area of the requisition is used to outline the merchandise or services to be purchased and also to give instructions to the Business Office as to how the order is to be handled:
 - A. Purchase Order issued.
 - B. Check must accompany Purchase Order.
 - C. Any other special instructions that the order must contain.
4. Provide the complete name and address of company; in the case of an individual, the social security number of the person performing services must be included.

Purchase Order

The official Alpena Community College order form gives the company or individual authorization to forward merchandise or perform services.

1. Signed by the Controller.
2. Gives the order number for invoicing purposes.

Bid Sheet

The Alpena Community College form used to document formal bids. It represents a summary of bids received and specifications for those bids (used only by the Controller).

Internal Purchasing Procedures

1. Purpose
To insure that there is adequate protection of College assets and liabilities.
2. Scope
This procedure relates to all College funds; the purchasing, invoicing, receivables, payables and revenues of the College.
3. Conditions
 - A. All purchasing procedures are part of and subject to the following internal actions and conditions:
 1. The Controller or his designee is the official purchasing agent for the College.
 2. All College revenues are to be received and receipted by the College cashier.
 3. All original billings and/or invoices for College expenses are to be received by the payable clerk. All documentation is to be delivered to the Business Office within five days.
 4. All College expense liabilities resulting from the application of College purchasing procedures are to be paid in a timely and accurate manner. Internal procedures must insure that no single individual, in routine fashion, may receive, approve and issue payment for goods or services.
 5. Invoicing for College services of any kind and/or for the use of College equipment and services is to be performed only by the receivables clerk upon direction of the Controller.
 6. All deliveries to the College at the College address, as a place of business, become the property of the College until such time as any other determination of ownership is

made. This includes, but is not limited to, deliveries from the U.S. Postal Service, United Parcel Service, various transport/trucking agents and couriers.

7. Acceptance of deliveries to the College by any College employee constitutes acceptance of a liability for the College.
8. As first class mail is generally the method utilized in transporting billings, invoices and revenues (checks, money order, etc.), the administrative services activity will open first class mail in as much as is necessary to insure receipt of expense liabilities and revenues.
9. No College employee is permitted to expend College funds without proper authorization as defined in the purchasing procedures. Vendors accepting charges to the College without authorization will be informed of correct College procedures; after an initial warning, the vendor will not be paid for invoices with unauthorized charges.
10. Groups, clubs and activities assuming a relationship to, or acting as a College approved function or association, must deposit all funds accumulated with the College cashier. In all cases, each activity will be credited for deposits and have available ledger information documenting revenue and expense activity.

Approval Requirements for Requisitions

1. Purpose

To define the authority for the approval of purchase requisitions.

2. Scope

This procedure applies to all purchase requisitions.

3. Forms

Requisitions, Purchase Order (P.O.)

4. Approvals

The appropriate individual prior to acquisition or issuance of a purchase order must approve purchase requisitions. The originator is responsible for ensuring that the proper approval is obtained in writing before the Business Office issues a purchase order. The approval block of the purchase requisition is to be used to obtain such approvals prior to the issuance of any purchase order or direct payment.

- A. Cost Centers — Each cost center will be assigned a designated individual, or budget manager, who is responsible for approving purchase requisitions. Cost centers will be assigned to an Executive Administrator who is designated as budget manager of that area.
- B. Administrative Approval — The Vice President for Administration and Finance responsible for budgetary and financial reporting compliance. All purchase requisitions will be reviewed for budget control and to ensure that coding conforms to the College's chart of accounts.
 - 1. Incomplete requisitions as to description, vendor, account code, total dollar amount and required approval will be returned to the budget manager.
 - 2. Any requisition that exceeds the line item budget by ten percent must have the approval of the Vice President for Administration and Finance.
- C. Special Conditions — Unique or unusual purchase requisitions may require special handling. The originator will advise the Vice President for Administration and Finance.

Services of those requisitions requiring special handling:

- 1. Purchase requisitions involving advertising or public use of the College's name, out-of-state travel and contractual agreements will be approved directly by the President of the College, or with his knowledge.
- 2. Circumstances or conditions may exist which require the immediate approval and payment of a purchase. If such a condition exists, the originator shall provide a written explanation of the conditions to the Vice President for Administration and Finance.
- 3. Purchases that require the modification of plant facilities including electrical, plumbing and structural must be reviewed by the Director of Facilities.
- 4. Purchases that require the modification and/or installation of telephone lines must be reviewed by the OIT Director.

5. Definitions

- A. Originator – Individual initiating the request to expend funds. Authority to originate requisitions shall be delegated by the Budget Manager.

- B. Budget Manager – Individual delegated by executive administration with the responsibility for budget control and processing purchase transactions.
- C. Executive Administrator – Member of the President’s executive council who is responsible for cost centers within a specified area of the College’s activity.

6. Forms

- A. Requisition – A form used to initiate a request to expend funds. Requisitions will be used to initiate a purchase order.
- B. Purchase Order – A multi-part, numbered form used to inform a vendor, agency, or others of the College’s intent to purchase. This form is the basis for encumbering intended expense and provides the supplier with the necessary authorization to deliver and invoice. Issuance of a purchase order is based on a properly executed requisition.

7. Compliance

Compliance with these procedures is required to ensure the timely acquisition of goods and services, and subsequent payment of bills and financial reporting.

All documents related to purchase including, but not limited to, requisition, purchase orders, invoices, bills of lading and credit memos are the property of Alpena Community College and are to be kept in the custody of the Business Office. All documents are to be delivered to the Business Office within five days. Individuals who do not comply may have privileges restricted.

Open Purchase Order Procedures

1. Purpose

The purpose of this procedure is to define how and when to use open purchase orders.

2. Scope

This procedure applies to all open purchase orders.

3. General

Open purchase orders are to be used when the College will:

- A. Make purchases that are repetitive, specific services or items to be acquired from a single vendor over a period of time not to extend past June 30 of the current fiscal year.
- B. Order standard materials or maintenance supplies which require numerous purchases as need arises.

Open purchases are not to be used when:

1. There is not a significant efficiency in operation obtained by the use of the open order.
2. Quality of the vendor or services is questionable.
3. Control of College expenditures would be weakened significantly.

An open purchase order is prepared using the requisition and formal purchase order forms and shall include the following information:

1. The period of time covered (not to extend past June 30 of the current fiscal year).
2. A cancellation clause.
3. A brief description of the items or services to be obtained and the quantities if applicable.
4. Terms and billing arrangements.
5. Personnel authorized to issue order releases. These individuals shall be listed on the face of the order. A representative signature must be on file with the Business Office for all personnel listed.

4. Approval

Issuance of open purchase orders will be at the discretion of the Vice President for Administration and Finance and his designated officials.

- A. The need for an open order must be demonstrated through past account activity (i.e. frequent purchases of a repetitive nature from a specific vendor).
- B. Orders will be issued in denominations of \$250 not to exceed a budgeted line item.
- C. Approved orders will be encumbered in the requisitioner's accounts, restricting the budget balance.

5. Payment Procedures

All purchases made under the authorization of an open purchase order should be adequately documented.

- A. All purchases must be signed by a person authorized to issue order to release. The signature must be legible. The open purchase order number must appear on the invoice.
- B. The invoices should be accumulated monthly and attached to a requisition form for review by the budget manager designated for that budget area.
- C. Requisitions with attached invoices shall be submitted to the Business Office no later than five business days after the end of the month.

6. Quarterly Review

Open purchase order requirements will be reviewed quarterly.

A. Orders that have been completed or will have no activity will be voided.

B. Open orders will be issued to those requisitions that meet the general criteria.

Petty Cash Procedure

In order to facilitate the purchasing process where small, miscellaneous items, or “emergency” needs arise, the petty cash procedure is as follows:

Acquisition of item(s) costing \$50 or less may be handled as follows:

1. Complete a petty cash voucher containing the appropriate account number and the description of needed material.
2. Make the purchase.
3. Present the signed voucher and vendor receipt to the cashier in the Registrar’s Office for reimbursement. Advance payments may be made at the discretion of the Business Office.

Those preferring not to use their own funds will be required to use the requisition/purchase order process. The Business Office requires a minimum of 24 hours to process the purchase order.

The procedure outlined above applies to all areas of College business — general funds, restricted funds and agency funds.

The requirement that purchases be properly approved in advance remains in effect.

Purchasing by the petty cash method may subject the College to sales tax expense. Some vendors may exclude sales tax if they are satisfied that the sale is made to the College. Presentation of the signed requisition may be of help in this matter.

Bids and Quotations — Processing and Approval

1. Purpose

To define the procedures to be used by originators in determining what goods and services should be procured through quotes and bids. Bid and quote limits will be defined to insure that procurements are made to the advantage of the College and that vendors are given equitable treatment.

2. Scope

The dollar and/or aggregate amount limits established refer to the expense of a single item. Competitive bidding is employed to insure responsive, reasonable and firm proposals. Exceptions are made only in unique situations where such a bidding process would result in no apparent benefit to the College.

3. Forms

Requisition, Purchase Order and Bid Sheet

4. General

- A. All solicitations for bids/quotes must be initiated through the same process as used to initiate a purchase order. No solicitations are to be made until authorization for the procurement is complete. This means that a bid request (using a requisition form) is prepared for the approval of an Executive Administrator or similar level of responsibility to expend funds at an estimated level.
- B. Determination of whether bids or quotes are to be obtained will be defined by dollar value and subject matter.
 - 1. Purchases that have a dollar value of more than \$500 but less than \$2,500 may be taken verbally by the originator of the requisition, but the originator must document the quote on a “quotation request.” The originator then refers the requisition and quotes to the Executive Administrator for final approval. The Executive Administrator forwards the requisition and quote to the Controller, who will initiate a purchase order.
 - 2. Purchases of single items that have a dollar value equal to or greater than \$2,500 but less than \$5,000 will require written quotations obtained from at least three vendors. The originator must process a quotation request with the appropriate approval to the Controller. The Controller will obtain the required written quotations and inform the appropriate Executive Administrator of the results prior to issuing a purchase order. The originator must provide adequate specifications to permit obtaining quotations and may designate a selection of vendors to obtain quotes from.
 - a. **For Federal Program Acquisitions per Uniform Guidance 2 CFR 200 –**
Contact at least three potential vendors, outlining specifications of equipment or service. Require each vendor to clearly state their ability to deliver said item. It is suggested that bids be submitted in writing. If bids are submitted verbally, document responses and details.

Utilize the Bid Scoring Matrix located at the end of this procedure to evaluate bids and identify a successful bidder. Copies of all bids or documentation of verbal discussions must accompany the scoring matrix and be submitted to and reviewed by the Business Office prior to award of vendor.
 - 3. Purchases of single items that equal or exceed \$5,000 will be bid through public notice by the Controller subject to final approval by the College President. The Controller may require sealed bids, which would be submitted at a specified time, date and place. Pre-bid conferences may be held and public openings of bids may be established.

The originator must submit an approved requisition, with adequate specifications to permit obtaining bids. Specific vendors may be invited to bid in addition to the public notice. Acceptance or rejection of any or all bids is at the discretion of the Controller in cooperation with the originator of the requisition.

- a. For Federal Program Acquisitions per Uniform Guidance 2 CFR 200 -** In order to obtain the most quality and quantity of submissions, three methods of outreach are encouraged and must be documented:
1. Personal contact with vendors: Email, phone, or text to known suppliers of item/service, giving brief overview of item/service and requesting their bid.
 2. Access internet resources to identify potential vendors: Research suppliers and identify a list of potential vendors.
 3. Public notice: Post a classified advertisement in various news outlets, which may include but is not limited to: local newspapers; regional and/or national newspapers; trade publications.

Prepare a thorough Request for Proposal (RFP) (example included at the end of this procedure) and provided to all potential bidders. Offer an opportunity for vendors to participate in a Bidders Conference, allowing for consistency and clarity of answers to questions and when providing additional information. This will create an even playing field for all vendors. Avoid answering individual questions from vendors unless submitted during the Conference. Direct all questions to be expressed at the Conference or submitted via writing to be answered at the Conference.

Specifications listed on the RFP should be as detailed as possible, while allowing multiple brands/vendors to qualify for submission. Specifications should be generic, and not be directed toward a certain brand type. A thorough understanding of project need must be evaluated prior to identifying specifications, such as power requirements, output requirements, functionality needs, etc.

When assigning points and categories for the scoring matrix, evaluate items of importance. Cost/pricing will likely be most important, but is not the only thing to take into consideration. See the example of the Bid Scoring Matrix for language to include to assist with making sure item is of the highest quality, while maintaining fiscal responsibility.

Upon review of submissions, utilize the pre-determined scoring matrix to document evaluation of the proposal. Be consistent and objective. ***Identification of the successful bidder must be objective.***

The completed scoring matrix with the identified successful bidder and all submitted bids must be forwarded to the Business Office for secondary review and approval. Prepare a letter of award, stating the award will be made upon

approval from the College Board of Trustees, and letters of refusal for the Business Office to distribute.

Contact the Board of Trustees Secretary to be placed on the Board Agenda for the next appropriate meeting. Be prepared to justify all decisions to the President, Vice President for Administration and Finance, the Board of Trustees, and potentially, unsuccessful bidders.

4. Single items and aggregate purchases exceeding \$14,999.99 must be ratified by ACC Board of Trustees action.
 5. All purchases that involve the modification of buildings, grounds and mechanical/electrical facilities will be bid by the Controller in cooperation with the originator, Director of Facilities Management and the Vice President for Administration and Finance. The originator must submit adequate specifications, sketches and other information necessary to obtain appropriate bids. Quotes or bids will be obtained in the same manner as described above (Items 1 through 4).
 6. No bids or solicitations are to be made until authorization of the purchase is complete.
 7. At least three vendors should be contacted for bids or quotations.
 8. It is not the intention of the College to initiate sole sourcing of goods and services except where doing so is to the benefit of the College.
- C. If one vendor is permitted to re-bid, all vendors must be given the same opportunity.
- D. It is imperative that all vendors know that:
1. Pre-contract discussions and agreements are preliminary.
 2. All agreements are tentative.
 3. The College assumes no contract obligation until a purchase order, letter of agreement or contract is signed.
5. Evaluation
- A. All matters being equal, the lowest bid will be accepted.
1. Local vendors will be given a 3% advantage in evaluating the competing bids.
 2. If the lowest bid is not accepted, the circumstances that influenced the decision should be documented.
- B. Evaluation of bids may be affected by several factors:
1. Date and delivery of the goods or services to be received.

2. Past relationship and reliability of vendor.
3. Quality or performance characteristics of the competing products.
6. Definitions
 - A. Bid – A formal process of obtaining firm prices for goods and services.
 - B. Quote – An informal process of obtaining firm prices for goods and services.
 - C. Bid Sheet – A form used to document firm prices and specifications for goods and services (used only by the Controller).
 - D. Sole Sourcing – The process of obtaining goods and services without benefit of competitive quotes or bids when College interests are best met through single vendor contracting.
7. Processing

A request to solicit bids must be submitted at least eight weeks prior to expected delivery.

Questions regarding the bid process may be directed to the Administrative Services Secretary at ext. 7281.

Statement of Conflict of Interest

1. Purpose

Alpena Community College is committed to conducting business in a manner that is based on legal and ethical standards. For the protection of the College, as well as the employee, all employees of the College shall conduct business in compliance of this conflict of interest policy.

2. Scope

This policy relates to the employees of Alpena Community College, their immediate families, associates, and agents of the College. The policy relates to the procurement of goods and services, the procurement and administration of contracts, and other transactions that involve the operation of Alpena Community College. In the conduct of Federal funds, Alpena Community College will adhere to the standards of conduct as outlined in the Office of Management and Budget Circular A-110 ‘Uniform Requirements for Grants and Agreements.’

3. General

An employee who participates in the selection or approval of products or sources of supply, or who has supervisory responsibility for such employees, may not have a financial interest in the company which furnishes the supplies or services being purchased. This extends to any personal interest or betterment that may result from the selection of a product or service from

a particular vendor to the employee and the result of the selection of that vendor. The definition of interest shall be based on reasonable and prudent levels.

It is the responsibility of the employee to be aware of and disclose any personal relationship of themselves, their immediate family, or close associates that may result from the College's conducting business with a particular vendor.

4. Administration

This policy will be administered by the Department of Administration and Finance at Alpena Community College as part of the purchasing and procurement cycle. It shall be the responsibility of this Department to pass judgment on whether a conflict of interest exists.

Bid Scoring Matrix

Equipment:

Funding Source:

Bidder's Name Address Phone	Cost of equipment w/detailed breakdown (45)	Documentatio n of specifications (30)	Ability to deliver and reference s (15)	Durability (10)	Total points awarded (100)	Additional Items to consider PROS	Additional Items to consider CONS

Request for Proposal Example

Alpena Community College REQUEST FOR PROPOSAL <<Name of Equipment>>

1. Description

Alpena Community College (ACC) invites you to submit a response to the **Request for Proposal** for a <<Clear and concise name of equipment type; no brand name >> that meet or exceed specifications listed.

An optional bidder's meeting conference call meeting is scheduled for <<**Date and time of Bidders Conference**>>. Attendance is not mandatory. Questions will be accepted via phone, fax or email up to the bid deadline. Dial in number: *****. Participant code: *****.

A proposal is to be submitted which addresses section A-Scope of Work, section B-Responsibilities of Bidder, and section C- Responsibilities of ACC, as well as the items identified in the scoring section. Only efficient, clear submissions will be considered.

Proposers shall submit one (1) original of this form (signed) along with the proposal and attachments as appropriate. Proposals not completed in the manner specified in this RFP will not be evaluated.

In order to be considered, proposals must be received at the following address prior to <<**Date and time proposals are due**>> at **Alpena Community College, 665 Johnson Street, Alpena, Michigan 49707**. Mailed, faxed or e-mailed proposals will be accepted. Proposals may be faxed to 989.358.7565 or e-mailed to Lyn Kowalewsky, ACC Controller, at kowalewl@alpenacc.edu. No exceptions will be made to this deadline. Proposals received after that deadline will not be considered.

No bid bond or performance bond is required for this RFP.

For questions or information, contact *****.

COMPANY _____

SIGNATURE _____

ADDRESS _____

CONTACT _____

PHONE _____

E-MAIL _____

<<Use the below section to clearly outline your requirements for the equipment. Do not use brand names/specific vendor references/etc. An example of specifics is below:>>

A. Vehicle

1. Heavy Duty Cargo Van
2. Gas powered
3. Automatic transmission
4. Minimum 4000 lb. payload
5. Minimum 5000 lb. towing capacity
6. Trailer hitch and wiring
7. Minimum 16 EPA combined
8. Warranty
9. Finished interior height of at least 6'
10. Silver exterior
11. Cloth interior
12. Custom logo

B. Electrical System

1. Fully automatic and independent system (operates without vehicle running)
2. 3000 watt generator
3. AC120-15 amps and AC 120-30 amps
4. Two 4D-110 battery system

C. Computing System

1. Two work stations
2. Two seats fixed to the ground with safety belt and suspension
3. Two 17" laptop computers with high end video graphics and I7 processor, 16 GIG RAM, HDMI/VGA output.

4. Two 27” screens installed at work stations; screens to be modularized for ease of replacement

D. Communications System

1. Aviation radios
 - a. (2x) portable ICOM A14 VHF aircraft
 - b. (2x) Aviation headsets such as Telex Airman 750 or similar
 2. Land mobile radios
 - a. (2X) Kenwood NEXEDGE portable NX 5300 radio package
 3. Two-way communication data link system
 - a. (2X) Datalink Group SRM 6230 systems including remote antennas and suitable antenna cable to access 30 foot mast. Rack mount in van for one of the 6230 transmitter and one 6230 receiver.
 - b. Portable 30’ telescoping tower, with multiple UHF/VHF adapters
 4. Installed 2” conduit for cable pass thru from interior to roof exterior antenna mast. Pass thru should be open/close capable for weather protection of interior during inclement weather.
 5. Exterior GPS antenna roof mounted with cable access in interior near avionics rack.
 6. Provides the ability to operate in all-weather from the outside of the vehicle via use of communication ports.
3. Responsibilities of Bidder
 - A. Bidders will provide an itemized bid which includes all costs.
 - B. Bidders must specify delivery date.
 - C. Bidders must demonstrate a willingness and ability to support college staff in all technical questions.
 - D. Bidders must provide three reference contacts from among previous customers documenting ability to deliver effective and valuable product and support.
 - E. Successful bidder is required to cooperate with internal and national program evaluator.
<<If applicable>>
 4. Responsibilities of Alpena Community College
 - A. Perform all appropriate administration functions to maintain compliance with grant mandates.

- B. Award contract based on the criteria below.
- C. Pay the bidder upon complete delivery of <<***name of equipment***>>.
- D. Provide documentation of invoices to the grantor as requested.

5. Evaluation Criteria

The College will evaluate bids based on the following 100-point criteria: <<**Example**>>

Criteria	Points
Cost of equipment including a <u>detailed</u> breakdown of all costs, including shipping and destination charges	45 Points
Ability to document that equipment meets all aspects of the specifications listed above	30 Points
Preference will be given to bidder with specified delivery date by and past history of successful deliver of specified equipment with three reference contacts	15 Points
Preference will be given for durability	10 Points

6. Award Discretion

Award shall be made to the qualified vendor whose proposal is responsive to this request.
The College Reserves the right to:

- A. Eliminate one or more of the specified capability requirements if deemed cost prohibitive;
- B. accept or reject any and all proposals or portions thereof, or to waive any irregularities or informalities in proposals;
- C. select a proposal or proposals in the best interests of the College;
- D. select the next best responsive proposal, award to more than one vendor, release a new RFP, or take other action, as the College deems appropriate.

7. Indemnification

- A. Applicant agrees to defend, indemnify and hold the College harmless from and against all claims, suits, liabilities, costs and expenses, including attorney's fees, for any injury.
- B. This indemnity shall survive the termination of this agreement and shall not apply to any injury, damage or loss caused in whole by the negligence of the applicant.

8. Term and Termination

- A. The term of the Agreement shall commence on the date the last party executes this Agreement and shall be for a period of the duration of the period specified.
- B. If the Applicant fails to perform any of the promises set forth in this Agreement, then as an option but not as its sole remedy, the College may terminate this Agreement within thirty (30) days.

9. Miscellaneous

This Agreement constitutes the entire understanding of the parties and no terms may be altered or waived except by the mutual written consent of both parties. This Agreement may not be assigned nor sold or otherwise conveyed by Applicant without bidder's written consent.

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5610 Alpena Community College Inclement Weather Procedure

1. The President will make the decision on College closure prior to 5:45 a.m.

The announcement, to be relayed through the fan out and broadcast on local stations, will be one of the following:

- A. ACC will be closed, no staff or students to report.
 - B. ACC opening will be delayed until 10:00 a.m.
 - C. ACC classes are cancelled; offices will be open at 10:00 a.m.
 - D. In the event that daytime weather conditions lead to a shutdown decision after the college is already open, (weather conditions will be evaluated at 11:00 a.m. and 3:00 p.m.) one of the following announcements will be relayed to staff by the Office of Public Information via voice mail and also broadcast to local stations:
 1. All ACC classes starting at or after will be cancelled. Offices remain open.
 2. All ACC classes starting at or after [time] will be cancelled and the College is closed as of [time] .
2. The director of the Oscoda Campus will make the decision to close and will contact the President and the Director of Public Information.
 3. In the President's absence, the decision to close will be made by the Vice President for Administration & Finance.

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5611 Fundraising Procedure

This procedure is in place in order to insure that fundraising efforts are not overlapping and donors are not receiving numerous solicitations from different areas of the College. The leadership of all area programs, departments, student and staff organizations, and other projects affiliated with ACC which plan to engage in fundraising activities is required to submit the following information:

1. A brief paragraph describing the fundraising plan;
2. A copy of the solicitation letter, brochure, or telephone solicitation language;
3. A list of donors to whom the solicitation is targeted; and
4. A timeframe in which the solicitation will occur.

This should be forwarded to the Director of Development, 125 BTC, at least one week prior to the solicitation.

Should there be a conflict with other fundraising efforts, a meeting of all involved will be called to discuss the best manner in which to handle the timing of the solicitations. The Director of Development may see a need to delete names from the prospect list. If this is the case, this information will be imparted by telephone and in writing to the leader of the effort prior to the beginning of the solicitation.

Please feel free to call the Director of Development at Ext. 7297.

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6601 Hiring Process Checklist

1. Dean/Director prepares a description of the position, including duties and credentials required.
2. Dean/Director completes a Notice of Vacancy, including recommending members of the Search Team and potential advertising locations; attaches the position description, budget figures and account, and routes it to the Dean's Council.
 - Dean's Council reviews, approves and forwards to Human Resources.
3. Human Resource Director meets with Dean/Director to review and discuss employment process, salary levels, and issues related to the position. Decision will decide if videotape interviews will be used.
4. Human Resource prepares posting and forwards to President for posting approval. Once approved, posting will be posted as per contract agreements. Qualified internal candidates who are in a regular appointment are forwarded to the Screening Team.
 - Screening team receives change from the Dean/Director.
5. Screening Team reviews/interviews internal candidates.
6. Dean/Director notifies Human Resources if external search is desired.
7. Human Resources prepares and places appropriate advertisement and external posting.
Receives applications, sends acknowledgment with application and forwards candidate applications to the Dean/Director.
8. Screening Team screens applications and notifies Human Resources.
9. Human Resources arrange interviews with candidates. (If videotape interviews are used, Human Resources will coordinate these interviews.)
10. Dean/Director submits top candidate(s), in writing, to President for review/interview. Also, at the same time conducts and documents reference/criminal checks.
11. Upon President's decision, the Dean/Director is notified, who contacts Human Resources, who notifies the Division Director, contacts the candidate, extends the offer of employment, and arranges the start date. Human Resources prepare and sends contract and/or letter of appointment.
12. Human Resources send letters of regret to candidates interviewed and not selected.
13. New employee visits Human Resources prior to the first day of employment to conduct sign-up procedures.
14. Employee orientation, introduction to mentor and staff.

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6602 Hiring Procedures

GENERAL PRINCIPLES

1. Budgeted funds must exist for any position advertised/filled.
2. To promote opportunities for internal advancement, all regular position vacancies will be posted within the College as indicated in faculty, classified and custodial contracts and with technicians.

Qualified applicants who are in a regular ACC position will be interviewed and receive first consideration if equally qualified as per appropriate contract language.

3. To promote equal opportunity, affirmative action, and fair community access to ACC employment, the position will be advertised in the appropriate market after any regular employees who applied have been interviewed. Qualified applicants who are in supplemental or temporary ACC positions will be interviewed and receive consideration when the position is opened to external candidates.
4. All applicants must submit an employment application prior to appointment. Official transcripts are required for all administrative, professional and faculty positions, including adjunct faculty before the appointment can be finalized.
5. A minimum of three (3) references must be checked and documented by the supervisor prior to recommendation and appointment.
6. Salary, benefits, or other appointment terms may be discussed with candidates; however, it shall be made clear that no commitments can be made without approval of the resident.
7. Human Resources will receive all applications, maintain records of applicants, the interview/search process, and reasons for selection. Human Resources will also assist with timely communication to candidates and interview visits.
8. No testing of candidates may occur without approval of Human Resources. Any assessments are to be utilized on the same basis as other information gathered in the hiring process, and shall not be the sole criteria for selection. However, candidates must meet the minimum qualifications established for the position.

Search teams should normally be used for regular professional, administrative, faculty, classified, technicians, custodial, utility and maintenance positions. The team should be comprised of individuals from within and outside of the division, and include a demographic cross-section of individuals.

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6603 Procedure for Classified Group: Point Factor Job Evaluation

1. The employee requesting the change should contact the office of the Director of Human Resources and Classified President to obtain the application packet.
2. The employee completes the form and gives it to the immediate supervisor who must complete the second form verifying the information.
3. The completed form should then be forwarded to the Director of Human Resources and Classified President, who in turn, will review the forms and investigate where necessary.
4. The Director of Human Resources and Vice President for Administration and Finance will call a meeting of the Point-Factor Committee to consider the request(s). The following comprise the committee:

Vice President for Administration and Finance

Director of Human Resources

President, MEA-ESP

5. Once a determination is made, the committee will notify the requesting employee, indicating whether the request is approved or disapproved, but does not divulge either the vote or recommendation.
6. The recommendation will be submitted to the Executive Council.
7. Only one point-factor reclassification per individual will be considered during any twelve-month period.

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